

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

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

**Commencing Tuesday, January 5, 2021
Ending Sunday, April 4, 2021**

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PUBLISHED BY AUTHORITY

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FIRST DAY, TUESDAY, JANUARY 5, 2021

Be it remembered on this the 5th day of January, 2021 the same being the first Tuesday after the first Monday in January in said year, and being the time in compliance with the Constitution and the laws of the State of Mississippi for the Legislature to convene in regular session, the Senate convened in its chamber in the Capitol in the City of Jackson at twelve o'clock noon.

President Hosemann presided over the Senate.

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Polk. Total--1.

The Secretary announced a quorum present.

Divine blessing was invoked by Reverend Hubert Yates, Mississippi Baptist Convention.

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

October 28, 2020

The Oath of Office was administered to Senator Jason T. Barrett, District 39 and Senator Bart Williams, District 15 as prescribed by the constitution and the laws of the State of Mississippi by Lieutenant Governor Hosemann.

January 5, 2021

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

Resignation of Senator Doty from the ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY Committee.

ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEE: Senator Thompson.

AGRICULTURE COMMITTEE: Senator McCaughn, Vice Chairman.

SENATE JOURNAL
TUESDAY, JANUARY 5, 2021

AGRICULTURE COMMITTEE: Senator Suber.

APPROPRIATIONS COMMITTEE: Senator Polk, Vice Chairman.

APPROPRIATIONS COMMITTEE: Senator Wiggins.

Resignation of Senator Jackson G. (15th) from the APPROPRIATIONS Committee.

APPROPRIATIONS COMMITTEE: Senator Williams.

Resignation of Senator Johnson from the APPROPRIATIONS Committee.

APPROPRIATIONS COMMITTEE: Senator Parks.

Resignation of Senator Jackson G. (15th) from the BUSINESS AND FINANCIAL INSTITUTIONS Committee.

BUSINESS AND FINANCIAL INSTITUTIONS COMMITTEE: Senator Suber.

Resignation of Senator Thompson from the CONSTITUTION Committee.

CONSTITUTION COMMITTEE: Senator Williams.

Resignation of Senator Younger from the COUNTY AFFAIRS Committee.

COUNTY AFFAIRS COMMITTEE: Senator Whaley, Vice Chairman.

COUNTY AFFAIRS COMMITTEE: Senator Williams.

Resignation of Senator Tate from the COUNTY AFFAIRS Committee.

COUNTY AFFAIRS COMMITTEE: Senator Caughman.

Resignation of Senator Jackson G. (15th) from the DRUG POLICY Committee.

DRUG POLICY COMMITTEE: Senator Williams.

Resignation of Senator Doty from the ECONOMIC AND WORKFORCE DEVELOPMENT Committee.

ECONOMIC AND WORKFORCE DEVELOPMENT COMMITTEE: Senator Younger, Vice Chairman.

ECONOMIC AND WORKFORCE DEVELOPMENT COMMITTEE: Senator England.

Resignation of Senator Polk from the ECONOMIC AND WORKFORCE DEVELOPMENT Committee.

ECONOMIC AND WORKFORCE DEVELOPMENT COMMITTEE: Senator Barrett.

Resignation of Senator Doty from the EDUCATION Committee.

EDUCATION COMMITTEE: Senator Simmons S. (13th).

ELECTIONS COMMITTEE: Senator Tate, Chairman.

ELECTIONS COMMITTEE: Senator Bryan, Vice Chairman.

ELECTIONS COMMITTEE: Senator Branning.

Resignation of Senator Doty from the ENERGY Committee.

Resignation of Senator Jackson G. (15th) from the ENERGY Committee.

ENERGY COMMITTEE: Senator Parks, Vice Chairman.

ENERGY COMMITTEE: Senator Younger.

Resignation of Senator Simmons D. T. (12th) from the ENROLLED BILLS Committee.

ENROLLED BILLS COMMITTEE: Senator Witherspoon, Chairman.

Resignation of Senator Whaley from the ENVIRONMENT PROT, CONS AND WATER RES Committee.

ENVIRONMENT PROT, CONS AND WATER RES COMMITTEE: Senator Barrett.

Resignation of Senator Parks from the ETHICS Committee.

ETHICS COMMITTEE: Senator Barrett.

Resignation of Senator Hopson from the EXECUTIVE CONTINGENT FUND Committee.

EXECUTIVE CONTINGENT FUND COMMITTEE: Senator Barrett.

Resignation of Senator Doty from the FINANCE Committee.

Resignation of Senator Parks from the FINANCE Committee.

FINANCE COMMITTEE: Senator Johnson, Vice Chairman.

FINANCE COMMITTEE: Senator Barrett.

HIGHWAYS AND TRANSPORTATION COMMITTEE: Senator Branning,
Chairman.

HIGHWAYS AND TRANSPORTATION COMMITTEE: Senator Blackmon,
Vice Chairman.

HIGHWAYS AND TRANSPORTATION COMMITTEE: Senator Fillingane.

HIGHWAYS AND TRANSPORTATION COMMITTEE: Senator Parks.

Resignation of Senator Suber from the HOUSING Committee.

Resignation of Senator Norwood from the HOUSING Committee.

INSURANCE COMMITTEE: Senator McLendon, Vice Chairman.

INSURANCE COMMITTEE: Senator Boyd.

Resignation of Senator Simmons D. T. (12th) from the INSURANCE Committee.

INSURANCE COMMITTEE: Senator DeLano.

Resignation of Senator Johnson from the INSURANCE Committee.

INSURANCE COMMITTEE: Senator Frazier.

Resignation of Senator Caughman from the INVESTIGATE STATE OFFICES Committee.

INVESTIGATE STATE OFFICES COMMITTEE: Senator Williams.

Resignation of Senator Doty from the JUDICIARY, DIVISION A Committee.

JUDICIARY, DIVISION A COMMITTEE: Senator Wiggins, Chairman.

Resignation of Senator Frazier from the JUDICIARY, DIVISION A Committee.

JUDICIARY, DIVISION A COMMITTEE: Senator Barrett.

JUDICIARY, DIVISION B COMMITTEE: Senator Fillingane, Chairman.

JUDICIARY, DIVISION B COMMITTEE: Senator Wiggins.

Resignation of Senator Blackmon from the JUDICIARY, DIVISION B Committee.

JUDICIARY, DIVISION B COMMITTEE: Senator England, Vice Chairman.

JUDICIARY, DIVISION B COMMITTEE: Senator Barnett.

Resignation of Senator Jackson G. (15th) from the LABOR Committee.

LABOR COMMITTEE: Senator Williams.

Resignation of Senator Doty from the LEGISLATIVE BUDGET Committee.

LEGISLATIVE BUDGET COMMITTEE: Senator Boyd.

Resignation of Senator Jackson G. (15th) from the LOCAL AND PRIVATE Committee.

LOCAL AND PRIVATE COMMITTEE: Senator Whaley.

MEDICAID COMMITTEE: Senator Fillingane, Vice Chairman.

MEDICAID COMMITTEE: Senator Johnson.

Resignation of Senator Jackson G. (15th) from the MUNICIPALITIES Committee.

MUNICIPALITIES COMMITTEE: Senator Simmons D. T. (12th), Chairman.

Resignation of Senator Caughman from the MUNICIPALITIES Committee.

MUNICIPALITIES COMMITTEE: Senator Barrett, Vice Chairman.

MUNICIPALITIES COMMITTEE: Senator McLendon.

Resignation of Senator Barnett from the MUNICIPALITIES Committee.

MUNICIPALITIES COMMITTEE: Senator Norwood.

Resignation of Senator Simmons S. (13th) from the PORTS AND MARINE RESOURCES Committee.

PORTS AND MARINE RESOURCES COMMITTEE: Senator Carter.

Resignation of Senator Doty from the PUBLIC HEALTH AND WELFARE Committee.

Resignation of Senator Jackson G. (15th) from the PUBLIC HEALTH AND WELFARE Committee.

PUBLIC HEALTH AND WELFARE COMMITTEE: Senator Parker, Vice Chairman.

PUBLIC HEALTH AND WELFARE COMMITTEE: Senator Polk.

PUBLIC HEALTH AND WELFARE COMMITTEE: Senator Blackmon.

PUBLIC HEALTH AND WELFARE COMMITTEE: Senator Tate.

Resignation of Senator Doty from the PUBLIC PROPERTY Committee.

PUBLIC PROPERTY COMMITTEE: Senator Barrett.

Resignation of Senator Parker from the TECHNOLOGY Committee.

TECHNOLOGY COMMITTEE: Senator Williams, Vice Chairman.

Resignation of Senator Jackson S. (32nd) from the TECHNOLOGY Committee.

TECHNOLOGY COMMITTEE: Senator McLendon.

Resignation of Senator Jackson G. (15th) from the UNIVERSITIES AND COLLEGES Committee.

UNIVERSITIES AND COLLEGES COMMITTEE: Senator Boyd, Vice Chairman.

UNIVERSITIES AND COLLEGES COMMITTEE: Senator Fillingane.

UNIVERSITIES AND COLLEGES COMMITTEE: Senator Williams.

WILDLIFE, FISHERIES AND PARKS COMMITTEE: Senator Suber, Vice Chairman.

WILDLIFE, FISHERIES AND PARKS COMMITTEE: Senator McCaughn.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

President Hosemann appointed Senators Frazier, DeLano and DeBar as a committee to notify the House that the Senate is organized and ready for business.

Senators Kirby, Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Derwood Ray Boyles of Jackson, MS.

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Marcus Edmond Martin of Brandon, MS.

Senators Kirby, Caughman and Harkins moved that when the Senate adjourns, it adjourn in memory of Ray Rogers of Pearl, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Merlin Smith Richardson of Anguilla, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Debra D. Paige of Yazoo City, MS.

Senator Williams moved that when the Senate adjourns, it adjourn in memory of Renee Kinard Kim of Columbus, MS.

Senator Thompson moved that when the Senate adjourns, it adjourn in memory of Andrew Gallagher of Pass Christian, MS.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of William M. Bell of Port Gibson, MS/Russum, MS.

Senators Butler and Horhn moved that when the Senate adjourns, it adjourn in memory of Dr. Samuel L. McGee of Cleveland, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Barbara Ann Havard of Lucedale, MS.

Senators DeBar and Johnson moved that when the Senate adjourns, it adjourn in memory of Javier Fernando Moreno and Marshall Byrd of Leakesville, MS.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Angie Tullos, Janet Nowell, Gerald Branning, Sheila Lovern and Mr. Tommy Smith of Philadelphia, MS.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Ester Herrington of Union, MS.

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of John Thomas Lowery, Dahra (Dot) F. Martin and William Sanders Price of Mendenhall, MS.

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Virgil Charles Walker and Susan Hall of Magee, MS.

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Ed Welch of Braxton, MS.

Senators Caughman and Barrett moved that when the Senate adjourns, it adjourn in memory of Willie Price Wallace of Brandon, MS.

Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Mr. Jimmy Eugene Britt of Wesson, MS.

Senators Johnson and DeBar moved that when the Senate adjourns, it adjourn in memory of Claude T. Fillingane of Richton, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Roy Arney Meeks, Jr. of Leland, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Michael Wayne Cavin and Linda Lilly Buffalo of Lonoke, AR.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Jonathan Erik Pounders of Russellville, AL.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Carey Louis Ratcliff, Jr. of Shreveport, LA.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Katie Sue Ruby of Memphis, TN.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Thomas S. Aultman of Yazoo County, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Geraldine Hartsell of Winston-Salem, NC.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Jimmie Lee Hatcher of Olive Branch, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of David Ray Frazier of Southaven, MS.

Senators Blackwell, Chassaniol, Kirby, McMahan and Younger moved that when the Senate adjourns, it adjourn in memory of Chef Reggie Manuel of Brandon, MS.

Senator McDaniel moved that when the Senate adjourns, it adjourn in memory of Virginia Rosenberger of Ignacio, CO.

Senator McDaniel moved that when the Senate adjourns, it adjourn in memory of Ray W. Nicholson, Jr. of Texas City, TX.

Senator McDaniel moved that when the Senate adjourns, it adjourn in memory of John Dempsey Blackledge of Laurel, MS.

Senator McDaniel moved that when the Senate adjourns, it adjourn in memory of Charles Wilson of Magnolia, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Vicki Pevey Padilla, Debbie Smith, Martha Manuel Wall French and Tressie Vick of Pascagoula, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Brett Parson Pendleton and Edward Charles "Jim" Freeman of Vancleave, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of David James Wildman and Collin Jacob Stockman of Big Point, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Claude Thompson of Winnsboro, TX.

Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Brian Duffey of Ocean Springs, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mayor Joel Travis Miles, Rev. Samuel Lee Mack, Sr., Ardesa Jones Evans, Hilda Elaine Martin, Donivan Winston Johnson and Mary Jane Billiot of Wiggins, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Burton, Jr., John Hugh McGee, Judy Lee Hill, Iva Breland Rigby and Walter "W. L." Walker of Wiggins, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Dennis Jerry Jones, William "Kent" Olsen and Peggy Necaise of Ocean Springs, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Barbara Louise Parker, Sylvia Waltman Rolkosky and Richard Cismar of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Charles Fenwick Renfro, Cora Louise Breland and Dorothy Kay Alexander of Perkinston, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Lelia Fronie Eley and James Ronald "Jim" Davis of McHenry, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rufus Burnell Lott of Big Level Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Doyle Casey of Latimer Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Colin Ray Clark of Magnolia Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Billy Zane Gordon, Sr. of Philadelphia, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Robert G. Johnston, Mary Gordy, Mary Long Tolley and Bill Matheos of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Wolsey V. Jones, Frank M. Kinard, Web Guthrie and Ernest S. Thomas of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of James A. Ferguson, Doug W. Ridgway and Marcus Martin of Brandon, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Madeline Weill Gullekson and Warren Strain of Madison, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Fay Spruill Davidson of Oxford, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Mike Dowell of Ridgeland, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Frederick Michael Abraham of Vicksburg, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Marguerite Graham Richardson of Meridian, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Brett Pendleton of Ocean Springs, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ruth L. Meek of Olive Branch, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Charmayne Howell of Kilmichael, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Amanda Cary Bailey of Yazoo City, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dorothy Stevens Rogers of Clinton, MS.

Senators Michel and Blount moved that when the Senate adjourns, it adjourn in memory of Tessie Brunini Schweitzer of Jackson, MS.

Senators Michel and Blount moved that when the Senate adjourns, it adjourn in memory of Roger M. Flynt of Oxford, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Carson Lee Ladner, Elizabeth Ann Ulrich, Colton Northrup, Everett Oliver "Butch" Cuevas, Jr., Etta Lea Dubuisson and J. Lee Northrup of Pass Christian, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Jimmy Edwin Ladner, Albert Bruce Bennett, Betty Mae Ladner, Janet Shaw Necaise and Mattie Mae Cuevas Ladner of Kiln, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Sean Russell Overal, Charles Anthony Haas, Robert Edward Seal, Toni Ann Martin and Randy Matthew Perkins of Kiln, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Tor Bakken, Kimo Warren, Jerry Ross, Norman Lynn Reese and Marilyn Mae Dehnbostel of Diamondhead, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Robert Elmer Norton, Jr., Tommy Kidd, Charles Perry and Joyce Bordlee of Diamondhead, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Leslie Pullens of Picayune, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Britney Renee Peterson Wilson of Necaise Crossing, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of James Joseph Choina of Bay St. Louis, MS.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Dr. George Sturgis, Robert Megginson, Guy McIntyre Van Slyke, Mary Frances Ponder, Philip Barnes and Lula Dean Morris Alexander of Jackson, MS.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Brian McCurley, James Walker and Joan Myers of Terry, MS.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Jimmie Pinnix of Grenada, MS.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Vincent Anderson of Hewitt, TX.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Shirley Coleman of East St. Louis, IL.

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

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Toni Cevdar, Jimmy Allen Hussey, Henry Henson, Wesley Christian Nanney, Julia Brock and Linda Whitley of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Rosa Lee Wells, Robert Wayne Monaghan, Mike Asters, Tommy Turner, Krish Ramnarian and Raymond E. J. Witte, WWII Vet. of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Rita Berthay and Betty Stacks of Saltillo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Jerry Conlee and Roger Campbell of Baldwyn, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Myrtle Lee Thornton and Tom Robinson of Guntown, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Jimmy Frank Wise of Pontotoc, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Robert C. Langner of Wallingford, CT.

Senators McMahan and Suber moved that when the Senate adjourns, it adjourn in memory of Wanda Joy Chrestman of Houka, MS.

Senators McMahan and Suber moved that when the Senate adjourns, it adjourn in memory of Bill Whitt of Okalona, MS.

Senators McMahan and Sparks moved that when the Senate adjourns, it adjourn in memory of Mike Wilburn of Ozark Community, MS.

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

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Colonel James Robby Culpepper of Base, VA.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Edna Earle Tedder of Causeyville, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Ann Murray of Enterprise, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Thomas Martin "Marty" Boldin, Marx R. Bunyard, Jr., Kristi Lanterman, Leigh Ann Key and Garcia Gibson of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Stephen "Steve" Levon Freeman of Suqualena, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Claude Alvin "Al" Taylor of Whynot, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 6, 2021.

The motion prevailed, and at 12:08 PM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1: AN ACT TO CREATE NEW SECTION 3-3-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE OFFICIAL FLAG OF THE STATE OF MISSISSIPPI SHALL BE THE DESIGN RECOMMENDED BY THE COMMISSION TO REDESIGN THE MISSISSIPPI STATE FLAG AND APPROVED BY THE PEOPLE IN THE STATEWIDE ELECTION HELD ON NOVEMBER 3, 2020; TO PROVIDE A DESCRIPTION OF THE DESIGN OF THE STATE FLAG AND A STATEMENT OF WHAT THE ARTWORK AND COLORS OF THE DESIGN REPRESENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

H. B. No. 68: AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING ADDITIONAL FUNDS FOR THE PURCHASE OF OFFICIAL STATE FLAGS WITH THE

NEW DESIGN AS DESCRIBED AND ENACTED IN HOUSE BILL NO. 1, 2021 REGULAR SESSION, FOR THE EXTERIOR AND INTERIOR OF STATE BUILDINGS AND STATE OFFICES FOR THE FISCAL YEAR 2021.

Andrew Ketchings, Clerk of the House of Representatives

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

H. B. No. 1: State flag; shall be the design recommended by the Commission to Redesign the State Flag and approved in the November 2020 election. Rules.

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

H. B. No. 68: Appropriation; additional to DFA for purchases of new state flags for state buildings and offices. Appropriations.

REPORT OF COMMITTEE ON RULES

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

H. B. No. 1: State flag; shall be the design recommended by the Commission to Redesign the State Flag and approved in the November 2020 election. Title Sufficient. Do Pass.

KIRBY, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Derwood Ray Boyles, Marcus Edmond Martin, Javier Fernando Moreno, Amanda Cary Bailey, Dorothy Stevens Rogers, Carson Lee Ladner, Elizabeth Ann Ulrich, Colton Northrup, Everett Oliver "Butch" Cuevas, Jr., Etta Lea Dubuissou, J. Lee Northrup, Jimmy Edwin Ladner, Albert Bruce Bennett, Marshall Byrd, Betty Mae Ladner, Janet Shaw Necaise, Mattie Mae Cuevas Ladner, Sean Russell Overal, Charles Anthony Haas, Robert Edwards Seal, Toni Ann Martin, Randy Matthew Perkins, Tor Bakken, Kimo Warren, Angie Tullos, Jerry Ross, Norman Lynn Reese, Marilyn Mae Dehnbostel, Robert Elmer Norton, Jr., Tommy Kidd, Charles Perry, Joyce Bordlee, Leslie Pullens, Britney Renee Peterson Wilson, James Joseph Choina, Janet Nowell, Dr. George Sturgis, Robert Megginson, Guy McIntyre Van Slyke, Mary Frances Ponder, Philip Barnes, Lula Dean Morris Alexander, Brian McCurley, James Walker, Joan Myers, Jimmie Pinnix, Gerald Branning, Vicent Anderson, Shirley Coleman, Ray Bailey, Toni Cevdar, Jimmy Allen Hussey, Henry Henson, Wesley Christian Nanne, Julia Brock, Linda Whitley, Rosa Lee Wells, Sheila Lovern, Robert Wayne Monaghan, Mike Asters, Tommy Turner, Raymond E. J. Witte, Rita Berthay, Betty Stacks, Jerry Conlee, Roger Campbell, Myrtle Lee Thornton, Tom Robinson, Mr. Tommy Smith, Jimmy Frank Wise, Wanda Joy Chrestman, Bill Whitt, Betty Ginn, Krish Ramnarian, Mike Wilburn, Robert C. Langner, Colonel James Robby Culpepper, Edna Earle Tedder, Ann Murray, Ester Herrington, Thomas Martin "Marty" Boldin, Marx R. Bunyard, Jr., Kristi Lanterman, Leigh Ann Key, Garcia Gibson, Stephen "Steve" Levon Freeman, Claude Alvin "Al" Taylor, John Thomas

Lowery, Dahra (Dot) F. Martin, Ray Rogers, William Sanders Price, Virgil Charles Walker, Susan Hall, Ed Welch, Willie Price Wallace, Mr. Jimmy Eugene Britt, Claude T. Fillingane, Roy Arnie Meeks, Jr., Michael Wayne Cavin, Linda Lilly Buffalo, Merlin Smith Richardson, Jonathan Erik Pounders, Carey Louis Ratcliff, Jr., Katie Sue Ruby, Thomas S. Aultman, Geraldine Hartsell, Jimmie Lee Hatcher, David Ray Frazier, Chef Reggie Manuel, Virginia Rosenberger, Ray W. Nicholson, Jr., Debra D. Paige, John Dempsey Blackledge, Charles Wilson, Vicki Pevey Padilla, Debbie Smith, Martha Manuel Wall French, Tressie Vick, Brett Parson Pendleton, Edward Charles "Jim" Freeman, David James Wildman, Collin Jacob Stockman, Renee Kinard Kim, Claude Thompson, Brian Duffey, Mayor Joel Travis Miles, Rev. Samuel Lee Mack, Sr., Ardessa Jones Evans, Hilda Elaine Martin, Donivan Winston Johnson, Mary Jane Billiot, James Burton, Jr., John Hugh McGee, Andrew Gallagher, Judy Lee Hill, Iva Breland Rigby, Walter "W. L." Walker, Dennis Jerry Jones, William "Kent" Olsen, Peggy Necaise, Barbara Louise Parker, Sylvia Waltman Rolkosky, Richard Cismar, Charles Fenwick Renfro, William M. Bell, Cora Louise Breland, Dorothy Kay Alexander, Lelia Fronie Eley, James Ronald "Jim" Davis, Rufus Burnell Lott, James Doyle Casey, Colin Ray Clark, Billy Zane Gordon, Sr., Tessie Brunini Schweitzer, Robert G. Johnston, Dr. Samuel L. McGee, Mary Gordy, Mary Long Tolley, Bill Matheos, Wolsey V. Jones, Frank M. Kinard, Web Guthrie, Ernest S. Thomas, James A. Ferguson, Doug W. Ridgway, Marcus Martin, Barbara Ann Havard, Madeline Weill Gullekson, Warren Strain, Roger M. Flynt, Fay Spruill Davidson, Mike Dowell, Frederick Michael Abraham, Marguerite Graham Richardson, Brett Pendleton, Ruth L. Meek and Charmayne Howell.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, JANUARY 5, 2021

S. B. No. 2001: Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM ANNUAL SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar, Moran, Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeLano, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson (11th), Jackson (32nd), Johnson, Jordan, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Seymour, Simmons (12th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger, Simmons (13th), Sojourner, McDaniel, Blackmon, Chassaniol, Kirby, Carter

S. B. No. 2002: Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE RATE OF REIMBURSEMENT FOR DURABLE MEDICAL EQUIPMENT (DME) UNDER MEDICAID SHALL BE 100% OF THE MEDICARE RATE AND THE DIVISION OF MEDICAID SHALL NOT REDUCE THE RATE OF REIMBURSEMENT; TO EXTEND THE REPEAL DATE ON THAT SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2003: Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MEDICAID REIMBURSEMENT FOR THERAPEUTIC AND CASE MANAGEMENT MENTAL HEALTH SERVICES PROVIDED BY COMMUNITY SERVICE

PROVIDERS ACCREDITED BY THE JOINT COMMISSION OR CERTAIN OTHER ACCREDITING AGENCIES; TO PROVIDE THAT SUCH REIMBURSEMENT IS AUTHORIZED FOR FEE-FOR-SERVICE AND MANAGED CARE CONTRACT PROVIDERS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2004: Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE MORATORIUM ON THE AUTHORITY OF THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OR CONVERSION OF CHILD/ADOLESCENT PSYCHIATRIC OR CHEMICAL DEPENDENCY BEDS PARTICIPATING IN THE MEDICAID PROGRAM AND TO DELETE CERTAIN RESTRICTIONS ON MEDICAID REIMBURSEMENT FOR SUCH BEDS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2005: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 73-38-3, 73-38-9, 73-38-11, 73-38-13, 73-38-15, 73-38-21, 73-38-23, 73-38-25, 73-38-27, 73-38-31 AND 73-38-36, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS WILL BE LICENSED AND REGULATED BY THE STATE BOARD OF EXAMINERS FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY INSTEAD OF THE STATE BOARD OF HEALTH; TO CREATE THE STATE BOARD OF EXAMINERS FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY AND PROVIDE FOR ITS MEMBERSHIP AND ITS POWERS AND DUTIES; TO CREATE THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY LICENSING FUND, WHICH WILL BE USED FOR PAYING THE COSTS OF ADMINISTERING THE LICENSURE LAW; TO CHANGE THE NAME OF SPEECH-LANGUAGE PATHOLOGY AIDES AND AUDIOLOGY AIDES TO SPEECH-LANGUAGE PATHOLOGY ASSISTANTS AND AUDIOLOGY ASSISTANTS; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON WILL BE GRANTED A TEACHER LICENSE TO WORK IN THE PUBLIC SCHOOL SYSTEM AS AN AUDIOLOGIST, AUDIOLOGY ASSISTANT, SPEECH-LANGUAGE PATHOLOGIST, OR SPEECH-LANGUAGE PATHOLOGY ASSISTANT WITHOUT A PROFESSIONAL LICENSE GRANTED BY THE STATE BOARD OF EXAMINERS FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY; TO REPEAL SECTION 73-38-1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT THE STATE BOARD OF HEALTH IS THE LICENSING AGENCY FOR SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

S. B. No. 2006: Public Health and Welfare

AN ACT TO AMEND SECTION 73-23-33, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "PHYSICAL THERAPY AIDE" OR "PHYSICAL THERAPY TECHNICIAN" FOR THE PURPOSES OF THE PHYSICAL THERAPY PRACTICE LAW; TO AMEND SECTION 73-23-35, MISSISSIPPI CODE OF 1972, TO REVISE THE CIRCUMSTANCES AND CRITERIA UNDER WHICH A PHYSICAL THERAPIST MAY IMPLEMENT PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL FROM ANOTHER HEALTH CARE PROVIDER; TO AMEND SECTION 73-23-39, MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF PERSONS WHO ARE PERMITTED TO PRACTICE PHYSICAL THERAPY IN THIS STATE WITHOUT OBTAINING A MISSISSIPPI LICENSE; TO AMEND SECTION 73-23-41, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE STATE BOARD OF PHYSICAL THERAPY; TO DELETE THE PROHIBITION ON BEING APPOINTED FOR MORE THAN TWO CONSECUTIVE TERMS ON THE BOARD; TO AMEND SECTION 73-23-43, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO ISSUE SUBPOENAS FOR THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION

OF PAPERS, RECORDS OR OTHER DOCUMENTARY EVIDENCE, AND TO ENFORCE THOSE SUBPOENAS IN COURT; TO AUTHORIZE THE BOARD TO DETERMINE AND COLLECT, AT THE TIME OF NEW LICENSURE AND LICENSURE RENEWAL, A CORE SET OF DATA ELEMENTS DEEMED NECESSARY FOR THE PURPOSE OF WORKFORCE PLANNING; TO AMEND SECTION 73-23-51, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS AUTHORIZING THE LICENSING OF PHYSICAL THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS BY RECIPROCITY; TO AMEND SECTION 73-23-53, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTHORITY OF THE BOARD TO ISSUE A TEMPORARY LICENSE TO PHYSICAL THERAPISTS OR PHYSICAL THERAPIST ASSISTANTS LICENSED IN OTHER STATES DURING A DISASTER OR EMERGENCY; TO AMEND SECTION 73-23-59, MISSISSIPPI CODE OF 1972, TO CONFORM THE GROUND FOR DISCIPLINARY ACTION AGAINST A PHYSICAL THERAPIST FOR IMPLEMENTING PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL TO THE AMENDMENT TO SECTION 73-23-35 IN THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2007: Public Health and Welfare

AN ACT TO AMEND SECTION 73-15-3, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE STATEMENT OF PURPOSE OF THE MISSISSIPPI NURSING PRACTICE LAW; TO AMEND SECTION 73-15-5, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN DEFINITIONS AND REVISE CERTAIN DEFINITIONS IN THE NURSING PRACTICE LAW REGARDING ADVANCED NURSING PRACTICE; TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT AN ADVANCED PRACTICE REGISTERED NURSE SHALL BE EXEMPT FROM THE REQUIREMENT OF ENTERING AND MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN OR DENTIST AFTER COMPLETING 3,600 TRANSITION TO PRACTICE HOURS; TO AMEND SECTION 73-15-29, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINARY ACTIONS AGAINST NURSES; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2008: Public Health and Welfare

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

By Senator(s) Blackwell

S. B. No. 2009: Energy; Judiciary, Division A

AN ACT TO PROVIDE THAT AN OWNER OF RENTAL PROPERTY SHALL NOT BE LIABLE TO A RURAL WATER ASSOCIATION FOR HIS TENANT'S UNPAID WATER BILL; TO PROHIBIT A RURAL WATER ASSOCIATION FROM REQUIRING AN OWNER OF RENTAL PROPERTY TO ENTER INTO AN AGREEMENT TO PAY, OR TO OTHERWISE GUARANTEE THE PAYMENT, FOR WATER USED BY HIS TENANT; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2010: Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 41-29-507, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SHERIFF DEPARTMENTS TO IMPLEMENT WIRE TAPS BY ALLOWING THE OWNERSHIP, POSSESSION, INSTALLATION OR MONITORING OF A MONITORING DEVICE; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

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

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

By Senator(s) McCaughn

S. B. No. 2012: Constitution; Judiciary, Division B

AN ACT TO CRIMINALIZE THE PUBLIC BURNING OF THE UNITED STATES FLAG; AND FOR RELATED PURPOSES.

By Senator(s) Chism

S. B. No. 2013: Judiciary, Division B

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

By Senator(s) Blackwell

S. B. No. 2014: Elections

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

By Senator(s) Blackwell

S. B. No. 2015: Elections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ONLINE VOTER REGISTRATION FOR FIRST-TIME VOTERS; TO AMEND SECTIONS 23-15-13, 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2016: Elections

AN ACT TO CODIFY SECTION 23-15-153.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE SECRETARY OF STATE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING TO COMPARE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM (SEMS) WITH PUBLIC RECORDS TO ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE IN THIS STATE, TO PROVIDE THAT IF EVIDENCE EXISTS THAT A PARTICULAR REGISTERED VOTER IS NOT A CITIZEN, THE SYSTEM SHALL NOTIFY THE REGISTRAR WHO SHALL NOTIFY THE REGISTERED VOTER TO PROVIDE PROOF OF CITIZENSHIP, TO PRESCRIBE CRITERIA FOR PROOF OF CITIZENSHIP, TO PROVIDE THAT IF THE VOTER DOES NOT PROVIDE SUCH PROOF, THE REGISTRAR SHALL PURGE HIS NAME FROM THE SYSTEM, TO PROVIDE FOR AN APPEAL FROM SUCH DECISION, AND TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS TO IMPLEMENT THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2017: Elections

AN ACT TO AMEND SECTIONS 23-15-551 AND 23-15-691, MISSISSIPPI CODE OF 1972, BY DELETING THE OPTION OF MARKING ELECTION BALLOTS WITH INDELIBLE PENCIL; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2018: Energy; Appropriations

AN ACT TO AMEND SECTION 77-3-721, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE DEPOSIT OF FEES TO THE STATE GENERAL FUND AS MANDATED BY THE MISSISSIPPI TELEPHONE SOLICITATION ACT; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2019: Labor

AN ACT TO CREATE THE "BAN-THE-BOX ACT"; TO ENACT DEFINITIONS; TO PROHIBIT CERTAIN PUBLIC EMPLOYERS FROM USING CRIMINAL HISTORY INFORMATION AS A PRELIMINARY BAR TO EMPLOYMENT; TO PROVIDE FOR JURISDICTION OVER COMPLAINTS FOR VIOLATION OF THE TERMS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

S. B. No. 2020: Judiciary, Division A

AN ACT TO CREATE NEW SECTION 1-3-42, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS DESCRIBING PHOTO IDENTIFICATION THAT IS LEGAL IN THIS STATE; TO CREATE NEW SECTION 97-7-77, MISSISSIPPI CODE OF 1972, TO CREATE THE CRIME OF COUNTERFEITING, FRAUD OR MISREPRESENTATION IN RELATION TO A TRIBAL IDENTIFICATION CARD; TO AMEND SECTION 27-115-73, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF AGE TO BUY A LOTTERY TICKET; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY FOR A CONCEALED CARRY LICENSE; TO AMEND SECTION 49-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY TO OBTAIN A HUNTING OR FISHING LICENSE; TO AMEND SECTION 63-21-39, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY REQUIRED FOR SCRAP SALES; TO AMEND SECTION 67-3-69, MISSISSIPPI CODE OF 1972, TO REVISE PROOF OF IDENTITY FOR PURCHASE OF ALCOHOL; TO AMEND SECTION 75-9-503, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY IN UCC FILING STATEMENTS; TO AMEND SECTION 75-24-29, MISSISSIPPI CODE OF 1972, TO CONFORM THE PERSONALLY IDENTIFYING INFORMATION THAT CAN BE COMPROMISED IN A SECURITY BREACH; TO AMEND SECTION 75-67-305, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY FOR PAWNSHOP TRANSACTIONS; TO AMEND SECTION 75-95-5, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY REQUIRED FOR PRECIOUS ITEM RESALE; TO AMEND SECTION 93-1-5, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF AGE REQUIRED TO OBTAIN A MARRIAGE LICENSE; TO AMEND SECTION 93-29-13, MISSISSIPPI CODE OF 1972, TO CONFORM FACTORS TO DETERMINE RISK OF ABDUCTION; TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY REQUIRED FOR SCRAP SALES; TO AMEND SECTION 97-45-1, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF PERSONAL INFORMATION IN THE CONTEXT OF CERTAIN COMPUTER CRIMES; TO AMEND SECTION 45-35-13, MISSISSIPPI CODE OF 1972, DEALING WITH FRAUDULENT NONDRIVER IDENTIFICATION CARDS, TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2021: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 41-20-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COORDINATOR OF MENTAL HEALTH ACCESSIBILITY SHALL BE HOUSED WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT ALL EXPENSES OF THE COORDINATOR SHALL BE PAID OUT OF FUNDS APPROPRIATED TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 41-20-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COORDINATOR MAY HIRE STAFF SUBJECT TO THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF FINANCE

AND ADMINISTRATION; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXEMPT ANY PERSONAL SERVICE CONTRACTS ENTERED INTO BY THE COORDINATOR OF MENTAL HEALTH ACCESSIBILITY THROUGH JUNE 30, 2024, FROM THE RULES AND REGULATIONS OF THE PERSONAL SERVICE CONTRACT REVIEW BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

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

AN ACT TO AMEND SECTION 9-1-59, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH JUSTICE COURT IN THIS STATE TO ACCEPT ALL PLEADINGS AND OTHER PAPERS TO BE SERVED, FILED, SIGNED OR VERIFIED BY ELECTRONIC MEANS IN CONFORMITY WITH THE MISSISSIPPI ELECTRONIC COURT SYSTEM PROCEDURES; TO PROVIDE THAT A PARTY'S PARTICIPATION IN ELECTRONIC FILING IN JUSTICE COURT SHALL BE VOLUNTARY; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2023: Insurance

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

By Senator(s) Blackwell

S. B. No. 2024: County Affairs

AN ACT TO AMEND SECTION 27-105-305, MISSISSIPPI CODE OF 1972, TO PROVIDE COUNTY BOARDS OF SUPERVISORS THE DISCRETION TO DETERMINE THE INTERVAL OF TIME FOR PROVIDING NOTICE TO FINANCIAL INSTITUTIONS OF THE OPENING OF THE BIDDING PROCESS FOR SERVING AS DEPOSITORIES OF COUNTY FUNDS; TO CLARIFY THAT THE SELECTION OF DEPOSITORIES IS TO BE BASED UPON ALL RELEVANT FACTORS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2025: Insurance; Accountability, Efficiency, Transparency

AN ACT RELATING TO THE CREATION OF A COMPREHENSIVE LEGAL FRAMEWORK WITHIN WHICH TRAVEL INSURANCE MAY BE SOLD IN THIS STATE; TO AMEND SECTION 83-83-1, MISSISSIPPI CODE OF 1972, TO CLARIFY THE NAME OF THE ACT; TO CREATE NEW SECTION 83-83-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THE SCOPE AND PURPOSES OF THE ACT; TO AMEND SECTION 83-83-3, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS; TO AMEND SECTION 83-83-5, MISSISSIPPI CODE OF 1972, TO UPDATE THE REQUIREMENTS OF LIMITED LINES TRAVEL INSURANCE PRODUCERS UNDER THE ACT; TO CREATE NEW SECTION 83-83-6, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PREMIUM

TAX REQUIREMENTS OF TRAVEL INSURERS UNDER THE ACT; TO CREATE NEW SECTION 83-83-8, MISSISSIPPI CODE OF 1972, TO SET FORTH HOW TRAVEL PROTECTION PLANS MAY BE SOLD IN THIS STATE; TO AMEND SECTION 83-83-9, MISSISSIPPI CODE OF 1972, TO UPDATE THE POLICIES UNDER THE ACT; TO CREATE NEW SECTION 83-83-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THE REQUIREMENTS FOR TRAVEL ADMINISTRATORS UNDER THE ACT; TO AMEND SECTION 83-83-13, MISSISSIPPI CODE OF 1972, TO CLARIFY PERMISSIBLE SALES PRACTICES UNDER THE ACT; TO CREATE NEW SECTION 83-83-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO PROMULGATE REGULATIONS TO IMPLEMENT PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2026: Insurance; Appropriations

AN ACT TO PROVIDE BENEFITS UNDER THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN TO THE SURVIVING SPOUSE OR A SURVIVING DEPENDENT OF ANY LAW ENFORCEMENT OFFICER WHO IS KILLED IN THE LINE OF DUTY OR DIES FROM INJURIES SUFFERED IN THE LINE OF DUTY; TO PROVIDE THAT SUCH COVERAGE SHALL BE THE SAME PLAN OF BENEFITS AS PROVIDED TO AN EMPLOYEE UNDER THE PLAN; TO AMEND SECTION 25-15-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PREVIOUS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2027: Municipalities

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

By Senator(s) Blackwell

S. B. No. 2028: Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-197, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PARTY REQUESTING A HEARING ON AN APPLICATION FOR A HEALTH CARE CERTIFICATE OF NEED WHO DOES NOT PREVAIL AT THE HEARING SHALL PAY COSTS AND ATTORNEY FEES, AND TO APPLY THE SAME REQUIREMENT TO ANY PARTY WHO APPEALS AN ORDER OF THE HEARING OFFICER TO THE PROPER COURT AND LOSES ON APPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2029: Judiciary, Division B

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO CONFORM THE STATUTE OF LIMITATIONS FOR PROSECUTION OF SEXUAL BATTERY TO THE STATUTE OF LIMITATIONS FOR RAPE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2030: County Affairs; Municipalities

AN ACT TO PROHIBIT ANY MUNICIPALITY, COUNTY OR ANY OTHER POLITICAL SUBDIVISION FROM ADOPTING AN ORDINANCE, RESOLUTION, RULE OR REGULATION THAT IMPOSES A CIVIL PENALTY OR FINE ON A BUSINESS ENGAGED IN THE SECURITY BUSINESS IF SUCH BUSINESS RECEIVES A FALSE SECURITY ALARM UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 19-3-40 AND 21-17-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

S. B. No. 2031: Local and Private

AN ACT TO AMEND CHAPTER 907, LOCAL AND PRIVATE LAWS OF 2013, AS REENACTED AND AMENDED BY CHAPTER 926, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF LOUISVILLE, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FOR HOTELS OR MOTELS IN THE CITY AND TO ESTABLISH A TOURISM AND ECONOMIC ADVISORY BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2032: Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OLIVE BRANCH, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS FOR THE PURPOSES OF TOURISM AND PARKS AND RECREATION; TO PROVIDE FOR AN ELECTION ON WHETHER THE TAX MAY BE LEVIED; FOR THE PURPOSES OF TOURISM AND PARKS AND RECREATION, TO AUTHORIZE THE CITY TO ISSUE GENERAL OBLIGATION BONDS OR INCUR OTHER INDEBTEDNESS IN AN AGGREGATE PRINCIPAL AMOUNT NOT IN EXCESS OF AN AMOUNT FOR WHICH DEBT SERVICE IS CAPABLE OF BEING FUNDED BY THE PROCEEDS OF THE SPECIAL SALES TAX LEVIED UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2033: Public Property

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

By Senator(s) Hill

S. B. No. 2034: Public Property

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

By Senator(s) Hill

S. B. No. 2035: Wildlife, Fisheries and Parks

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

By Senator(s) Blackwell

S. B. No. 2036: Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-33, MISSISSIPPI CODE OF 1972, TO ALLOW THE USE OF ELECTRICALLY AMPLIFIED SOUND DEVICES FOR HUNTING DEER; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2037: Medicaid; Housing

AN ACT TO CREATE THE "MEDICAID ACCESS AND OPPORTUNITY ACT OF 2021"; TO CREATE NEW SECTION 43-13-151, MISSISSIPPI CODE OF 1972, TO REQUIRE THE EXECUTIVE DIRECTOR OF THE DIVISION OF MEDICAID TO PRESENT A FEASIBILITY STUDY REGARDING THE APPLICATION FOR AND USE OF A BLOCK GRANT TO FINANCE THE MEDICAID PROGRAM; TO AMEND SECTION 43-17-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO ASSIGN INDIVIDUALS RECEIVING FOOD ASSISTANCE TO AN EMPLOYMENT AND TRAINING PROGRAM; TO CREATE NEW SECTION 43-33-12, MISSISSIPPI CODE OF 1972, TO DIRECT PUBLIC HOUSING AUTHORITIES IN THE STATE TO SEEK A WAIVER FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO CREATE AND IMPLEMENT AN EMPLOYABILITY PLAN WHICH WILL REQUIRE RECIPIENTS OF HOUSING ASSISTANCE TO ENGAGE IN PAID WORK; TO AMEND SECTION 43-33-15, MISSISSIPPI CODE OF 1972, TO DIRECT PUBLIC HOUSING AUTHORITIES IN THE STATE TO GIVE THE HIGHEST PREFERENCE TO FAMILIES WHERE ALL ABLE-BODIED ADULTS IN THE HOUSEHOLD ARE EMPLOYED; TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO REDUCE THE AMOUNT OF TIME THAT A FAMILY MAY RECEIVE TANF BENEFITS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2038: Education

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

By Senator(s) Blackwell

S. B. No. 2039: Education

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

By Senator(s) Blackwell

S. B. No. 2040: Education

AN ACT TO AMEND SECTIONS 37-13-91 AND 37-15-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROVISIONS OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW ARE FULLY APPLICABLE TO KINDERGARTEN-AGE CHILDREN; TO REQUIRE SUCH KINDERGARTEN-AGE CHILDREN TO ATTEND LICENSED PUBLIC, PAROCHIAL, NONPUBLIC OR HOMESCHOOL KINDERGARTEN PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

S. B. No. 2041: Education

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE INCREASE OF THE STARTING BASE TEACHER SALARY TO \$40,000.00 OVER A FOUR-YEAR PERIOD; TO PROVIDE THAT BEGINNING IN THE 2025-2026 SCHOOL YEAR, TEACHER SALARIES BE EQUAL TO THE SOUTHEASTERN REGIONAL AVERAGE; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

S. B. No. 2042: Education

AN ACT TO AMEND SECTION 37-9-105, MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO GIVE ASSISTANT TEACHERS NOTIFICATION OF NONREEMPLOYMENT NO LATER THAN 10 DAYS AFTER THE ADOPTION OF THE

DISTRICT'S ANNUAL BUDGET BY THE BOARD FOR THE FORTHCOMING ACADEMIC SCHOOL YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

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

AN ACT TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL EMPLOY ALL CHIEF FINANCIAL OFFICERS AND ACCOUNTANTS FOR ALL STATE AGENCIES; TO PROHIBIT THE EMPLOYMENT OF ANY ADDITIONAL CHIEF FINANCIAL OFFICERS OR ACCOUNTANTS BY A STATE AGENCY WITHOUT THE WRITTEN PERMISSION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2044: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH MAKING IMPROVEMENTS TO BARRINGER ROAD, TO ASSIST TRAFFIC FLOW IN AND OUT OF THE CHICKASAW TRAIL INDUSTRIAL PARK; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2045: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF MARSHALL COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH BUILDING A FULL-TIME EMERGENCY RESPONSE CENTER TO SERVE THE GROWING AREA IN AND AROUND THE CHICKASAW TRAIL INDUSTRIAL PARK; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2046: Finance

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

By Senator(s) Blackwell

S. B. No. 2047: Accountability, Efficiency, Transparency

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

By Senator(s) Blackwell

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

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

By Senator(s) Blackwell

S. B. No. 2049: Finance

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

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

By Senator(s) Thomas

S. B. No. 2050: Finance

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

By Senator(s) Thomas

S. B. No. 2051: Finance

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

By Senator(s) Thomas

S. B. No. 2052: Finance

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

By Senator(s) Thomas

S. B. No. 2053: Finance

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

By Senator(s) Thomas

S. B. No. 2054: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST SERENITY ON THE BAYOU IN ANGUILLA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE RENOVATION AND EQUIPPING OF A BUILDING TO HOUSE THE EMMANUEL COMMUNITY CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

S. B. No. 2055: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF PERRY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE EXTENSION OF A NATURAL GAS LINE FROM THE TOWN OF BEAUMONT, MISSISSIPPI, TO THE PERRY COUNTY INDUSTRIAL PARK; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2056: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH MAKING IMPROVEMENTS TO STREETS LOCATED IN THE CITY OF GREENVILLE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2057: Finance

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

By Senator(s) Hill

S. B. No. 2058: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE PURPOSE OF PROVIDING APPROPRIATE HISTORICAL MARKERS IN HOLMES COUNTY DESIGNATING THE BIRTHPLACE OF THE CHURCH OF GOD IN CHRIST.

By Senator(s) Jordan

S. B. No. 2059: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF ARCHIVES AND HISTORY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF COMMISSIONING AN HISTORICAL STATUE OF THE LATE EMMETT TILL AND MEMORIAL SIGN TO BE ERRECTED ON THE LEFLORE COUNTY COURTHOUSE LAWN, FOR FISCAL YEAR 2022.

By Senator(s) Jordan

S. B. No. 2060: Appropriations

AN ACT TO DIRECT THE STATE PERSONNEL BOARD TO AMEND THE VARIABLE COMPENSATION PLAN AS NECESSARY TO AWARD A SALARY INCREASE TO EACH STATE EMPLOYEE WHOSE SALARY IS FUNDED BY THE STATE GENERAL FUND IN THE AMOUNT OF A 5% ACROSS-THE-BOARD INCREASE PER YEAR BEGINNING JULY 1, 2021; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Norwood

S. B. No. 2061: Appropriations; Accountability, Efficiency, Transparency

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

By Senator(s) Hill

S. B. No. 2062: Appropriations

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

By Senator(s) Hill

S. B. No. 2063: Finance

AN ACT TO AMEND SECTION 27-65-201, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION TRANSFERS OF MOTOR VEHICLE TITLES BETWEEN A TRUSTEE AND A BENEFICIARY OF A TRUST, BETWEEN A CORPORATION AND ONE OF ITS SHAREHOLDERS IN A TRANSACTION QUALIFYING FOR NONRECOGNITION OF GAIN OR LOSS PURSUANT TO SECTION 351 OF THE INTERNAL REVENUE CODE, AND BETWEEN A PARTNERSHIP OR LIMITED LIABILITY COMPANY AND ONE OF ITS PARTNERS OR OWNERS; TO REQUIRE THAT SUCH TRANSFERS BE EVIDENCED BY AN AFFIDAVIT PREPARED BY THE DEPARTMENT OF REVENUE AND SIGNED BY THE TRANSFEROR; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2064: Finance

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT IN THE AMOUNT OF THE UNREIMBURSED EDUCATIONAL EXPENDITURES MADE BY A TAXPAYER IN CONNECTION WITH ENROLLMENT, ATTENDANCE OR PARTICIPATION OF THE TAXPAYER'S DEPENDENT CHILD IN A PRIVATE EDUCATION PROGRAM OR

HOMESCHOOLING IN MISSISSIPPI; TO PROVIDE THAT THE AMOUNT OF SUCH CREDIT SHALL NOT EXCEED AN AMOUNT EQUAL TO THE BASE STUDENT COST UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM FOR THE SCHOOL YEAR ENDING DURING THE CALENDAR YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2065: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE RURAL FIRE TRUCK FUND FOR THE PURPOSE OF PROVIDING FUNDS FOR AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM FOR THE FISCAL YEAR 2022.

By Senator(s) Hill

S. B. No. 2066: Rules

AN ACT TO CREATE NEW SECTION 3-3-16, MISSISSIPPI CODE OF 1972, TO ADOPT AS THE OFFICIAL STATE FLAG THE DESIGN RECOMMENDED BY THE COMMISSION TO REDESIGN THE MISSISSIPPI STATE FLAG AND APPROVED BY 72% OF THE QUALIFIED ELECTORS VOTING IN THE STATEWIDE SPECIAL ELECTION HELD ON NOVEMBER 3, 2020; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins, Boyd, Hopson, Michel

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

AN ACT TO AUTHORIZE PHARMACIES TO SELL AND PERSONS TO PURCHASE, WITHOUT A PRESCRIPTION, PRODUCTS THAT CONTAIN CERTAIN QUANTITIES OF PSEUDOEPHEDRINE OR EPHEDRINE; TO REQUIRE PHARMACIES SELLING PRODUCTS AUTHORIZED UNDER THIS ACT TO USE THE NPLEX SYSTEM BEFORE SELLING THOSE PRODUCTS; TO REQUIRE PHARMACIES TO MAINTAIN AN ELECTRONIC LOG OF REQUIRED INFORMATION FOR EACH TRANSACTION; TO REQUIRE THE PURCHASER OF THE PACKAGE TO BE AT LEAST EIGHTEEN YEARS OF AGE, AS SHOWN BY VALID IDENTIFICATION, AND TO SIGN A RECORD OF EACH TRANSACTION; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTION 41-29-117, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2068: Judiciary, Division B

AN ACT TO AMEND SECTION 97-29-61, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OPTIONS FOR THE CRIME OF VOYEURISM; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2069: Education

AN ACT TO ESTABLISH THE COMMUNITY SCHOOLS PLANNING AND IMPLEMENTATION GRANT FUND FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE TO PUBLIC ELEMENTARY OR SECONDARY SCHOOLS FOR THE ADMINISTRATION OF PROGRAMS ESTABLISHED WITHIN SUCH SCHOOLS DESIGNED TO PLAN, ESTABLISH AND IMPLEMENT COMMUNITY SCHOOLS AND SOCIAL SERVICES PROVIDED BY SUCH SCHOOLS; TO DEFINE THE TERM "COMMUNITY SCHOOL"; TO PROVIDE FOR THE MAXIMUM AMOUNT OF EACH GRANT THAT MAY BE AWARDED TO EACH ELIGIBLE SCHOOL UNDER THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. C. R. No. 501: Constitution

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO CONFORM THE PRO RATA SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL DISTRICTS AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW AND MATTERS

PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT PROPOSAL SEPARATELY.

By Senator(s) Hill

S. C. R. No. 502: Rules

A CONCURRENT RESOLUTION REMEMBERING THE LEGACY OF FORMER GOVERNOR WILLIAM F. WINTER AND EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY AND FRIENDS ON HIS PASSING.

By Senator(s) Kirby, Norwood, Simmons (12th)

S. C. R. No. 503: Rules

A CONCURRENT RESOLUTION COMMENDING MS. ASYA BRANCH UPON BEING CROWNED MISS USA 2020.

By Senator(s) Sparks, Norwood, Simmons (12th)

S. C. R. No. 504: Rules

A CONCURRENT RESOLUTION CONGRATULATING JAMES F. "TED" BOOTH ON RECEIVING THE 2020 LEGISLATIVE STAFF ACHIEVEMENT AWARD FOR HIS REMARKABLE COMMITMENT TO PRODUCING THE "REDISTRICTING LAW 2020," ALSO KNOWN AS THE RED BOOK, THE FOURTH EDITION OF THE NATION'S BEST LEGAL RESOURCE ON REDISTRICTING.

By Senator(s) Kirby, Norwood, Simmons (12th)

S. C. R. No. 505: Rules

A CONCURRENT RESOLUTION TO ENCOURAGE THE AVAILABILITY OF HYDROXYCHLOROQUINE FOR TREATING COVID-19 IN THE STATE, BOTH PROPHYLACTICALLY AND AS THERAPY IMMEDIATELY AFTER CONFIRMED OR SUSPECTED EXPOSURE TO COVID-19, BY PHYSICIANS PROVIDING PATIENTS WITH INFORMED CONSENT CONCERNING THE PARTICULAR REGIME OF HYDROXYCHLOROQUINE TO BE PRESCRIBED.

By Senator(s) Hill

S. C. R. No. 506: Rules

A CONCURRENT RESOLUTION EXPRESSING THE INTENT OF THE MISSISSIPPI LEGISLATURE THAT DAYLIGHT SAVING TIME SHALL BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE OF MISSISSIPPI AND ITS POLITICAL SUBDIVISIONS.

By Senator(s) Blackwell

S. C. R. No. 507: Rules

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

By Senator(s) Hill

S. R. No. 1: Rules

A RESOLUTION EXTENDING THE RECOGNITION AND CONGRATULATIONS OF THE MISSISSIPPI SENATE TO ANDY OGLETREE OF LITTLE ROCK, MISSISSIPPI, THE FIRST MISSISSIPPIAN TO WIN THE U.S. AMATEUR GOLF CHAMPIONSHIP AND THE LOW AMATEUR TITLE AT THE MASTERS GOLF TOURNAMENT.

By Senator(s) McCaughn

S. R. No. 2: Rules

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

By Senator(s) Blackwell

SECOND DAY, WEDNESDAY, JANUARY 6, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Polk. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Barnett.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Kirby called up the following entitled bill:

H. B. No. 1: State flag; shall be the design recommended by the Commission to Redesign the State Flag and approved in the November 2020 election.

YEAS AND NAYS On H. B. No. 1. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Witherspoon, Younger. Total--43.

Nays--Chism, Fillingane, McDaniel, Seymour, Sojourner, Tate, Whaley. Total--7.

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

Voting Present--Hill. Total--1.

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

Senator Michel, joined by the entire Senate, moved that when the Senate adjourns, it adjourn in memory of Senator Nolan Mettetal of Sardis, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Freddie Price of Byhalia, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Logan Norman of Lakeland, TN.

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

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Mr. James E. Sturgus, Sr. and Lorman Tyree Younger of Vicksburg, MS.

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

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Charles Buster Morris of Keithville, LA.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Louis Edward Perry of Port Gibson, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Dock Gabbert of Derma, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Donnie Nell Moore of Bruce, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Annie Beatrice Heard of Brooksville, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Billy Swedenburg of Mayhew, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Robert O. Allen of Brookhaven, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Charles Ellis of Oxford, MS/Vaiden, MS.

Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Roy Anthony Glenn of Pascagoula, MS.

Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Eleanor Mae Fuller of Gautier, MS.

Senators England and Barrett moved that when the Senate adjourns, it adjourn in memory of Thelma Smith Haley of Brookhaven, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Lucye Bernice "Bee" Stauter of Moss Point, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Patricia Ann Bennett of Ocean Springs, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Brenda Sue Lee of Pascagoula, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of David Rowan, Joan McCraw Grant, Jimmy Little and Cecil Simmons of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Billy Basil, Joseph Allen Farr, Patricia Whittington and Anthony Bagwell of Myrtle, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Donald Rogers and Redus Whisenant of Etta, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Calvin Young of Pontotoc, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Lawrence Hicks of Thaxton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Kenny Ray Neese, Betty Joe Hicks, Carolyn Brown, Charles "Curly" Burks, Vida Joyce Huff Pugh, Brenda James, Sylvia White and Rebecca Jean Laird of Hickory, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Dr. Horace May, Margie Blackwell, James Jones and Lt. Col. Charles Scoggin of Newton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Christopher Therrell, Janet Graham Sewell and Scotty Cochran of Chunky, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Hubert Wendell Williams, Pete Lohrer, Janell Ozbourn and Billy McKnight of Decatur, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Bobby Hitt, William Owen Edwards, Dr. L. B. Adkins, Joe Hollie Cleveland, Nancy Lou Alexander and Alatha Bradley of Union, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Jimmy McDill, Glenn Measells, Scott Thomas, William "Bill" Dickson, J. C. Lott, Jr., Dorothy Coghlan, Ella Louise Goldsby, Bill Jones and Dixie Craig of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Patricia Tadlock, Joe Beemon, Bonnie Kemp, Deborah McCrory, Clarice Pope, Ms. Leo Belk, Mary Mitchell and Mattie Baugh of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Rev. Clifford Melton Jinkerson, Cecil Watkins, Kris Underwood and Bobby Loper of Sebastopol, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Loyce Gardner, Ralph Brown, Maggie Williams, Terry Wayne Russell, Deborah Lang and Reba Hatch of Forest, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Joe Bradford, Harace Lamar Barton, Janie Barton, Michael Thrasher, Betty Rinehart and Addie Russell of Forest, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Kathy Strickland and Mary Tune of Conehatta, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Rod Pinson, Ester Herrington and Patsy Holyfield of Little Rock, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Roger Wooten, Ed Ware, Ed Evans and Lula Mae Fountain of Lake, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Billy Faye Risher and William Hannah of Pulaski, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Carol Ann Alexander of Rose Hill, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Molly Kennedy of Polkville, MS.

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

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Joey Trest of Ludlow, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Betty Easterling of Cooperville, MS.

Senator Blount, joined by all other Senators, moved that when the Senate adjourns, it adjourn in memory of Governor William Forrest Winter of Ridgeland, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Thursday, January 7, 2021.

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 1: AN ACT TO CREATE NEW SECTION 3-3-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE OFFICIAL FLAG OF THE STATE OF MISSISSIPPI SHALL BE THE DESIGN RECOMMENDED BY THE COMMISSION TO REDESIGN THE MISSISSIPPI STATE FLAG AND APPROVED BY THE PEOPLE IN THE STATEWIDE ELECTION HELD ON NOVEMBER 3, 2020; TO PROVIDE A DESCRIPTION OF THE DESIGN OF THE STATE FLAG AND A STATEMENT OF WHAT THE ARTWORK AND COLORS OF THE DESIGN REPRESENT; AND FOR RELATED PURPOSES.

Derrick T. Simmons, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Freddie Price, Logan Norman, Donnie Nell Moore, Patsy Holyfield, Roger Wooten, Ed Ware, Ed Evans, Lula Mae Fountain, Billy Faye Risher, William Hannah, Molly Kennedy, Charles Latham, Joey Trest, Annie Beatrice Heard, Betty Easterling, Governor William Forrest Winter, Bobby Loper, Billy Swedenburg, Robert O. Allen, Charles Ellis, Roy Anthony Glenn, Eleanor Mae Fuller, Thelma Smith Haley, Lucye Bernice "Bee" Stauter, Patricia Ann Bennett, Walter Pepper, Brenda Sue Lee, David Rowan, Joan McCraw Grant, Jimmy Little, Cecil Simmons, Billy Basil, Joseph Allen Farr, Patricia Whittington, Anthony Bagwell, Donald Rogers, Mr. James E. Stirgus, Sr., Redus Whisenant, Calvin Young, Lawrence Hicks, Kenny Ray Neese, Betty Joe Hicks, Carolyn Brown, Charles "Curly" Burks, Vida Joyce Huff Pugh, Brenda James, Sylvia White, Terry Earnest, Rebecca Jean Laird, Dr. Horace May, Margie Blackwell, James Jones, Lt. Col. Charles Scoggin, Christopher Therrell, Janet Graham Sewell, Scotty Cochran, Hubert Wendell Williams, Pete Lohrer, Charles Buster Morris, Janell Ozbourn, Billy McKnight, Bobby Hitt, William Owen Edwards, Dr. L. B. Adkins, Joe Hollie Cleveland, Nancy Lou Alexander, Louis Edward Perry, Alatha Bradley, Carol Ann Alexander, Jimmy McDill, Glenn Measells, Scott Thomas, William "Bill" Dickson, J. C. Lott, Jr., Dorothy Coghlan, Senator Nolan Mettetal, Ella Louise Goldsby, Bill Jones, Dixie Craig, Patricia Tadlock, Joe Beemon, Bonnie Kemp, Deborah McCrory, Clarice Pope, Ms. Leo Belk, Mary Mitchell, Lorman Tyree Younger, Mattie Baugh, Rev. Clifford Melton Jinkerson, Cecil Watkins, Kris Underwood, Loyce Gardner, Ralph Brown, Maggie Williams, Terry Wayne Russell, Deborah Lang, Reba Hatch, Dock Gabbert, Joe Bradford, Harace Lamar Barton, Janie Barton, Michael Thrasher, Betty Rinehart, Addie Russell, Kathy Strickland, Mary Tune, Rod Pinson and Ester Herrington.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, JANUARY 6, 2021

THIRD DAY, THURSDAY, JANUARY 7, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Absent--Parks, Polk. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Senator Butler.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Wiggins moved that when the Senate adjourns, it adjourn in memory of Senator Tommy Moffatt of Gautier, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Robert "Bob" Eugene Reynolds and Nancy Campassi of Columbus, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Former House of Rep. Gary V. Staples of Laurel, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Catherine Holman Thornton of Tupelo, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Stacy R. Plaxico of Guntown, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Rebecca Elizabeth Vaughn Furlow of Wesson, MS.

Senators Jackson R. (11th), Simmons S. (13th) and Norwood moved that when the Senate adjourns, it adjourn in memory of Dwight Presley of Clarksdale, MS.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Kenneth Jones of Port Gibson, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Ben Shute of Coila, MS.

Senator Bryan moved that when the Senate adjourns, it adjourn in memory of Thomas Griffith of Amory, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 11, 2021.

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

REPORT OF COMMITTEES ON
PUBLIC HEALTH AND WELFARE AND ACCOUNTABILITY, EFFICIENCY,
TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2021: Coordinator of Mental Health Accessibility; house position under DFA, exempt contracts from rules of contract review board. Title Sufficient. Do Pass.

BRYAN, Chairman
POLK, Chairman

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

MESSAGE FROM THE HOUSE

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

H. B. No. 69: AN ACT TO AMEND SECTION 25-9-107, MISSISSIPPI CODE 1972, TO REVISE THE TERM "NONSTATE SERVICE" FOR PURPOSES OF THE STATE PERSONNEL SYSTEM TO INCLUDE EMPLOYEES OF THE STATE VETERANS AFFAIRS BOARD WHO ARE EMPLOYED AT VETERANS HOMES IN THE STATE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Senator Tommy Moffatt, Robert "Bob" Eugene Reynolds, Thomas Griffith, Nancy Campassi, Gary V. Staples, Catherine Holman Thornton, Stacy R. Plaxico, Rebecca Elizabeth Vaughn Furlow, Dwight Presley, Kenneth Jones and Ben Shute.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, JANUARY 7, 2021

S. B. No. 2070: Judiciary, Division B

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

By Senator(s) Thomas

S. B. No. 2071: Agriculture

AN ACT TO DEFINE THE TERMS "SINGLE-USE PLASTIC STRAW" AND "FOOD ESTABLISHMENT"; TO PROHIBIT A FOOD ESTABLISHMENT FROM PROVIDING A SINGLE-USE PLASTIC STRAW TO A CONSUMER UNLESS REQUESTED BY THE CONSUMER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2072: Agriculture

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

By Senator(s) Seymour

S. B. No. 2073: Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-140, MISSISSIPPI CODE OF 1972, TO REMOVE THE SIZE LIMITATION ON THE ENCLOSURE THAT A WILD HOG MAY BE RELEASED INTO FOR PURPOSE OF SLAUGHTER; TO REQUIRE THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO ISSUE METALLIC TAGS THAT MUST BE AFFIXED TO THE EAR OF EACH WILD HOG BEING TRANSPORTED WITHIN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Younger

S. B. No. 2074: Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A FRESHWATER FISHING GUIDE OR SERVICE THAT UTILIZES A BOAT TO OBTAIN A FISHING GUIDE BOAT LICENSE AND DECAL; TO PROVIDE THE FEE FOR SUCH LICENSE; TO PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM FISHING WHILE PROVIDING SERVICE; TO PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM KEEPING ANY FISH CAUGHT BY THE PERSONS THEY ARE GUIDING; TO PROVIDE THAT THE PRESENCE OF THE GUIDE DOES NOT COUNT TOWARD THE BAG LIMIT FOR FISH; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, McLendon

S. B. No. 2075: Rules

AN ACT TO CHANGE THE NAME OF THE NATCHEZ STATE PARK TO THE BOB M. DEARING NATCHEZ STATE PARK; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2076: Agriculture

AN ACT TO BRING FORWARD SECTIONS 69-5-1, 69-5-3, 69-5-7, 69-5-8, 69-5-11, 69-5-13, 69-5-15, 69-5-27, 69-5-29 AND 69-5-31, MISSISSIPPI CODE OF 1972, WHICH ABOLISH THE STATE FAIR COMMISSION AND TRANSFER ITS FUNCTIONS AND RESPONSIBILITIES TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO REPEAL SECTION 69-5-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THOSE SECTIONS OF LAW; AND FOR RELATED PURPOSES.

By Senator(s) Younger

S. B. No. 2077: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 69-7-101, MISSISSIPPI CODE OF 1972, TO ABOLISH THE CENTRAL MARKET BOARD AND TRANSFER ITS FUNCTIONS AND RESPONSIBILITIES TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-109, MISSISSIPPI CODE 1972, TO TRANSFER POWERS OF DUTIES OF THE CENTRAL MARKET BOARD TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-113, MISSISSIPPI CODE OF 1972, TO TRANSFER RECORD-KEEPING RESPONSIBILITIES FROM THE STATE MARKET TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-115, MISSISSIPPI CODE OF 1972, TO TRANSFER AUTHORITY OF THE CENTRAL MARKET BOARD FOR THE ACQUISITION OF FACILITIES TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTION 69-7-121, MISSISSIPPI CODE OF 1972, TO TRANSFER AUTHORITY OVER THE CENTRAL MARKET FUND FROM THE CENTRAL MARKET BOARD TO THE DEPARTMENT OF AGRICULTURE; TO REPEAL SECTIONS 69-7-103, 69-7-105, 69-7-107, 69-7-111, 69-7-117 AND 69-7-119, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Younger

S. B. No. 2078: Highways and Transportation

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

By Senator(s) Chism

S. B. No. 2079: Labor; Accountability, Efficiency, Transparency

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

By Senator(s) Simmons (12th)

S. B. No. 2080: Labor; Accountability, Efficiency, Transparency

AN ACT TO AUTHORIZE CERTAIN LABOR AND EMPLOYMENT PROTECTIONS FOR TEMPORARY WORKERS IN MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th) (By Request)

S. B. No. 2081: Public Property

AN ACT TO AMEND SECTION 1, CHAPTER 456, LAWS OF 2014, TO REVISE THE LEASING AUTHORITY OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER BY REMOVING THE PROVISIONS REQUIRING CERTAIN REAL PROPERTY LOCATED IN JACKSON, MISSISSIPPI, TO CONSIST OF MIXED-USE DEVELOPMENT IMPROVEMENTS AND MINIMUM SQUARE FOOTAGE OF DESIGNATED STREET-LEVEL OFFICE SPACE; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2082: Insurance

AN ACT TO REQUIRE CERTAIN INSURANCE POLICIES AND CONTRACTS TO PROVIDE COVERAGE FOR PHYSICIAN-PRESCRIBED PROTON BEAM THERAPY FOR THE TREATMENT OF CANCER AS RECOMMENDED BY THE AMERICAN SOCIETY FOR RADIATION ONCOLOGY (ASTRO); AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2083: Insurance

AN ACT TO AMEND SECTION 83-11-101, MISSISSIPPI CODE OF 1972, TO ALLOW POLITICAL SUBDIVISIONS TO OFFSET A COVERED CLAIM UNDER THE UNINSURED MOTORIST ACT BY THE AMOUNT OF ANY RECOVERY FOR MEDICAL EXPENSES PAID TO AN INJURED EMPLOYEE UNDER WORKERS' COMPENSATION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

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

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

By Senator(s) Hill

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

AN ACT TO AMEND SECTION 13-5-1, MISSISSIPPI CODE OF 1972, TO EXPAND THE DEFINITION OF A JUROR TO THOSE CITIZENS WHO HAVE A CURRENT AND VALID MISSISSIPPI DRIVER'S LICENSE AND WHO HAVE FILED STATE INCOME TAXES; TO AMEND SECTION 13-5-8, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

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

AN ACT TO AMEND SECTION 43-15-51, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITED IMMUNITY FROM CIVIL LIABILITY TO CHILD ADVOCACY CENTERS AND MULTIDISCIPLINARY TEAM MEMBERS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2087: Judiciary, Division A; Public Health and Welfare

AN ACT TO AUTHORIZE CEMETERY OWNERS TO DISINTER DEAD HUMAN REMAINS FOR REINTERMENT OR FOR TRANSPORTATION FROM THE CEMETERY PURSUANT TO WRITTEN INSTRUCTIONS OF THE NEXT OF KIN, OR PURSUANT TO A FINAL ORDER OF THE CHANCERY COURT IN THE COUNTY IN WHICH THE CEMETERY IS LOCATED, OR IN ORDER TO CORRECT AN ERROR MADE IN THE ORIGINAL INTERMENT OF THE REMAINS UPON NOTICE; TO PROVIDE IMMUNITY FROM LIABILITY FOR CEMETERY OWNERS, CEMETERY OPERATORS, FUNERAL DIRECTORS, FUNERAL ESTABLISHMENTS AND OTHER PERSONS AND ENTITIES INVOLVED IN THE PROCESS OF DISINTERMENT AND REINTERMENT OR DELIVERY OF DEAD HUMAN REMAINS MADE PURSUANT TO THIS ACT; TO AMEND SECTIONS 41-37-25 AND 41-39-117, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2088: Judiciary, Division A

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

By Senator(s) Hill

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

AN ACT TO CREATE THE MISSISSIPPI CIVIL RIGHTS ACT; TO PROVIDE THAT THE RIGHT OF A PERSON TO BE FREE FROM DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, IMMIGRANT STATUS, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, DISABILITY, OR FAMILIAL STATUS IS A CIVIL RIGHT; TO PROVIDE REMEDIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

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

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

By Senator(s) Hill

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

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

By Senator(s) Hill

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

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

By Senator(s) Hill

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

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

By Senator(s) Hill

S. B. No. 2094: Municipalities; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 65-1-75, MISSISSIPPI CODE OF 1972, TO ALLOW A MUNICIPALITY THE DISCRETIONARY CONTROL AND RESPONSIBILITY OVER A RIGHT-OF-WAY LOCATED WITHIN THE MUNICIPAL CORPORATE LIMITS; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2095: Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-5, MISSISSIPPI CODE OF 1972, TO EXEMPT A MANAGER OR MEMBER OF A LIMITED LIABILITY COMPANY HOLDING RECORD TITLE TO LANDS USED FOR HUNTING, FISHING OR TRAPPING FROM THE REQUIREMENT OF HOLDING A RESIDENT HUNTING AND FISHING LICENSE; AND FOR RELATED PURPOSES.

By Senator(s) Michel

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

AN ACT TO AMEND SECTION 17-1-23, MISSISSIPPI CODE OF 1972, TO REVISE THE EFFECTIVENESS OF A SUBDIVISION PLAT; TO CREATE REQUIREMENTS FOR RECORDATION; TO CREATE REQUIREMENTS FOR CHALLENGE; TO PROVIDE DEFENSES; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2097: Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 99-35-103, MISSISSIPPI CODE OF 1972, TO ALLOW INTERLOCUTORY APPEAL BY THE PROSECUTION UNDER CERTAIN CIRCUMSTANCES TO STAY PROCEEDINGS AND TOLL THE PERIOD OF TIME WITHIN WHICH A DEFENDANT MUST BE TRIED; TO AUTHORIZE AN APPEAL PROCEDURE FROM COUNTY COURT; TO AMEND SECTION 9-9-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2098: Accountability, Efficiency, Transparency

AN ACT TO REENACT SECTIONS 73-11-41 THROUGH 73-11-71, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF FUNERAL SERVICE AND PRESCRIBE ITS DUTIES AND POWERS; TO REENACT SECTION 73-11-73, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES REQUIREMENTS RELATING TO THE REMOVAL OF DEAD BODIES BY FUNERAL ESTABLISHMENTS; TO AMEND SECTION 73-11-33, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON SECTIONS OF LAW WHICH CREATE THE STATE BOARD OF FUNERAL SERVICE AND PRESCRIBE ITS DUTIES AND POWERS; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

S. B. No. 2099: County Affairs

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

By Senator(s) Blackwell, Parker, McLendon

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

AN ACT TO AMEND SECTION 79-11-501, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "CHARITABLE ORGANIZATION"; TO AMEND SECTION 79-11-511, MISSISSIPPI CODE OF 1972, TO REVISE THE METHOD OF NOTICE, DEMAND AND SERVICE OF PROCESS UPON A CHARITABLE ORGANIZATION; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2101: Labor; Judiciary, Division A

AN ACT TO ESTABLISH THE "MISSISSIPPI PAY EQUITY ACT" TO PROVIDE THAT NO EMPLOYER SHALL PAY AN EMPLOYEE A WAGE AT A RATE LESS THAN THE RATE AT WHICH AN EMPLOYEE OF A DIFFERENT GENDER IS PAID FOR EQUAL WORK; TO PROVIDE THAT AN EMPLOYEE MAY FILE A PETITION IN THE

PROPER CIRCUIT COURT; TO PROHIBIT RETALIATORY DISCHARGE; AND FOR
RELATED PURPOSES

By Senator(s) Witherspoon

SEVENTH DAY, MONDAY, JANUARY 11, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Absent--Branning, Carter, Chism, Parker, Polk. Total--5.

The Secretary announced a quorum present.

The invocation was delivered by Senator Sparks.

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

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

The measures and executive nominations received and referred to committees on January 8, 2021, are listed on this date.

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

MESSAGE FROM THE HOUSE

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

H. C. R. No. 2: A CONCURRENT RESOLUTION COMMENDING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE AND MOURNING THE LOSS OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM JONES, REPRESENTATIVE GARY V. STAPLES.

Andrew Ketchings, Clerk of the House of Representatives

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

H. B. No. 69: State Veterans Affairs Board; provide that certain employees of are nonstate service employees under state personnel system. Appropriations.

MESSAGE FROM THE LT. GOVERNOR
November 3, 2020

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

David Banister Russell, Flora, Mississippi, Public Procurement Review Board, term effective immediately and ending June 30, 2024.

Delbert Hosemann
LT. GOVERNOR

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

David Banister Russell, Public Procurement Review Board, term effective immediately and ending June 30, 2024, Finance.

MESSAGE FROM THE ARCHIVES AND HISTORY BD
November 5, 2020

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

Nancy Rea Luke Carpenter, Columbus, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026.

Spencer J. (Spence) Flatgard, Ridgeland, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026.

Edmond Earl Hughes, Jr., Ocean Springs, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026.

Helen Moss Smith, Natchez, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026.

Katie Blount, Director
ARCHIVES AND HISTORY BD

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

Nancy Rea Luke Carpenter, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026, Accountability, Efficiency, Transparency.

Spencer J. (Spence) Flatgard, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026, Accountability, Efficiency, Transparency.

Edmond Earl Hughes, Jr., Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026, Accountability, Efficiency, Transparency.

Helen Moss Smith, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026, Accountability, Efficiency, Transparency.

MESSAGE FROM THE LT. GOVERNOR
January 4, 2021

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

Kimberly Kay Remak, Olive Branch, Mississippi, Mississippi Charter School Authorizer Board, term effective December 8, 2020 and ending August 30, 2022.

Dr. Ronnie Lynn McGehee, Madison, Mississippi, State Board of Education, term effective immediately and ending June 30, 2028.

Lauren Michelle Hegwood, Brandon, Mississippi, Board of Directors for the Mississippi Industries for the Blind, term effective December 17, 2020 and ending December 17, 2024.

Jane Stroble Miller, Meridian, Mississippi, Board of Directors for the Mississippi Industries for the Blind as an individual who is legally blind, term effective December 17, 2020 and ending December 17, 2024.

Michael Warren Boerner, Jackson, Mississippi, Mississippi Business Finance Corporation, term effective December 17, 2020 and ending March 31, 2026.

Delbert Hosemann
LT. GOVERNOR

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

Kimberly Kay Remak, Mississippi Charter School Authorizer Board, term effective December 8, 2020 and ending August 30, 2022, Education.

Dr. Ronnie Lynn McGehee, State Board of Education, term effective immediately and ending June 30, 2028, Education.

Lauren Michelle Hegwood, Board of Directors for the Mississippi Industries for the Blind, term effective December 17, 2020 and ending December 17, 2024, Public Health and Welfare.

Jane Stroble Miller, Board of Directors for the Mississippi Industries for the Blind as an individual who is legally blind, term effective December 17, 2020 and ending December 17, 2024, Public Health and Welfare.

Michael Warren Boerner, Mississippi Business Finance Corporation, term effective December 17, 2020 and ending March 31, 2026, Finance.

MESSAGE FROM THE GOVERNOR
January 6, 2021

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

David Steen Wansley, Sr., Vicksburg, Mississippi, Appeals Board of the Mississippi Transportation Commission, four year term effective immediately and ending June 30, 2024.

Brig. Gen. Benjamin Joseph (Joe) Spraggins, Gulfport, Mississippi, MS Commission on Marine Resources as the Exe. Director of the Dept. of Marine Resources, term effective October 21, 2020 and the appointee shall serve at will and pleasure of the Governor.

Christopher Glenn (Chris) Wells, P.E., Pearl, Mississippi, Mississippi Department of Environmental Quality as the Executive Director, term effective October 20, 2020 and the appointee shall serve at the pleasure of the Governor.

Andrea Adkins Sanders, McComb, Mississippi, Mississippi Department of Child Protection Services as Commissioner of Child Protection Services, term effective November 9, 2020.

Tate Reeves
GOVERNOR

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

David Steen Wansley, Sr., Appeals Board of the Mississippi Transportation Commission, four year term effective immediately and ending June 30, 2024, Highways and Transportation.

Brig. Gen. Benjamin Joseph (Joe) Spraggins, MS Commission on Marine Resources as the Exe. Director of the Dept. of Marine Resources, term effective October 21, 2020 and the appointee shall serve at will and pleasure of the Governor, Ports and Marine Resources.

Christopher Glenn (Chris) Wells, P.E., Mississippi Department of Environmental Quality as the Executive Director, term effective October 20, 2020 and the appointee shall serve at the pleasure of the Governor, Environment Prot, Cons and Water Res.

Andrea Adkins Sanders, Mississippi Department of Child Protection Services as Commissioner of Child Protection Services, term effective November 9, 2020, Public Health and Welfare.

MESSAGE FROM THE LT. GOVERNOR
January 7, 2021

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

Mark Talbot Buys, Sr., Vicksburg, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2026.

William Jarvis Van Devender, Jr., Jackson, Mississippi, Appeals Board of the Mississippi Transportation Commission, term effective December 29, 2020 and ending June 30, 2021.

Delbert Hosemann
LT. GOVERNOR

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

Mark Talbot Buys, Sr., Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2026, Finance.

William Jarvis Van Devender, Jr., Appeals Board of the Mississippi Transportation Commission, term effective December 29, 2020 and ending June 30, 2021, Highways and Transportation.

INTRODUCTIONS FOR FRIDAY, JANUARY 8, 2021

S. B. No. 2102: Elections; Accountability, Efficiency, Transparency

AN ACT TO ENACT INTO LAW THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE AGREEMENT WITH OTHER STATES THAT JOIN IN THE AGREEMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2103: Corrections; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 47-5-1211, MISSISSIPPI CODE OF 1972, TO TRANSFER RESPONSIBILITY FOR CONDUCTING COST-PER-DAY REVIEWS FROM THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW TO THE DEPARTMENT OF CORRECTIONS; TO AUTHORIZE THE DEPARTMENT TO CONSULT WITH THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW REGARDING POSSIBLE CHANGES TO METHODS AND PROCEDURES UTILIZED IN CONDUCTING SAID COST-PER-DAY REVIEWS; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2104: Corrections; Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTIONS 47-7-2 THROUGH 47-7-6, 47-7-13 THROUGH 47-7-19, AND 47-7-27, MISSISSIPPI CODE OF 1972, RELATED TO THE

POWERS AND DUTIES OF THE PAROLE BOARD FOR POSSIBLE AMENDMENT;
AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2105: Judiciary, Division B

AN ACT TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO
REVISE THE COURT'S DISPOSITIONAL ALTERNATIVES FOR NONADJUDICATION;
AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2106: Judiciary, Division B

AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972, TO
PROVIDE THAT CERTAIN LAW ENFORCEMENT OFFICERS ARE AUTHORIZED TO
USE PUBLIC VEHICLES IN THE PERFORMANCE OF PRIVATE SECURITY DUTIES
WITHIN THEIR JURISDICTION; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2107: Judiciary, Division B

AN ACT TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO
PROHIBIT A COUNTY OR MUNICIPALITY FROM ENTERING INTO ANY CONTRACT
OR RENTAL AGREEMENT THAT RESTRICTS THE POSSESSION, CARRYING,
TRANSPORTATION, SALE, TRANSFER OR OWNERSHIP OF FIREARMS; TO
PROVIDE THAT STATE AGENCIES MAY NOT INTERFERE WITH THE RIGHT OF
CITIZENS TO POSSESS FIREARMS; TO CREATE A CIVIL CAUSE OF ACTION TO
CHALLENGE ORDINANCES AND REGULATIONS IN VIOLATION OF THAT RIGHT; TO
EXEMPT THE REGULATORY AUTHORITY OF CERTAIN ENTITIES FROM THIS
SECTION; TO AMEND SECTION 45-9-53, MISSISSIPPI CODE OF 1972, TO
CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2108: Elections

AN ACT TO CREATE THE "NONPARTISAN COUNTY ELECTIONS ACT"; TO
PROVIDE THAT THE COUNTY OFFICES OF CHANCERY CLERK, CIRCUIT CLERK,
TAX ASSESSOR, TAX COLLECTOR, COUNTY SURVEYOR AND COUNTY CORONER
SHALL BE NONPARTISAN; TO PROVIDE DEFINITIONS FOR SUCH ACT; TO
PROVIDE WHEN A CANDIDATE SHALL FILE THEIR INTENT AND THE AMOUNT OF
FEES APPLICABLE FOR SUCH OFFICE; TO PROVIDE HOW THE NAMES OF THE
CANDIDATES SHALL BE GROUPED ON A BALLOT; TO PROVIDE THE PROCEDURE
WHEN TWO OR MORE CANDIDATES QUALIFY FOR COUNTY OFFICE; TO AMEND
SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO REMOVE COUNTY OFFICES
FROM FEE REQUIREMENTS FOR PARTY NOMINATION; TO AMEND SECTIONS 23-
15-291, 23-15-153, 23-15-21, 23-15-31, 23-15-507 AND 23-15-911, MISSISSIPPI CODE
OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2109: Corrections; Appropriations

AN ACT TO AMEND SECTION 47-5-901, MISSISSIPPI CODE OF 1972, TO
PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS (MDOC) MUST
REIMBURSE COUNTIES FOR THE MEDICAL EXPENSES OF STATE PRISONERS
BEING HOUSED IN COUNTY JAILS DUE TO A LACK OF CAPACITY AT STATE
CORRECTIONAL INSTITUTIONS; TO AMEND SECTION 99-15-19, MISSISSIPPI
CODE OF 1972, TO PROVIDE THAT A COUNTY MAY REQUEST REIMBURSEMENT
FROM MDOC FOR FEES AND EXPENSES INCURRED BY THE COUNTY IN THE
PROSECUTION OF STATE OFFENDERS WHO COMMIT CRIMES WHILE IN A STATE
CORRECTIONAL FACILITY OR COUNTY JAIL; TO AMEND SECTION 99-15-21,
MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A COUNTY MAY REQUEST SUCH
REIMBURSEMENT ONLY FOR CASES IN WHICH LEGAL COUNSEL IS APPOINTED
TO A STATE OFFENDER ON OR AFTER JULY 1, 2021; AND FOR RELATED
PURPOSES.

By Senator(s) DeBar

S. B. No. 2110: Drug Policy

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO ADD KRATOM TO SCHEDULE I OF THE UNIFORM CONTROLLED SUBSTANCES ACT; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2111: Judiciary, Division B

AN ACT TO CREATE A RAPID DNA TASK FORCE WITHIN THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO STUDY THE POTENTIAL USE OF RAPID DNA TO QUICKLY IDENTIFY AND APPREHEND CRIMINAL OFFENDERS AND REDUCE CRIME; TO DIRECT THE TASK FORCE TO SUBMIT A PLAN TO THE LEGISLATURE FOR IMPLEMENTING RAPID DNA IN MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2112: Judiciary, Division B

AN ACT TO AMEND SECTION 45-47-1, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT DNA SAMPLES SHALL BE COLLECTED FROM PERSONS ARRESTED FOR ANY FELONY AND TO PROVIDE THAT THE DNA SAMPLE SHALL BE DESTROYED ONLY UPON RECEIPT OF AN EXPUNGEMENT REQUEST FROM THE PERSON WHOSE DNA HAS BEEN INCLUDED IN THE STATE DATABASE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2113: Elections

AN ACT TO REQUIRE THE SECRETARY OF STATE TO ADOPT AND PUBLISH TESTING STANDARDS AND ELECTION PROCEDURES THAT MEET OR EXCEED THE STANDARDS SET BY THE UNITED STATES ELECTIONS ASSISTANCE COMMISSION; TO AMEND SECTION 23-15-507, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL OMR EQUIPMENT TO BE CERTIFIED BY THE UNITED STATES ELECTIONS ASSISTANCE COMMISSION; TO AMEND SECTION 23-15-531.1, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL DRE UNITS TO BE CERTIFIED BY THE UNITED STATES ELECTIONS ASSISTANCE COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2114: Accountability, Efficiency, Transparency

AN ACT TO CREATE NEW SECTION 45-49-1, MISSISSIPPI CODE OF 1972, TO ENACT THE MISSISSIPPI COMPANION ANIMAL ABUSER REGISTRY ACT TO APPLY TO DOMESTICATED DOGS AND CATS; TO CREATE NEW SECTION 45-49-3, MISSISSIPPI CODE OF 1972, TO ENACT DEFINITIONS; TO CREATE NEW SECTION 45-49-5, MISSISSIPPI CODE OF 1972, TO REQUIRE CREATION OF AN ONLINE REGISTRY OF OFFENDERS; TO CREATE NEW SECTION 45-49-7, MISSISSIPPI CODE OF 1972, TO ALLOW THE PROMULGATION OF RULES FOR THE IMPLEMENTATION OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

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

AN ACT TO AMEND SECTION 47-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PROBATION AND PAROLE OFFICER SHALL NOT HANDLE MORE THAN 100 CASES AT ONE TIME; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2116: Judiciary, Division B

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

By Senator(s) Fillingane

S. B. No. 2117: Judiciary, Division B

AN ACT TO AMEND SECTIONS 97-3-21, 99-19-101 AND 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING AND PAROLE OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH THE UNITED STATES SUPREME COURT HOLDING IN THE CASE OF MILLER V. ALABAMA; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2118: Elections

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

By Senator(s) Blackwell

S. B. No. 2119: Drug Policy; Judiciary, Division B

AN ACT TO AUTHORIZE PHARMACIES TO SELL AND PERSONS TO PURCHASE, WITHOUT A PRESCRIPTION, PRODUCTS THAT CONTAIN CERTAIN QUANTITIES OF PSEUDOEPHEDRINE OR EPHEDRINE; TO REQUIRE PHARMACIES SELLING PRODUCTS AUTHORIZED UNDER THIS ACT TO USE THE NPLEX SYSTEM BEFORE SELLING THOSE PRODUCTS; TO REQUIRE PHARMACIES TO MAINTAIN AN ELECTRONIC LOG OF REQUIRED INFORMATION FOR EACH TRANSACTION; TO REQUIRE THE PURCHASER OF THE PACKAGE TO BE AT LEAST EIGHTEEN YEARS OF AGE, AS SHOWN BY VALID IDENTIFICATION, AND TO SIGN A RECORD OF EACH TRANSACTION; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTION 41-29-117, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

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

AN ACT TO AMEND SECTION 47-7-2, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TECHNICAL VIOLATION" TO EXCLUDE ANY ACT THAT IS CLASSIFIED AS A CRIME OF VIOLENCE; TO AMEND SECTION 47-7-27, MISSISSIPPI CODE OF 1972, TO REQUIRE REVOCATION FOR PERSONS WHO COMMIT CRIMES OF VIOLENCE WHILE ON PAROLE; TO PROVIDE THAT THE PAROLE BOARD SHALL REFER SUCH MATTERS TO THE APPROPRIATE DISTRICT ATTORNEY FOR PROSECUTION; TO AMEND SECTION 47-7-38, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF THE PROBATIONER OR PAROLEE IS ARRESTED FOR A NEW CRIMINAL OFFENSE, HE SHALL BE RETURNED TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO SERVE THE REMAINDER OF HIS ORIGINAL SENTENCE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

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

AN ACT TO CRIMINALIZE THE DISCLOSURE WITHOUT CONSENT OF INTIMATE VISUAL MATERIAL; TO DEFINE TERMS; TO PROVIDE PENALTIES FOR

THE CRIME; TO ENUMERATE CERTAIN DEFENSES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2122: Drug Policy; Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO PROVIDE ENHANCED PENALTIES FOR TRANSFER OR POSSESSION WITH INTENT TO TRANSFER HEROIN OR FENTANYL; TO CREATE NEW SECTION 97-3-28, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OVERDOSE DEATH ATTRIBUTABLE TO THE UNLAWFUL DISTRIBUTION OF CERTAIN CONTROLLED SUBSTANCES WILL CONSTITUTE MANSLAUGHTER; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

S. B. No. 2123: Municipalities; Energy

AN ACT TO PROHIBIT POLITICAL SUBDIVISIONS FROM ADOPTING OR ENFORCING AN ORDINANCE, RULE, RESOLUTION, REGULATION, CODE, ORDER, POLICY OR OTHER MEASURE THAT HAS THE PURPOSE OF BANNING, LIMITING, RESTRICTING, DISCRIMINATING AGAINST OR PROHIBITING A PERSON'S ABILITY TO USE THE SERVICE OF A NATURAL GAS OR ELECTRIC PUBLIC UTILITY; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2124: Economic and Workforce Development

AN ACT TO AMEND SECTION 71-5-11, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "UNEMPLOYMENT" TO EXCLUDE ADMINISTRATIVE LEAVE WHEN FULL COMPENSATION FOR REGULAR WAGES IS RECEIVED FROM AN EMPLOYER; TO ALLOW FOR PARTIAL UNEMPLOYMENT BENEFITS WHEN ONLY PARTIAL COMPENSATION FOR REGULAR WAGES IS RECEIVED FROM AN EMPLOYER; TO REVISE THE DEFINITION OF "WAGES" TO INCLUDE PAYMENTS FROM AN EMPLOYER IN LIEU OF THE WORKER'S REGULAR WAGES; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN ADDITIONAL 2% PENALTY IN CERTAIN CASES WHERE AN EMPLOYER'S ASSIGNED NEW EMPLOYER RATE RESULTS IN AN INCREASE OF LESS THAN 2%; TO AMEND SECTION 71-5-363, MISSISSIPPI CODE OF 1972, TO ALLOW THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT SECURITY OR HIS OR HER DESIGNEE TO ABATE INTEREST ACCRUED ON PAST-DUE CONTRIBUTIONS OR OVERPAYMENTS, IN PART OR IN FULL, WHEN NEGOTIATING THE SETTLEMENT OF THE PAST-DUE AMOUNTS; TO AMEND SECTION 71-5-365, MISSISSIPPI CODE OF 1972, TO ALLOW THE DESIGNEE OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT SECURITY TO HOLD THE EXECUTIVE DIRECTOR'S RIGHTS AND DUTIES CONCERNING AN EMPLOYER'S FAILURE TO FILE A CONTRIBUTION REPORT; TO REPLACE THE ASSESSED "DAMAGES" WITH ASSESSED "PENALTIES"; TO AMEND SECTION 71-5-389, MISSISSIPPI CODE OF 1972, TO INCLUDE THE UNITED STATES DEPARTMENT OF THE TREASURY ALONGSIDE THE MISSISSIPPI DEPARTMENT OF REVENUE WITH RESPECT TO THE PROCEDURES CONCERNING SETOFFS AGAINST FEDERAL OR STATE TAX REFUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2125: Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE VIOLENT HABITUAL OFFENDER SENTENCING; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

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

AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO PERMIT THE NONADJUDICATION OF A FIRST OFFENSE OF DRIVING UNDER THE

INFLUENCE BY A COMMERCIAL DRIVER'S LICENSE HOLDER WHO WAS NOT OPERATING A COMMERCIAL VEHICLE AT THE TIME OF THE OFFENSE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

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

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

By Senator(s) England, Wiggins, Hill, Fillingane

S. B. No. 2128: Elections; Judiciary, Division B

AN ACT TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO INCREASE PUNISHMENT FOR THE CRIME OF VOTE FRAUD TO A FINE NOT LESS THAN \$1,000.00 AND A TERM OF IMPRISONMENT IN THE PENITENTIARY FOR NOT LESS THAN ONE YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Tate

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

AN ACT TO AMEND SECTION 97-43-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF ORGANIZED RETAIL THEFT AND ORGANIZED RETAIL THEFT ENTERPRISE; TO AMEND SECTION 97-43-3.1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

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

AN ACT TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, TO EXCLUDE NONFUNCTIONING WINDOW AIR CONDITIONER UNITS AND STAINLESS STEEL SINKS FROM THE REGULATION OF SCRAP-METAL SALES; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2131: Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS A NONVIOLENT HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2132: Judiciary, Division B

AN ACT TO ESTABLISH THE JUVENILE OFFENDER PAROLE AND REHABILITATION ACT; TO AUTHORIZE THE STATE PAROLE BOARD TO DETERMINE WHETHER A JUVENILE OFFENDER MAY BE ELIGIBLE FOR PAROLE AND REHABILITATION; TO AMEND SECTION 47-7-2, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF ADULTHOOD; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PAROLE ELIGIBILITY FOR JUVENILE OFFENDERS; TO AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, TO EXEMPT JUVENILE OFFENDERS FROM TIME-SERVED PAROLE ELIGIBILITY REQUIREMENTS; TO CREATE SECTION 47-7-3.3, TO CREATE A CASE PLAN FOR JUVENILE OFFENDERS; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE PAROLE BOARD TO GRANT PAROLE TO JUVENILE OFFENDERS; TO AMEND SECTION 47-7-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN AFFIRMATIVE VOTE BY THE PAROLE BOARD TO GRANT PAROLE TO JUVENILE OFFENDERS; TO AMEND SECTION 47-7-15, MISSISSIPPI CODE OF 1972, TO EXEMPT DECISIONS ON PAROLE ELIGIBILITY OF JUVENILE OFFENDERS BY PAROLE BOARD FROM MAJORITY VOTE; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE PAROLE BOARD TO ORDER PSYCHIATRIC AND PSYCHOLOGICAL EXAMINATIONS WHEN NECESSARY; TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE

RELEASE ON PAROLE OF JUVENILE OFFENDERS WITHOUT A HEARING BEFORE THE BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2133: Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO END THE USE OF RESTITUTION CENTERS AND CONVERT RESTITUTION CENTERS TO POST-RELEASE REENTRY CENTERS; TO REPEAL SECTION 99-37-19, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ESTABLISHMENT OF RESTITUTION CENTERS; TO REPEAL SECTION 99-37-21, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COOPERATION OF THE DEPARTMENT OF PUBLIC WELFARE AND THE DEPARTMENT OF CORRECTIONS AT RESTITUTION CENTERS; TO BRING FORWARD SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO OUTLINE THE DUTIES AND COMPENSATION FOR SHERIFFS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-27, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE TIME FRAME FOR REGISTRATION OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-35, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CENTRAL REGISTRY OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-10, MISSISSIPPI CODE OF 1972, WHICH OUTLINES DEPARTMENT FUNCTIONS; TO BRING FORWARD SECTION 47-5-26, MISSISSIPPI CODE OF 1972, WHICH OUTLINES SUBORDINATE PERSONNEL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-110, MISSISSIPPI CODE OF 1972, WHICH ASSIGNS THE PRE-RELEASE PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-194, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE CASHLESS SYSTEM AND PROHIBITS FINANCIAL ITEMS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-1207, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONSTRUCTION OF ADDITIONAL PUBLIC OR PRIVATE CORRECTIONAL FACILITIES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROBATION VIOLATIONS AND PROCEDURES FOR BAIL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2134: Corrections; Accountability, Efficiency, Transparency

AN ACT TO END THE USE OF RESTITUTION CENTERS AND CONVERT RESTITUTION CENTERS TO PRE-RELEASE REENTRY CENTERS; TO REPEAL SECTION 99-37-19, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ESTABLISHMENT OF RESTITUTION CENTERS; TO REPEAL SECTION 99-37-21, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COOPERATION OF THE DEPARTMENT OF PUBLIC WELFARE AND THE DEPARTMENT OF CORRECTIONS AT RESTITUTION CENTERS; TO BRING FORWARD SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO OUTLINE THE DUTIES AND COMPENSATION FOR SHERIFFS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-27, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE TIME FRAME FOR REGISTRATION OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-35, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CENTRAL REGISTRY OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-10, MISSISSIPPI CODE OF 1972, WHICH OUTLINES DEPARTMENT FUNCTIONS; TO BRING FORWARD SECTION 47-5-26, MISSISSIPPI CODE OF 1972, WHICH OUTLINES SUBORDINATE PERSONNEL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-110, MISSISSIPPI CODE OF 1972, WHICH ASSIGNS THE PRE-RELEASE PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-194, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE CASHLESS SYSTEM AND PROHIBITS FINANCIAL ITEMS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-1207, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE

CONSTRUCTION OF ADDITIONAL PUBLIC OR PRIVATE CORRECTIONAL FACILITIES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROBATION VIOLATIONS AND PROCEDURES FOR BAIL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2135: Judiciary, Division B

AN ACT TO AMEND SECTIONS 43-21-151, 43-21-157 AND 43-21-159, MISSISSIPPI CODE OF 1972, TO DEFINE THE CIRCUMSTANCES UNDER WHICH A CHILD MAY BE TRIED FOR A CRIMINAL OFFENSE IN CIRCUIT COURT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2136: Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COURT OF CONVICTION TO EXPUNGE THE RECORD OF CERTAIN FELONIES AFTER 20 YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2137: Judiciary, Division B

AN ACT TO AMEND SECTION 97-17-23, MISSISSIPPI CODE OF 1972, TO REVISE THE OFFENSE OF HOUSE BURGLARY TO CREATE VIOLENT AND NONVIOLENT LEVELS OF THE OFFENSE; TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-23-15, MISSISSIPPI CODE OF 1972, TO CONFORM ELIGIBILITY FOR DRUG INTERVENTION COURTS; TO AMEND SECTION 9-27-11, MISSISSIPPI CODE OF 1972, TO CONFORM ELIGIBILITY FOR VETERANS' INTERVENTION COURTS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2138: Corrections; Accountability, Efficiency, Transparency

AN ACT TO CODIFY SECTION 47-5-36, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE OFFICE OF THE DEPARTMENT OF CORRECTIONS OMBUDSMAN AND PRESCRIBE ITS POWERS AND DUTIES; TO PROVIDE FOR A CORRECTIONS OVERSIGHT COMMITTEE; TO PROVIDE INSPECTION AUTHORITY FOR THE OFFICE OF OMBUDSMAN; TO PROVIDE COMPLAINT INVESTIGATION AUTHORITY; TO PROVIDE FOR AN ANNUAL REPORT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2139: Corrections; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE CORRECTIONS INSPECTION COUNCIL; TO SERVE IN AN ADVISORY CAPACITY TO THE GOVERNOR, ATTORNEY GENERAL, CORRECTIONS COMMISSIONER, AND THE LEGISLATURE; TO ESTABLISH AND MAINTAIN A CONTINUING PROGRAM OF INSPECTION OF EACH STATE CORRECTIONAL INSTITUTION USED FOR CUSTODY, CONTROL, TRAINING, AND REHABILITATION OF PERSONS CONVICTED OF A CRIME BY THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2140: Elections; Accountability, Efficiency, Transparency

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

By Senator(s) Blount

S. B. No. 2141: Public Health and Welfare; Medicaid

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO SUSPEND THE MORATORIUM TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ISSUE A CERTIFICATE OF NEED TO PANOLA MEDICAL CENTER IN BATESVILLE, MISSISSIPPI, FOR THE ACQUISITION, CONVERSION AND OPERATION OF 25 ADULT PSYCHIATRIC BEDS IN ITS EXISTING FACILITY IN PANOLA COUNTY; TO PROVIDE THAT THE AUTHORIZATION FOR THE CERTIFICATE OF NEED FOR THOSE ADULT PSYCHIATRIC BEDS SHALL BE EXEMPT FROM THE CERTIFICATE OF NEED REVIEW PROCESS; TO PROVIDE THAT THE EXEMPTION FROM THE CERTIFICATE OF NEED PROCESS IS VALID FOR TWO YEARS FROM THE EFFECTIVE DATE OF THIS ACT AND WILL EXPIRE IF ACTUAL OPERATION OF THE 25 ADULT PSYCHIATRIC BEDS IS NOT ACCOMPLISHED BY PANOLA MEDICAL CENTER WITHIN THAT TWO-YEAR PERIOD; TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE ACQUISITION, CONVERSION AND OPERATION OF CHILD/ADOLESCENT PSYCHIATRIC BEDS PARTICIPATING IN THE MEDICAID PROGRAM IN LEE COUNTY AND THE CONVERSION OF ACUTE CARE BEDS TO GERIATRIC PSYCHIATRIC BEDS IN LEE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, McMahan

S. B. No. 2142: Education

AN ACT TO AMEND SECTION 37-11-57, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE RIGHT OF A PUBLIC SCHOOL STUDENT'S PARENTS OR GUARDIANS TO CHOOSE TO INCLUDE THE STUDENT IN THE SCHOOL DISTRICT'S CORPORAL PUNISHMENT POLICY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2143: Universities and Colleges

AN ACT TO AMEND SECTION 37-29-65, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT AFTER JULY 1, 2021, OPERATION AND CONTROL OF THE HINDS COMMUNITY COLLEGE DISTRICT AND COLLEGE SHALL BE VESTED IN A BOARD OF TRUSTEES REPRESENTING EACH OF THE FIVE COUNTIES LYING WITHIN ITS DISTRICT; TO PROVIDE FOR THE NUMBER OF TRUSTEES EACH COUNTY SHALL HAVE ON THE BOARD OF TRUSTEES FOR THE DISTRICT; TO PREVENT ANY SUPERINTENDENT OF EDUCATION WITHIN THE DISTRICT FROM SERVING ON THE BOARD OF TRUSTEES; TO AMEND SECTION 37-29-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COPIAH COUNTY SHALL BE IN HINDS COMMUNITY COLLEGE'S DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

S. B. No. 2144: Education

AN ACT TO CREATE NEW SECTION 37-11-77, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION SHALL ALLOW MEMBER SCHOOLS TO PARTICIPATE IN EXTRACURRICULAR ACTIVITIES AGAINST SCHOOLS WITH HOME-SCHOOLED STUDENTS AND AGAINST SCHOOLS THAT ARE NOT ACCREDITED BY THE DEPARTMENT OF EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2145: Universities and Colleges

AN ACT TO PROHIBIT ANY PUBLIC UNIVERSITY OR COMMUNITY COLLEGE FROM IMPLEMENTING A POLICY THAT VIOLATES FIRST AMENDMENT RIGHTS OF SPEECH, RELIGION AND ASSOCIATION ON BEHALF OF STUDENTS AND FACULTY; TO REQUIRE THAT IF A PUBLIC UNIVERSITY OR COMMUNITY COLLEGE IS IMPLEMENTING AN UNCONSTITUTIONAL POLICY RELATING TO FREE SPEECH, RELIGION OR ASSOCIATION, THE GOVERNOR SHALL NOTIFY THE PRESIDENT OF

THE UNIVERSITY OR COLLEGE OF THE NONCOMPLIANCE AND THE STATE FISCAL OFFICER SHALL WITHHOLD ALL STATE FUNDING FOR SUCH UNIVERSITY OR COLLEGE UNTIL SUCH TIME AS IT IS IN COMPLIANCE WITH THE REQUIREMENTS OF LAW; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2146: Education

AN ACT TO AMEND SECTION 37-28-7, MISSISSIPPI CODE OF 1972, TO RECONSTITUTE THE CHARTER SCHOOL AUTHORIZER BOARD TO ESTABLISH TERMS OF OFFICE; TO AMEND SECTION 37-28-11, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN ANNUAL GENERAL FUND APPROPRIATION OF FUNDS AND PINS TO THE CHARTER SCHOOL AUTHORIZER BOARD; TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHARTER SCHOOL AUTHORIZER BOARD AND STATE DEPARTMENT OF EDUCATION TO CONSTITUTE A FORMULA THAT REQUIRES LOCAL AD VALOREM CONTRIBUTIONS TO CHARTER SCHOOLS BE RECONCILED EACH YEAR IN THE SAME MANNER AS MISSISSIPPI ADEQUATE EDUCATION PROGRAM PAYMENTS AND TO MAKE THE PRO RATA DISTRIBUTION OF LOCAL AD VALOREM FUNDS EQUITABLE BETWEEN THE SCHOOL DISTRICTS AND THE CHARTER SCHOOLS; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2147: Education

AN ACT TO BRING FORWARD SECTION 37-19-10, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROSPECTIVE SALARY SUPPLEMENTS FOR TEACHERS AND STAFF UNDER THE SCHOOL RECOGNITION PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2148: Education; Accountability, Efficiency, Transparency

AN ACT TO CREATE NEW SECTION 37-7-316, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT RULES AND REGULATIONS REQUIRING NEWLY CONSTRUCTED PUBLIC SCHOOLS OR CERTAIN EXISTING SCHOOLS UNDERGOING RENOVATIONS TO HAVE A MINIMUM NUMBER OF WATER BOTTLE FILLING STATIONS; TO PRESCRIBE REQUIREMENTS FOR SCHOOL WATER BOTTLE FILLING STATIONS AND DRINKING WATER FOUNTAINS; TO SPECIFY THAT THE NEW REQUIREMENTS ARE APPLICABLE TO NEW SCHOOL CONSTRUCTION AND CERTAIN RENOVATION PROJECTS COMMENCED AFTER JANUARY 1, 2022; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2149: Education

AN ACT TO AMEND SECTION 37-151-103, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO HOLD SCHOOL DISTRICTS HARMLESS WHEN CALCULATING AVERAGE DAILY ATTENDANCE FOR THE 2020-2021 SCHOLASTIC YEAR; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL USE EACH SCHOOL DISTRICT'S AVERAGE DAILY ATTENDANCE FOR THE 2019-2020 SCHOLASTIC YEAR IN PLACE OF THE SCHOOL DISTRICT'S AVERAGE DAILY ATTENDANCE FOR THE 2020-2021 SCHOLASTIC YEAR FOR THE PURPOSE OF CALCULATING FUNDING UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2150: Education

AN ACT TO AMEND SECTION 37-11-19, MISSISSIPPI CODE OF 1972, TO ALLOW SCHOOLS TO WITHHOLD TRANSCRIPTS AND OTHER ACADEMIC INFORMATION IF STUDENT AND THE STUDENT'S PARENTS OR GUARDIANS FAIL TO RETURN SCHOOL-ISSUED MOBILE DEVICES OR TEXTBOOKS AND FAILED TO

PAY THE FULL AMOUNT FOR THE UNRETURNED DEVICES OR TEXTBOOKS; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2151: Accountability, Efficiency, Transparency

AN ACT TO CREATE THE EDUCATION CONTINUUM FOR MISSISSIPPI'S FUTURE TASK FORCE TO RESEARCH, REVIEW AND MAKE RECOMMENDATIONS TO THE STATE LEGISLATURE REGARDING THE STATE'S EDUCATION COORDINATING AGENCIES FOR EARLY EDUCATION THROUGH POSTSECONDARY EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Sparks

S. B. No. 2152: Education; Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH A STATE TASK FORCE FOCUSED ON ANALYZING THE DESIGN OF HIGH-PERFORMING EDUCATION SYSTEMS AND LONG-TERM PLANNING TO MAKE MISSISSIPPI A GLOBALLY COMPETITIVE EDUCATION SYSTEM WITHIN THE NEXT TEN YEARS BASED ON THAT ANALYSIS; TO ESTABLISH TWO ADDITIONAL WORKING GROUPS FOCUSED ON APPLYING SYSTEM DESIGN WORK TO IMPLEMENT TWO COMPONENTS OF HIGH-PERFORMING SYSTEMS, EFFECTIVE TEACHERS AND PRINCIPALS AND CAREER AND TECHNICAL EDUCATION, SO THAT MISSISSIPPI HAS POLICIES IN PLACE TO ENSURE A WORLD-CLASS TEACHING FORCE AND MEANINGFUL CAREER EDUCATION OPPORTUNITIES FOR ALL STUDENTS WITHIN THE NEXT TWO YEARS; TO AUTHORIZE THE TASK FORCE TO SELECT A NATIONALLY RECOGNIZED ORGANIZATION WITH EXPERTISE IN INTERNATIONAL EDUCATION BENCHMARKING, FACILITATION, AND LEADERSHIP DEVELOPMENT TO FACILITATE THE THREE GROUPS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Blount

S. B. No. 2153: Education

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL GRANT LICENSES TO TEACHERS WHO POSSESS A VALID STANDARD LICENSE FROM ANOTHER STATE; TO DELETE THE PROVISION THAT PROVIDES FOR THE NONRENEWABLE SPECIAL LICENSE; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2154: Judiciary, Division B

AN ACT TO AUTHORIZE A PROCEDURE CONSISTENT WITH DECISIONS OF THE UNITED STATES SUPREME COURT AND THE MISSISSIPPI SUPREME COURT FOR THE PAROLE OF CERTAIN OFFENDERS WHO WERE UNDER THE AGE OF EIGHTEEN WHEN THEY COMMITTED THE CRIMES FOR WHICH THEY ARE SENTENCED; TO PROVIDE FOR THE PROCEDURE TO BE FOLLOWED BEFORE CERTAIN JUVENILE OFFENDERS MAY BE SENTENCED TO LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2155: Judiciary, Division B

AN ACT TO EXPAND OFFENDERS' ACCESS TO ADMINISTRATIVE REDUCTIONS IN TIME THROUGH THE TRUSTY-TIME PROGRAM AND THE EARNED-TIME ALLOWANCE PROGRAM; TO PROVIDE THAT OFFENDERS CONVICTED OF CRIMES THAT PROHIBIT REDUCTIONS IN SENTENCE SHALL BE INELIGIBLE FOR SUCH PROGRAMS; TO AMEND SECTIONS 47-5-138.1, 47-5-139 AND 47-7-3.2, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2156: Judiciary, Division B

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO REVISE THE OFFENSE OF SHOPLIFTING AND THE GRAVITY OF THE OFFENSE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2157: Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO REQUIRE ORGANIZATIONS PARTICIPATING IN A MANAGED CARE PROGRAM OR COORDINATED CARE PROGRAM IMPLEMENTED BY THE MISSISSIPPI DIVISION OF MEDICAID TO UTILIZE A CLEAR SET OF LEVEL OF CARE GUIDELINES IN THE DETERMINATION OF MEDICAL NECESSITY AND IN ALL UTILIZATION MANAGEMENT PRACTICES, INCLUDING THE PRIOR AUTHORIZATION PROCESS, CONCURRENT REVIEWS, RETROSPECTIVE REVIEWS AND PAYMENTS THAT ARE CONSISTENT WITH WIDELY ACCEPTED PROFESSIONAL STANDARDS OF CARE; TO REQUIRE ORGANIZATIONS PARTICIPATING IN A MANAGED CARE PROGRAM OR COORDINATED CARE PROGRAM IMPLEMENTED BY THE DIVISION TO FOLLOW CERTAIN PRINCIPLES; AND TO EXTEND THE REPEALER ON; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2158: Public Health and Welfare

AN ACT TO AMEND SECTION 43-26-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE PEER COMMITTEE TO CONDUCT BIENNIAL REVIEWS OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO SET OUT CERTAIN SPECIFIC CRITERIA FOR SUCH REVIEWS; TO REQUIRE THE FINDINGS BE REPORTED TO THE CHAIRS OF THE HOUSE AND SENATE APPROPRIATIONS COMMITTEES, THE CHAIR OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE, THE CHAIR OF THE HOUSE PUBLIC HEALTH AND HUMAN SERVICES COMMITTEE, THE GOVERNOR, THE LIEUTENANT GOVERNOR AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVE; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2159: Medicaid

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO PROVIDE UP TO 12 MONTHS OF CONTINUOUS COVERAGE POSTPARTUM FOR ANY INDIVIDUAL WHO QUALIFIES FOR MEDICAID AS A PREGNANT WOMAN TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DIVISION OF MEDICAID TO ESTABLISH AND IMPLEMENT A UNIFORM CREDENTIALING OR SCREENING PROCESS FOR ALL MEDICAID MANAGED CARE ORGANIZATIONS AND TO EXTEND THE AUTOMATIC REPEALER ON THE STATUTE AUTHORIZING THE DIVISION TO REIMBURSE PROVIDERS FOR CARE AND SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2160: Public Health and Welfare

AN ACT TO REPEAL SECTIONS 41-7-171 THROUGH 41-7-209, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI HEALTH CARE CERTIFICATE OF NEED LAW OF 1979; TO AMEND SECTIONS 23-15-625, 25-41-7, 35-1-19, 41-3-15, 41-4-18, 41-9-11, 41-9-23, 41-9-68, 41-9-209, 41-9-210, 41-71-7, 41-71-19, 41-73-5, 41-75-1, 41-75-5, 41-75-9, 41-75-25, 41-77-1, 41-77-5, 41-77-21, 41-77-23, 41-77-25, 43-11-9, 43-11-19, 43-13-117.5 AND 57-117-5, MISSISSIPPI CODE OF 1972, AND TO REPEAL SECTION 41-9-311, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2161: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE

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

By Senator(s) Simmons (12th)

S. B. No. 2162: Judiciary, Division B

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

By Senator(s) Hill

S. B. No. 2163: Public Health and Welfare; Appropriations

AN ACT TO CREATE THE SNAP HEALTHY FOOD INCENTIVES PROGRAM, WHICH REQUIRES THE DEPARTMENT OF HUMAN SERVICES, SUBJECT TO APPROPRIATION, TO MAKE AN ANNUAL GRANT TO A QUALIFIED MISSISSIPPI NONPROFIT TO DISTRIBUTE FUNDS TO MISSISSIPPI FARMERS MARKETS AND RETAILERS FOR THE PURPOSE OF PROVIDING MATCHING DOLLAR INCENTIVES FOR THE DOLLAR VALUE OF SNAP BENEFITS SPENT ON ELIGIBLE FRUITS AND VEGETABLES AT THE FARMERS MARKETS AND RETAILERS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2164: Public Health and Welfare; Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO REMOVE MARIJUANA FROM THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES; TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO CONFORM THE PENALTY FOR POSSESSION OF CONTROLLED SUBSTANCES OTHER THAN MARIJUANA; TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO CONFORM DEFINITIONS FOR THE UNIFORM CONTROLLED SUBSTANCES ACT; TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO EXTEND THE REPEALER; TO AMEND SECTIONS 41-29-147, 41-29-149.1, 41-29-150 AND 33-13-520, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2165: Veterans and Military Affairs; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN QUALIFICATIONS AND REQUIREMENTS FOR VETERANS SERVICE OFFICERS AND TO REQUIRE THE COUNTIES TO PROVIDE NECESSARY OFFICE SPACE AND CONNECTIVITY; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2166: Finance

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM TAXATION ALL PROPERTY, REAL OR PERSONAL, USED

EXCLUSIVELY FOR THE HOUSING OF AND PROVISION OF SERVICES TO VICTIMS OF DOMESTIC VIOLENCE OR SEXUAL ASSAULT, WHICH IS OWNED, OPERATED AND MANAGED BY A NOT-FOR-PROFIT CORPORATION, QUALIFIED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2167: Finance; Accountability, Efficiency, Transparency

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

By Senator(s) Blount

S. B. No. 2168: Finance

AN ACT TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISIONS THAT PHASE OUT, BEGINNING JANUARY 1, 2019, INCOME TAXATION ON THE FIRST \$5,000.00 OF TAXABLE INCOME; TO AMEND SECTION 27-7-18, MISSISSIPPI CODE OF 1972, TO REMOVE A PROVISION THAT AUTHORIZES A PORTION OF THE FEDERAL SELF-EMPLOYMENT TAXES ASSESSED AGAINST SELF-EMPLOYED INDIVIDUALS TO BE ALLOWED AS AN ADJUSTMENT TO GROSS INCOME UNDER THE STATE INCOME TAX LAW; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISIONS THAT PHASE OUT, BEGINNING JANUARY 1, 2019, THE CORPORATION FRANCHISE TAX; TO REPEAL SECTION 5, CHAPTER 499, LAWS OF 2016, WHICH REPEALS THE CORPORATION FRANCHISE LAW FROM AND AFTER JANUARY 1, 2028; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2169: Finance

AN ACT TO ESTABLISH A REVOLVING LOAN PROGRAM FOR THE PURPOSE OF MAKING LOANS TO ASSIST RURAL COUNTIES AND MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH EMERGENCY REPAIR, MAINTENANCE, CONSTRUCTION, RECONSTRUCTION, UPGRADES OF AND IMPROVEMENTS TO INFRASTRUCTURE PROJECTS; TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL ADMINISTER THE REVOLVING LOAN PROGRAM CREATED IN THIS ACT; TO CREATE A SPECIAL FUND IN THE STATE TREASURY, DESIGNATED AS THE "RURAL COUNTIES AND MUNICIPALITIES EMERGENCY INFRASTRUCTURE IMPROVEMENTS FUND"; TO AUTHORIZE THE ISSUANCE OF \$10,000,000.00 OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE "RURAL COUNTIES AND MUNICIPALITIES EMERGENCY INFRASTRUCTURE IMPROVEMENTS FUND"; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2170: Public Health and Welfare

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

By Senator(s) Hill

S. B. No. 2171: Public Health and Welfare; Accountability, Efficiency, Transparency

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

By Senator(s) Hill

S. B. No. 2172: Medicaid

AN ACT TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ASSESSMENT UPON ASSISTED LIVING SERVICES PROVIDED THROUGH FEDERAL WAIVERS FOR THE SUPPORT OF THE MISSISSIPPI MEDICAID PROGRAM; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO EXEMPT ASSISTED LIVING SERVICES PROVIDED THROUGH FEDERAL WAIVERS FROM THE 5% MEDICAID REIMBURSEMENT REDUCTION PROVISION; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2173: Finance

AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO ALLOW PACKAGE RETAIL SALES ON SUNDAYS; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2174: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE ANNUAL SALARY OF THE COUNTY PROSECUTING ATTORNEY FOR JACKSON COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2175: Accountability, Efficiency, Transparency; Appropriations

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

By Senator(s) Wiggins

S. B. No. 2176: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST SUNFLOWER COUNTY MINISTERIAL ALLIANCE COUNSELING SERVICES (SCMACS), INC., IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A TRANSITIONAL SHELTER IN

INDIANOLA, MISSISSIPPI, TO PROVIDE HOUSING AND EMPOWERING SKILLS TO INDIVIDUALS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Thomas, Simmons (12th)

S. B. No. 2177: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE CONSTRUCTION, FURNISHING AND EQUIPPING OF TWO CAREER TECHNICAL BUILDINGS AT THE GREENVILLE HIGHER EDUCATION CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2178: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE PURPOSE OF REPAIRING, RENOVATING AND REFURBISHING THE E.E. BASS CULTURAL ARTS CENTER IN GREENVILLE, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2179: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN THE CONSTRUCTION, FURNISHING AND EQUIPPING OF THE MISSISSIPPI RIVER MUSEUM IN GREENVILLE, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2180: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH MAKING IMPROVEMENTS TO PORTIONS OF BROADWAY STREET AND REED ROAD LOCATED IN THE CITY OF GREENVILLE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2181: Finance

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR COSTS INCURRED IN THE BUILDING OF STORM SHELTERS OR SAFE ROOMS FOR MULTIFAMILY RESIDENTIAL CONSTRUCTION; TO SET INDIVIDUAL AND AGGREGATE LIMITS FOR THE CREDIT; TO ALLOW THE AMOUNT OF THE CREDIT IN EXCESS OF THE TAXPAYER'S TAX LIABILITY IN A TAX YEAR TO BE CARRIED FORWARD FOR FIVE TAX YEARS, OR ALTERNATIVELY, TO ALLOW THE TAXPAYER TO CLAIM A REFUND IN THE AMOUNT OF 75% OF THE EXCESS CREDIT; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

S. B. No. 2182: Finance

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

By Senator(s) Blount

S. B. No. 2183: County Affairs; Municipalities

AN ACT TO AMEND SECTIONS 19-11-7, 19-11-19, 21-35-5, 21-35-25, 37-61-9 AND 37-61-21, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH COUNTY, MUNICIPALITY AND SCHOOL DISTRICT TO POST ITS ANNUAL BUDGET, AND ANY REVISION OR AMENDMENT THERETO, ON ITS OFFICIAL WEBSITE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2184: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-47-9, MISSISSIPPI CODE OF 1972, TO ADD TO THE MEMBERSHIP OF THE OCCUPATIONAL LICENSING REVIEW COMMISSION ONE SMALL BUSINESS OWNER APPOINTED BY THE GOVERNOR AND ONE SMALL BUSINESS OWNER APPOINTED BY THE LIEUTENANT GOVERNOR; TO REQUIRE THE COMMISSION TO BE RESPONSIBLE FOR THE ACTIVE SUPERVISION OF ANY CIVIL ACTION BROUGHT BY OR ON BEHALF OF AN OCCUPATIONAL LICENSING BOARD; TO REQUIRE AN OCCUPATIONAL LICENSING BOARD TO REQUEST AUTHORITY FROM THE COMMISSION TO SUE AND TO REQUIRE THE BOARD TO MEDIATE ANY DISPUTE WITH POTENTIAL DEFENDANTS BEFORE FILING AN ACTION; TO AUTHORIZE A COURT TO AWARD A PREVAILING DEFENDANT ONE-HALF OF ITS COSTS IN ANY CIVIL ACTION BROUGHT BY AN OCCUPATIONAL LICENSING BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2185: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX SALES OF FOOD AND BEVERAGES, OTHER THAN BEER AND LIGHT WINE, IN SUPERMARKETS, GROCERY STORES, CONVENIENCE STORES, DOLLAR STORES, DRUGSTORES AND FARMERS' MARKETS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2186: Finance; Accountability, Efficiency, Transparency

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

By Senator(s) Hill

S. B. No. 2187: Accountability, Efficiency, Transparency

AN ACT TO CREATE THE UNIVERSAL RECOGNITION OF OCCUPATIONAL LICENSES ACT; TO REQUIRE OCCUPATIONAL LICENSING BOARDS TO ISSUE A LICENSE OR GOVERNMENT CERTIFICATION BY RECOGNIZING CERTAIN QUALIFIED APPLICANTS FROM OTHER STATES; TO REQUIRE OCCUPATIONAL LICENSING BOARDS TO PROVIDE A WRITTEN DECISION REGARDING THE APPLICATION WITHIN A CERTAIN PERIOD OF TIME; TO PROVIDE FOR APPEAL OF BOARD DECISIONS; TO EXEMPT ANY OCCUPATION REGULATED BY THE STATE SUPREME COURT; TO PROVIDE LIMITATIONS OF THE ACT; TO AUTHORIZE OCCUPATIONAL LICENSING BOARDS TO CHARGE A FEE PER APPLICATION; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2188: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-9-127, MISSISSIPPI CODE OF 1972, TO REQUIRE STATE AGENCIES WHOSE PERSONNEL ACTIONS ARE EXEMPTED UNDER THIS SECTION TO FILE A REPORT WITH THE PEER COMMITTEE, THE STATE PERSONNEL BOARD AND THE LEGISLATIVE BUDGET OFFICE; TO REQUIRE SUCH REPORTS TO INCLUDE QUANTIFIABLE MEASURES SHOWING THAT THE ACTIONS TAKEN HAVE IMPROVED THE EFFICIENCY AND/OR EFFECTIVENESS OF THE AGENCY'S OPERATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2189: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-15-103, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY COUNTY OR MUNICIPALITY TO OFFER ANY MEDICARE ELIGIBLE EMPLOYEE SUPPLEMENTAL COMPENSATION IF THE EMPLOYEE CHOOSES TO SECURE MEDICARE COVERAGE IN LIEU OF PARTICIPATING IN ANY COUNTY OR MUNICIPAL MEDICAL OR HEALTH INSURANCE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2190: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 33-15-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "NATURAL EMERGENCY" AS USED IN THE EMERGENCY MANAGEMENT LAW TO INCLUDE A PUBLIC HEALTH EMERGENCY SUCH AS AN EPIDEMIC OR A PANDEMIC; TO AMEND SECTION 33-15-11, MISSISSIPPI CODE OF 1972, TO LIMIT THE DURATION OF CERTAIN STATE OF EMERGENCIES TO 45 DAYS UNLESS EXTENDED BY THE LEGISLATURE; TO AUTHORIZE THE GOVERNOR, UPON GUIDANCE FROM THE DEPARTMENT OF HEALTH, TO ALLOW CERTAIN MEDICAL PROFESSIONAL LICENSEES IN OTHER STATES TO PERFORM PROFESSIONAL SERVICES IN MISSISSIPPI DURING THE PERIOD OF A DECLARED EMERGENCY; TO CREATE NEW SECTION 41-39-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HEALTH TO TAKE POSSESSION OF DEAD HUMAN BODIES IN ANY COUNTY WHERE THE DEPARTMENT BELIEVES THAT THE COUNTY LACKS SUFFICIENT FACILITIES AND TRAINED PERSONNEL; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2191: Public Property

AN ACT TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROVISIONS OF THE STATUTORY PROHIBITION AGAINST THE ALTERATION OF HISTORICAL MONUMENTS AND MEMORIALS LOCATED ON PUBLIC PROPERTY; TO PROHIBIT THE RENAMING OR REDEDICATION OF CERTAIN STATUTES, MONUMENTS, SCHOOLS, STREETS, PARKS OR SIMILAR STRUCTURES NAMED IN HONOR OF CERTAIN MILITARY UNITS, FIGURES OR EVENTS; TO PROVIDE CRIMINAL SANCTIONS FOR VIOLATION OF THIS STATUTE; TO PROVIDE THAT THIS SECTION SHALL BE KNOWN AS THE "MISSISSIPPI HERITAGE PROTECTION ACT OF 2021"; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2192: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO REVISE THE ANNUAL SALARIES OF SHERIFFS FOR COUNTIES WITH A TOTAL POPULATION OF MORE THAN 100,000; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2193: Accountability, Efficiency, Transparency

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

By Senator(s) Fillingane

S. B. No. 2194: Public Property

AN ACT TO AMEND SECTIONS 3-3-15 AND 37-13-5, MISSISSIPPI CODE OF 1972, TO REQUIRE GOVERNMENTAL ENTITIES THAT RECEIVE STATE FUNDS AND PUBLIC COLLEGES AND UNIVERSITIES TO DISPLAY THE OFFICIAL STATE FLAG ON MONDAY THROUGH FRIDAY OF EACH WEEK ON OR AT EACH BUILDING IN WHICH AN OFFICE OF THE GOVERNMENTAL ENTITY IS LOCATED AND ON EACH CAMPUS OF EACH PUBLIC COLLEGE OR UNIVERSITY OR SCHOOL DISTRICT; TO REQUIRE THAT IF A GOVERNMENTAL ENTITY OR A PUBLIC COLLEGE OR UNIVERSITY OR SCHOOL DISTRICT IS NOT DISPLAYING THE OFFICIAL STATE FLAG AS REQUIRED BY THIS SECTION, THE GOVERNOR SHALL NOTIFY THE

GOVERNMENTAL ENTITY OR THE PUBLIC COLLEGE OR UNIVERSITY OR SCHOOL DISTRICT OF THE NONCOMPLIANCE, AND THE STATE FISCAL OFFICER SHALL WITHHOLD ALL STATE FUNDING FOR SUCH PUBLIC ENTITY UNTIL SUCH TIME AS IT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS SECTION; TO PROVIDE THAT LOCAL GOVERNMENTAL ENTITIES OR HOMEOWNERS ASSOCIATIONS SHALL NOT PROHIBIT THE DISPLAY OF THE STATE FLAG ON PRIVATE PROPERTY OR PUBLIC PROPERTY WHICH IS LEASED TO A PRIVATE ENTITY; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2195: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-19-56.3, MISSISSIPPI CODE OF 1972, TO ALLOW AN ACTIVELY SERVING MISSISSIPPI LEGISLATOR TO HAVE BOTH A DISTINCTIVE LEGISLATOR MOTOR VEHICLE LICENSE TAG AND EITHER A REGULAR OR A PERSONALIZED MOTOR VEHICLE LICENSE TAG, AND TO DISPLAY EACH TAG ON AN ALTERNATING BASIS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2196: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 7-1-35, MISSISSIPPI CODE OF 1972, TO REQUIRE THE GOVERNOR TO MAKE APPOINTMENTS TO FILL VACANT OFFICES WITHIN 90 DAYS FROM THE DATE OF THE VACANCY; TO PROVIDE THAT IF SUCH APPOINTMENT IS NOT MADE WITHIN NINETY DAYS OF THE DATE OF THE VACANCY, THE POWER TO APPOINT SHALL TRANSFER; TO CREATE NEW SECTION 7-1-36, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LIEUTENANT GOVERNOR TO MAKE APPOINTMENTS TO FILL VACANT OFFICES WITHIN 90 DAYS FROM THE DATE OF THE VACANCY; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2197: Accountability, Efficiency, Transparency

AN ACT TO CREATE NO MORE THAN TWO POSITIONS OF DEPUTY SECRETARIES OF STATE WHOSE QUALIFICATIONS SHALL BE THE SAME AS THAT OF THE SECRETARY OF STATE AND WHO SHALL BE APPOINTED BY THE SECRETARY OF STATE AT HIS OR HER WILL AND PLEASURE; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2198: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF POULTRY PRODUCTS TO CHARITABLE ORGANIZATIONS THAT ARE EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AND OPERATE A FOOD BANK OR FOOD PANTRY OR FOOD LINES; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2199: Appropriations; Corrections

AN ACT TO PROVIDE THAT UPON THE TERMINATION OF EMPLOYMENT OR DEATH OF ANY CORRECTIONS OFFICER, OTHER LAW ENFORCEMENT STAFF OR OTHER EMPLOYEE WHO WORKS IN ANY OF THE CORRECTIONAL FACILITIES UNDER THE JURISDICTION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS, THE DEPARTMENT SHALL PAY THE OFFICER OR EMPLOYEE OR HIS OR HER ESTATE, AS APPROPRIATE, FOR ALL COMPENSATORY LEAVE ACCUMULATED BY THE OFFICER OR EMPLOYEE; TO AMEND SECTION 25-9-119, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2200: Finance; Accountability, Efficiency, Transparency

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

S. B. No. 2201: Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF DEFRAYING THE EXPENSE OF THE WEST CENTRAL MISSISSIPPI INCUBATOR GRANT PROGRAM FOR FISCAL YEAR 2022.
By Senator(s) Thomas

S. B. No. 2202: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE SALES TAX REVENUE COLLECTED ON BUSINESS ACTIVITIES ON THE PREMISES OF A MISSISSIPPI STATE PARK SHALL BE DEPOSITED INTO THE STATE PARKS REPAIR, RENOVATION AND CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 55-3-41, MISSISSIPPI CODE OF 1972, TO CREATE THE "STATE PARKS REPAIR, RENOVATION AND CAPITAL IMPROVEMENTS FUND" AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE FUND SHALL BE EXPENDED, UPON APPROPRIATION BY THE LEGISLATURE, TO DEFRAY THE COSTS OF REPAIRS, RENOVATIONS AND CAPITAL IMPROVEMENTS AT MISSISSIPPI STATE PARKS; AND FOR RELATED PURPOSES.
By Senator(s) Chassaniol

S. B. No. 2203: Municipalities; Finance

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

S. B. No. 2204: Business and Financial Institutions

AN ACT TO AMEND SECTIONS 79-35-5, 79-35-6, 79-35-9, 79-35-10 AND 79-29-215, MISSISSIPPI CODE OF 1972, TO REQUIRE THE EMAIL ADDRESS OF REGISTERED AGENTS IN CERTAIN FILINGS UNDER THE MISSISSIPPI REGISTERED AGENTS ACT AND THE REVISED LIMITED LIABILITY COMPANY ACT; AND FOR RELATED PURPOSES.
By Senator(s) Parker

S. B. No. 2205: Judiciary, Division A

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

S. B. No. 2206: Judiciary, Division A

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

By Senator(s) Hill

S. B. No. 2207: Insurance; Judiciary, Division A

AN ACT TO AMEND SECTIONS 71-3-13, 71-3-17, 71-3-21 AND 71-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM TOTAL COMPENSATION THAT AN EMPLOYEE MAY RECOVER UNDER THE WORKERS' COMPENSATION LAW, AND TO PROVIDE THAT COMPENSATION FOR PERMANENT TOTAL DISABILITY SHALL BE PAID TO THE EMPLOYEE UNTIL HIS DEATH; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2208: County Affairs

AN ACT TO AMEND SECTION 19-25-63, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT COUNTY JAIL DOCKETS CONTAIN ADDITIONAL DATA FOR THE PURPOSES OF TRANSPARENCY AND TO REQUIRE THAT ALL DATA RECORDED IN COUNTY JAIL DOCKETS BE RECORDED IN A UNIFORM MANNER AS PRESCRIBED BY THE ADMINISTRATIVE OFFICE OF COURTS; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2209: County Affairs; Finance

AN ACT TO REQUIRE EVERY COUNTY TO COMMIT TO DEVELOPING, LAUNCHING AND SUSTAINING A SUCCESSFUL COUNTY CERTIFIED WORK READY COMMUNITY, AND TO REQUIRE THE BOARD OF SUPERVISORS OF EACH COUNTY TO SELECT TWO LEADERS TO PARTICIPATE IN THE ACT WORK READY COMMUNITIES ACADEMY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2210: Municipalities; Energy

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

By Senator(s) Blount

S. B. No. 2211: Judiciary, Division A

AN ACT TO PROHIBIT A PARTY FROM USING A PEREMPTORY CHALLENGE TO REMOVE A PROSPECTIVE JUROR ON THE BASIS OF THE PROSPECTIVE JUROR'S RACE, ETHNICITY, GENDER, GENDER IDENTITY, SEXUAL ORIENTATION, NATIONAL ORIGIN, OR RELIGIOUS AFFILIATION, OR THE PERCEIVED MEMBERSHIP OF THE PROSPECTIVE JUROR IN ANY OF THOSE GROUPS; TO AUTHORIZE A PARTY, OR THE TRIAL COURT ON ITS OWN MOTION, TO OBJECT TO THE USE OF A PEREMPTORY CHALLENGE BASED ON THESE CRITERIA; TO REQUIRE THE PARTY EXERCISING THE CHALLENGE, UPON OBJECTION, TO STATE THE REASONS THE PEREMPTORY CHALLENGE HAS BEEN EXERCISED; TO REQUIRE THE COURT TO EVALUATE THE REASONS GIVEN AND, IF THE COURT GRANTS THE OBJECTION, AUTHORIZE THE COURT TO TAKE CERTAIN ACTIONS, INCLUDING, BUT NOT LIMITED TO, STARTING A NEW JURY SELECTION, DECLARING A MISTRIAL AT THE REQUEST OF THE OBJECTING PARTY, SEATING

THE CHALLENGED JUROR, OR PROVIDING ANOTHER REMEDY AS THE COURT DEEMS APPROPRIATE; TO PROVIDE FOR A DE NOVO STANDARD OF REVIEW BY AN APPELLATE COURT REVIEWING THE DENIAL OF AN OBJECTION; TO PROVIDE THAT THE ACT APPLIES TO CRIMINAL JURY TRIALS IN WHICH JURY SELECTION BEGINS ON OR AFTER JANUARY 1, 2022; TO PROVIDE THAT THE ACT APPLIES TO CIVIL JURY TRIALS IN WHICH JURY SELECTION BEGINS ON OR AFTER JANUARY 1, 2025; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2212: Business and Financial Institutions

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

By Senator(s) Hill

S. B. No. 2213: Judiciary, Division A

AN ACT TO AMEND SECTION 93-5-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EITHER OR BOTH OF THE PARTIES TO THE MARRIAGE MAY BE DETERMINED TO BE AN INJURED PARTY IN A PROCEEDING FOR DIVORCE; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2214: Accountability, Efficiency, Transparency

AN ACT TO REQUIRE ANY PUBLIC OFFICER OR EMPLOYEE HANDLING OR HAVING THE CUSTODY OF PUBLIC FUNDS, BY VIRTUE OF HIS OR HER OFFICE OR EMPLOYMENT, TO GIVE BOND IN A CERTAIN AMOUNT; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2215: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT TO INCLUDE BATTLEFIELD PARK; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2216: Finance

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

By Senator(s) Kirby

S. B. No. 2217: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE PURPOSE OF PROVIDING FUNDING FOR ESTABLISHING AND SUPPORTING A GRADUATE MEDICAL EDUCATION RESIDENCY PROGRAM AT THE DELTA REGIONAL MEDICAL CENTER IN GREENVILLE, MISSISSIPPI, FOR THE FISCAL YEAR 2022.

By Senator(s) Simmons (12th)

S. B. No. 2218: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE GREENWOOD CEMETERY ASSOCIATION IN JACKSON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE MAINTENANCE, PRESERVATION, IMPROVEMENT AND RESTORATION OF THE HISTORIC CEMETERY'S GROUNDS AND MONUMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2219: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE PURPOSE OF CONTRACTING WITH THE CITY OF JACKSON FIRE DEPARTMENT FOR PROVIDING FIRE PROTECTION FOR FISCAL YEAR 2022.

By Senator(s) Blount

S. B. No. 2220: Judiciary, Division A

AN ACT TO AMEND SECTION 93-11-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILD SUPPORT FOR A CHILD WITH A DISABILITY MAY CONTINUE PAST THE AGE OF MAJORITY; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2221: Public Health and Welfare; Appropriations

AN ACT TO ESTABLISH THE MISSISSIPPI DEMENTIA CARE PILOT PROGRAM WITHIN THE DEPARTMENT OF HUMAN SERVICES FOR THE PURPOSE OF PROVIDING SUPPORT SERVICES TO INFORMAL CAREGIVERS OF INDIVIDUALS WITH ALZHEIMER'S DISEASE OR RELATED DEMENTIA AND TO THOSE LIVING WITH ALZHEIMER'S AND RELATED DEMENTIA; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO ADMINISTER AND PROMOTE THE PROGRAM; TO PRESCRIBE THE BASIC COMPONENTS OF SERVICES TO BE OFFERED; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2222: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-15-29, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES THE BOARD OF NURSING MAY IMPOSE FOR PROHIBITED CONDUCT; TO AUTHORIZE THE BOARD TO RECOVER REASONABLE COSTS; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2223: Judiciary, Division B

AN ACT TO AUTHORIZE THE ISSUANCE OF SEARCH WARRANTS UPON ORAL TESTIMONY FOR INVESTIGATION OF SEX OFFENSES AGAINST CHILDREN INVOLVING A COMPUTER AND OTHER COMPUTER CRIMES; TO PRESCRIBE A PROCEDURE FOR THE ISSUANCE OF THE WARRANTS; TO AMEND SECTION 93-21-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT TO ELECTRONICALLY SIGN EMERGENCY DOMESTIC ABUSE PROTECTION ORDERS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2224: Judiciary, Division A

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS TO PROVIDE ANY COUNTY OR THE GOVERNING AUTHORITY OF ANY MUNICIPALITY TO UTILIZE LAW ENFORCEMENT ESCORTS WHEN SCHOOL ATHLETIC TEAMS TRAVEL TO ATTEND SCHOOL-RELATED ACTIVITIES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2225: Judiciary, Division A

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

By Senator(s) Hill

S. C. R. No. 508: Constitution; Elections

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT PERSONS DISENFRANCHISED BY CONVICTION OF A FELONY SHALL BE ELIGIBLE TO VOTE UPON MEETING CERTAIN CONDITIONS; AND PROPOSING THE REPEAL OF SECTION 244A, MISSISSIPPI CONSTITUTION OF 1890, WHICH AUTHORIZES THE LEGISLATURE TO PRESCRIBE ADDITIONAL DISENFRANCHISING CRIMES.

By Senator(s) Blount

S. C. R. No. 509: Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE MISSISSIPPI LEGISLATURE TO THE BEREAVED FAMILY OF FORMER JACKSON STATE UNIVERSITY HALL OF FAME COACH WILLIAM C. "W.C." GORDEN AND EXPRESSING OUR CONDOLENCES TO THE JACKSON STATE ADMINISTRATION AND FOOTBALL ALUMNI ON HIS PASSING.

By Senator(s) Norwood, Frazier, Blount, Horhn, Simmons (12th)

S. C. R. No. 510: Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER SENATOR THOMAS OLIVER "TOMMY" MOFFATT, SR., OF GAUTIER, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

By Senator(s) Wiggins, Kirby

S. C. R. No. 511: Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE LEAKE ACADEMY "REBELS" FOOTBALL TEAM AND HEAD COACH BRIAN PICKENS FOR WINNING THE MAIS CLASS 5A STATE FOOTBALL CHAMPIONSHIP AND FOR THEIR UNDEFEATED 2020 SEASON.

By Senator(s) Branning

S. C. R. No. 512: Rules

A CONCURRENT RESOLUTION REMEMBERING THE CAREER OF LEGENDARY COLLEGE AND NFL FOOTBALL PLAYER AND COACH RAY PERKINS FROM PETAL, MISSISSIPPI, AND EXTENDING THE SYMPATHY OF THE LEGISLATURE TO HIS BEREAVED FAMILY.

By Senator(s) Fillingane

S. C. R. No. 513: Rules

A CONCURRENT RESOLUTION RECOGNIZING THE BICENTENNIAL CELEBRATION OF FRANKLIN ACADEMY IN COLUMBUS, MISSISSIPPI, AND ACKNOWLEDGING ITS HISTORY AS THE FIRST PUBLIC SCHOOL IN MISSISSIPPI.

By Senator(s) Younger

S. C. R. No. 514: Rules

A CONCURRENT RESOLUTION EXTENDING THE SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF THE STATE'S LONGEST-SERVING MAYOR, DOCK GABBERT, WHO SERVED AS MAYOR OF DERMA, MISSISSIPPI, FOR MORE THAN A HALF-CENTURY, AND COMMENDING HIS LEGACY OF PUBLIC SERVICE.

By Senator(s) Suber

S. C. R. No. 515: Rules

A CONCURRENT RESOLUTION EXTENDING THE CONDOLENCES OF THE MISSISSIPPI LEGISLATURE TO THE BEREAVED FAMILY OF MAYOR JOEL TRAVIS MILES OF WIGGINS, MISSISSIPPI, AND REMEMBERING HIS LEGACY OF COMMUNITY LEADERSHIP.

By Senator(s) Seymour

S. C. R. No. 516: Rules

A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE MEMORY AND CAREER OF PIONEERING COUNTRY MUSIC SUPERSTAR CHARLEY PRIDE FROM SLEDGE, MISSISSIPPI, AND EXTENDING DEEPEST SYMPATHY TO HIS BEREAVED FAMILY.

By Senator(s) Jackson (11th), Jackson (32nd), Barnett, Jordan, DeLano, Carter, Tate, McDaniel, Simmons (12th), Norwood, Caughman, Blackmon, Wiggins, Moran, Thomas, Butler, Williams, Blount, Hopson, McMahan, Michel, Harkins, Kirby, Turner-Ford, Seymour, Suber, England, Hill, Younger, Blackwell, Sojourner, Branning, McLendon, Boyd, Simmons (13th), Sparks, Witherspoon, Thompson, Frazier

S. C. R. No. 517: Rules

A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE LIFE AND LEGACY OF FORMER STATE SENATOR AND REPRESENTATIVE NOLAN METTETAL OF SARDIS, MISSISSIPPI, AND EXTENDING THE PROFOUND SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY ON HIS PASSING.

By Senator(s) Boyd, Kirby, Jackson (11th), Jackson (32nd), McMahan, DeLano, England, McDaniel, Michel, Whaley, Wiggins, Blount, Chassaniol, Johnson, Hopson, Harkins, Fillingane

S. C. R. No. 518: Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING HILLCREST CHRISTIAN SCHOOL "LADY COUGARS" FAST PITCH SOFTBALL TEAM AND HEAD COACH REINALDO DIXON FOR THEIR OUTSTANDING 2020 SEASON AND FOR WINNING THE MIDSOUTH ASSOCIATION OF INDEPENDENT SCHOOLS (MAIS) CLASS AAAA CHAMPIONSHIP.

By Senator(s) Blount

S. C. R. No. 519: Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BROOKHAVEN HIGH SCHOOL "PANTHERS" BOYS CROSS-COUNTRY TEAM AND COACH SHANNON KNOTT FOR THEIR SECOND CONSECUTIVE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A STATE CHAMPIONSHIP.

By Senator(s) Barrett

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Bryan called up the following entitled bill:

S. B. No. 2021: Coordinator of Mental Health Accessibility; house position under DFA, exempt contracts from rules of contract review board.

Senator Bryan offered the following AMENDMENT NO. 1.

AMEND on lines 12 and 227 by changing "2024" to "2022"

FURTHER, AMEND on line 458 by changing "July 1, 2021" to "its passage"

Amendment No. 1 to S. B. No. 2021 was adopted.

YEAS AND NAYS On S. B. No. 2021. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting--Branning, Carter, Chism, Parker, Polk. Total--5.

On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2021.

Senators Younger and Parks moved that when the Senate adjourns, it adjourn in memory of Jimmy Fisher of Corinth, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Calvin R. Benjamin of Hernando, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Taylor Elizabeth Pack Jones of Austin, AR.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of James Doyle Powell of Brookhaven, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Lonny Lee Ray of Bogue Chitto, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Doyle E. Harrison of Monticello, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Gary Willis and Gail Langner of Guntown, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Robert (Bob) Fulgham of Tupelo, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Honorable Judge William Henry Barbour, Jr. of Yazoo City, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Mr. Paul French of Brandon, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Robert M. (Nate) McMullen and Lawrence Edward Williams, Sr. of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Myrl E. Chambers of Collinsville, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Paul Speed of Enterprise, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Alexander "Ben" Evans of Vossburg, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Charline Robbins Limerick of Wahalak, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 12, 2021.

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

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Jimmy Fisher, Calvin R. Benjamin, Mr. Paul French, Robert M. (Nate) McMullen, Lawrence Edward Williams, Sr., Myrl E. Chambers, Paul Speed, Alexander "Ben" Evans, Charline Robbins Limerick, Taylor Elizabeth Pack Jones, James Doyle Powell, Lonny Lee Ray, Doyle E. Harrison, Gary Willis, Gail Langner, Robert (Bob) Fulgham and Honorable Judge William Henry Barbour, Jr.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, JANUARY 11, 2021

S. B. No. 2226: Education

AN ACT TO PROVIDE THAT BEGINNING WITH THE 2021-2022 SCHOOL YEAR THE STATE BOARD OF EDUCATION SHALL REPLACE THE COMMON CORE STATE STANDARDS WITH THE ELA STANDARDS IN PLACE IN SEVERAL STATES; TO PROVIDE THAT THE STATE OF MISSISSIPPI SHALL RETAIN SOLE CONTROL OVER THE DEVELOPMENT, ESTABLISHMENT AND REVISION OF CURRICULUM STANDARDS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2227: Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 37-26-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDS TO THE STATE PUBLIC DEFENDER FOR EDUCATION OF PUBLIC DEFENDERS; TO AMEND SECTION 37-26-3, MISSISSIPPI CODE OF 1972, TO

REVISE THE EDUCATION FUND FEE CHARGED IN ALL CIVIL CASES; TO AMEND SECTION 37-26-9, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR DISTRIBUTION OF THE FEE TO THE APPROPRIATE FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2228: Corrections

AN ACT TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THE LIST OF OFFENSES THAT RENDER OFFENDERS CONVICTED BETWEEN 1995 AND 2014 INELIGIBLE FOR PAROLE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2229: Corrections

AN ACT TO AMEND SECTION 47-7-4, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO PLACE AN OFFENDER ON CONDITIONAL MEDICAL RELEASE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2230: Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 47-7-2, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SUPERVISION INFRACTION" AND TO REVISE THE DEFINITION OF THE TERM "TECHNICAL VIOLATION" FOR PURPOSES OF PROBATION AND PAROLE; TO AMEND SECTION 47-7-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI PAROLE BOARD SHALL IMPOSE GRADUATED SANCTIONS RATHER THAN REVOKE PAROLE FOR SUPERVISION INFRACTIONS; TO AMEND SECTION 47-7-34, MISSISSIPPI CODE OF 1972, TO LIMIT THE TERM OF POST-RELEASE SUPERVISION TO TWO YEARS; TO AMEND SECTION 47-7-37, MISSISSIPPI CODE OF 1972, TO LIMIT THE TERM OF PROBATION TO TWO YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2231: Elections; Constitution

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND

POLL MANAGERS WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; TO BRING FORWARD SECTION 23-15-573, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE PROCEDURE FOR CASTING AN AFFIDAVIT BALLOT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2232: Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 9-23-5 AND 9-23-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CONVICTION FOR BURGLARY OF A DWELLING IS NOT A CRIME OF VIOLENCE FOR PURPOSES OF DETERMINING AN OFFENDER'S ELIGIBILITY FOR AN INTERVENTION COURT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2233: Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS AN HABITUAL VIOLENT OFFENDER BY REQUIRING BOTH PREVIOUS CRIMES TO HAVE BEEN CRIMES OF VIOLENCE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2234: Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT UNIFORM REPORTING STANDARDS FOR JAIL CENSUS DATA BY COUNTY SHERIFF'S DEPARTMENTS AND TO CREATE AND MAINTAIN A CENTRALIZED DATABASE FOR STORING THIS DATA; TO AMEND SECTIONS 19-25-63 AND 47-1-21, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT JAIL DOCKETS KEPT BY COUNTY SHERIFFS COMPLY WITH UNIFORM REPORTING STANDARDS IN ORDER TO PROMOTE COMPLIANCE WITH RULE 8 OF THE MISSISSIPPI RULES OF CRIMINAL PROCEDURE; TO AUTHORIZE THE CREATION OF AN ADVISORY COMMITTEE TO PROMOTE TRANSPARENCY BY FACILITATING THE AVAILABILITY OF COMPARABLE AND UNIFORM COUNTY JAIL CENSUS DATA; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2235: Judiciary, Division B

AN ACT TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE POSSESSION OF A WEAPON BY CERTAIN MISDEMEANANTS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2236: Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE HABITUAL OFFENDER SENTENCING; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2237: Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF A NONVIOLENT HABITUAL OFFENDER DEPENDENT ON THE AGE OF THE OFFENDER AT THE TIME OF THE COMMISSION OF THE PRIOR OFFENSES; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2238: Judiciary, Division B

AN ACT TO AMEND SECTIONS 99-19-81 AND 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPUTATION OF PRIOR CONVICTIONS FOR PURPOSES OF DETERMINING AN OFFENDER'S STATUS AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2239: Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO PROVIDE PENALTIES FOR FIRST AND SECOND CONTROLLED SUBSTANCE CRIMES; TO AMEND SECTION 41-29-147, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2240: Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE THE CALCULATION TO DETERMINE WHETHER AN OFFENDER SHOULD BE SENTENCED AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2241: Judiciary, Division B

AN ACT TO AMEND SECTION 43-21-157, MISSISSIPPI CODE OF 1972, TO REVISE TRANSFER FROM YOUTH COURT TO CIRCUIT COURT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2242: Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 89-8-23, MISSISSIPPI CODE OF 1972, TO ENACT CERTAIN SANCTIONS ON LANDLORDS WHO VIOLATE SPECIFIC DUTIES UNDER THE RESIDENTIAL LANDLORD-TENANT ACT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th) (By Request)

S. B. No. 2243: Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO REVISE EXPUNCTION OF CRIMINAL RECORD BY REDUCING THE WAITING PERIOD FOR ELIGIBILITY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2244: Judiciary, Division B

AN ACT TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF OFFENSES THAT ARE DESIGNATED AS CRIMES OF VIOLENCE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2245: Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2246: Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTY FOR SIMPLE POSSESSION OF SMALLER AMOUNTS OF METHAMPHETAMINE; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2247: Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO DESIGNATE CERTAIN EMPLOYEES FOR A CONCEALED WEAPON PERMIT TO PERFORM INVESTIGATIVE OR REGULATORY ENFORCEMENT FUNCTIONS; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane

S. B. No. 2248: Labor

AN ACT TO CREATE NEW SECTION 45-6-16, MISSISSIPPI CODE OF 1972, TO CREATE A RIGHT TO FOLLOW-UP TESTING FOR A LAW ENFORCEMENT OFFICER WHO TESTS POSITIVE FOR ILLEGAL DRUG USE, AND TO PROVIDE FOR TERMS OF SUSPENSION PENDING THE RECEIPT OF RESULTS FROM THE FOLLOW-UP TEST; TO AMEND SECTION 45-6-17, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Sparks

S. B. No. 2249: Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO RINEY SPILLER OF WASHINGTON COUNTY, MISSISSIPPI.
By Senator(s) Simmons (12th)

S. B. No. 2250: Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-147, MISSISSIPPI CODE OF 1972, TO CLARIFY THE MEANING OF SECOND OR SUBSEQUENT OFFENSE FOR CERTAIN DRUG CONVICTIONS; TO AMEND SECTIONS 99-39-5 AND 99-39-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DISMISSAL OR DENIAL OF POST-CONVICTION RELIEF SHALL NOT BE A BAR TO A SECOND OR SUCCESSIVE APPLICATION OR MOTION FOR RELIEF WHEN THERE HAS BEEN AN INTERVENING ADOPTION OR ENACTMENT OF STATE LAW THAT WOULD HAVE ACTUALLY AFFECTED THE OUTCOME OF THE CONVICTION OR SENTENCE; AND FOR RELATED PURPOSES.
By Senator(s) Jordan

S. B. No. 2251: Judiciary, Division B

AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS AUTHORIZED; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2252: Medicaid

AN ACT TO AMEND SECTIONS 43-11-1 AND 43-11-13, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SPECIAL CARE FACILITY FOR PAROLED INMATES" AND PRESCRIBE CONDITIONS FOR LICENSURE BY THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTIONS 47-5-28 AND 47-7-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO ESTABLISH A PROGRAM TO GRANT MEDICAL PAROLE TO SUCH SPECIAL CARE FACILITY FOR MEDICALLY FRAIL INMATES AND TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR SUCH PAROLE; TO CODIFY SECTION 43-13-117.6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS FOR MEDICAID REIMBURSEMENT FOR SERVICES PROVIDED AT SUCH SPECIAL CARE FACILITY FOR PAROLED INMATES; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION, CONVERSION AND OPERATION OF A SPECIAL CARE FACILITY FOR PAROLED INMATES; AND FOR RELATED PURPOSES.
By Senator(s) Wiggins

S. B. No. 2253: Judiciary, Division A

AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THE OPTION OF INCLUDING A CONCEALED CARRY WEAPONS PERMIT AS A NOTATION ON A DRIVER'S LICENSE OR IDENTIFICATION CARD; TO PROVIDE THAT THE EXPIRATION DATE SHALL BE THE SAME AS THAT OF THE DRIVER'S LICENSE OR IDENTIFICATION CARD; TO GRANT THE COMMISSIONER OF PUBLIC SAFETY THE AUTHORITY TO PROMULGATE RULES AND REGULATIONS WHICH MAY BE NECESSARY TO ENSURE THE EFFECTIVENESS OF THE CONCURRENT APPLICATION AND RENEWAL PROCESSES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2254: Elections; Constitution

AN ACT TO PROVIDE THAT ANY PERSON SUBMITTING A VOTER REGISTRATION APPLICATION MUST PRESENT CERTAIN DOCUMENTS TO PROVE HIS OR HER STATUS AS A UNITED STATES CITIZEN; TO AMEND SECTIONS 23-15-33, 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2255: Elections; Constitution

AN ACT TO CREATE NEW CODE SECTION 23-15-2, MISSISSIPPI CODE OF 1972, TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO PROVIDE FOR THE ISSUANCE OF A CERTIFICATE OF RESTORATION TO THE PERSON; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; TO BRING FORWARD SECTION 23-15-573, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE PROCEDURE FOR CASTING AN AFFIDAVIT BALLOT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 99-19-35, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN ELECTORS WHO HAVE BEEN RESTORED THEIR CIVIL RIGHTS AFTER CERTAIN FELONY CONVICTIONS TO SERVE IN CERTAIN OFFICIAL CAPACITIES; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

S. B. No. 2256: Elections

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

By Senator(s) Hill

S. B. No. 2257: Elections; Accountability, Efficiency, Transparency

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

By Senator(s) Blackwell

S. B. No. 2258: Corrections

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

By Senator(s) Hill

S. B. No. 2259: Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-142, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR SALE OF CONTROLLED SUBSTANCES WITHIN A CERTAIN DISTANCE FROM SCHOOLS; TO REPEAL SECTION 41-29-147, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR ENHANCED PENALTIES FOR SECOND AND SUBSEQUENT DRUG OFFENSES; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. C. R. No. 520: Elections; Constitution

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT PERSONS DISENFRANCHISED BY CONVICTION OF A FELONY SHALL BE ELIGIBLE TO VOTE UPON MEETING CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

By Senator(s) Jordan

EIGHTH DAY, TUESDAY, JANUARY 12, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Absent--Chism, Polk. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Senator Fillingane.

Senator Simmons D. T. (12th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senators Blount and Blackmon moved that when the Senate adjourns, it adjourn in memory of Howard Crisler Hammack of Canton, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Keith Ashley Elmore of Richton, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Marion Yvonne Ladnier, Keith Earl Northrop and William J. Lewchuk of Perkinston, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Howard Ray Seals, Garland Wayne Smith and William Quentin McCardle of Poplarville, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Roy Autrey Meadows, Tabitha M. Pittman and Martha Annell Kackley of Wiggins, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of William Lester "Billy" Forehand, Jr. and Alan French of D'Iberville, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jarvis Earl Stephens of Ocean Springs, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joseph Robert Hermes of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Helen Fay Martin Bond of St. Augustine, FL.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Michael A. Earrey and David Wallace Artz of Columbus, MS.

Senators McMahan, Sparks and Bryan moved that when the Senate adjourns, it adjourn in memory of John Lee Dickinson of Mantachie, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Mrs. Ruby Jewel Bynum of Laurel, MS.

Senators Sparks, McMahan and Bryan moved that when the Senate adjourns, it adjourn in memory of Oneal Wood of Golden, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 13, 2021.

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

MESSAGE FROM THE LT. GOVERNOR
January 12, 2021

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

Amanda Frusha, Jackson, Mississippi, Mississippi Commission on the Status of Women, term effective January 11, 2021 and ending January 11, 2025.

Vivian Walker Dailey, Gautier, Mississippi, Mississippi Commission on the Status of Women, term is effective January 12, 2021 and ending January 12, 2025.

Delbert Hosemann
LT. GOVERNOR

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

Amanda Frusha, Mississippi Commission on the Status of Women, term effective January 11, 2021 and ending January 11, 2025, Rules.

Vivian Walker Dailey, Mississippi Commission on the Status of Women, term is effective January 12, 2021 and ending January 12, 2025, Rules.

MESSAGE FROM THE GOVERNOR
January 12, 2021

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

Dr. William Alonzo (Billy) Morehead, Madison, Mississippi, Public Procurement Review Board, four year term effective immediately and ending June 30, 2024.

Glen Vernon East, Gulfport, Mississippi, State Board of Education as the School Administrator, term effective immediately and ending June 30, 2023, vice Buddy Bailey.

Angela Sade Wheeler Bass, Ph.D., Jackson, Mississippi, State Board of Education representing the First Supreme Court District, term effective immediately and ending June 30, 2025, vice Johnny Franklin.

Derek Royce Arrington, Hattiesburg, Mississippi, State Bond Attorney, term effective immediately and is concurrent with the Governor's term of office.

Tate Reeves
GOVERNOR

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

Dr. William Alonzo (Billy) Morehead, Public Procurement Review Board, four year term effective immediately and ending June 30, 2024, Finance.

Glen Vernon East, State Board of Education as the School Administrator, term effective immediately and ending June 30, 2023, Education.

Angela Sade Wheeler Bass, Ph.D., State Board of Education, term effective immediately and ending June 30, 2025, Education.

Derek Royce Arrington, State Bond Attorney, term effective immediately and is concurrent with the Governor's term of office, Finance.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Howard Crisler Hammack, Keith Ashley Elmore, Martha Annell Kackley, William Lester "Billy" Forehand, Jr., Alan French, Jarvis Earl Stephens, Joseph

Robert Hermes, Michael A. Earrey, David Wallace Artz, John Lee Dickinson, Helen Fay Martin Bond, Mrs. Ruby Jewel Bynum, Marion Yvonne Ladnier, Keith Earl Northrop, William J. Lewchuk, Howard Ray Seals, Garland Wayne Smith, William Quentin McCardle, Roy Autrey Meadows, Tabitha M. Pittman and Oneal Wood.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, JANUARY 12, 2021

S. B. No. 2260: Judiciary, Division A

AN ACT TO AMEND SECTION 7-5-59, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ATTORNEY GENERAL TO PROSECUTE PUBLIC OFFICIAL CORRUPTION CASES UPON THE OFFICIAL REQUEST BY THE STATE AUDITOR; TO AMEND SECTION 7-5-37, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2261: Municipalities; County Affairs

AN ACT TO AMEND SECTION 19-5-105, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES TO ASSESS PENALTIES AGAINST OWNERS OF PERPETUAL CARE CEMETERIES; TO AMEND SECTION 21-19-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPALITIES TO ASSESS PENALTIES AGAINST OWNERS OF PERPETUAL CARE CEMETERIES; TO AMEND SECTION 41-43-57, MISSISSIPPI CODE OF 1972, TO ALLOW COUNTIES AND MUNICIPALITIES TO MAKE APPLICATIONS FOR RELEASE OF TRUST PRINCIPAL FOR REIMBURSEMENT FOR ACTUAL COSTS OF CLEANUP PERFORMED UPON PERPETUAL CARE CEMETERIES; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2262: Judiciary, Division A

AN ACT TO REGULATE UNMANNED AIRCRAFT SYSTEMS; TO DEFINE TERMS; TO PROVIDE CAUSES OF ACTION IN TORT FOR UNLAWFUL USE OF UNMANNED AIRCRAFT SYSTEMS; TO PROVIDE FOR CRIMINAL USE OF UNMANNED AIRCRAFT SYSTEMS; TO DECLARE AIRSPACE TO BE REAL PROPERTY VESTED IN THE SEVERAL OWNERS OF THE SURFACE BENEATH; TO PROVIDE AN AVIGATION EASEMENT FOR FLIGHT IN AIRCRAFT IN PRIVATE AIRSPACE; TO PROHIBIT CREATION OF PRESCRIPTIVE RIGHTS; TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO LEASE INTEREST IN A RIGHT-OF-WAY OR AIRSPACE ABOVE OR BELOW A STATE HIGHWAY; TO PREEMPT LOCAL GOVERNMENTS FROM REGULATING THE OPERATION OF NONRECREATIONAL UNMANNED AIRCRAFT SYSTEMS; TO PROVIDE EXCEPTIONS FOR LAW ENFORCEMENT AND PUBLIC AGENCY OPERATIONS; TO PROVIDE PRIVACY PROTECTIONS FOR INDIVIDUAL CITIZENS; TO PROVIDE IMMUNITY FOR EMERGENCY RESPONDERS FOR CERTAIN DAMAGES; TO PROHIBIT SABOTAGE OR DESTRUCTION OF PUBLIC SERVICE UNMANNED AIRCRAFT SYSTEMS; TO REQUIRE THE ATTORNEY GENERAL TO DEVELOP A PUBLIC INFORMATION CAMPAIGN; TO REQUIRE THE TRANSPORTATION COMMISSION AND OTHER ENTITIES TO PERFORM CERTAIN DUTIES; AND FOR RELATED PURPOSES

By Senator(s) Wiggins

S. B. No. 2263: Judiciary, Division A

AN ACT TO CODIFY NEW SECTIONS 75-63-83 AND 41-43-59, MISSISSIPPI CODE OF 1972, TO PROHIBIT AN INDIVIDUAL FROM MAKING OR CAUSING TO BE MADE MISLEADING FILINGS RELATED TO CEMETERIES AND BURIAL GROUNDS; TO AMEND SECTIONS 41-43-31 AND 41-43-53, MISSISSIPPI CODE OF 1972, TO CONFORM THERETO; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2264: Judiciary, Division A

AN ACT TO AMEND SECTION 43-19-103, MISSISSIPPI CODE OF 1972, TO ADD THE INCOME OF THE CUSTODIAL SPOUSE, OR OBLIGEE, TO THE LIST OF CRITERIA WHICH A JUDGE OR ADMINISTRATIVE BODY AWARDED OR MODIFYING THE CHILD SUPPORT AWARD MAY CONSIDER TO OVERCOME THE REBUTTABLE PRESUMPTION AS TO THE JUSTNESS OR APPROPRIATENESS OF AN AWARD OR MODIFICATION OF A CHILD SUPPORT AWARD; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2265: Judiciary, Division A

AN ACT TO AMEND SECTION 85-7-251, MISSISSIPPI CODE OF 1972, TO LIMIT THE TOWING AND STORAGE CHARGES FOR VEHICLES TOWED AT THE DIRECTION OF A LAW ENFORCEMENT OFFICER TO THOSE AMOUNTS CHARGED TO CUSTOMERS GENERALLY; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2266: Business and Financial Institutions; Judiciary, Division A

AN ACT TO CREATE THE "RESPECT THE CASH ACT"; TO PROHIBIT A PERSON SELLING OR OFFERING FOR SALE GOODS OR SERVICES AT RETAIL IN THIS STATE FROM REFUSING TO ACCEPT CASH AS A FORM OF PAYMENT FOR SUCH GOODS OR SERVICES; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan, Caughman, Seymour, McLendon, Butler

S. B. No. 2267: Education

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL GRANT LICENSES TO TEACHERS IF THEY POSSESS A VALID STANDARD LICENSE FROM ANOTHER STATE AND PASS A CHARACTER AND FITNESS BACKGROUND CHECK; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2268: Judiciary, Division A

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

By Senator(s) Jackson (11th)

S. B. No. 2269: Education

AN ACT TO AMEND SECTION 37-3-89, MISSISSIPPI CODE OF 1972, TO REQUIRE TRAUMA-INFORMED APPROACHES IN EDUCATOR PREPARATION PROGRAMS; TO DEFINE TRAUMA-INFORMED APPROACHES; TO AMEND SECTION 37-9-79, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS SHALL HAVE AT LEAST ONE SCHOOL COUNSELOR OR MENTAL HEALTH SERVICES PROVIDER PER 250 STUDENTS; TO REQUIRE SCHOOL COUNSELORS OR SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDERS TO CREATE A TRAUMA-INFORMED TEAM FOR EACH SCHOOL; TO REQUIRE SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS REPORT THE NUMBER AND PLACEMENT OF SCHOOL COUNSELORS IN THE DISTRICT TO THE DEPARTMENT OF EDUCATION; TO CREATE NEW SECTION 37-9-80, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH THE DEPARTMENT OF MENTAL HEALTH, TO CREATE A TOOLKIT TO ASSIST SCHOOLS IN IMPLEMENTING TRAUMA-INFORMED APPROACHES; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2270: Judiciary, Division B

AN ACT TO AMEND SECTION 41-61-61, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE CONFIDENTIALITY OF PHOTOGRAPHS AND VIDEO AND AUDIO RECORDINGS OF AN AUTOPSY HELD BY A MEDICAL EXAMINER; TO PROVIDE EXCEPTIONS FOR THE DECEASED'S SURVIVING RELATIVES AND EXCEPTIONS FOR CRIMINAL OR ADMINISTRATIVE PROCEEDINGS; TO PROVIDE THAT A COURT MAY ORDER ANY PERSON TO VIEW SUCH RECORDS FOR GOOD CAUSE AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATING A COURT ORDER; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2271: Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 99-3-28, MISSISSIPPI CODE OF 1972, TO REQUIRE A PROBABLE CAUSE HEARING BEFORE AN ARREST WARRANT MAY BE ISSUED FOR A LEGISLATOR; TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2272: Judiciary, Division B

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

By Senator(s) Jackson (11th)

S. B. No. 2273: Economic and Workforce Development; Corrections

AN ACT TO AMEND SECTION 47-7-40, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO CONTRACT WITH THE MULTI-COUNTY COMMUNITY SERVICE AGENCY, INC., (MCCSA) TO IMPLEMENT A WORKFORCE PROGRAM TO ASSIST FORMERLY INCARCERATED INDIVIDUALS AGE 16 AND OVER TO DEVELOP NECESSARY SKILLS AND CERTIFICATIONS TO LOCATE EMPLOYMENT IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2274: Elections

AN ACT TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO CLARIFY THE RIGHT OF A CONVICTED FELON TO REGISTER AND VOTE IF THE RIGHT TO VOTE HAS BEEN RESTORED; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

S. B. No. 2275: Judiciary, Division B

AN ACT TO AMEND SECTIONS 97-3-65, 97-3-95 AND 97-3-101, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE AT WHICH A MINOR IS CAPABLE OF CONSENSUAL SEXUAL INTERCOURSE; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

S. B. No. 2276: Corrections

AN ACT TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MERITORIOUS EARNED TIME MAY BE USED TO REDUCE THE TIME REQUIRED TO BE SERVED FOR PAROLE ELIGIBILITY; TO SPECIFY THAT ONLY THOSE OFFENDERS WHO ARE OTHERWISE ELIGIBLE FOR PAROLE CONSIDERATION MAY BE ELIGIBLE FOR THE REDUCTION IN TIME TO BE SERVED; TO AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE MINIMUM PERCENTAGE OF THE SENTENCE THAT MUST BE SERVED BEFORE OFFENDERS MAY BE RELEASED FROM THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS, TO CONFORM; TO AMEND SECTION 47-5-142, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE AWARD OF MERITORIOUS EARNED-TIME ALLOWANCES, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2277: Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DELINEATION OF CLASSES OF VICTIMS TRIGGERING AN ENHANCED PENALTY FOR A HATE CRIME; TO AMEND SECTION 99-19-305, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Blackwell, Simmons (12th), Witherspoon, Boyd, Simmons (13th)

S. B. No. 2278: Drug Policy

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE ISOTONITAZENE, FLUALPRAZOLAM, FLUBROMAZEPAM, FLUBROMAZOLAM AND CLONAZOLAM TO SCHEDULE I BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972, TO REVISE THE CHEMICAL NAME OF THIAFENTANIL; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE BREXANOLONE AND SOLRIAMFETOL AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THE FEDERAL DRUG ADMINISTRATION RECENTLY APPROVED THESE DRUGS FOR MEDICAL USE; AND FOR RELATED PURPOSES.

By Senator(s) Jordan, Jackson (11th), Thomas

S. B. No. 2279: Judiciary, Division B

AN ACT TO AMEND SECTION 97-9-45, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE ABSCONDING FROM PAROLE OR PROBATION; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2280: Corrections; Accountability, Efficiency, Transparency

AN ACT RELATING TO THE CORRECTIONAL SYSTEM OF THE STATE OF MISSISSIPPI; TO ESTABLISH A MISSISSIPPI DEPARTMENT OF REENTRY AND SUPERVISION AND PRESCRIBE ITS POWERS AND DUTIES; TO ESTABLISH THE POSITION OF DIRECTOR OF REENTRY AND SUPERVISION WHO SHALL BE THE CHIEF ADMINISTRATIVE OFFICER OF THE DEPARTMENT; TO TRANSFER THE FUNCTIONS AND EMPLOYEES OF THE DIVISION OF COMMUNITY CORRECTIONS OF THE DEPARTMENT OF CORRECTIONS TO THE MISSISSIPPI DEPARTMENT OF REENTRY AND SUPERVISION; TO PROVIDE FOR A TRANSITION PLAN AND PEER REVIEW; TO AMEND SECTIONS 47-5-8, 47-5-10, 47-5-20, 47-5-24, 47-5-26, 47-5-28, 47-5-110, 47-5-138, 47-5-601, 47-5-603, 47-5-605, 47-5-1001, 47-5-1003, 47-5-1005, 47-5-1007, 47-5-1009, 47-5-1011, 47-5-1013, 47-5-1014, 47-7-2, 47-7-3, 47-7-3.1, 47-7-3.2, 47-7-4, 47-7-5, 47-7-6, 47-7-9, 47-7-13, 47-7-17, 47-7-18, 47-7-19, 47-7-21, 47-7-23, 47-7-25, 47-7-27, 47-7-29, 47-7-33, 47-7-33.1, 47-7-34, 47-7-35, 47-7-36, 47-7-37, 47-7-37.1, 47-7-38, 47-7-38.1, 47-7-39, 47-7-40, 47-7-41, 47-7-43, 47-7-47 AND 41-7-101, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO CODIFY SECTION 47-5-36, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE OFFICE OF THE DEPARTMENT OF CORRECTIONS OMBUDSMAN AND PRESCRIBE ITS POWERS AND DUTIES; TO PROVIDE FOR A CORRECTIONS OVERSIGHT COMMITTEE; TO PROVIDE INSPECTION AUTHORITY FOR THE OFFICE OF OMBUDSMAN; TO PROVIDE COMPLAINT INVESTIGATION AUTHORITY; TO PROVIDE FOR AN ANNUAL REPORT; TO CODIFY SECTION 47-5-36.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INMATE AND FAMILY ADVOCACY AND SUPPORT SERVICES ONLINE FORM AS A FUNCTION OF THE OFFICE OF OMBUDSMAN; TO AMEND SECTION 47-7-49, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN OFFENDER SUPERVISION FEES SHALL BE DEPOSITED INTO THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2281: Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO ENACT THE MISSISSIPPI FIRST RESPONDER PROTECTION ACT; TO PROVIDE FOR THE OFFENSE OF BIAS MOTIVATED INTIMIDATION; TO PROVIDE PENALTIES UPON CONVICTION OF THE OFFENSE OF BIAS MOTIVATED INTIMIDATION; TO AUTHORIZE A LAW ENFORCEMENT OFFICER TO BRING SUIT FOR DAMAGES SUFFERED DURING THE OFFICER'S PERFORMANCE OF OFFICIAL DUTIES; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2282: Judiciary, Division B

AN ACT TO AMEND SECTION 43-21-605, MISSISSIPPI CODE OF 1972, TO RAISE THE MINIMUM AGE AT WHICH A CHILD MAY BE COMMITTED TO THE STATE TRAINING SCHOOL AND HELD IN SECURE DETENTION; AND FOR RELATED PURPOSES.

By Senator(s) England, Simmons (12th), Jackson (11th)

S. B. No. 2283: Judiciary, Division B

AN ACT TO CRIMINALIZE THE MALICIOUS OBSTRUCTION OF A PUBLIC STREET HIGHWAY OR ROAD DURING AN UNPERMITTED PROTEST; TO STATE LEGISLATIVE INTENT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan, Hill, Caughman, Tate

S. B. No. 2284: Highways and Transportation; Municipalities

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF MUNICIPALITIES TO ALLOW THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE MUNICIPALITY; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE OR TEMPORARY DRIVER'S PERMIT AND PROOF OF FINANCIAL RESPONSIBILITY; TO REQUIRE CERTAIN REGISTRATION OF GOLF CARTS AND LOW-SPEED VEHICLES; TO AMEND SECTIONS 27-19-3, 27-51-5 AND 63-17-155, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Moran

S. B. No. 2285: Wildlife, Fisheries and Parks; Judiciary, Division B

AN ACT TO AMEND SECTIONS 49-1-43 AND 49-1-43.1, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A CONSERVATION OFFICER MUST HAVE PROBABLE CAUSE TO CONDUCT A SEARCH WITHOUT A WARRANT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2286: Highways and Transportation; Appropriations

AN ACT TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO CONSTRUCT AND RECONSTRUCT TO FOUR LANES A PORTION OF MISSISSIPPI HIGHWAY 6/U.S. HIGHWAY 278 IN COAHOMA, PANOLA AND QUITMAN COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2287: Judiciary, Division A; Agriculture

AN ACT TO AMEND SECTION 75-24-25, MISSISSIPPI CODE OF 1972, TO CREATE AN EXCEPTION TO PRICE-GOUGING PROHIBITIONS FOR THE SALE OF ESSENTIAL COMMODITIES DURING A STATE OF EMERGENCY OR A LOCAL EMERGENCY; AND FOR RELATED PURPOSES.

By Senator(s) Younger

S. B. No. 2288: Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GUNTOWN, MISSISSIPPI, TO ALLOW THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE

TO HAVE A VALID DRIVER'S LICENSE OR TEMPORARY DRIVER'S PERMIT AND PROOF OF FINANCIAL RESPONSIBILITY; TO REQUIRE CERTAIN REGISTRATION OF GOLF CARTS AND LOW-SPEED VEHICLES; TO AUTHORIZE THE CITY TO CHARGE A REASONABLE REGISTRATION FEE; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2289: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO ENACT INTO LAW THE SOLEMN COVENANT OF THE STATES TO AWARD PRIZES FOR CURING DISEASES AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Parker, Kirby

S. B. No. 2290: Public Health and Welfare

AN ACT TO AMEND SECTION 41-115-1, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF TANNING DEVICES AT TANNING FACILITIES BY CHILDREN UNDER AGE 18; TO ASSESS A CIVIL PENALTY FOR VIOLATIONS OF THIS SECTION; TO REQUIRE TANNING FACILITIES TO POST A NOTICE DEVELOPED BY THE MISSISSIPPI STATE DEPARTMENT OF HEALTH STATING IT IS UNLAWFUL FOR A TANNING FACILITY OWNER OR OPERATOR TO ALLOW A PERSON UNDER THE AGE OF 18 TO USE ANY TANNING DEVICE; TO REQUIRE TANNING FACILITIES TO POST A NOTICE DEVELOPED BY THE MISSISSIPPI STATE DEPARTMENT OF HEALTH STATING THAT A TANNING FACILITY OR OPERATOR THAT VIOLATES THIS SECTION IS SUBJECT TO A CIVIL PENALTY; TO REQUIRE TANNING FACILITIES TO POST A NOTICE DEVELOPED BY THE MISSISSIPPI STATE DEPARTMENT OF HEALTH STATING THAT AN INDIVIDUAL MAY REPORT VIOLATIONS OF THIS SECTION TO THE MISSISSIPPI STATE DEPARTMENT OF HEALTH STATING THE HEALTH RISKS ASSOCIATED WITH TANNING; TO REQUIRE THE OPERATOR TO REQUIRE PHOTO IDENTIFICATION INDICATING THAT THE PERSON USING A TANNING DEVICE IS AT LEAST 18 YEARS OF AGE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2291: Technology; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE THE PUBLIC SERVICE COMMISSION TO STUDY THE NEED FOR ADDITIONAL FUNDING FOR, AND EXPENDITURES OF, EMERGENCY COMMUNICATIONS DISTRICTS IN MISSISSIPPI; TO REQUIRE REPORT OF ITS FINDINGS BY A CERTAIN DATE; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2292: Medicaid; Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO SUSPEND THE MORATORIUM TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ISSUE A CERTIFICATE OF NEED TO PANOLA MEDICAL CENTER IN BATESVILLE, MISSISSIPPI, FOR THE ACQUISITION, CONVERSION AND OPERATION OF 25 ADULT PSYCHIATRIC BEDS IN ITS EXISTING FACILITY IN PANOLA COUNTY; TO PROVIDE THAT THE AUTHORIZATION FOR THE CERTIFICATE OF NEED FOR THOSE ADULT PSYCHIATRIC BEDS SHALL BE EXEMPT FROM THE CERTIFICATE OF NEED REVIEW PROCESS; TO PROVIDE THAT THE EXEMPTION FROM THE CERTIFICATE OF NEED PROCESS IS VALID FOR TWO YEARS FROM THE EFFECTIVE DATE OF THIS ACT AND WILL EXPIRE IF ACTUAL OPERATION OF THE 25 ADULT PSYCHIATRIC BEDS IS NOT ACCOMPLISHED BY PANOLA MEDICAL CENTER WITHIN THAT TWO-YEAR PERIOD; TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE ACQUISITION, CONVERSION AND OPERATION OF CHILD/ADOLESCENT PSYCHIATRIC BEDS PARTICIPATING IN THE MEDICAID PROGRAM IN LEE COUNTY AND THE

CONVERSION OF ACUTE CARE BEDS TO GERIATRIC PSYCHIATRIC BEDS IN LEE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) McMahan, Boyd, Whaley, Suber

S. B. No. 2293: Veterans and Military Affairs; Finance

AN ACT TO AMEND SECTION 75-24-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CLAIM OR ACTION UNDER THE PROVISIONS OF THE CONSUMER PROTECTION LAWS FILED ON BEHALF OF A VETERAN FOR A FEE MUST INCLUDE CERTAIN ACKNOWLEDGMENTS THAT THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD OFFERS THE SAME SERVICE FREE OF CHARGE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2294: Veterans and Military Affairs; Finance

AN ACT TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A VETERAN TO ESTABLISH PROOF OF MILITARY SERVICE FOR VETERAN DRIVER'S LICENSE DESIGNATION IN PERSON AT THE DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSE STATION; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Barnett, Butler, Jackson (11th)

S. B. No. 2295: Public Health and Welfare

AN ACT TO REENACT SECTIONS 73-6-1 through 73-6-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PRACTICE OF CHIROPRACTIC MEDICINE AND THE STATE BOARD OF CHIROPRACTIC EXAMINERS; TO AMEND SECTION 73-6-33, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE CHIROPRACTIC PRACTICE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

NINTH DAY, WEDNESDAY, JANUARY 13, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Absent--Chism, Polk. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Senator McCaughn.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senators Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Dr. Edgar Dalton Barham of Clinton, MS.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Pearlie Mae Owten of Marks, MS.

Senators Wiggins and England moved that when the Senate adjourns, it adjourn in memory of David Mohler of Ocean Springs, MS.

Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Neva Jean Cunningham and Hattie Bee Breauxsaus of Greenville, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Linda Egger of Caledonia, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Herbert Hilliard, Deborah Clayton, Estella Peairs, Samuel William Yarbough and Jacqueline Certion of Oxford, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Brenda Harris, Trell Jones, Wanda Ruth Cleveland, Marion Dwight Myatt, Jerry Harris and Jerry Cooper of Forest, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Lodena Waldrop, Bonnie Mae Minton and Betty Sue McKeller of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Donnie Lee Wall Todd of Newton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Dale Stampley of Hickory, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Zelda Elizabeth Horton of Conehatta, MS.

Senator Blackwell moved that the Senate stand in recess until 6:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 14, 2021.

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

REPORT OF COMMITTEE ON EDUCATION

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

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state and passes background check. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2149: MAEP; Department of Education required to hold harmless school district from calculating 2020-2021 average daily attendance. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:00 PM in memory of Dr. Edgar Dalton Barham, Pearlie Mae Owten, Jacqueline Certion, Brenda Harris, Trell Jones, Wanda Ruth Cleveland, Marion Dwight Myatt, Jerry Cooper, Jerry Harris, Loden Waldrop, Bonnie Mae Minton, Betty Sue McKeller, David Mohler, Donnie Lee Wall Todd, Dale Stampley, Zelda Elizabeth Horton, Neva Jean Cunningham, Hattie Bee Breauxsaus, Linda Egger, Herbert Hilliard, Deborah Clayton, Estella Pears and Samuel William Yarbough.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, JANUARY 13, 2021

S. B. No. 2296: Economic and Workforce Development

AN ACT TO AMEND SECTION 25-3-39, MISSISSIPPI CODE OF 1972, TO EXEMPT THE EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT FROM CERTAIN SALARY AND COMPENSATION RESTRICTIONS; TO PROVIDE THAT THE STATE WORKFORCE INVESTMENT BOARD MAY BY MAJORITY VOTE WAIVE ALL OR ANY PORTION OF THE SALARY OR COMPENSATION, INCLUDING STATE RETIREMENT BENEFITS, LAWFULLY ESTABLISHED FOR THE EXECUTIVE DIRECTOR OF THE OFFICE OF WORKFORCE DEVELOPMENT; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2297: Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT AND ONE TIME PROCESS REIMBURSEMENT TO ATHLETIC TRAINERS WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION, AND WHO ARE LICENSED BY THE STATE AND EMPLOYED BY A LOCAL SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2298: Education

AN ACT TO AMEND SECTIONS 37-151-103 AND 37-9-39, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SCHOOL DISTRICTS TO PROCESS A SEMIMONTHLY OR A MONTHLY PAYROLL FOR LICENSED AND NONLICENSED EMPLOYEES, IN THE DISCRETION OF THE LOCAL SCHOOL BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2299: Education; Appropriations

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

By Senator(s) Hopson

S. B. No. 2300: Education; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE CARBON MONOXIDE DETECTORS IN ALL PUBLIC AND NONPUBLIC SCHOOLS IN MISSISSIPPI; TO AUTHORIZE AND DIRECT THE STATE FIRE MARSHAL TO PROVIDE REQUIREMENTS FOR TESTING AND INSPECTING CARBON MONOXIDE DETECTION AND WARNING EQUIPMENT INSTALLED IN PUBLIC OR NONPUBLIC SCHOOL BUILDINGS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2301: Education; Appropriations

AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE ANNUAL SALARIES FOR ASSISTANT TEACHERS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2302: Education

AN ACT TO AMEND SECTION 37-19-10, MISSISSIPPI CODE OF 1972, TO RESTRICT AWARDS GIVEN UNDER THE SCHOOL RECOGNITION PROGRAM TO TEACHERS AND CERTIFIED STAFF; TO REQUIRE THE DEPARTMENT OF EDUCATION TO ADOPT RULES FOR THE ADMINISTRATION OF THE PROGRAM WHICH SHALL INCLUDE REQUIREMENTS THAT SCHOOLS GIVE NOTICE OF THE AMOUNT OF ANY AWARDS RECEIVED AND THE REASONS THE AWARDS WERE RECEIVED; TO REQUIRE SUCH RULES BE PROVIDED TO THE CHAIRS OF THE SENATE AND HOUSE EDUCATION COMMITTEE; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2303: Labor; Accountability, Efficiency, Transparency

AN ACT ENTITLED THE "WOMEN'S ECONOMIC SECURITY ACT OF 2021"; TO REQUIRE MINIMUM SPENDING LEVELS ON THE CHILD CARE PAYMENT PROGRAM (CCPP) FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BLOCK GRANT; TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA) BEGINNING JULY 1, 2021; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA); TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO EXPAND THE MISSISSIPPI STATE WORKFORCE INVESTMENT BOARD TO INCLUDE A WOMAN WITH EXPERTISE IN ASSISTING WOMEN IN JOB TRAINING AND SECURING EMPLOYMENT IN NONTRADITIONAL OCCUPATIONS; TO AMEND SECTION 7-1-355, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO ACHIEVE GENDER EQUITY IN THE WORKFORCE INVESTMENT ACT OR WORKFORCE INNOVATION OPPORTUNITY ACT WORKFORCE DEVELOPMENT SYSTEM; TO REQUIRE CERTAIN INFORMATION TO

BE INCLUDED IN AN ANNUAL REPORT TO THE LEGISLATURE; TO REQUIRE EQUAL PAY CERTIFICATES OF COMPLIANCE; TO CREATE WOMEN AND HIGH-WAGE, HIGH-DEMAND, NONTRADITIONAL JOBS GRANT PROGRAM; TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT; TO AMEND TITLE 71, LABOR AND INDUSTRY, CHAPTER 1, EMPLOYER AND EMPLOYEE, TO ADD A SECTION PROHIBITING DISCRIMINATION IN EMPLOYMENT BASED ON PREGNANCY, CHILDBIRTH, OR A RELATED CONDITION; TO PROVIDE FOR PAID SICK AND SAFE LEAVE TIME; TO INCREASE THE STATE MINIMUM WAGE; TO ENACT THE EVELYN GANDY FAIR PAY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

TENTH DAY, THURSDAY, JANUARY 14, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Absent--Chism, Moran, Polk, Sojourner. Total--4.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Moran.

The invocation was delivered by Senator Frazier.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Howard Levert Ladner, Jr. of Poplarville, MS.

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

Senator Williams moved that when the Senate adjourns, it adjourn in memory of Donald Lee O'Brian of Maben, MS.

Senators McMahan and Sparks moved that when the Senate adjourns, it adjourn in memory of Bonnie Dykes of Fulton, MS.

Senator Witherspoon moved that when the Senate adjourns, it adjourn in memory of Rose Patterson (Adams County Tax Collector) of Natchez, MS.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Robert Burt and Travis Bryan of Philadelphia, MS.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Francis Ball of Louisville, MS.

Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mrs. Dorinda Jones Patterson of Bolton, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Melissa Ann Marquis Jones, Jessica Hardin Bonds Boelte, Danny Porter Hall, Sr., Linda Marie Sockwell Mize, Annie Miller, Dennis Murphee Ford, Jimmy Kaigler and Hoppy Langley of Oxford, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Curtis Sparks, Clinton Mooney, Brynlee Renae Hastings, Doris Vinson, David Driskell Lynch, Bert Allen and Carolyn Kirk Bramlett of Oxford, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of John Tramel, Edward Louis Clinton, II, Bettye Jackson Phillips, Billy Wayne Lamb, Russell Pierce, Otis Johnson and Sonny Jennings of Oxford, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of John Waldo, Sally Greenlee Reid, Kenneth Foster, Hardin Williams, Murray Randall "Randy" Wilson, Dr. Deck Stone, Norma Arnold, Doris Carver, William Garland Anderson, Jr. and Christopher Townsend of Batesville, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Tony Hubbard, Allen C. Anthony and Bill Ivy of Pope, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Shirley Crawford, Edward Lamar Sprabery and Rev. Edward Woodall, Jr. of Grenada, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Jennifer O'Connor and Robert "Bob" Haltom of Memphis, TN.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Dorris Brummet of Lambert, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Stephanie Coghlan of Jackson, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Thomas Howard Clements, II of Birmingham, AL.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Pamela Shook of Detroit, MI.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of James "Jimmy" Johnson of Booneville, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Jim Tatum of Taylor, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of William Drewrey and Charles Allen Bayer, Sr. of Coffeeville, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Timothy Scott Pruitt of Winston Salem, NC.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Sharon Laney of Water Valley, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Danny Harwell of Paris, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of James Walton Webb of Calhoun City, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Theresa Hall of Philadelphia, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Richard "Dick" Lee Hall of Durango, CO.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Linder McNeely of Keel, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Roger Flynt, Jr. of Meridian, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of James O. Jackson of Darling, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Ann Williams of Southaven, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Otis Wolfe of Tyro, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Alan Warmath of Senatobia, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Thomas Jones of Corinth, MS.

Senators Boyd and Suber moved that when the Senate adjourns, it adjourn in memory of Sarah Nell Trusty Champion of Water Valley, MS.

Senators Boyd and Chism (in her absence) moved that when the Senate adjourns, it adjourn in memory of Lorye Anne Logan of Pontotoc, MS.

Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Ramona W. Bailey of Drew, MS.

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

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Nina J. Southerland of Columbus, MS.

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

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 18, 2021.

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

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Howard Levert Ladner, Jr., Ralph Parks, Melissa Ann Marquis Jones, Jessica Hardin Bonds Boelte, Danny Porter Hall, Sr., Linda Marie Sockwell Mize, Annie Miller, Dennis Murphee Ford, Jimmy Kaigler, Hoppy Langley, Curtis Sparks, Clinton Mooney, Donald Lee O'Brian, Brynlee Renae Hastings, Doris Vinson, David Driskell Lynch, Bert Allen, Carolyn Kirk Bramlett, John Tramel, Edward Louis Clinton, II, Bettye Jackson Phillips, Billy Wayne Lamb, Russell Pierce, Bonnie Dykes, Otis Johnson, Sonny Jennings, Dorris Brummet, Stephanie Coghlan, Thomas Howard Clements, II, Pamela Shook, James "Jimmy" Johnson, Jim Tatum, William Drewrey, Timothy Scott Pruitt, Rose Patterson, Sharon Laney, Danny Harwell, James Walton Webb, Theresa Hall, Richard "Dick" Lee Hall, Jennifer O'Connor, Linder McNeely, Shirley Crawford, Edward Lamar Sprabery, Rev. Edward Woodall, Jr., Robert Burt, Roger Flynt, Jr., John Waldo, Sally Greenlee Reid, Kenneth Foster, Hardin Williams, Murray Randall "Randy" Wilson, Dr. Deck Stone, Norma Arnold, Doris Carver, William Garland Anderson, Jr., Travis Bryan, Christopher Townsend, Tony Hubbard, Allen C. Anthony, Bill Ivy, James O. Jackson, Charles Allen Bayer, Sr., Ann Williams, Otis Wolfe, Alan Warmath, Robert "Bob" Haltom, Francis Ball, Thomas Jones, Sarah Nell Trusty Champion, Lorye Anne Logan, Ramona W. Bailey, Andrew Peoples, Nina J. Southerland, Ruth Wynn and Mrs. Dorinda Jones Patterson.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, JANUARY 14, 2021

S. B. No. 2304: Education; Appropriations

AN ACT TO AMEND SECTION 37-7-321, MISSISSIPPI CODE OF 1972, RELATING TO SCHOOL RESOURCE OFFICER QUALIFICATIONS TO REQUIRE THAT ALL SCHOOL RESOURCE OFFICERS COMPLETE UNIFORM STATEWIDE TRAINING PRIOR TO BEING PERMITTED TO SERVE IN A SCHOOL; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2305: Education; Appropriations

AN ACT TO CODIFY NEW SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO CREATE THE "WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM" TO BE ADMINISTERED BY THE STATE FINANCIAL AID BOARD; TO PROVIDE FOR THE QUALIFICATIONS FOR APPLICANTS UNDER THE LOAN PROGRAM; TO ESTABLISH THE WILLIAM F. WINTER AND JACK REED, SR., LOAN REPAYMENT PROGRAM FUND; TO REPEAL SECTION 37-106-35, MISSISSIPPI CODE OF 1972, WHICH CREATES THE ASSISTANT TEACHER

FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-37, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION SCHOLARS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-57, MISSISSIPPI CODE OF 1972, WHICH CREATES THE WILLIAM F. WINTER TEACHER FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-77, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TEACHING FELLOWS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-79, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION ALTERNATE ROUTE CERTIFICATION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2306: Education; Appropriations

AN ACT TO AMEND SECTION 37-151-5, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT AVERAGE DAILY ATTENDANCE FOR ADEQUATE EDUCATION FUNDING PURPOSES SHALL INCLUDE ANY DAY THAT A STUDENT IS ABSENT DUE TO ILLNESS OR INJURY; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd), Simmons (12th)

S. B. No. 2307: Education

AN ACT TO AMEND SECTION 37-173-9, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN PROVISIONS RELATING TO SCHOOL'S DETERMINATION OF STUDENTS WITH DYSLEXIA; TO CREATE NEW SECTION 37-173-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THE STEPS SCHOOLS MUST TAKE FOR THE EDUCATION AND CARE OF STUDENTS WITH DYSLEXIA AND OTHER RELATED DISORDERS; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL REQUIRE SCHOOL DISTRICTS TO CONDUCT TWO HOURS OF AWARENESS TRAINING FOR DYSLEXIA AND OTHER RELATED DISORDERS TO ALL LICENSED EDUCATORS AND PARAPROFESSIONALS RESPONSIBLE FOR INSTRUCTION; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Williams, Sparks

S. B. No. 2308: Education; Appropriations

AN ACT TO ENSURE THAT CHILDREN WITH DYSLEXIA HAVE THEIR NEEDS MET BY THE PUBLIC SCHOOL SYSTEM; TO DEFINE TERMS; TO REQUIRE THE DEPARTMENT TO HAVE SCHOOL DISTRICTS SCREEN EACH STUDENT IN KINDERGARTEN THROUGH GRADE TWO; TO REQUIRE SCHOOL DISTRICTS TO NOTIFY A STUDENT'S PARENTS IF THE STUDENT'S DYSLEXIA EVALUATION INDICATES A NEED FOR DYSLEXIA SERVICES; TO REQUIRE CERTAIN INSTRUCTIONAL APPROACHES FOR DYSLEXIA THERAPY; TO REQUIRE THE SUPERINTENDENT OF A SCHOOL DISTRICT TO REPORT THE RESULTS OF THE DYSLEXIA SCREENING TO THE DEPARTMENT OF EDUCATION; TO REQUIRE THAT THE DEPARTMENT EMPLOY A DYSLEXIA SPECIALIST; TO REQUIRE THE DEPARTMENT TO ENSURE THAT TEACHERS RECEIVE PROFESSIONAL AWARENESS ON THE INDICATORS OF DYSLEXIA AND THE SCIENCE BEHIND TEACHING A STUDENT WHO IS DYSLEXIC; TO REQUIRE THE DEPARTMENT TO COLLABORATE WITH THE BOARD OF TRUSTEES AT THE STATE INSTITUTION OF HIGHER LEARNING TO ENSURE THAT ALL TEACHER EDUCATION PROGRAMS AT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION INCLUDE INFORMATION ON THE IDENTIFICATION OF STUDENTS AT RISK FOR DYSLEXIA AND RELATED DISORDERS; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND TO IMPLEMENT THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2309: Education

AN ACT TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO DISCONTINUE THE USE OF SUBJECT AREA TESTS AS A REQUIREMENT TO RECEIVE A STANDARD HIGH SCHOOL DIPLOMA ISSUED BY THE STATE BOARD OF EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2310: Universities and Colleges

AN ACT TO CREATE NEW SECTION 37-101-294, MISSISSIPPI CODE OF 1972, TO ALLOW STATE INSTITUTIONS OF HIGHER LEARNING TO ENTER INTO INCOME-SHARING AGREEMENTS WITH STUDENTS OF THE INSTITUTION AND TO USE INSTITUTIONAL ASSETS TO FUND THE AGREEMENTS; TO REQUIRE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO PRESCRIBE POLICIES AND BYLAWS FOR THE ADMINISTRATION OF THE AGREEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 2311: Education; Appropriations

AN ACT TO CREATE NEW SECTION 37-106-74, MISSISSIPPI CODE OF 1972, TO CREATE THE ECONOMIC AND ACADEMIC NEED FORGIVABLE LOAN PROGRAM; TO PROVIDE THAT PERSONS WHO DECLARE AN INTENT TO WORK IN A PUBLIC SCHOOL LOCATED IN AN ECONOMICALLY DISTRESSED GEOGRAPHIC AREA OR A D-RATED PUBLIC SCHOOL OR A F-RATED PUBLIC SCHOOL LOCATED IN THE STATE OF MISSISSIPPI FOR FIVE CONSECUTIVE YEARS SHALL BE ELIGIBLE FOR A LOAN; TO PROVIDE THAT THE BOARD OF EDUCATION SHALL ENTER INTO CONTRACTS WITH APPLICANTS, PROVIDING THAT THE LOAN SHALL BE DISCHARGED AFTER THE PERSON TEACHES, AS A LICENSED TEACHER, FOR FIVE YEARS IN SUCH A PUBLIC SCHOOL; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2312: Education

AN ACT TO ESTABLISH AN OFFICE OF EARLY CHILDHOOD WITHIN THE STATE DEPARTMENT OF EDUCATION TO COORDINATE AND INTEGRATE CHILD CARE AND EARLY CHILDHOOD EDUCATION PROGRAMS IN THE STATE IN ORDER TO ADMINISTER PROGRAMS AND FUNDING AS EFFICIENTLY AS POSSIBLE; TO PRESCRIBE THE RESPONSIBILITIES OF THE OFFICE OF EARLY CHILDHOOD; TO PROVIDE FOR A DIRECTOR OF EARLY CHILDHOOD AND PRESCRIBE HIS POWERS AND RESPONSIBILITIES; TO AMEND SECTIONS 37-21-51 AND 43-20-8, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2313: Universities and Colleges

AN ACT TO BE KNOWN AS THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT"; TO AUTHORIZE STUDENT-ATHLETES TO EARN COMPENSATION FOR HIS NAME, IMAGE AND LIKENESS; TO DEFINE TERMS RELATING THERETO; TO PROVIDE THAT STUDENT-ATHLETES SHALL NOT EARN COMPENSATION IN EXCHANGE FOR HIS ATHLETIC ABILITY OR PARTICIPATION IN INTERCOLLEGIATE ATHLETICS; TO PROVIDE THAT STUDENT-ATHLETES SHALL NOT BE DEEMED TO BE EMPLOYEES OF THE EDUCATIONAL INSTITUTION; TO PROVIDE THAT A POSTSECONDARY EDUCATIONAL INSTITUTION SHALL NOT UPHOLD A CONTRACT THAT PREVENTS A STUDENT-ATHLETE FROM EARNING COMPENSATION FROM HIS NAME, IMAGE OR LIKENESS; TO PROVIDE THAT ATHLETIC ASSOCIATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS SHALL NOT PREVENT A STUDENT-ATHLETE FROM EARNING COMPENSATION FROM HIS NAME, IMAGE OR LIKENESS; TO PROVIDE THAT ATHLETIC ASSOCIATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS SHALL NOT PREVENT EDUCATIONAL INSTITUTIONS FROM PARTICIPATING IN ATHLETICS AS A RESULT OF THE COMPENSATION OF A STUDENT-ATHLETE FOR THE USE OF THE STUDENT-ATHLETE'S NAME, IMAGE OR LIKENESS; TO PROVIDE THAT ATHLETIC ASSOCIATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS SHALL NOT PREVENT STUDENT-ATHLETES FROM OBTAINING PROFESSIONAL REPRESENTATION IN RELATION TO NAME, IMAGE OR LIKENESS; TO PROVIDE THAT A STUDENT-ATHLETE'S FINANCIAL AID SHALL NOT BE

REVOKED IF HE IS COMPENSATED PURSUANT TO THIS ACT; TO PROVIDE THAT A STUDENT-ATHLETE WHO ENTERS INTO AN AGREEMENT SHALL DISCLOSE THE CONTRACT TO THE EDUCATIONAL INSTITUTION; TO PROVIDE THAT AN EDUCATIONAL INSTITUTION, BOOSTER, THIRD-PARTY LICENSEE, OR INDIVIDUAL OR ENTITY SHALL NOT PROVIDE COMPENSATION TO A CURRENT OR PROSPECTIVE STUDENT-ATHLETE AS AN INDUCEMENT FOR HIM TO ENROLL IN A SPECIFIC INSTITUTION; TO PROVIDE THAT A STUDENT-ATHLETE SHALL NOT ENTER INTO A LIKENESS AGREEMENT THAT RELATES TO THE PROMOTION OF GAMBLING, MARIJUANA, SPORTS BETTING, TOBACCO, ALCOHOL OR OTHER PRODUCTS THAT MAY BE CONSIDERED INCONSISTENT WITH THE EDUCATIONAL INSTITUTION'S VALUES; TO CODIFY NEW SECTION 93-19-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS 18 YEARS OF AGE SHALL HAVE THE CAPACITY TO ENTER INTO BINDING CONTRACTS AFFECTING THE USE OF THEIR NAME, IMAGE, OR LIKENESS WHILE PARTICIPATING IN INTERCOLLEGIATE SPORTS; TO AMEND SECTION 73-42-3, MISSISSIPPI CODE OF 1972, TO INCLUDE COMPENSATION FOR THE USE OF A STUDENT-ATHLETE'S NAME, IMAGE OR LIKENESS IN THE DEFINITION OF "ENDORSEMENT CONTRACT" AND "AGENCY CONTRACT"; TO PROVIDE THAT NO POSTSECONDARY EDUCATIONAL INSTITUTION, ATHLETIC ASSOCIATION OR CONFERENCE SHALL BE SUBJECT TO A PRIVATE CAUSE OF ACTION FOR UNFAIR TRADE OR COMPETITION OR TORTIOUS INTERFERENCE; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 2314: Education; Appropriations

AN ACT TO AMEND SECTIONS 37-13-91 AND 37-15-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROVISIONS OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW ARE FULLY APPLICABLE TO KINDERGARTEN-AGE CHILDREN; TO REQUIRE SUCH KINDERGARTEN-AGE CHILDREN TO ATTEND LICENSED PUBLIC, PAROCHIAL, NONPUBLIC OR HOMESCHOOL KINDERGARTEN PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2315: Business and Financial Institutions

AN ACT TO AMEND SECTION 71-11-3, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR VIOLATIONS OF THE MISSISSIPPI EMPLOYMENT PROTECTION ACT TO INCLUDE ADMINISTRATIVE DISSOLUTION OR REVOCATION OF THE OFFENDING ENTITY; TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT SECURITY, DEPARTMENT OF REVENUE, SECRETARY OF STATE, DEPARTMENT OF HUMAN SERVICES AND THE ATTORNEY GENERAL MAY DRAFT REGULATIONS IMPLEMENTING ENFORCEMENT; TO AMEND SECTIONS 79-4-14.20, 79-4-15.30, 79-29-821 AND 79-29-1021, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2316: Judiciary, Division A

AN ACT TO AMEND SECTION 93-9-10, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CIRCUMSTANCES UNDER WHICH A PUTATIVE FATHER CANNOT FURTHER CONTEST PATERNITY; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2317: Judiciary, Division A

AN ACT TO AMEND SECTION 89-8-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LANDLORD MAY NOT TAKE CERTAIN DISCRIMINATORY ACTION AGAINST A TENANT BASED ON THE SOURCE OF INCOME OF AN OTHERWISE ELIGIBLE PROSPECTIVE OR CURRENT TENANT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2318: Municipalities; Elections

AN ACT TO AMEND SECTION 23-15-859, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY MUNICIPALITY WITH A POPULATION OF 2,500 RESIDENTS OR LESS TO CONDUCT A SPECIAL ELECTION FOR ANY ISSUE OR CANDIDATE AT ONE CENTRALIZED POLLING PLACE; TO AMEND SECTION 23-15-557, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2319: Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTIONS 9-7-31 AND 9-7-32, MISSISSIPPI CODE OF 1972, TO CREATE SUBDISTRICTS WITHIN THE TENTH CIRCUIT COURT DISTRICT AND TO REVISE THE NUMBER OF CIRCUIT COURT JUDGES IN THAT DISTRICT; TO PROVIDE FOR PRECINCT BOUNDARIES; TO PROVIDE FOR CANDIDACY FOR ELECTION FOR JUDGEShips BEFORE THE INCEPTION OF THE NEW JUDGESHIP; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2320: Judiciary, Division A

AN ACT TO AMEND SECTION 75-24-3, MISSISSIPPI CODE OF 1972, TO PROVIDE A DEFINITION OF "OPEN-BOX ITEM"; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM; TO CREATE NEW SECTION 73-24-6, MISSISSIPPI CODE OF 1972, TO REQUIRE RETAILERS TO PROMINENTLY DISPLAY EXCHANGE POLICIES AS TO OPEN-BOX ITEMS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2321: Judiciary, Division A

AN ACT TO BE KNOWN AS KEYAURDRA'S LAW; TO CREATE NEW SECTION 97-37-39, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL CENTERFIRE PISTOL AND RIFLE CARTRIDGES SOLD IN MISSISSIPPI BEAR A UNIQUE IDENTIFYING MARK; TO REQUIRE SELLERS OF AMMUNITION TO KEEP RECORDS AS TO THE PURCHASER OF SUCH AMMUNITION BY SERIAL NUMBER OR OTHER UNIQUE IDENTIFYING MARK; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2322: Insurance

AN ACT TO PROHIBIT HEALTH INSURANCE PLANS OR POLICIES FROM REQUIRING THE ENROLLEE TO UNDERGO STEP THERAPY BEFORE RECEIVING CERTAIN PRESCRIPTION DRUGS TO TREAT STAGE-FOUR ADVANCED, METASTATIC CANCER; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2323: Insurance

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

By Senator(s) Hill

S. B. No. 2324: Judiciary, Division A

AN ACT TO REENACT SECTIONS 75-24-351 THROUGH 75-24-357, MISSISSIPPI CODE OF 1972, WHICH PROHIBIT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENT AND ESTABLISH REMEDIES FOR PREVAILING

PLAINTIFFS IN CIVIL ACTIONS INSTITUTED UNDER THE PROVISIONS; TO AMEND REENACTED SECTION 75-24-359, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE REENACTED PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2325: Labor; Accountability, Efficiency, Transparency

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

By Senator(s) Turner-Ford

S. B. No. 2326: Judiciary, Division A

AN ACT TO AMEND SECTION 41-29-181, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PROCEEDS DEPOSITED AND CREDITED TO THE PARTICIPATING LAW ENFORCEMENT AGENCY SHALL BE USED TO AUGMENT THE EXISTING BUDGET OF THE PARTICIPATING LAW ENFORCEMENT AGENCY FOR THE PURPOSE OF INCREASING LAW ENFORCEMENT RESOURCES FOR THE PARTICIPATING LAW ENFORCEMENT AGENCY; TO PROVIDE THAT PROCEEDS DEPOSITED AND CREDITED TO THE PARTICIPATING LAW ENFORCEMENT AGENCY SHALL NOT SUPPLANT THE EXISTING BUDGET OF THE PARTICIPATING LAW ENFORCEMENT AGENCY; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2327: Business and Financial Institutions

AN ACT TO PROHIBIT DISCRIMINATION AGAINST ANY APPLICANT IN A CREDIT TRANSACTION ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, MARITAL STATUS, AGE OR SOURCE OF INCOME; TO PROVIDE EXCEPTIONS; TO REQUIRE COPIES OF ALL CREDIT VALUATIONS AND APPRAISALS TO BE FURNISHED BY THE CREDITOR TO THE APPLICANT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2328: Judiciary, Division A

AN ACT TO AMEND SECTION 25-61-9, MISSISSIPPI CODE OF 1972, TO REQUIRE A COURT TO AWARD ATTORNEY'S FEES FOR A THIRD PARTY'S COSTS IN SEEKING ADDITIONAL PROTECTIVE ORDERS FOR PUBLIC RECORD REQUESTS THAT ARE THE SUBJECT OF EXISTING PROTECTIVE ORDERS; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2329: Municipalities; Energy

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

By Senator(s) Thomas, McLendon

S. B. No. 2330: Labor; Judiciary, Division A

AN ACT TO PROHIBIT THE STATE OF MISSISSIPPI OR ANY OF ITS POLITICAL SUBDIVISIONS FROM PAYING ANY OF ITS EMPLOYEES AT WAGE RATES LESS THAN THOSE PAID TO EMPLOYEES OF ANOTHER SEX FOR EQUAL WORK, UNLESS A WAGE DIFFERENTIAL IS BASED UPON ONE OR MORE SPECIFIED FACTORS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Blount

S. B. No. 2331: Insurance

AN ACT TO REQUIRE EACH INSURER ISSUING HEALTH INSURANCE POLICIES FOR DELIVERY IN THIS STATE TO FILE WITH THE COMMISSIONER OF INSURANCE ITS PREMIUM RATES AND CLASSIFICATION OF RISKS PERTAINING TO THE POLICIES; TO REQUIRE APPROVAL BY THE COMMISSIONER OF INSURANCE BEFORE RATE FILINGS CONTAINING AN INCREASE IN PREMIUM RATES MAY BECOME EFFECTIVE; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Thomas, Simmons (12th)

S. B. No. 2332: Insurance

AN ACT TO REENACT AND AMEND SECTION 83-1-191, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE DEVELOPMENT AND IMPLEMENTATION OF THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2333: Labor; Judiciary, Division A

AN ACT TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO PROVIDE DEFINITIONS; TO PROVIDE ENTITLEMENT REQUIREMENTS AND CONDITIONS FOR PAID LEAVE; TO AUTHORIZE INTERMITTENT OR REDUCED LEAVE; TO PROVIDE THAT THIS ACT IS TO BE CONSTRUED WITH SIMILAR PROVISIONS IN THE FEDERAL FAMILY AND MEDICAL LEAVE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

S. B. No. 2334: Judiciary, Division A

AN ACT TO PROVIDE THAT A DEFENDANT OPERATING A MOTOR VEHICLE ON A PUBLIC ROADWAY IN MISSISSIPPI SHALL BE LIABLE FOR AN INJURY WHERE THE MOTOR VEHICLE WAS SUBSTANTIALLY INVOLVED IN THE INJURY AND THE MOTOR VEHICLE WAS NOT IN COMPLIANCE WITH SECTION 63-15-4 WHICH REQUIRES MOTOR VEHICLES OPERATED IN THIS STATE TO BE COVERED BY A LIABILITY INSURANCE POLICY; AND FOR RELATED PURPOSES.

By Senator(s) Younger, Whaley

S. B. No. 2335: Business and Financial Institutions

AN ACT TO AMEND SECTION 73-11-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF FUNERAL SERVICE TO ESTABLISH BY REGULATION CONTINUING EDUCATION REQUIREMENTS FOR FUNERAL SERVICE AND FUNERAL DIRECTING LICENSEES; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

S. B. No. 2336: Insurance

AN ACT TO AMEND SECTION 25-15-409, MISSISSIPPI CODE OF 1972, TO REVISE THE DATE BY WHICH THE STATE, MUNICIPALITY, COUNTY OR FIRE PROTECTION DISTRICT MUST SHOW PROOF OF INSURANCE COVERAGE THAT MEETS THE REQUIREMENTS OF THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT; TO AMEND SECTION 7, CHAPTER 467, LAWS OF 2019, AS AMENDED BY SECTION 2, CHAPTER 471, LAWS OF 2020, TO REVISE THE EFFECTIVE DATE OF THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2337: Insurance

AN ACT TO AMEND SECTION 83-21-21, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE TRANSFER OF FEES LEVIED AND COLLECTED BY THE SURPLUS LINES ASSOCIATION UPON WRITTEN REQUEST BY THE COMMISSIONER OF INSURANCE OR THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2338: Insurance

AN ACT TO REQUIRE THAT CERTAIN INSURANCE POLICIES AND CONTRACTS SHALL PROVIDE COVERAGE FOR HEARING AIDS AND SERVICES FOR DEAF AND HEARING IMPAIRED CHILDREN UNDER 21 YEARS OF AGE; AND FOR RELATED PURPOSES.

By Senator(s) Chism, Boyd

FOURTEENTH DAY, MONDAY, JANUARY 18, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Norwood.

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

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

INTRODUCTIONS FOR FRIDAY, JANUARY 15, 2021

S. B. No. 2339: Accountability, Efficiency, Transparency; Appropriations

AN ACT TO AMEND SECTIONS 1-3-69, 7-7-221, 11-33-37, 13-3-31, 17-17-107, 17-17-227, 17-17-309, 17-17-348, 19-3-11, 19-3-33, 19-3-35, 19-5-9, 19-5-21, 19-5-81, 19-5-155, 19-5-157, 19-5-189, 19-5-207, 19-7-3, 19-9-11, 19-9-111, 19-29-18, 21-13-11, 21-17-1, 21-17-19, 21-19-51, 21-33-47, 21-33-207, 21-33-307, 21-35-5, 21-35-31, 21-39-3, 21-41-51, 21-45-11, 23-15-315, 23-15-857, 25-1-63, 27-31-50, 27-33-33, 27-35-83, 27-39-329, 27-43-3, 27-65-3, 29-3-29, 29-3-81, 31-7-13, 31-8-11, 31-25-28, 37-5-1, 37-5-18, 37-7-104, 37-7-105, 37-7-203, 37-7-207, 37-9-12, 37-57-104, 37-57-105, 37-59-13, 37-61-9, 39-13-11, 41-13-15, 47-4-3, 49-17-121, 49-28-5, 49-28-7, 49-28-43, 51-7-11, 51-8-61, 51-9-111, 51-9-115, 51-11-65, 51-15-109, 51-15-113, 51-29-5, 51-29-31, 51-31-47, 51-33-5, 51-35-309, 51-35-325, 51-39-17, 51-39-39, 51-41-21, 57-3-11, 57-3-13, 57-61-37, 57-75-17, 59-3-7, 59-3-9, 59-7-17, 59-7-113, 59-7-115, 59-13-5, 65-7-4, 65-7-121, 65-19-3, 65-21-17, 65-33-49, 65-33-51, 65-33-53, 77-3-16 AND 77-5-407, MISSISSIPPI

CODE OF 1972, TO AUTHORIZE LOCAL GOVERNMENTAL ENTITIES TO PUBLISH PUBLIC NOTICES BY USING A FREE, PUBLICLY ACCESSIBLE, OFFICIAL GOVERNMENT WEBSITE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Parker, McLendon

S. B. No. 2340: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES TO FILE WITH THE SECRETARY OF THE SENATE AND THE CLERK OF THE HOUSE OF REPRESENTATIVES A COPY OF ITS STUDY TO DETERMINE IF THERE IS A SIGNIFICANT STATISTICAL DISPARITY IN THE TOTAL NUMBER OF QUALIFIED MINORITY CONTRACTORS OR SUBCONTRACTORS OF GOODS AND SERVICES DOING BUSINESS WITH THE DEPARTMENT OF HUMAN SERVICES IN THE STATE OF MISSISSIPPI AND THE ACTUAL NUMBER OF SUCH MINORITY CONTRACTORS OR SUBCONTRACTORS WITH WHOM THE DEPARTMENT OF HUMAN SERVICES, OR WITH WHOM A PRIME CONTRACTOR WITH THE DEPARTMENT OF HUMAN SERVICES, HAS CONTRACTED TO PROVIDE GOODS AND SERVICES; TO AUTHORIZE AND DIRECT THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH PROGRAMS AND POLICIES TO IMPROVE THE NUMBER OF MINORITY AND SOCIALLY/ECONOMICALLY DISADVANTAGED VENDORS DOING BUSINESS WITH THE DEPARTMENT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2341: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL TRANSFER BEDS FORMERLY APPROVED UNDER A CERTIFICATE OF NEED ISSUED TO NEWTON REGIONAL HOSPITAL TO THE CITY OF NEWTON TO BE BID TO A LICENSED ENTITY AND USED IN THE RENOVATION OF THE REGIONAL HOSPITAL FOR THE ACQUISITION AND OPERATION OF TWENTY-FIVE ADULT PSYCHIATRIC BEDS WHICH ARE ELIGIBLE FOR PARTICIPATION IN THE MEDICAID PROGRAM; TO PROVIDE THAT THE AUTHORIZATION FOR THE TRANSFER AND ISSUANCE OF THE CERTIFICATE OF NEED FOR THOSE ADULT PSYCHIATRIC BEDS SHALL BE EXEMPT FROM THE CERTIFICATE OF NEED REVIEW PROCESS; TO PROVIDE THAT THE EXEMPTION IS VALID FOR THREE YEARS AND WILL EXPIRE IF SUBSTANTIAL COMMENCEMENT OF CONSTRUCTION OF THE BEDS IS NOT ACCOMPLISHED BY THE FACILITY RECEIVING THE BID FROM THE CITY OF NEWTON; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2342: Public Health and Welfare

AN ACT TO AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN BEAUTY SERVICES; TO EXCLUDE THREADING FROM THE DEFINITION OF COSMETOLOGY AND ESTHETICS; TO AMEND SECTION 73-7-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HAIR ARRANGING, THREADING AND EXTENDING EYELASHES SHALL NOT REQUIRE A LICENSE; TO REPEAL SECTION 73-7-71, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REGISTRATION REQUIREMENTS FOR THOSE SEEKING TO PERFORM HAIR BRAIDING; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2343: Public Health and Welfare

AN ACT TO AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO EXCLUDE THREADING FROM THE DEFINITION OF COSMETOLOGY; TO AMEND SECTION 73-7-31, MISSISSIPPI CODE OF 1972, TO EXCLUDE HAIR ARRANGING, THREADING AND EXTENDING EYELASHES FROM THE REQUIREMENTS RELATING TO COSMETOLOGY; TO AMEND SECTION 73-7-71, MISSISSIPPI CODE OF 1972, TO DEFINE HAIR ARRANGING, THREADING AND EXTENDING

EYELASHES; TO REQUIRE THOSE ENGAGED IN HAIR ARRANGING, THREADING AND EXTENDING EYELASHES TO REGISTER WITH THE DEPARTMENT OF HEALTH; TO EXEMPT THOSE ENGAGED IN HAIR ARRANGING, THREADING AND EXTENDING EYELASHES FROM COSMETOLOGY LICENSURE LAW; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2344: Gaming; Finance

AN ACT TO CREATE THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM PROTECTION ACT OF 2021; TO PROVIDE THAT THE PROVISIONS OF THE ACT SHALL BE ADMINISTERED BY THE MISSISSIPPI LOTTERY CORPORATION; TO DEFINE TERMS; TO PROVIDE THAT THE MISSISSIPPI LOTTERY CORPORATION MAY AUTHORIZE UP TO 10 PREDOMINANTLY SKILL TERMINAL DEVICES IN EACH LICENSED QUALIFIED TRUCK STOP FACILITY; TO SPECIFY THE CORPORATION'S PREROGATIVES FOR LICENSING DEVICE OPERATORS AND HOST LOCATIONS FOR THE PLACEMENT OF PREDOMINANTLY SKILL TERMINAL DEVICES; TO SPECIFY THE OBLIGATIONS OF LICENSEES; TO DIRECT THE CORPORATION'S BOARD OF DIRECTORS TO ADOPT, AMEND OR REPEAL REGULATIONS IN FURTHERANCE OF THE OBJECTIVES OF THIS ACT; TO SPECIFY APPLICATION REQUIREMENTS FOR LICENSES FOR DEVICE OPERATORS, HOST LOCATIONS AND MANUFACTURERS/DISTRIBUTORS; TO SPECIFY THE FEES THE CORPORATION SHALL CHARGE FOR APPLICATIONS AND LICENSES; TO REQUIRE A WRITTEN AGREEMENT BETWEEN A MANUFACTURER/DISTRIBUTOR LICENSEE AND A DEVICE OPERATOR LICENSEE BEFORE THE MANUFACTURER/DISTRIBUTOR MAY PROVIDE A PREDOMINANTLY SKILL TERMINAL DEVICE TO A DEVICE OPERATOR; TO REQUIRE A WRITTEN AGREEMENT BETWEEN A DEVICE OPERATOR LICENSEE AND A HOST LOCATION LICENSEE BEFORE THE DEVICE OPERATOR MAY PLACE OR MAINTAIN A PREDOMINANTLY SKILL TERMINAL DEVICE AT A HOST LOCATION; TO SPECIFY THE ALLOCATION OF GROSS DEVICE REVENUE RECEIVED BY A HOST LOCATION LICENSEE, A DEVICE OPERATOR LICENSEE AND A MANUFACTURER/DISTRIBUTOR LICENSEE FROM THE PLAY OF PREDOMINANTLY SKILL TERMINAL DEVICES; TO REQUIRE PREDOMINANTLY SKILL TERMINAL DEVICES TO BE APPROVED BY THE CORPORATION BEFORE BEING OFFERED FOR PLAY TO THE PUBLIC; TO REQUIRE A MANUFACTURER/DISTRIBUTOR TO FURNISH A PROTOTYPE OF A PREDOMINANTLY SKILL TERMINAL DEVICE TO AN INDEPENDENT TESTING LABORATORY APPROVED BY THE CORPORATION FOR CERTIFICATION OF COMPLIANCE WITH THE DEFINITION IN THIS ACT BEFORE IT MAY BE PROVIDED TO A DEVICE OPERATOR; TO SPECIFY THE PROCESS FOR CERTIFICATION OF PREDOMINANTLY SKILL TERMINAL DEVICES BY THE INDEPENDENT TESTING LABORATORY AND APPROVAL BY THE CORPORATION; TO SPECIFY ADDITIONAL REQUIREMENTS FOR PREDOMINANTLY SKILL TERMINAL DEVICES; TO REQUIRE EACH PREDOMINANTLY SKILL TERMINAL DEVICE TO BE TESTED BY AN INDEPENDENT TESTING LABORATORY APPROVED BY THE CORPORATION TO ENSURE ITS INTEGRITY AND PROPER WORKING ORDER; TO REQUIRE EACH PREDOMINANTLY SKILL TERMINAL DEVICE OPERATED TO BE CONNECTED TO A CENTRAL MONITORING SYSTEM ESTABLISHED AND OPERATED BY THE CORPORATION; TO SPECIFY ADDITIONAL OBLIGATIONS OF MANUFACTURER/DISTRIBUTOR LICENSEES, DEVICE OPERATOR LICENSEES AND HOST LOCATION LICENSEES; TO AUTHORIZE THE CORPORATION TO ASSESS A CIVIL PENALTY NOT TO EXCEED \$100,000.00 AGAINST A NONCOMPLIANT LICENSEE AND TO SUSPEND OR REVOKE THE LICENSE OF THE LICENSEE, WITH 15 DAYS' NOTICE AND A HEARING; TO PROVIDE A CRIMINAL PENALTY OF IMPRISONMENT FOR NOT MORE THAN 10 YEARS, OR A FINE OF NOT MORE THAN \$10,000.00, OR BOTH, FOR VIOLATION OF THIS ACT; TO ALLOW THE BOARD OF SUPERVISORS OF A COUNTY IN WHICH THE HOLDER OF A GAMING LICENSE UNDER THE MISSISSIPPI GAMING CONTROL ACT IS OPERATING A GAMBLING GAME OR GAMING DEVICE TO PROHIBIT THE LOCATION AND OPERATION OF PREDOMINANTLY SKILL TERMINAL DEVICES; TO

IMPOSE A TAX OF 23% OF ALL GROSS DEVICE REVENUE FROM THE PLAY OF PREDOMINANTLY SKILL TERMINAL DEVICES, TO BE REMITTED BY THE MANUFACTURER/DISTRIBUTOR LICENSEE TO THE CORPORATION, WHICH SHALL TRANSMIT THE PROCEEDS OF THE TAX TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL REMIT 98% OF THE PROCEEDS TO THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR DEPOSIT INTO THE EMPLOYER'S ACCUMULATION ACCOUNT TO PROVIDE ADDITIONAL FUNDS TO PAY THE COST OF RETIREMENT BENEFITS FOR THE MEMBERS OF THE SYSTEM, SHALL DEPOSIT 1% OF THE PROCEEDS INTO THE FISHERIES AND WILDLIFE FUND CREATED IN SECTION 49-5-21 FOR THE SUPPORT OF THE STATE PARKS, AND SHALL DEPOSIT 1% OF THE PROCEEDS INTO THE MISSISSIPPI FOSTER CARE FUND CREATED IN SECTION 37-26-11 FOR THE SUPPORT OF FOSTER CARE SERVICES; TO AMEND SECTION 27-115-5, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE TERMS "VIDEO LOTTERY" AND "VIDEO LOTTERY TERMINAL" IN THE ALYCE G. CLARKE MISSISSIPPI LOTTERY LAW DO NOT INCLUDE PREDOMINANTLY SKILL TERMINAL DEVICES; TO AMEND SECTION 75-76-5, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE TERMS "GAME," "GAMBLING GAME" AND "GAMING DEVICE" IN THE MISSISSIPPI GAMING CONTROL ACT DO NOT INCLUDE PREDOMINANTLY SKILL TERMINAL DEVICES; TO AMEND SECTIONS 67-1-71, 97-33-9, 97-33-11, 97-33-13, 97-33-21, 97-33-23 AND 97-33-49, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTION 75-76-177, MISSISSIPPI CODE OF 1972, TO REDUCE THE PERCENTAGE OF THE LICENSE FEE IMPOSED ON GAMING LICENSEES BASED ON THE MONTHLY GROSS REVENUE OF THE LICENSEE; TO AMEND SECTION 75-76-129, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; TO AMEND SECTION 75-76-89, MISSISSIPPI CODE OF 1972, TO ALLOW GAMING LICENSEES AUTHORIZED TO ESTABLISH A SPORTS POOL UNDER THE MISSISSIPPI GAMING CONTROL ACT TO OPERATE A SPORTS POOL THROUGH SPORTS BETTING KIOSKS OR TERMINALS PLACED ON THE PREMISES OF A HOST LOCATION LICENSED UNDER THIS ACT, WITH THE WRITTEN AGREEMENT OF THE HOST LOCATION LICENSEE; TO DIRECT THE MISSISSIPPI GAMING COMMISSION TO ADOPT REGULATIONS GOVERNING THE PLACEMENT AND OPERATION OF SPORTS BETTING KIOSKS OR TERMINALS IN LICENSED HOST LOCATIONS; TO AMEND SECTIONS 75-76-33 AND 75-76-101, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

S. B. No. 2345: Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR TELEHEALTH SERVICES PROVIDED BY FEDERALLY QUALIFIED HEALTH CENTERS AND COMMUNITY HEALTH CENTERS, THE DISTANT OR HUB SITE PROVIDER SHALL BE REIMBURSED THE APPLICABLE MEDICAID FEE FOR TELEHEALTH SERVICES PROVIDED; TO PROVIDE THAT TELEHEALTH SERVICES PROVIDED BY FEDERALLY QUALIFIED HEALTH CENTERS AND COMMUNITY HEALTH CENTERS SHALL BE CONSIDERED TO BE BILLABLE AT THE SAME FACE-TO-FACE ENCOUNTER RATE USED FOR ALL OTHER MEDICAID REIMBURSEMENTS TO THOSE CENTERS UNDER THE PROSPECTIVE PAYMENT SYSTEM; TO EXTEND THE DATE OF REPEAL ON THE COMPREHENSIVE LIST OF THE TYPES OF CARE AND SERVICES COVERED BY MEDICAID; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2346: Medicaid

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO EXTEND MEDICAID COVERAGE FOR ELIGIBLE WOMEN FOR UP TO 12 MONTHS POSTPARTUM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2347: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DIVISION OF MEDICAID SHALL ESTABLISH A FEE SCHEDULE FOR THE REIMBURSEMENT OF DENTAL SERVICES FOR CHILDREN PROVIDED THAT THE FEE IS EQUAL TO THE FEE OF A NORMAL AND CUSTOMARY PRIVATE PROVIDER FEE; TO EXTEND THE DATE OF REPEAL THEREON; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2348: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO ALLOW NONINSTITUTIONALIZED MEDICAID RECIPIENTS TO RECEIVE UP TO SIX PRESCRIPTIONS PER MONTH WITH NOT MORE THAN FOUR OF THOSE PRESCRIPTIONS BEING SINGLE-SOURCE PRESCRIPTIONS; TO EXTEND THE DATE OF REPEAL THEREON; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2349: Public Health and Welfare; Judiciary, Division A

AN ACT TO CREATE THE HEALTHY AND SAFE FAMILIES AND WORKPLACES ACT; TO REQUIRE EMPLOYERS WITH 18 OR MORE EMPLOYEES TO PROVIDE THREE PAID SICK AND SAFE LEAVE DAYS IN 2021, FOUR PAID SICK AND SAFE LEAVE DAYS IN 2022 AND FIVE PAID SICK AND SAFE LEAVE DAYS PER YEAR THEREAFTER; TO ENUMERATE EXEMPTIONS TO THIS REQUIREMENT; TO ENUMERATE THE PURPOSES FOR WHICH SICK AND SAFE LEAVE TIME MAY BE USED AND DESCRIBE THE DOCUMENTATION AN EMPLOYER MAY REQUIRE; TO PREEMPT MUNICIPALITIES FROM IMPOSING REQUIREMENTS AT VARIANCE WITH THOSE IN THIS ACT; TO AUTHORIZE THE MISSISSIPPI ATTORNEY GENERAL TO PROMULGATE GUIDELINES AND REGULATIONS FOR THE IMPLEMENTATION AND ENFORCEMENT OF THIS ACT; TO FINE EMPLOYERS FOR VIOLATION OF THIS ACT; TO PROHIBIT EMPLOYERS FROM DISCLOSING OR REQUIRING THE DISCLOSURE OF PERSONAL DETAILS RELATED TO THE EMPLOYEE'S NEED FOR TAKING SICK AND SAFE LEAVE TIME; TO PROVIDE FOR THE DISSEMINATION OF INFORMATION REGARDING THE AVAILABILITY OF PAID SICK AND SAFE LEAVE TIME UNDER THIS ACT; TO PROVIDE ACCEPTABLE SCHEDULES OF PAID SICK AND SAFE LEAVE TIME FOR EMPLOYERS NOT WISHING TO TRACK EMPLOYEES' ACCRUAL OF SUCH TIME; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2350: Judiciary, Division A; Corrections

AN ACT TO AMEND SECTION 93-11-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DUTY TO PAY CHILD SUPPORT IS SUSPENDED DURING THE PERIOD OF INCARCERATION OF A NONCUSTODIAL PARENT FOR A FELONY OFFENSE; TO AMEND SECTION 93-5-23, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2351: Judiciary, Division A; Labor

AN ACT TO CREATE THE EVELYN GANDY FAIR PAY ACT TO PROHIBIT DISCRIMINATION BY INDUSTRIES ENGAGED IN COMMERCE OR IN THE PRODUCTION OF GOODS FOR COMMERCE AGAINST ANY EMPLOYEE ON THE BASIS OF SEX BY PAYING A SALARY OR WAGE TO SUCH EMPLOYEE AT A RATE LESS THAN THE RATE PAID TO ITS EMPLOYEES OF THE OPPOSITE SEX FOR EQUAL WORK ON JOBS THAT REQUIRE EQUAL SKILL, EFFORT AND RESPONSIBILITY TO PERFORM; TO PROVIDE WHEN AN UNLAWFUL EMPLOYMENT PRACTICE OCCURS; TO PROVIDE THE REMEDIES FOR AN EMPLOYER WHEN AN UNLAWFUL EMPLOYMENT PRACTICE OCCURS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2352: Judiciary, Division A

AN ACT TO PROVIDE AN AFFIRMATIVE DEFENSE TO LIQUEFIED PETROLEUM GAS PROVIDERS IN CIVIL ACTIONS FOR DAMAGE OR INJURY CAUSED BY CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2353: Judiciary, Division A

AN ACT TO PROHIBIT CIRCUIT COURT JUDGES FROM PROVIDING ANY POLITICAL CANDIDATE AN OPPORTUNITY TO ADDRESS THE PUBLIC DURING COURT TERMS; TO AMEND SECTION 23-15-973, MISSISSIPPI CODE OF 1972, TO PROHIBIT CIRCUIT JUDGES FROM ALLOWING ANY POLITICAL CANDIDATE TO ADDRESS THE PUBLIC DURING COURT TERMS; AND FOR RELATED PURPOSES.
By Senator(s) Tate

S. B. No. 2354: Housing; Judiciary, Division A

AN ACT TO CREATE THE "MISSISSIPPI FAIR HOUSING ACT"; TO DEFINE CERTAIN TERMS AS USED IN THE ACT; TO MAKE LEGISLATIVE DECLARATION THAT THE OPPORTUNITY TO OBTAIN HOUSING AND OTHER REAL ESTATE WITHOUT DISCRIMINATION IS A CIVIL RIGHT; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE TRANSACTIONS WITH EXCEPTION; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE FINANCING WITH EXCEPTION; TO PROHIBIT CERTAIN REPRESENTATIONS IN REAL ESTATE TRANSACTIONS; TO PROHIBIT RETALIATION; TO PROVIDE A CIVIL REMEDY FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2355: Judiciary, Division A

AN ACT TO LOWER THE AGE OF MAJORITY FROM 21 TO 18; TO AMEND SECTION 1-3-21, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF INFANT; TO AMEND SECTION 1-3-27, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF MINOR; TO AMEND SECTION 11-5-115, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO SALE OR CONVEYANCE OF A MINOR'S PROPERTY; TO AMEND SECTION 11-46-11, MISSISSIPPI CODE OF 1972, TO REVISE THE SAVINGS CLAUSE OF THE TORT CLAIMS ACT TO CONFORM; TO AMEND SECTIONS 13-5-1 AND 13-5-12, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF JURY SERVICE; TO AMEND SECTION 15-1-17, MISSISSIPPI CODE OF 1972, TO REVISE THE LIMITATIONS APPLICABLE TO ACTIONS OR SUITS TO CANCEL TAX TITLES TO CONFORM; TO AMEND SECTION 15-1-27, MISSISSIPPI CODE OF 1972, TO CONFORM THE LIMITATIONS APPLICABLE TO AN ACTION BY A WARD AGAINST A GUARDIAN OR SURETY; TO AMEND SECTION 15-1-59, MISSISSIPPI CODE OF 1972, TO CONFORM THE SAVINGS IN FAVOR OF PERSONS UNDER DISABILITIES; TO AMEND SECTION 19-21-103, MISSISSIPPI CODE OF 1972, TO CONFORM THE QUALIFICATIONS FOR CORONER; TO AMEND SECTION 19-25-19, MISSISSIPPI CODE OF 1972, TO CONFORM THE QUALIFICATIONS FOR SHERIFF; TO AMEND SECTION 21-15-13, MISSISSIPPI CODE OF 1972, TO REVISE THE MILITIA POWER OF THE MAYOR TO CONFORM; TO AMEND SECTION 41-29-145, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF CONTROLLED SUBSTANCES PUNISHMENT TO CONFORM; TO AMEND SECTION 37-11-11, MISSISSIPPI CODE OF 1972, TO CONFORM THE FURNISHING OF INSTRUCTION AND TRAINING FOR HOSPITALIZED CHILDREN; TO AMEND SECTION 37-23-31, MISSISSIPPI CODE OF 1972, TO CONFORM THE ESTABLISHMENT OF EDUCATION PROGRAMS FOR DEAF, APHASIC AND EMOTIONALLY DISTURBED CHILDREN; TO AMEND SECTION 37-23-63, MISSISSIPPI CODE OF 1972, TO CONFORM THE ELIGIBILITY OF CHILDREN WHO RECEIVE STATE FINANCIAL ASSISTANCE; TO AMEND SECTION 37-23-91, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE OF ELIGIBILITY FOR EXCEPTIONAL CHILDREN OR HANDICAPPED CHILDREN FOR CERTAIN PROGRAMS; TO AMEND SECTION 37-45-1, MISSISSIPPI CODE OF 1972, TO REVISE THE OBLIGATION TO MAINTAIN AND ESTABLISH FREE PUBLIC SCHOOLS TO

CONFORM; TO AMEND SECTION 37-103-7, MISSISSIPPI CODE OF 1972, TO REVISE THE DETERMINATION OF RESIDENCE OF SCHOOL CHILDREN TO CONFORM; TO AMEND SECTION 37-151-81, MISSISSIPPI CODE OF 1972, TO REVISE THE ALLOWANCE OF STATE FUNDS FOR SPECIAL EDUCATION, GIFTED EDUCATION AND UNIVERSITY-BASED PROGRAMS TO CONFORM; TO AMEND SECTION 41-7-173, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF PEDIATRIC SKILLED NURSING FACILITY TO CONFORM; TO AMEND SECTION 41-19-275, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE OF PERSONS SERVED BY THE CENTRAL MISSISSIPPI RESIDENTIAL CENTER; TO AMEND SECTION 43-19-33, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE OF MANDATORY SUPPORT IN AN ORDER OF FILIATION; TO AMEND SECTION 97-33-23, MISSISSIPPI CODE OF 1972, TO CONFORM THE PENALTY FOR GAMBLING WITH A KNOWN MINOR; TO AMEND SECTION 93-19-1, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE FOR REMOVAL OF DISABILITY AS TO REAL ESTATE; TO AMEND SECTION 93-19-9, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISIONS AS TO THE TERMS OF A DECREE REMOVING THE DISABILITY OF MINORITY; TO AMEND SECTION 93-1-5, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE FOR ISSUANCE OF A MARRIAGE LICENSE; TO AMEND SECTION 93-9-9, MISSISSIPPI CODE OF 1972, TO CONFORM PROVISIONS AS TO AGE FOR THE TERMS OF A DECREE FOR REMOVAL OF THE DISABILITY OF A MINOR; TO AMEND SECTION 93-11-65, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF EMANCIPATION; TO AMEND SECTION 93-17-5, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO THE AGE OF PARENTS IN AN ADOPTION; TO AMEND SECTION 91-5-3, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO AGE OF ISSUE CAPABLE OF INHERITING; TO AMEND SECTION 91-7-293, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO FINAL ACCOUNTING BY THE HEIRS OF AN ESTATE; TO AMEND SECTION 91-20-3, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO TRANSFERS TO MINORS; TO AMEND SECTION 93-20-102, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF MAJORITY UNDER GUARDIANSHIP AND CONSERVATORSHIP LAW TO CONFORM; TO AMEND SECTION 93-17-205, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS CONCERNING ADOPTION RECORDS TO CONFORM; TO REPEAL SECTION 91-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT THE AGE OF 18 SHALL BE THE AGE OF MAJORITY OF AN EXECUTOR, EXECUTRIX, ADMINISTRATOR OR ADMINISTRATRIX AND THAT THE BOND EXECUTED BY SUCH PERSON FOR THE PERFORMANCE OF THE DUTIES SHALL BE AS VALID AND BINDING AS IF SUCH PERSON WERE OF FULL AGE; TO REPEAL SECTION 93-3-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REMOVAL OF THE DISABILITIES OF MINORITY OF CERTAIN MARRIED PERSONS WITH RESPECT TO HOMESTEAD TRANSACTIONS; TO REPEAL SECTION 93-19-13, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ALL PERSONS 18 YEARS OF AGE OR OLDER, IF NOT OTHERWISE DISQUALIFIED, SHALL HAVE THE CAPACITY TO ENTER INTO BINDING CONTRACTUAL RELATIONSHIPS AFFECTING PERSONAL PROPERTY AND THAT AN EIGHTEEN-YEAR-OLD MAY SUE AND BE SUED IN HIS OWN NAME AS AN ADULT AND BE SERVED WITH PROCESS AS AN ADULT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2356: Elections

AN ACT TO AMEND SECTIONS 23-15-637 AND 23-15-645, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR APPEARING IN PERSON TO VOTE ABSENTEE MAY VOTE ON EITHER A DIRECT RECORDING ELECTRONIC VOTING SYSTEM OR ON A BALLOT THAT IS FED THROUGH AN OPTICAL MARK READING EQUIPMENT MACHINE; TO AMEND SECTIONS 23-15-715 AND 23-15-717, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR WHO VOTES ABSENTEE IN PERSON SHALL NOT BE REQUIRED TO FILL OUT AN APPLICATION; TO AMEND SECTIONS 23-15-625, 23-15-627, 23-15-631, 23-15-639 AND 23-15-649 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2357: Judiciary, Division B

AN ACT TO CONSOLIDATE THE STATUTES CONCERNING EXPUNGEMENT; TO CREATE A UNIFIED EXPUNGEMENT STATUTE; TO PROVIDE FOR THE LEGAL EFFECT OF AN ORDER TO EXPUNGE; TO PROVIDE FOR EXPUNGEMENT OF MISDEMEANOR AND FELONY CONVICTIONS; TO SPECIFY RECORDS THAT MAY NOT BE EXPUNGED; TO PROVIDE FOR EXPUNGEMENT OF A FIRST OFFENSE DUI CONVICTION; TO PROVIDE FOR EXPUNGEMENT UPON COMPLETION OF INTERVENTION COURT; TO PROVIDE FOR EXPUNGEMENT OF CONVICTIONS FOR PURCHASE OF LIGHT WINE OR BEER BY MINORS; TO PROVIDE FOR CERTAIN NONCONVICTIONS; TO SET FILING FEES ACCORDING TO PRE-EXISTING LAW; TO REQUIRE INTERSTATE IDENTIFICATION INDEX REPORTS; TO REQUIRE CLERKS OF COURT TO SUBMIT POST-EXPUNGEMENT RECORDS; TO AMEND SECTION 9-11-15, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENTS IN THE JUSTICE COURTS; TO AMEND SECTION 9-23-23, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENTS IN INTERVENTION COURTS; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENT IN MUNICIPAL COURTS; TO AMEND SECTION 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENT OF CERTAIN DRUG CHARGES; TO AMEND SECTION 45-27-21, MISSISSIPPI CODE OF 1972, TO CONFORM RECORD-KEEPING REQUIREMENTS FOR THE CRIMINAL INFORMATION CENTER; TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO CONFORM THE EXPUNGEMENT OF DUI RECORDS; TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO CONFORM NONADJUDICATION PROVISIONS; TO REPEAL SECTION 99-15-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ANY PERSON WHO IS ARRESTED, ISSUED A CITATION, OR HELD FOR ANY MISDEMEANOR AND NOT FORMALLY CHARGED OR PROSECUTED WITH AN OFFENSE WITHIN 12 MONTHS OF ARREST, OR UPON DISMISSAL OF THE CHARGE, MAY APPLY TO THE COURT WITH JURISDICTION OVER THE MATTER FOR THE CHARGES TO BE EXPUNGED; TO REPEAL SECTION 99-19-71, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EXPUNGEMENT OF CERTAIN FELONY AND MISDEMEANOR CONVICTION RECORDS; TO REPEAL SECTION 99-19-72, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR FILING FEES FOR CERTAIN PETITIONS FOR EXPUNGEMENT AND THE DISPOSITION THEREOF; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

S. B. No. 2358: Elections; Constitution

AN ACT TO PROVIDE THAT THE GOVERNOR MAY RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT A PERSON SHALL BE ENFRANCHISED AFTER COMPLETING ANY SENTENCE AND PAYING ANY FINES IMPOSED BY THE SENTENCING COURT FOR SUCH CRIME; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS OR THE SENTENCING COURT, WHICHEVER IS APPROPRIATE, TO ISSUE A WRITTEN REPORT TO THE GOVERNOR ON PERSONS WHO MEET THE REQUISITE CONDITIONS FOR RESTORATION OF SUFFRAGE RIGHTS; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO PRESENTS AN EXECUTIVE ORDER RESTORING THE RIGHT OF SUFFRAGE SHALL NOT BE DENIED THE RIGHT TO REGISTER TO VOTE BASED ON A CONVICTION OF A DISENFRANCHISING CRIME; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK SHALL KEEP A FILE OF CERTIFIED COPIES OF EXECUTIVE ORDERS RESTORING SUFFRAGE RIGHTS; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE BY EXECUTIVE ORDER IS NOT

DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS BEEN ISSUED AN EXECUTIVE ORDER RESTORING SUFFRAGE RIGHTS; TO AMEND SECTIONS 47-7-41, 47-5-157 AND 47-7-31, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO INVESTIGATE AND ISSUE REGULAR WRITTEN REPORTS TO THE GOVERNOR ON THOSE PERSONS WHO SHOULD BE CONSIDERED FOR EXECUTIVE PARDON; TO CREATE A SECTION OF LAW TO PROVIDE THAT ANY PERSON GRANTED AN EXECUTIVE PARDON SHALL BE ENTITLED TO HAVE HIS OR HER RECORD EXPUNGED; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

S. B. No. 2359: Elections; Constitution

AN ACT TO CREATE THE RESTORATION OF VOTING RIGHTS ACT; TO PROVIDE THAT A PERSON WHO WAS DISQUALIFIED AS AN ELECTOR FOR COMMISSION OF CERTAIN CRIMES SHALL HAVE THE RIGHT TO VOTE RESTORED AUTOMATICALLY UPON COMPLETION OF THE SENTENCE AND FOLLOWING A TWO-YEAR WAITING PERIOD; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Simmons (12th)

S. B. No. 2360: Judiciary, Division B

AN ACT TO REQUIRE LAW ENFORCEMENT OFFICERS TO OBTAIN WRITTEN CONSENT FROM A PERSON BEFORE SUBJECTING THE PERSON TO A VOLUNTARY SEARCH; TO PROVIDE THAT THIS ACT ONLY APPLIES TO VOLUNTARY SEARCHES WHERE THERE IS NO LEGAL BASIS FOR A SEARCH; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2361: Elections; Constitution

AN ACT TO RESTORE THE RIGHT TO VOTE UPON COMPLETION OF ANY PRISON TIME SENTENCED FOR A FELONY CONVICTION; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2362: Judiciary, Division B; Corrections

AN ACT TO AMEND SECTION 97-3-21, MISSISSIPPI CODE OF 1972, TO ESTABLISH SENTENCING GUIDELINES FOR PERSONS WHO WERE UNDER THE AGE OF 18 WHEN THEY COMMITTED THE OFFENSE OF FIRST-DEGREE MURDER, SECOND-DEGREE MURDER OR CAPITAL MURDER; TO REMOVE LIFE WITHOUT THE POSSIBILITY OF PAROLE AS A SENTENCING OPTION FOR JUVENILES CONVICTED OF THESE OFFENSES; TO PROVIDE THAT JUVENILES CONVICTED OF THESE OFFENSES MAY BE ELIGIBLE FOR PAROLE AND TO PROVIDE FOR THE RETROACTIVE APPLICATION OF PAROLE ELIGIBILITY; TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN JUVENILE OFFENDERS MAY BE RELEASED FROM THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS (MDOC) BEFORE SERVING 50% OF THE SENTENCE IMPOSED BY THE COURT; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JUVENILE OFFENDERS CONVICTED OF CERTAIN OFFENSES MAY BE ELIGIBLE FOR PAROLE AFTER SERVING 25% OF A DEFINITE SENTENCE OR AFTER SERVING TEN YEARS OF A LIFE SENTENCE; TO AUTHORIZE THE PAROLE BOARD TO ESTABLISH A METHOD OF DETERMINING TENTATIVE PAROLE HEARING DATES FOR PAROLE-ELIGIBLE JUVENILE OFFENDERS WHO WERE CONVICTED BEFORE JULY 1, 2020; TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO CHANGE THE DEADLINE BY WHICH MDOC MUST COMPLETE CASE PLANS FOR PAROLE-ELIGIBLE JUVENILE

OFFENDERS WHO WERE CONVICTED BEFORE JULY 1, 2020; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2363: Judiciary, Division B

AN ACT TO AMEND SECTIONS 97-3-21, 99-19-101 AND 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING AND PAROLE OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH THE UNITED STATES SUPREME COURT HOLDING IN THE CASE OF MILLER V. ALABAMA; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2364: Judiciary, Division A

AN ACT TO AMEND SECTIONS 73-77-5, 73-77-7 AND 73-77-9, MISSISSIPPI CODE OF 1972, TO REMOVE THE LIMITATIONS ON APPLICABILITY FROM THE PROVISIONS OF FRESH START ACT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2365: Judiciary, Division B

AN ACT TO AMEND SECTION 45-33-26, MISSISSIPPI CODE OF 1972, TO PROHIBIT ONLINE PURSUIT OF ROMANTIC OR SEXUAL INTERESTS BY CERTAIN SEX OFFENDERS WITHIN TEN YEARS OF THE DATE OF CONVICTION; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2366: Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO DEXTER FOSTER OF LEE COUNTY, MISSISSIPPI.

By Senator(s) Turner-Ford

S. B. No. 2367: Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMUTING OF SENTENCES AND THE EARLY RELEASE OF NONVIOLENT OFFENDERS WHO HAVE LESS THAN THREE YEARS OF SENTENCE REMAINING TO SERVE CONDITIONED UPON PARTICIPATION AND SUCCESSFUL COMPLETION OF ONE YEAR IN DRUG COURT POST-RELEASE; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2368: Elections

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

By Senator(s) Turner-Ford

S. B. No. 2369: Elections

AN ACT ENTITLED THE "MISSISSIPPI RECALL ACT OF 2021" TO PROVIDE A PROCEDURE FOR THE RECALL OF LOCAL ELECTED OFFICIALS; TO DEFINE TERMS; TO PRESCRIBE THOSE OFFICIALS SUBJECT TO RECALL; TO PRESCRIBE THE NUMBER OF ELECTORS NEEDED TO DEMAND A RECALL; TO PROVIDE FOR THE APPLICATION FOR AND TIME OF FILING A RECALL PETITION BY SPONSORS; TO PROVIDE A FORM FOR THE RECALL PETITION; TO PRESCRIBE THOSE ELECTORS ELIGIBLE TO SIGN A RECALL PETITION AND A PROCEDURE FOR THE VERIFICATION OF SIGNATURES; TO PROHIBIT CERTAIN PERSONS FROM CIRCULATING A PETITION OR APPLICATION; TO PROVIDE FOR THE DETERMINATION OF LEGAL SUFFICIENCY OF A PETITION BY THE LOCAL BOARD OF ELECTION COMMISSIONERS; TO PROVIDE FOR THE MANNER OF

CONDUCTING A RECALL ELECTION; TO PROVIDE FOR THE FILING OF SUBSEQUENT RECALL PETITIONS FOLLOWING A RECALL ELECTION OR DENIAL OF RECALL PETITION; TO AUTHORIZE THE STATE BOARD OF ELECTION COMMISSIONERS TO PROMULGATE REGULATIONS TO IMPLEMENT THIS ACT; TO AUTHORIZE AN APPLICATION TO THE CIRCUIT COURT TO COMPEL COMPLIANCE WITH RECALL PROCEDURES; TO PROHIBIT GIVING OR RECEIVING MONEY TO SIGN PETITIONS OR AFFIDAVITS FOR RECALL AND OTHER RECALL INFRACTIONS, AND TO PROVIDE CRIMINAL PENALTIES THEREFOR; TO REPEAL SECTIONS 25-5-3 THROUGH 25-5-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE A RECALL PROCEDURE FOR LOCAL OFFICIALS PURSUANT TO PETITION AND ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) England, Hill, Chism, McDaniel

S. B. No. 2370: Judiciary, Division A

AN ACT TO ENACT THE "MISSISSIPPI KRATOM CONSUMER PROTECTION ACT" TO REGULATE THE PREPARATION, DISTRIBUTION, AND SALE OF KRATOM PRODUCTS; TO DEFINE TERMS; TO PROHIBIT THE PREPARATION, DISTRIBUTION, AND SALE OF ADULTERATED OR CONTAMINATED KRATOM PRODUCTS; TO PRESCRIBE FINES AND PENALTIES FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2371: Judiciary, Division B

AN ACT TO CREATE THE COMMUNITY POLICING AND TRANSPARENCY ACT; TO PROVIDE PROCEDURES FOR USE OF BODY-WORN CAMERAS BY LAW ENFORCEMENT OFFICERS; TO DESCRIBE HOW VIDEO FROM THE CAMERAS MUST BE RETAINED BY LAW ENFORCEMENT AGENCIES; TO AUTHORIZE WHO MAY OBTAIN A COPY OF A RECORDING; TO PROVIDE REMEDIES FOR VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2372: Energy

AN ACT TO AMEND REENACTED SECTION 53-1-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE USE OF DISBURSEMENTS FROM THE OIL AND GAS CONSERVATION FUND TO PLUG ORPHAN OR GAS WELLS; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2373: Energy

AN ACT TO PROVIDE LIABILITY PROTECTIONS FOR REFINERS, SUPPLIERS, WHOLESALERS AND RETAILERS FROM DAMAGES CAUSED BY THE USE OF INCOMPATIBLE MOTOR FUEL DISPENSED AT A RETAIL SITE IF CERTAIN CONDITIONS ARE MET; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2374: Judiciary, Division A; Judiciary, Division B

AN ACT TO CRIMINALIZE THE INCITING OR PARTICIPATION IN A VIOLENT OR DISORDERLY ASSEMBLY; TO PROVIDE FOR CERTAIN ENHANCEMENTS FOR THE CONVICTION OF PARTICIPATING IN A VIOLENT OR DISORDERLY ASSEMBLY; TO SET A CERTAIN JAIL TERM FOR ANY DEFENDANT CONVICTED OF A CRIME UNDER THIS ACT WHO USED FORCE OR VIOLENCE AGAINST A LAW ENFORCEMENT OFFICER DURING THE COMMISSION OF THE OFFENSE; TO CRIMINALIZE THE MALICIOUS OBSTRUCTION OF A PUBLIC STREET, HIGHWAY OR ROAD DURING A VIOLENT OR DISORDERLY PROTEST OR ASSEMBLY; TO PROVIDE CIVIL AND CRIMINAL IMMUNITY TO ANY DRIVER FLEEING FOR SAFETY FROM A MOB DURING A DISORDERLY OR VIOLENT ASSEMBLY; TO CRIMINALIZE THE WILLFUL DESTRUCTION OR TOPPLING OF MONUMENTS; TO CRIMINALIZE THE WILLFUL HARASSMENT OR INTIMIDATION OF PERSONS AT PUBLIC

ACCOMMODATIONS; TO PROVIDE THAT A LOCAL GOVERNMENT UNIT THAT REDUCES FUNDING TO ITS LOCAL LAW ENFORCEMENT AGENCY BY A CERTAIN AMOUNT SHALL BE INELIGIBLE FOR ANY STATE FUNDING; TO PROVIDE THAT ANY PUBLIC EMPLOYEE CONVICTED UNDER THIS ACT MAY NOT MAINTAIN EMPLOYMENT WITH ANY STATE OR LOCAL GOVERNMENT ENTITY; TO PROVIDE THAT ANY PERSON CONVICTED UNDER THIS ACT SHALL BE INELIGIBLE FOR GOVERNMENT ASSISTANCE PROGRAMS; TO PROVIDE THAT ANY DEFENDANT CHARGED UNDER THIS ACT AND SUBJECT TO A SENTENCING ENHANCEMENT SHALL BE INELIGIBLE FOR BAIL UNTIL THE DEFENDANT'S FIRST APPEARANCE IN COURT AND THAT THERE SHALL BE A REBUTTABLE PRESUMPTION AGAINST BAIL TO THE DEFENDANT; TO AMEND SECTION 11-46-1, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "LOCAL GOVERNMENT UNIT"; TO CREATE NEW SECTION 11-46-6, MISSISSIPPI CODE OF 1972, TO WAIVE THE IMMUNITY OF LOCAL GOVERNMENT UNITS FOR SUITS BY THE VICTIM OF A CRIME RELATED TO A RIOT OR A VIOLENT OR DISORDERLY ASSEMBLY WHERE THE LOCAL GOVERNMENT UNIT WAS GROSSLY NEGLIGENT IN ITS FAILURE TO PROTECT THE VICTIM OF THE CRIME; TO AMEND SECTION 97-43-3, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "RACKETEERING ACTIVITY" TO INCLUDE THE OFFENSES DESCRIBED IN THIS ACT; TO AMEND SECTION 21-35-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE GOVERNING AUTHORITIES OF A MUNICIPALITY TO CERTIFY THAT ANY REDUCTION OF A MUNICIPALITY'S LAW ENFORCEMENT BUDGET HAS NOT BEEN DISPROPORTIONATE AND TO PROVIDE THAT ANY MUNICIPALITY THAT DISPROPORTIONATELY REDUCES ITS LAW ENFORCEMENT BUDGET SHALL NOT BE ELIGIBLE FOR STATE FUNDS; TO AMEND SECTION 19-11-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE GOVERNING AUTHORITIES OF A COUNTY TO CERTIFY THAT ANY REDUCTION OF A COUNTY'S LAW ENFORCEMENT BUDGET HAS NOT BEEN DISPROPORTIONATE AND TO PROVIDE THAT ANY COUNTY THAT DISPROPORTIONATELY REDUCES ITS LAW ENFORCEMENT BUDGET SHALL NOT BE ELIGIBLE FOR STATE FUNDS; TO AMEND SECTION 97-3-111, MISSISSIPPI CODE OF 1972, TO SUBJECT VEHICLES USED TO BLOCK ROADS OR DESTROY MONUMENTS TO FORFEITURE; TO STATE LEGISLATIVE INTENT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2375: Judiciary, Division B

AN ACT TO AMEND SECTION 19-23-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE JUSTICE COURT JUDGES UNDER CERTAIN CIRCUMSTANCES TO SANCTION COUNTY ATTORNEYS FOR FAILING TO APPEAR IN COURT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2376: Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO REVISE THE EXPUNCTION OF CERTAIN FELONY CONVICTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2377: Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE OFFENDERS WHO MEET CERTAIN CRITERIA TO REQUEST A JUDICIAL RECOMMENDATION OF PAROLE IF THEY HAVE SERVED 10 YEARS OF A SENTENCE THAT IS 40 YEARS OR MORE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2378: Judiciary, Division B

AN ACT TO AMEND SECTION 47-5-1, MISSISSIPPI CODE OF 1972, TO CAUSE THE DEPARTMENT OF CORRECTIONS AND PRISON INDUSTRY TO REPORT ANNUALLY ON THEIR ACCOMPLISHMENTS AND SUCCESSES; TO PROVIDE

REPORTS TO THE HOUSE OF REPRESENTATIVES AND THE SENATE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2379: Judiciary, Division B

AN ACT TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE FOR CLASSIFYING BURGLARY AND CERTAIN OTHER FELONY OFFENSES AS CRIMES OF VIOLENCE; TO SPECIFY THAT THE JURY SHALL DETERMINE THE QUESTION OF WHETHER BURGLARY AND CERTAIN OTHER FELONY OFFENSES SHALL BE PROSECUTED AS CRIMES OF VIOLENCE; TO CLARIFY THAT SERVING A CERTAIN PORTION OF THE SENTENCE IMPOSED BY THE COURT DOES NOT RENDER AN OFFENDER ELIGIBLE FOR PAROLE OR EARLY RELEASE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2380: Corrections

AN ACT TO AMEND SECTION 47-7-35, MISSISSIPPI CODE OF 1972, TO ESTABLISH MANDATORY AND DISCRETIONARY CONDITIONS FOR OFFENDERS ON PROBATION, PAROLE, POST-RELEASE SUPERVISION AND OTHER FORMS OF SUPERVISED RELEASE; TO PROVIDE THAT THE TERMS AND CONDITIONS OF AN OFFENDER'S SUPERVISED RELEASE MUST BE BASED ON THE OFFENDER'S RISK AND NEEDS ASSESSMENT; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING FOR OFFENDERS ON PAROLE; TO AMEND SECTION 47-7-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PAROLE BOARD MAY ONLY REVOKE PAROLE FOR VIOLATIONS OF CERTAIN CONDITIONS OF SUPERVISION; TO AMEND SECTION 47-7-34, MISSISSIPPI CODE OF 1972, TO REDUCE THE MAXIMUM TERM OF POST-RELEASE SUPERVISION FROM FIVE TO TWO YEARS; TO CLARIFY THAT SUCH TERM SHALL INCLUDE ANY PERIOD OF SUPERVISED AND UNSUPERVISED POST-RELEASE SUPERVISION; TO AMEND SECTION 47-7-37, MISSISSIPPI CODE OF 1972, TO REDUCE THE MAXIMUM TERM OF SUPERVISED PROBATION FROM FIVE TO TWO YEARS; TO PROVIDE THAT A COURT MAY ONLY REVOKE PROBATION FOR VIOLATIONS OF CERTAIN CONDITIONS OF SUPERVISION; TO AMEND SECTION 47-7-38, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO FIRST IMPOSE GRADUATED SANCTIONS BEFORE REQUESTING THE MODIFICATION OR REVOCATION OF AN OFFENDER'S SUPERVISED RELEASE; TO REPEAL SECTION 47-7-37.1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES SPECIFIC REASONS FOR THE REVOCATION OF PROBATION; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2381: Judiciary, Division B

AN ACT TO REGULATE USE OF DRONES NEAR AND ABOVE CORRECTIONAL FACILITIES; TO PROVIDE DEFINITIONS; TO PROHIBIT ANY PERSON FROM USING A DRONE TO INTRODUCE CONTRABAND INTO OR ON THE GROUNDS OF A CORRECTIONAL FACILITY; TO ENACT EXCEPTIONS; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2382: Education; Finance

AN ACT TO AMEND SECTION 37-159-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO COLLABORATE WITH THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, STATE INSTITUTIONS OF HIGHER LEARNING WITH TEACHER EDUCATION PROGRAMS AND SCHOOL ADMINISTRATORS IN CRITICAL TEACHER SHORTAGE AREAS TO DEVELOP AN ALTERNATIVE LICENSING PROCEDURE SPECIFICALLY FOR TEACHERS EMPLOYED IN ALL CRITICAL TEACHER SHORTAGE AREAS; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION,

CERTIFICATION AND LICENSURE AND DEVELOPMENT TO ISSUE CRITICAL TEACHER SHORTAGE AREA LICENSES TO CERTAIN EDUCATORS; TO PRESCRIBE THE REQUIREMENTS USED IN AWARDING A CRITICAL TEACHER SHORTAGE AREA LICENSE; TO PROVIDE THAT THE LICENSE MAY ONLY BE USED BY SCHOOL DISTRICTS IN CRITICAL TEACHER SHORTAGE AREAS WHICH MAKE A FORMAL WRITTEN REQUEST TO THE STATE DEPARTMENT OF EDUCATION FOR SUCH ALLOWANCES AT THE CONCLUSION OF EACH ACADEMIC TERM; TO REQUIRE AFFECTED SCHOOL DISTRICTS TO PROVIDE A MINIMUM OF FIFTY ADDITIONAL HOURS OF PROFESSIONAL DEVELOPMENT TO HOLDERS OF A CRITICAL TEACHER SHORTAGE AREA LICENSE DURING THE FIRST THREE YEARS OF EMPLOYMENT WITH THE SCHOOL DISTRICT; TO REQUIRE THE AFFECTED SCHOOL DISTRICT TO ASSIGN A VETERAN ON-SITE MENTOR TEACHER TO THE CRITICAL TEACHER SHORTAGE AREA LICENSEE DURING THE FIRST TWO YEARS OF EMPLOYMENT; TO BRING FORWARD SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE "MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO HAVE AT LEAST 25 YEARS OF CREDITABLE SERVICE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, WHO WERE EMPLOYED AS PUBLIC SCHOOL TEACHERS AT THE TIME OF THEIR RETIREMENT AND WHO HAVE BEEN RETIRED AND RECEIVING A RETIREMENT ALLOWANCE FOR AT LEAST ONE YEAR, MAY BE EMPLOYED AS TEACHERS BY A PUBLIC SCHOOL DISTRICT AFTER THEIR RETIREMENT AND RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO RECEIVING A BEGINNING TEACHER'S SALARY; TO BRING FORWARD SECTION 25-11-105, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO AMEND SECTIONS 25-11-123 AND 25-11-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO BRING FORWARD SECTION 37-19-7, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

S. B. No. 2383: Universities and Colleges; Appropriations

AN ACT TO AMEND SECTION 37-103-25, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF THE COMMUNITY AND JUNIOR COLLEGES TO APPROVE INSTITUTION-SPECIFIC POLICIES PERMITTING THE WAIVER OF OUT-OF-STATE TUITION IN THE SAME MANNER THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING MAY GRANT SUCH REQUESTS; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 2384: Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE LIMITATION ON THE TOTAL NUMBER OF LICENSED SCHOOL NURSES AND CERTIFIED ACADEMIC LANGUAGE THERAPISTS ELIGIBLE FOR SALARY SUPPLEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2385: Elections

AN ACT TO AMEND SECTIONS 23-15-631, 23-15-635, 23-15-639, 23-15-719 AND 23-15-721, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ABSENTEE BALLOTS BE PLACED IN AN UNMARKED ENVELOPE INSIDE THE ENVELOPE UPON WHICH THE REQUIRED AFFIDAVITS ARE PRINTED IN ORDER TO ENSURE SECRECY OF THE BALLOT; TO REVISE THE PROCEDURES FOR HANDLING ABSENTEE BALLOTS TO CONFORM TO THIS REQUIREMENT; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2386: Public Property

AN ACT TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTHORITY OF PUBLIC GOVERNING ENTITIES TO MOVE HISTORICAL MONUMENTS AND MEMORIALS; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Tate, Suber, McCaughn

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

MESSAGE FROM THE GOVERNOR

January 15, 2021

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

Donald Geaty (Don) Brown, Vicksburg, Mississippi, Mississippi State Personnel Board to serve the state at large, five year term effective immediately and ending June 30, 2025.

Thomas Allen (Tom) Wicker, Tupelo, Mississippi, Information Technology Services Authority, five year term effective immediately and ending June 30, 2025.

Elizabeth Ashley (Beth) Harkins, Madison, Mississippi, Mississippi Workers' Compensation Commission as the Commissioner representing the employee interest, six year term effective immediately and ending December 31, 2026.

Andre-Louis Verloin (Andre) de Gruy, Jackson, Mississippi, State Defender in the Office of the State Public Defender, four year term effective immediately and ending June 30, 2024.

John Scott Coopwood, Cleveland, Mississippi, Commission on Wildlife, Fisheries and Parks representing the Second Congressional District, five year term effective immediately and ending June 30, 2025.

Tate Reeves
GOVERNOR

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

Donald Geaty (Don) Brown, Mississippi State Personnel Board to serve the state at large, five year term effective immediately and ending June 30, 2025, Accountability, Efficiency, Transparency.

Thomas Allen (Tom) Wicker, Information Technology Services Authority, five year term effective immediately and ending June 30, 2025, Accountability, Efficiency, Transparency.

Elizabeth Ashley (Beth) Harkins, Mississippi Workers' Compensation Commission as the Commissioner representing the employee interest, six year term effective immediately and ending December 31, 2026, Insurance.

Andre-Louis Verloin (Andre) de Gruy, State Defender in the Office of the State Public Defender, four year term effective immediately and ending June 30, 2024, Judiciary, Division A.

John Scott Coopwood, Commission on Wildlife, Fisheries and Parks, five year term effective immediately and ending June 30, 2025, Wildlife, Fisheries and Parks.

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Willie Earl Willingham of Pickens, MS.

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

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Hubert Allen Elliott of Sherwood, AR.

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

Senators Michel and Horhn moved that when the Senate adjourns, it adjourn in memory of W. Parham Bridges, Jr. of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Wilkie Jane Adams Engle of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Janet S. Wicker of Clinton, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Bryan Thompson Lampton of Senatobia, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of James C. Langcuster and Suzanne W. Langcuster of Alabama.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Paul "Bubba" Pittman of Winona, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Edwin "Sonny" Potts of Shuford, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Robert John "Bobby" Garner, III and Ann Allen of Columbus, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Billy Joe Boutwell of Monticello, MS.

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of John Ross Lunn of Mendenhall, MS.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Edna Montgomery of Port Gibson, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Mr. Nolen Edward Barnes of Brandon, MS.

Senator Wiggins moved that when the Senate adjourns, it adjourn in memory of William Shannon Moncrief of Pascagoula, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Ila Maxine Reynolds of Clarkdale, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Lucille P. Dean, Joyce Goss Hurtt, Vicki Lynn Martin, Shirley Hastings, David P. Cranston, Jr. and Bobby Jack Davis, Jr. of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Annie Laura Waller, Walter Scott Howard, Jerry Dale Dearman and James Benjamin Ivy of Quitman, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Billy Ray Hamburg of Stonewall, MS.

Senator Blackwell moved that the Senate stand in recess until the last bill is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 19, 2021.

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

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 10:00 PM in memory of Jack Dolan, Hubert Allen Elliott, Edwin "Sonny" Potts, Robert John "Bobby" Garner, III, Ann Allen, Billy Joe Boutwell, John Ross Lunn, Edna Montgomery, Willie Earl Willingham, Mr. Nolen Edward Barnes, William Shannon Moncrief, Lucille P. Dean, Dave Brown, Joyce Goss Hurtt, Vicki Lynn Martin, Shirley Hastings, David P. Cranston, Jr., Bobby Jack Davis, Jr., Annie Laura Waller, Walter Scott Howard, Jerry Dale Dearman, James Benjamin Ivy, Billy Ray Hamburg, Wilkie Jane Adams Engle, Ila Maxine Reynolds, W. Parham Bridges, Jr., Janet S. Wicker, Bryan

Thompson Lampton, James C. Langcuster, Suzanne W. Langcuster and Paul "Bubba" Pittman.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, JANUARY 18, 2021

S. B. No. 2387: County Affairs; Finance

AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY HAVING A POPULATION OF 140,000 OR MORE TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND HIGHWAYS WITHIN THE COUNTY, LYING OUTSIDE THE LIMITS OF ANY INCORPORATED MUNICIPALITY, AND EXCLUDING ANY INTERSTATE HIGHWAY; TO FORBID THE LEVY OF ANY FINE ASSOCIATED WITH THE ISSUANCE OF A CITATION WHERE A DRIVER IS DETECTED TO HAVE BEEN TRAVELING IN EXCESS OF THE POSTED SPEED LIMIT, AS DETECTED BY THE SHERIFF OR HIS DEPUTIES THROUGH THE USE OF RADAR SPEED DETECTION EQUIPMENT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon, England

S. B. No. 2388: Accountability, Efficiency, Transparency; Appropriations

AN ACT ENTITLED THE "MISSISSIPPI COASTAL MASTER PLAN ACT OF 2021" TO CREATE A PERMANENT PROCEDURE FOR CREATING AN ANNUAL MASTER PLAN FOR THE RESTORATION, CONSERVATION, STORM PROTECTION, HABITAT CONSTRUCTION AND RESTORATION, AND WATER QUALITY PROJECTS ON THE MISSISSIPPI GULF COAST EARMARKED FOR FUNDING UNDER THE FEDERAL GULF OF MEXICO ENERGY SECURITY ACT (GOMESA); TO DECLARE LEGISLATIVE FINDINGS AND THE PURPOSE OF THE ACT; TO CREATE A TECHNICAL ADVISORY BOARD (TAB) TO DEVELOP AND ANNUALLY REVISE AN INITIAL MASTER PLAN FOR ALL GOMESA PROJECTS TO BE SUBMITTED ANNUALLY TO THE STATE LEGISLATURE FOR APPROVAL AND FUNDING; TO PROVIDE FOR THE COMPOSITION OF THE TECHNICAL ADVISORY BOARD AND ITS ORGANIZATION; TO PRESCRIBE THE DUTIES AND RESPONSIBILITIES OF THE TECHNICAL ADVISORY BOARD AND THE PROCEDURES FOR FUNDING APPROVAL BY THE LEGISLATURE; TO REQUIRE STATE AND LOCAL AGENCIES TO COOPERATE WITH THE FUNCTIONS OF THE TECHNICAL ADVISORY BOARD; TO REQUIRE AN ANNUAL REPORT; TO CREATE A SPECIAL FUND IN THE STATE TREASURY FOR THE EXPENDITURE OF FUNDS FOR APPROVED PROJECTS; TO AMEND SECTIONS 49-15-305, 49-2-13 AND 29-15-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2389: Housing; Judiciary, Division A

AN ACT TO AMEND SECTION 93-21-107, MISSISSIPPI CODE OF 1972, TO REVISE THE ELIGIBILITY FOR CERTAIN FUNDS FOR DOMESTIC VIOLENCE SHELTERS; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

S. B. No. 2390: Wildlife, Fisheries and Parks

AN ACT TO ENACT THE "WILDLIFE TRAFFICKING PREVENTION ACT"; TO PROHIBIT THE PURCHASE, SELL OR EXCHANGE OF CERTAIN WILDLIFE SPECIES; TO PROVIDE A CIVIL PENALTY FOR VIOLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2391: Wildlife, Fisheries and Parks

AN ACT TO REQUIRE THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS, IN CONJUNCTION WITH THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY AND THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, TO IDENTIFY EXISTING AND NEEDED WILDLIFE CORRIDORS; TO FILE A REPORT AND RECOMMENDATIONS; AND FOR RELATED PURPOSES.
By Senator(s) Jackson (32nd)

S. B. No. 2392: Ports and Marine Resources

AN ACT TO AMEND SECTION 59-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT APPOINTMENTS TO ANY COUNTY PORT AND HARBOR COMMISSION SHALL HOLDOVER AND SERVE UNTIL THEIR SUCCESSOR IS APPOINTED AND SWORN AS A MEMBER; AND FOR RELATED PURPOSES.
By Senator(s) Moran

S. B. No. 2393: Environment Prot, Cons and Water Res

AN ACT TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY TO ENTER INTO AN AGREEMENT WITH A PUBLIC OR PRIVATE ENTITY FOR THE PURPOSE OF CONDUCTING AN ENVIRONMENTAL IMPACT STUDY ON THE ADVERSE EFFECTS OF HAVING A CERTAIN NUMBER OF POULTRY HOUSES WITHIN A CERTAIN SQUARE MILE AREA; AND FOR RELATED PURPOSES.
By Senator(s) Witherspoon

S. B. No. 2394: Technology

AN ACT TO AMEND SECTION 25-53-191, MISSISSIPPI CODE OF 1972, TO REVISE POLICY REGULATING THE PERSONAL USE OF STATE-OWNED WIRELESS COMMUNICATION DEVICES BY CLARIFYING POTENTIAL OFFICERS OR EMPLOYEES AND DEFINING THE USE OF WIRELESS SERVICES PLANS; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2395: Gaming; Finance

AN ACT TO AMEND SECTIONS 67-1-71, 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GAMING TO BE CONDUCTED ON VESSELS AS DEFINED IN SECTION 27-109-1 WHENEVER SUCH VESSEL IS ON THE PEARL RIVER WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WITH A POPULATION OF 150,000 OR MORE ACCORDING TO THE MOST RECENT FEDERAL DECENNIAL CENSUS; AND FOR RELATED PURPOSES.
By Senator(s) Horhn

S. B. No. 2396: Gaming

AN ACT TO AMEND SECTION 97-33-1, MISSISSIPPI CODE OF 1972, TO LEGALIZE ONLINE BETTING, GAMING AND WAGERING ON SPORTING EVENTS, ATHLETIC EVENTS AND EVENTS AUTHORIZED BY THE MISSISSIPPI GAMING COMMISSION UNDER CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2397: Veterans and Military Affairs; Municipalities

AN ACT TO AUTHORIZE AND REQUIRE LOCAL GOVERNMENTAL ENTITIES TO TRANSMIT LAND-USE PLANS AND PROPOSALS TO THE MISSISSIPPI MILITARY INSTALLATION LOCATED WITHIN ITS JURISDICTION FOR REVIEW AND COMMENT ON THE EFFECT OF THE PROPOSAL ON ITS MISSION; TO PROVIDE THAT A REPRESENTATIVE OF THE AFFECTED MILITARY INSTALLATION SHALL SERVE AS AN EX OFFICIO NONVOTING MEMBER OF THE APPROPRIATE LOCAL PLANNING OR ZONING BOARD TO EXCHANGE INFORMATION IN ORDER TO ENCOURAGE COMPATIBLE LAND USE, PREVENT INCOMPATIBLE ENCROACHMENT AND FACILITATE THE CONTINUED PRESENCE OF MAJOR MILITARY INSTALLATIONS IN THIS STATE; AND FOR RELATED PURPOSES.
By Senator(s) DeLano

S. B. No. 2398: Veterans and Military Affairs; Accountability, Efficiency, Transparency

AN ACT TO CODIFY SECTIONS 17-30-1, 17-30-2, 17-30-3, 17-30-4 AND 17-30-5, MISSISSIPPI CODE OF 1972, TO CREATE THE MILITARY BASE PROTECTION ACT; TO ENSURE MILITARY INSTALLATIONS ARE PROVIDED NOTICE OF LOCAL LAND USE DEVELOPMENT PLANNING; TO PROVIDE THAT THE MILITARY SERVICES SHALL BE GIVEN ADEQUATE NOTICE OF PROPOSED WIND ENERGY FACILITIES AND TALL STRUCTURES SO AS TO HAVE AN OPPORTUNITY TO MITIGATE ANY ADVERSE IMPACTS ON MISSION ACTIVITIES; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2399: Veterans and Military Affairs

AN ACT TO ESTABLISH A COMMITTEE TO STUDY VETERAN HOMELESSNESS, UNEMPLOYMENT, POST-TRAUMATIC STRESS DISORDER, HUMAN SERVICES AND CERTAIN ISSUES AFFECTING MISSISSIPPI VETERANS, AND MAKE AN ANNUAL REPORT THEREON TO THE GOVERNOR AND THE MISSISSIPPI LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2400: Medicaid

AN ACT TO AMEND SECTION 43-13-121, MISSISSIPPI CODE OF 1972, TO DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS AND EXPEND FUNDS APPROPRIATED AS NECESSARY TO PROVIDE HOME- AND COMMUNITY-BASED SERVICES TO THE AGED/DISABLED, PHYSICALLY DISABLED AND RECIPIENTS WITH TRAUMATIC BRAIN INJURY/SPINAL CORD INJURY TO ELIMINATE ANY WAITING PERIOD FOR SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2401: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO PROVIDE MEDICAID COVERAGE FOR INDIVIDUALS WHO ARE 55 YEARS OF AGE OR OLDER, ARE DETERMINED TO NEED THE LEVEL OF CARE REQUIRED FOR COVERAGE OF NURSING FACILITY SERVICES, RESIDE IN THE SERVICE AREA OF THE PACE ORGANIZATION, AND MEET ANY ADDITIONAL PROGRAM-SPECIFIC ELIGIBILITY CONDITIONS IMPOSED BY THE DIVISION OF MEDICAID; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PREVIOUS SECTION AND TO EXTEND THE DATE OF REPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2402: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED, BEGINNING JULY 1, 2020; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED, AND TO EXTEND THE DATE OF REPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2403: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MEDICAID REIMBURSEMENT FOR COMMUNITY-BASED HOME-VISITATION, PREGNANCY AND POSTPARTUM SUPPORT SERVICES TO ELIGIBLE

MOTHERS AND CHILDREN UNDER THE AGE OF ONE YEAR, AND TO EXTEND THE DATE OF REPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2404: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MEDICAID REIMBURSEMENT FOR SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES FOR PREGNANT AND POSTPARTUM WOMEN IN A COMMUNITY-BASED, TELEHEALTH OR FAITH-BASED SETTING, AND TO EXTEND THE DATE OF REPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2405: Medicaid

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO EXTEND MEDICAID COVERAGE FOR ELIGIBLE WOMEN FOR UP TO 12 MONTHS POSTPARTUM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2406: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 41-59-3, MISSISSIPPI CODE OF 1972, TO DEFINE "INTERFACILITY TRANSFER," TO PROHIBIT DISCRIMINATION IN CONNECTION WITH THE TRANSPORTATION OF PATIENTS BASED ON THE PATIENT'S PAYOR PAYMENT STATUS, TO PROHIBIT AMBULANCE SERVICE PROVIDERS AND INVALID VEHICLE SERVICE PROVIDERS FROM SOLELY PARTICIPATING IN NONEMERGENCY, INTERFACILITY TRANSFERS AND TO AUTHORIZE THE STATE BOARD OF HEALTH TO PROMULGATE REGULATIONS TO ENFORCE THIS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2407: Public Health and Welfare

AN ACT TO AMEND SECTION 43-11-13, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE BOARD OF HEALTH TO IMPLEMENT A TRAINING PROGRAM FOR THE RECERTIFICATION OF NURSE AIDES WHO HAVE NOT WORKED AS A NURSE AIDE PERFORMING NURSE-AIDE SERVICES FOR MONETARY COMPENSATION IN A NURSING HOME OR OTHER HEALTH CARE SETTING DURING THE PREVIOUS 24 MONTHS; TO PROHIBIT THE STATE BOARD OF HEALTH FROM REQUIRING CERTIFIED NURSE AIDES TO PERFORM NURSE-AIDE SERVICES IN A NURSING HOME OR OTHER HEALTH CARE SETTING FOR ANY PERIOD OF TIME DURING THE PREVIOUS 24-MONTH-CERTIFICATION PERIOD IN ORDER TO BE RECERTIFIED; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2408: Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE AUTOMATIC TRANSFER OF BEDS OPERATED FOR AT LEAST 10 YEARS BY AN ENTITY WHICH DOES NOT OWN THE BEDS AND TO PROVIDE FOR THE ISSUANCE OF A CERTIFICATE OF NEED IN SUCH CASES; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2409: Public Health and Welfare

AN ACT TO AMEND SECTION 73-27-1, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF PODIATRIC MEDICINE TO INCLUDE ANKLE CARE; TO REVISE THE DEFINITION OF PODIATRIST TO MEAN A PHYSICIAN; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

S. B. No. 2410: Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE DEPARTMENT OF HEALTH TO ISSUE MULTISPECIALTY CERTIFICATE OF NEED TO AN EXISTING AMBULATORY SURGERY CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2411: Housing; Public Health and Welfare

AN ACT TO AUTHORIZE AND DIRECT THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A THREE-YEAR PILOT PROJECT IN CERTAIN PARTICIPATING MUNICIPALITIES TO FURNISH MODULAR OR REHABILITATED HOMES TO INDIVIDUALS WHO ARE HOMELESS OR AT RISK OF EXPERIENCING HOMELESSNESS; TO DIRECT THE DEPARTMENT TO ESTABLISH THIS PROGRAM IN COOPERATION WITH FEDERAL AGENCY PROGRAMS THAT ARE TARGETED TO ASSISTING PEOPLE WHO ARE EXPERIENCING HOMELESSNESS BY PROVIDING HOUSING, SERVICES AND SUPPORTIVE SERVICES; TO REQUIRE A REPORT TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2412: Public Health and Welfare

AN ACT TO AMEND SECTION 73-9-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE STATE-AT-LARGE APPOINTEE TO THE STATE BOARD OF DENTAL EXAMINERS IS A MEMBER OF THE MISSISSIPPI DENTAL SOCIETY; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2413: Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE DEPARTMENT OF HEALTH TO ISSUE A CERTIFICATE OF NEED FOR THE CONSTRUCTION AND OPERATION OF A FREE-STANDING COMPREHENSIVE MEDICAL REHABILITATION FACILITY WITH A COMBINATION OF BOTH LEVEL I AND LEVEL II BEDS; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

S. B. No. 2414: Medicaid; Appropriations

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO SUSPEND THE MORATORIUM TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE ACQUISITION, CONVERSION AND OPERATION OF CHILD/ADOLESCENT PSYCHIATRIC BEDS PARTICIPATING IN THE MEDICAID PROGRAM IN LEE COUNTY AND THE CONVERSION OF ACUTE CARE BEDS TO GERIATRIC PSYCHIATRIC BEDS IN LEE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2415: Public Health and Welfare

AN ACT TO AMEND SECTION 41-29-137.1, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE ACT THAT AUTHORIZES MEDICAL DIRECTORS OF HOSPICES TO PRESCRIBE CONTROLLED SUBSTANCES FOR PATIENTS OF THE HOSPICE WITH TERMINAL DISEASE PAIN WITHOUT HAVING AN IN-PERSON FACE-TO-FACE VISIT WITH A PATIENT BEFORE ISSUING A PRESCRIPTION; TO AMEND SECTION 41-29-137, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

S. B. No. 2416: Public Health and Welfare

AN ACT TO AMEND SECTION 73-17-11, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE LICENSURE REQUIREMENTS FOR NURSING HOME ADMINISTRATORS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

S. B. No. 2417: Public Health and Welfare

AN ACT TO REENACT SECTIONS 73-7-1, 73-7-2, 73-7-3, 73-7-5, 73-7-7, 73-7-9, 73-7-11, 73-7-12, 73-7-14, 73-7-15, 73-7-16, 73-7-17, 73-7-18, 73-7-19, 73-7-21, 73-7-23, 73-7-25, 73-7-27, 73-7-29, 73-7-31, 73-7-33, 73-7-35, 73-7-37, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF COSMETOLOGY AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED SECTION 73-7-12, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTOMATIC REPEALER IN THAT SECTION; TO AMEND SECTION 73-7-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THOSE SECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

S. B. No. 2418: Public Health and Welfare

AN ACT TO REENACT SECTIONS 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-16, 41-3-17 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH AND ESTABLISH THE STATE DEPARTMENT OF HEALTH AND PRESCRIBE ITS POWERS AND DUTIES; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THOSE STATUTES; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

S. B. No. 2419: Public Health and Welfare

AN ACT TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION THAT PROVIDES FOR THE FEES PAID BY THE COUNTY TO A MEDICAL EXAMINER OR HIS DEPUTY FOR THE FILING OF CERTAIN INVESTIGATION REPORTS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

S. B. No. 2420: Public Health and Welfare

AN ACT TO AMEND SECTION 73-54-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS TO ISSUE A TEMPORARY LICENSE TO OUT-OF-STATE LICENSEES TO PRACTICE IN A NONPROFIT HEALTH CARE/COUNSELING FACILITY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2421: Technology; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI EMERGENCY COMMUNICATIONS AUTHORITY ACT; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO ESTABLISH THE MISSISSIPPI EMERGENCY COMMUNICATIONS AUTHORITY AS AN ENTITY WITHIN THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; TO PROVIDE FOR THE AUTHORITY'S POWERS AND DUTIES; TO PROVIDE FOR THE DISTRIBUTION OF THE SERVICE CHARGES; TO PROVIDE FOR CONFIDENTIALITY OF INFORMATION SUBMITTED TO THE AUTHORITY; TO AUTHORIZE THE LEVY OF A SERVICE CHARGE; TO BRING FORWARD SECTIONS 33-15-7 AND 33-15-14, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO REPEAL SECTION 19-5-313, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EMERGENCY TELEPHONE SERVICES CHARGES; TO REPEAL SECTION 19-5-331, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS AS USED IN THE PROVISIONS PROVIDING FOR ENHANCED WIRELESS EMERGENCY TELEPHONE SERVICE; TO REPEAL SECTION 19-5-333, MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMMERCIAL MOBILE RADIO SERVICE (CMRS) BOARD AND PROVIDES FOR ITS POWERS AND DUTIES; TO REPEAL SECTION 19-5-335, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE COLLECTION OF SERVICE CHARGES BY THE COMMERCIAL MOBILE RADIO SERVICE BOARD AND REQUIRES REGISTRATION OF CMRS PROVIDERS; TO REPEAL SECTION 19-5-337, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONFIDENTIALITY OF PROPRIETARY INFORMATION SUBMITTED TO THE COMMERCIAL MOBILE RADIO

SERVICE BOARD; TO REPEAL SECTION 19-5-339, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REQUIREMENT TO PROVIDE ENHANCED 911 SERVICE; TO REPEAL SECTION 19-5-341, MISSISSIPPI CODE OF 1972, WHICH MAKES IT AN OFFENSE AND PROVIDES CRIMINAL PENALTIES FOR USING WIRELESS EMERGENCY TELEPHONE SERVICE FOR PERSONAL USE; TO REPEAL SECTION 19-5-343, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE COLLECTION AND REMITTANCE OF PREPAID WIRELESS E911 CHARGES; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2422: Public Health and Welfare

AN ACT TO AMEND SECTION 73-5-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF BARBER EXAMINERS TO ENFORCE SANITATION REGULATIONS; TO AMEND SECTION 73-5-9, MISSISSIPPI CODE OF 1972, TO REQUIRE ESTABLISHMENTS TO HAVE A LICENSE FROM THE BOARD OF BARBER SERVICES; TO AMEND SECTION 73-5-11, MISSISSIPPI CODE OF 1972, TO REQUIRE CRIMINAL BACKGROUND CHECKS OF BARBERING SCHOOL APPLICANTS WITHIN 30 DAYS BEFORE APPLICATION FOR ENROLLMENT; TO AUTHORIZE THE ISSUANCE OF TEMPORARY PERMITS TO PRACTICE BARBERING TO CERTAIN STUDENTS RECOMMENDED BY THE BARBERING SCHOOL; TO AMEND SECTION 73-5-29, MISSISSIPPI CODE OF 1972, TO PRESCRIBE FEES TO BE CHARGED BY THE STATE BOARD OF BARBER EXAMINERS AND TO REMOVE THE REQUIREMENT OF LICENSE RENEWAL FEES FOR BARBERS OR INSTRUCTORS AT LEAST 72 YEARS OF AGE; TO REQUIRE A FEE FOR THE ISSUANCE OF A TEMPORARY PERMIT TO CERTAIN BARBERING STUDENTS; TO AMEND SECTION 73-5-33, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTY FOR EMPLOYING AN UNLICENSED BARBER OR BARBERS; TO AMEND SECTION 73-5-43, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTY FOR THE VIOLATION OF CERTAIN PROHIBITED ACTS UNDER THE BARBER LAW; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2423: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-7-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF COSMETOLOGY SHALL ISSUE A LICENSE BY RECIPROCITY TO ANY COSMETOLOGIST, ESTHETICIAN OR MANICURIST FROM ANY OTHER STATE WHO PRESENTS TO THE BOARD A NOTARIZED COPY OF A CERTIFICATE SHOWING HIS OR HER GRADUATION FROM AN ACCREDITED SCHOOL OF COSMETOLOGY, ACCOMPANIED BY THE REQUIRED RECIPROCITY FEE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2424: Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTION 37-144-3, MISSISSIPPI CODE OF 1972, TO ADD A BOARD-CERTIFIED EMERGENCY MEDICINE PHYSICIAN AS A MEMBER OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION; TO AMEND SECTION 37-144-5, MISSISSIPPI CODE OF 1972, TO INCLUDE THE MISSISSIPPI CHAPTER OF THE AMERICAN COLLEGE OF EMERGENCY PHYSICIANS AMONG THE ORGANIZATIONS FROM WHICH THE COMMISSION SHALL SEEK INPUT REGARDING THE IMPLEMENTATION OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-144-7, MISSISSIPPI CODE OF 1972, TO INCLUDE EMERGENCY MEDICINE STUDENTS IN THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP RESIDENCY PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) McLendon, Branning

S. B. No. 2425: Labor; Accountability, Efficiency, Transparency

AN ACT TO ENACT A MINIMUM WAGE LAW FOR THE STATE OF MISSISSIPPI, WITH ANNUAL INCREMENTAL INCREASES OVER A THREE-YEAR PERIOD; TO

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

By Senator(s) Jackson (11th)

S. B. No. 2426: Public Health and Welfare; Appropriations

AN ACT TO REQUIRE THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A GRANT PROGRAM FOR REGIONAL FOOD BANKS; TO REQUIRE THE DEPARTMENT TO ALLOCATE FUNDS TO REGIONAL FOOD BANKS; TO PROVIDE A FORMULA TO CALCULATE THE ANNUAL PERCENTAGES OF FUNDS AWARDED TO EACH REGIONAL FOOD BANK; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2427: Finance

AN ACT TO AMEND SECTIONS 79-11-507, 79-11-513, 79-11-515 AND 79-11-517, MISSISSIPPI CODE OF 1972, TO REVISE THE REPORTING PERIOD APPLYING TO THE FILING OF FINANCIAL STATEMENTS BY CHARITABLE ORGANIZATIONS THAT SOLICIT DONATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2428: Finance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 25-11-103, 25-11-105, 25-11-109, 25-11-111, 25-11-113, 25-11-114, 25-11-117, 25-11-311 AND 25-11-315, MISSISSIPPI CODE OF 1972, TO REDUCE THE VESTING PERIOD FOR RETIREMENT BENEFITS IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FROM EIGHT YEARS TO FOUR YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2429: Appropriations

AN ACT TO CREATE A STUDY COMMITTEE FOR THE PURPOSE OF STUDYING THE MANAGEMENT OF THE STATE'S FLEET OF VEHICLES; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2430: Rules

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

By Senator(s) Barnett

S. B. No. 2431: Finance

AN ACT TO REQUIRE THAT ALL RESIDENTIAL ROOFING CONTRACTORS OPERATING IN THIS STATE SHALL POSSESS A LICENSE FROM A MUNICIPALITY OR COUNTY OF THIS STATE, A CERTIFICATE OF RESPONSIBILITY FROM THE STATE BOARD OF PUBLIC CONTRACTORS, OR BOTH; TO REQUIRE THAT THE APPLICATION FOR A LICENSE OR CERTIFICATE OF RESPONSIBILITY SHALL INCLUDE THE RESIDENTIAL ROOFING CONTRACTOR'S MISSISSIPPI STATE SALES TAX NUMBER; TO AMEND SECTION 27-65-3, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE DEFINITION OF "INSTALLATION CHARGES" CHARGES

FOR LABOR SERVICES IN CONNECTION WITH THE APPLICATION OR REPAIR OF RESIDENTIAL ROOFING; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2432: Finance

AN ACT TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "SERVICES" TO INCLUDE EDUCATION SERVICES FOR CHILDREN, FOR PURPOSES OF QUALIFYING A CHARITABLE ORGANIZATION TO RECEIVE CONTRIBUTIONS THAT ARE ELIGIBLE FOR AN INCOME TAX CREDIT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2433: Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "GROCERY STORE"; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE GROCERY STORE WINE-ONLY RETAILER'S PERMITS THAT AUTHORIZE THE HOLDER THEREOF TO SELL WINE AT RETAIL AT A GROCERY STORE IN ORIGINAL SEALED AND UNOPENED PACKAGES NOT TO BE CONSUMED ON THE PREMISES WHERE SOLD; TO PROVIDE THAT THE HOLDER OF A PACKAGE RETAILER'S PERMIT MAY SELL OTHER PRODUCTS AND MERCHANDISE, EXCEPT BEER, BUT MUST DERIVE AT LEAST 50% OF THE REVENUE OF THE LICENSED PREMISES FROM THE RETAIL SALE OF ALCOHOLIC BEVERAGES IN ORIGINAL SEALED AND UNOPENED PACKAGES NOT TO BE CONSUMED ON THE LICENSED PREMISES; TO AUTHORIZE A PERSON TO OWN OR CONTROL ANY INTEREST IN MORE THAN SIX PACKAGE RETAILER'S PERMITS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THE LICENSE TAX REQUIRED FOR GROCERY STORE WINE-ONLY RETAILER'S PERMITS; TO AMEND SECTIONS 67-1-41, 67-1-75, 67-1-83 AND 67-1-85, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2434: Judiciary, Division A

AN ACT TO CODIFY A NEW SECTION WITHIN CHAPTER 1, TITLE 45, MISSISSIPPI CODE OF 1972, TO TRANSFER THE OFFICE OF CAPITOL POLICE FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTIONS 45-1-2, 25-1-87 AND 29-5-69, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 29-5-77, MISSISSIPPI CODE OF 1972, WHICH PROVIDES JURISDICTION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ENFORCE THE LAWS OF MISSISSIPPI WITHIN THE CAPITOL COMPLEX; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2435: Finance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO ALLOW THE HOLDER OF A DISTILLERY RETAILER'S PERMIT TO SELL ALCOHOLIC BEVERAGES TO CONSUMERS FOR ON-PREMISES CONSUMPTION; TO ALLOW THE PERMITTEE SELLING FOR ON-PREMISES CONSUMPTION TO ADD OTHER BEVERAGES, ALCOHOLIC OR NOT, TO THE PRODUCT MANUFACTURED BY THE MANUFACTURER AT THE DISTILLERY DESCRIBED IN THE PERMIT, SO LONG AS THE TOTAL VOLUME OF OTHER BEVERAGE COMPONENTS CONTAINING ALCOHOL DOES NOT EXCEED 20%; TO SPECIFY THAT HOURS OF ON-PREMISES SALES SHALL BE THE SAME AS THOSE AUTHORIZED FOR ON-PREMISES PERMITTEES IN THE CITY OR COUNTY IN WHICH THE DISTILLERY RETAILER IS LOCATED; TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE RULES FACILITATING A RETAILER'S ON-SITE PICKUP OF DISTILLED SPIRITS SOLD BY THE DEPARTMENT, SO THAT THOSE SPIRITS MAY BE DELIVERED TO THE RETAILER AT THE DISTILLERY RETAILER INSTEAD OF VIA SHIPMENT FROM THE

DEPARTMENT'S WAREHOUSE; TO AMEND SECTION 67-5-11, MISSISSIPPI CODE OF 1972, TO ALLOW DISTILLERY RETAILERS TO HOLD, FOR ONSITE PICKUP, SPIRITS SOLD TO RETAILERS THROUGH THE DEPARTMENT OF REVENUE, INSTEAD OF SHIPPING THEM TO THE DEPARTMENT WAREHOUSE; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO CREATE TWO PRIVILEGE LICENSE TAX TIERS FOR THE MANUFACTURER'S PERMIT, CLASS 1, APPLYING TO DISTILLERS AND RECTIFIERS, BASED ON ANNUAL PRODUCTION VOLUME; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2436: Appropriations

AN ACT TO REQUIRE AN ANNUAL TRANSFER OF GENERAL FUNDS TO THE OFFICE OF STATE AID ROAD CONSTRUCTION FUND.

By Senator(s) Turner-Ford

S. B. No. 2437: Finance

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

By Senator(s) Michel

S. B. No. 2438: Finance

AN ACT TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISIONS THAT PHASE OUT, BEGINNING JANUARY 1, 2018, INCOME TAXATION ON THE FIRST \$5,000.00 OF TAXABLE INCOME; TO AMEND SECTION 27-7-18, MISSISSIPPI CODE OF 1972, TO REMOVE A PROVISION THAT AUTHORIZES A PORTION OF THE FEDERAL SELF-EMPLOYMENT TAXES ASSESSED AGAINST SELF-EMPLOYED INDIVIDUALS TO BE ALLOWED AS AN ADJUSTMENT TO GROSS INCOME UNDER THE STATE INCOME TAX LAW; TO AMEND SECTIONS 27-13-5 AND 27-13-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISIONS THAT PHASE OUT, BEGINNING JANUARY 1, 2018, THE CORPORATION FRANCHISE TAX; TO REPEAL SECTION 5, CHAPTER 499, LAWS OF 2016, WHICH REPEALS THE CORPORATION FRANCHISE LAW FROM AND AFTER JANUARY 1, 2028; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Norwood, Simmons (12th), Bryan

S. B. No. 2439: Finance

AN ACT TO CREATE THE "CHILDCARE ADVANCE ACT" TO PROVIDE AN INCOME TAX DEFERRAL FOR PARENTS INCURRING CHILDCARE EXPENSES; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2440: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO DEFRAY EXPENSES FOR THE REMODEL, RENOVATION AND IMPROVEMENT OF NORTHSIDE SCHOOL IN WEST POINT, MISSISSIPPI, FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2441: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WEST POINT, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REMODELING, RENOVATION AND IMPROVEMENT OF NORTHSIDE SCHOOL; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2442: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE WEST JACKSON COUNTY UTILITY DISTRICT IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF NEW WATER AND SEWER INFRASTRUCTURE AT THE I-10 CORRIDOR IN JACKSON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2443: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE WEST JACKSON COUNTY UTILITY DISTRICT IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A WATER TANK; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2444: Finance

AN ACT TO AMEND SECTION 63-17-171, MISSISSIPPI CODE OF 1972, TO EXCLUDE SALES OF MOTORCYCLES AND ALL-TERRAIN VEHICLES TO OUT-OF-STATE RESIDENTS FROM THE MOTORCYCLE/ATV TRAUMA CARE FEE; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 2445: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH UPGRADES TO THE KANSAS CITY SOUTHERN RAIL LINE SOUTH OF MERIDIAN, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2446: Labor; Finance

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS THAT EMPLOY PERSONS WHO HAVE BEEN CONVICTED OF CERTAIN NONVIOLENT CRIMES; TO PROVIDE THE AMOUNT OF THE TAX CREDIT; TO LIMIT THE AMOUNT OF THE TAX CREDIT THAT MAY BE CLAIMED IN A TAXABLE YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2447: Appropriations

AN ACT TO AMEND SECTION 31-11-3, MISSISSIPPI CODE OF 1972, TO GRANT CERTAIN AUTHORITY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION WITH REGARD TO REPAIR AND RENOVATIONS UNDERTAKEN BY COMMUNITY AND JUNIOR COLLEGES; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2448: Accountability, Efficiency, Transparency

AN ACT TO REQUIRE THE PEER COMMITTEE TO STUDY PUBLIC-PRIVATE PARTNERSHIPS BETWEEN STATE AGENCIES AND NOT-FOR-PROFIT CORPORATIONS; TO SET OUT CERTAIN SPECIFIC SUBJECTS FOR REVIEW; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2449: Finance

AN ACT TO AUTHORIZE A PERSON WHO IS THE HOLDER OF A WINE MANUFACTURER'S PERMIT IN THIS STATE, OR WHO IS LICENSED OR PERMITTED OUTSIDE OF THE STATE TO ENGAGE IN THE ACTIVITY OF MANUFACTURING, SUPPLYING, IMPORTING, DISTRIBUTING, WHOLESALING OR RETAILING WINE, TO SELL AND SHIP WINE DIRECTLY TO RESIDENTS IN THIS STATE, IF THE PERSON OBTAINS A DIRECT WINE SHIPPER'S PERMIT FROM THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE ISSUANCE OF DIRECT WINE SHIPPER'S PERMITS; TO REQUIRE THE HOLDER OF A DIRECT WINE SHIPPER'S PERMIT TO

KEEP CERTAIN RECORDS; TO PROHIBIT THE HOLDER OF A DIRECT WINE SHIPPER'S PERMIT FROM SELLING OR SHIPPING LIGHT WINE OR BEER OR ANY ALCOHOLIC BEVERAGE OTHER THAN WINE; TO LIMIT THE AMOUNT OF WINE THAT A HOLDER OF A DIRECT WINE SHIPPER'S PERMIT MAY SELL OR SHIP TO AN INDIVIDUAL EACH YEAR; TO PROVIDE FOR THE ANNUAL RENEWAL OF DIRECT WINE SHIPPER'S PERMITS; TO PROVIDE THAT PERSONS PURCHASING OR RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT WINE SHIPPER MUST BE AT LEAST 21 YEARS OF AGE; TO PROVIDE THAT PERSONS RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT WINE SHIPPER SHALL USE THE WINE FOR PERSONAL CONSUMPTION ONLY AND MAY NOT RESELL IT; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO ADOPT ANY RULES OR REGULATIONS AS NECESSARY TO CARRY OUT THIS ACT; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTIONS 27-71-5, 27-71-7, 27-71-15 AND 27-71-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A DIRECT WINE SHIPPER'S PERMIT; TO LEVY A TAX UPON THE SALES AND SHIPMENTS OF WINE MADE BY A DIRECT WINE SHIPPER; TO REQUIRE A CERTAIN AMOUNT OF THE TAXES LEVIED TO BE DEPOSITED INTO THE MENTAL HEALTH PROGRAMS FUND; TO AMEND SECTIONS 67-1-41, 67-1-45, 67-1-51, 67-1-53, 67-1-55, 67-1-57, 67-1-73, 97-31-47 AND 97-31-49, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE FOREGOING PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2450: Accountability, Efficiency, Transparency

AN ACT TO PROVIDE THAT FROM AND AFTER JULY 1, 2021, APPOINTMENTS TO CERTAIN EXECUTIVE AGENCY BOARDS AND COMMISSIONS AND THE PEER COMMITTEE SHALL BE MADE FROM THE MISSISSIPPI CONGRESSIONAL DISTRICTS AS THEY PRESENTLY EXIST ON A PHASED-IN BASIS; TO AMEND SECTIONS 25-53-7, 31-3-3, 35-1-1, 35-3-24, 35-7-7, 37-4-3, 37-63-3, 37-101-3, 37-155-7, 39-3-101, 39-11-1, 41-4-3, 43-13-409, 43-55-5, 47-5-541, 47-7-5, 49-2-5, 49-4-4, 49-19-1, 57-10-167, 63-17-57, 69-7-253, 69-9-3, 69-15-2, 73-1-5, 73-4-7, 73-15-9, 73-19-7, 73-21-75, 73-31-5, 73-33-3, 73-53-8 AND 73-63-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2451: Judiciary, Division B

AN ACT TO AMEND SECTION 29-5-77, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ENTER INTO A CONTRACT WITH CERTAIN COUNTIES TO TAKE CUSTODY OF MISDEMEANOR OFFENDERS; TO PROVIDE FOR VENUE OF MISDEMEANOR OFFENSES; AND FOR RELATED PURPOSES.

By Senator(s) Younger

S. B. No. 2452: Appropriations

AN ACT TO AMEND SECTIONS 71-3-73, 71-3-95, 71-3-97, 71-3-99 AND 71-3-100, MISSISSIPPI CODE OF 1972, TO REESTABLISH THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION AS A SPECIAL FUND AGENCY; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2453: Finance

AN ACT TO AMEND SECTION 5, CHAPTER 454, LAWS OF 2019, AS AMENDED BY SECTION 130, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH THE REPAIR, RENOVATION AND OTHER IMPROVEMENTS TO BUILDINGS AND RELATED FACILITIES IN THE CITY OF BATESVILLE, MISSISSIPPI, TO HOUSE THE CONCOURSE WORKFORCE TRAINING CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2454: Rules

AN ACT TO AMEND SECTION 3-7-1, MISSISSIPPI CODE OF 1972, RELATING TO THE COMPACT FOR A BALANCED BUDGET TO REVISE THE MEMBERSHIP OF DELEGATES TO THE CONVENTION TO DECIDE ISSUES ON BEHALF OF THIS MEMBER STATE AND TO EXTEND THE SUNSET PROVISION OF THE COMPACT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2455: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICES TO DEAFBLIND COMMUNITY OF MISSISSIPPI, INC.; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2456: Judiciary, Division A

AN ACT TO AMEND SECTION 25-41-7, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE TO BE FOLLOWED BY ANY PUBLIC BODY IN DECLARING AN EXECUTIVE SESSION UNDER THE OPEN MEETINGS ACT, AND TO INCLUDE CERTAIN DISCUSSIONS BY THE BOARDS OF TRUSTEES OF PUBLIC HOSPITALS AS A REASON A PUBLIC BODY MAY HOLD AN EXECUTIVE SESSION; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2457: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CREATE FOUNDATION IN TUPELO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH GENERAL REPAIRS AND THE CONSTRUCTION OF A STORM SHELTER AT THE RED HILLS COMMUNITY CENTER IN UNION COUNTY, MISSISSIPPI; TO ALLOW THE CREATE FOUNDATION TO RETAIN ONE PERCENT (1%) OF THE PROCEEDS OF THE BONDS TO COVER ITS ADMINISTRATIVE EXPENSES RELATED TO THIS PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2458: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE SAND CREEK WASTEWATER AUTHORITY IN PAYING COSTS ASSOCIATED WITH DESIGNING, CONSTRUCTING, DEVELOPING, EQUIPPING AND IMPLEMENTING A REGIONAL WASTEWATER TREATMENT CENTER AND RELATED FACILITIES, SYSTEMS AND INFRASTRUCTURE IN NORTHEAST MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2459: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF PROPERTY AND THE UPDATING OF THE FIREHOUSE BUILDING FOR THE RICHMOND VOLUNTEER FIRE DEPARTMENT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2460: Finance

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

PAYING THE COSTS ASSOCIATED WITH THE EXPANSION OF THE SEWER SYSTEM OF THE CITY; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2461: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF PROPERTY AND THE RENOVATION AND OUTFITTING OF A BUILDING TO HOUSE THE HINDS COMMUNITY COLLEGE MARITIME TRAINING CENTER IN VICKSBURG, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2462: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST MARKS, MISSISSIPPI, IN THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING TO HOUSE A COMMUNITY CENTER AND THE MARKS CITY HALL; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2463: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST MARKS, MISSISSIPPI, IN THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING TO HOUSE AN EMERGENCY SHELTER, A COMMUNITY CENTER AND THE MARKS CITY HALL; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2464: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF BYRAM TO DEFRAY EXPENSES FOR A FLOOD CONTROL PROJECT FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2465: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF DIRECTORS OF THE NORTH MISSISSIPPI SYMPHONY ORCHESTRA IN TUPELO FOR THE PURPOSE OF EDUCATING AND PERFORMING FOR JUNIOR-HIGH OR HIGH-SCHOOL STUDENTS IN LEE, PONTOTOC, PRENTISS, MONROE, UNION, ITAWAMBA AND CHICKASAW COUNTIES FOR FISCAL YEAR 2022.

By Senator(s) McMahan

S. B. No. 2466: Finance

AN ACT TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO REDUCE THE PRIVILEGE LICENSE TAX FOR PACKAGE RETAILER'S PERMIT ISSUED FOR PACKAGE STORES LOCATED IN MUNICIPALITIES WITH A POPULATION OF 5,000 OR LESS ACCORDING TO THE LATEST FEDERAL DECENNIAL CENSUS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2467: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY AND SERVICES TO CERTAIN COMMUNITY ACTION ORGANIZATIONS THAT ARE EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2468: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICE TO HEAD START PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2469: Accountability, Efficiency, Transparency

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

By Senator(s) Jackson (11th)

S. B. No. 2470: Rules

AN ACT AUTHORIZING MISSISSIPPI TO HAVE TWO OFFICIAL STATE SONGS CONSISTING OF THE PRESENT OFFICIAL STATE SONG "GO, MISSISSIPPI" AND "MY HOME MISSISSIPPI"; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2471: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 45-6-13, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME DURING WHICH A GOVERNMENTAL ENTITY MUST REIMBURSE THE FORMERLY EMPLOYING GOVERNMENTAL ENTITY FOR THE COSTS INCURRED BY THAT ENTITY FOR THE OFFICER'S LAW ENFORCEMENT TRAINING; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2472: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE RESTORATION AND RENOVATION OF THE SCOTT FORD MIDWIFE HOUSES IN DOWNTOWN JACKSON, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

S. B. No. 2473: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF LAFAYETTE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH WEST OXFORD LOOP EXTENSION AND REPAIRS TO BRIDGE 134 ON COUNTY ROAD 459; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2474: Appropriations

AN ACT TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO ALLOW CHARGES FOR SERVICES BETWEEN THE DEPARTMENT OF HEALTH AND OTHER STATE AGENCIES OR ENTITIES FOR THE OPERATION OF THE STATE'S MEDICAL MARIJUANA PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2475: Finance

AN ACT TO CREATE NEW SECTIONS 25-11-147, 25-11-321 AND 25-13-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE RECEIPT OF RETIREMENT BENEFITS FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, THE SUPPLEMENTAL LEGISLATIVE RETIREMENT SYSTEM AND THE MISSISSIPPI HIGHWAY SAFETY PATROL RETIREMENT SYSTEM IS CONDITIONED ON THE MEMBER'S HONEST AND FAITHFUL PERFORMANCE OF HIS OR HER PUBLIC DUTIES FOR THE STATE; TO PROVIDE THAT A MEMBER'S CONVICTION OF OR PLEA OF GUILTY OR NOLO CONTENDERE TO A FELONY THAT IS RELATED TO OR IN CONNECTION WITH THE MEMBER'S EMPLOYMENT IN THE STATE SERVICE IS

CONSIDERED TO BE A BREACH OF THE PUBLIC TRUST AND A BREACH OF THE MEMBER'S CONTRACT WITH THE STATE; TO PROVIDE THAT IF A MEMBER OF THE SYSTEM OR PLAN IS CONVICTED OF OR ENTERS A PLEA OF GUILTY OR NOLO CONTENDERE IN ANY COURT TO A FELONY THAT IS RELATED TO OR IN CONNECTION WITH THE MEMBER'S EMPLOYMENT IN THE STATE SERVICE AND IS COMMITTED ON OR AFTER JULY 1, 2021, THE COURT SHALL CONDUCT A HEARING IN A SEPARATE CIVIL PROCEEDING TO DETERMINE IF ALL OF THE CONDITIONS HAVE BEEN MET; TO PROVIDE THAT IF ALL OF THE CONDITIONS HAVE BEEN MET, THE COURT SHALL ISSUE AN ORDER THAT THE MEMBER BE TERMINATED FROM MEMBERSHIP IN THE SYSTEM OR PLAN AND FORFEIT HIS OR HER RETIREMENT BENEFITS FROM THE SYSTEM OR PLAN; TO PROVIDE THAT A MEMBER WHO IS CONVICTED OF SUCH A CRIME SHALL NOT BE TERMINATED FROM MEMBERSHIP IN THE SYSTEM OR PLAN OR FORFEIT HIS OR HER RETIREMENT BENEFITS FROM THE SYSTEM OR PLAN UNTIL ALL APPEALS OF THE CONVICTION HAVE BEEN FINALLY CONCLUDED OR THE TIME FOR AN APPEAL FROM THE CONVICTION HAS EXPIRED; TO PROVIDE THAT AFTER RECEIVING THE TERMINATION AND FORFEITURE ORDER FROM THE COURT, THE SYSTEM SHALL REQUEST THE ATTORNEY GENERAL FOR A DETERMINATION OF WHETHER ALL APPEALS OF THE CONVICTION HAVE BEEN FINALLY CONCLUDED OR THE TIME FOR AN APPEAL FROM THE CONVICTION HAS EXPIRED; TO PROVIDE THAT AFTER THE ATTORNEY GENERAL NOTIFIES THE SYSTEM THAT ALL APPEALS OF THE CONVICTION HAVE BEEN FINALLY CONCLUDED OR THE TIME FOR AN APPEAL FROM THE CONVICTION HAS EXPIRED, THE SYSTEM SHALL TERMINATE THE MEMBER FROM MEMBERSHIP IN THE SYSTEM OR PLAN AND THE MEMBER SHALL FORFEIT HIS OR HER RETIREMENT BENEFITS FROM THE SYSTEM OR PLAN; TO PROVIDE THAT A MEMBER WHO IS TERMINATED FROM MEMBERSHIP IN THE SYSTEM OR PLAN SHALL HAVE HIS OR HER CONTRIBUTIONS REFUNDED WITHOUT ANY INTEREST; TO PROVIDE THAT IF A MEMBER OF THE SYSTEM OR PLAN IS ALSO A MEMBER OF ANOTHER RETIREMENT SYSTEM ADMINISTERED BY THE BOARD OF TRUSTEES OF THE SYSTEM, AND THE CRIME FOR WHICH THE MEMBER WAS CONVICTED OR ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE IS RELATED TO OR IN CONNECTION WITH EMPLOYMENT OF THE MEMBER THAT IS COVERED BY ONLY ONE OF THE RETIREMENT SYSTEMS, THE MEMBER WILL BE TERMINATED ONLY FROM THE RETIREMENT SYSTEM IN WHICH HIS OR HER EMPLOYMENT WAS COVERED AT THE TIME THAT HE OR SHE COMMITTED THE CRIME, AND WILL FORFEIT RETIREMENT BENEFITS ONLY FROM THAT RETIREMENT SYSTEM; TO PROVIDE THAT THE SYSTEM MAY CONCLUSIVELY RELY ON A TERMINATION AND FORFEITURE ORDER FROM THE COURT AND THE NOTICE FROM THE ATTORNEY GENERAL THAT THE REQUIREMENTS OF THIS ACT HAVE BEEN MET IN TERMINATING A MEMBER FROM MEMBERSHIP IN THE SYSTEM OR PLAN; TO PROVIDE THAT THE SYSTEM IS NOT LIABLE FOR ANY MISTAKE IN THE PAYMENT OF RETIREMENT BENEFITS TO A MEMBER IN GOOD FAITH RELIANCE ON A TERMINATION AND FORFEITURE ORDER FROM THE COURT AND THE NOTICE FROM THE ATTORNEY GENERAL; TO PROVIDE THAT ANY AMBIGUITY OR UNCERTAINTY ABOUT WHETHER A MEMBER SHOULD BE TERMINATED FROM MEMBERSHIP IN THE SYSTEM OR PLAN OR FORFEIT HIS OR HER RETIREMENT BENEFITS FROM THE SYSTEM OR PLAN SHALL BE RESOLVED IN FAVOR OF THE MEMBER; TO AMEND SECTIONS 25-11-105, 25-11-111, 25-11-117, 25-11-120, 25-11-129, 25-11-305, 25-11-309, 25-11-311, 25-11-319, 25-13-3, 25-13-11, 25-13-21, 25-13-28 AND 25-13-31, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 2476: Finance

AN ACT TO AMEND SECTION 27-19-21, MISSISSIPPI CODE OF 1972, TO EXCLUDE VEHICLES INCAPABLE OF EXCEEDING THE SPEED OF 35 MILES PER HOUR FROM THE DEFINITION OF "ELECTRIC VEHICLE" FOR PURPOSES OF THE ELECTRIC VEHICLE TAX, AND TO REFUND TAXES COLLECTED ON SUCH

VEHICLES; TO AMEND SECTION 27-19-23, MISSISSIPPI CODE OF 1972, TO EXCLUDE VEHICLES INCAPABLE OF EXCEEDING THE SPEED OF 35 MILES PER HOUR FROM THE DEFINITION OF "HYBRID VEHICLE" FOR PURPOSES OF THE HYBRID VEHICLE TAX, AND TO REFUND TAXES COLLECTED ON SUCH VEHICLES; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2477: Finance

AN ACT TO AMEND SECTION 43-33-729, MISSISSIPPI CODE OF 1972, TO REMOVE THE REVERTER ON THE PROVISION OF LAW AUTHORIZING THE MISSISSIPPI HOME CORPORATION TO ISSUE NEGOTIABLE BONDS AND NOTES; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2478: Highways and Transportation

AN ACT TO PROHIBIT CONSIDERATION OF THE DEPLOYMENT, IMPLEMENTATION OR USE OF A MOTOR CARRIER SAFETY IMPROVEMENT, BY OR AS REQUIRED BY A MOTOR CARRIER OR ITS RELATED ENTITY, INCLUDING BY CONTRACT, IN THE EVALUATION OF AN INDIVIDUAL'S STATUS AS AN EMPLOYEE, INDEPENDENT CONTRACTOR OR JOINTLY EMPLOYED EMPLOYEE UNDER ANY STATE LAW; TO AMEND SECTION 77-7-7, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "MOTOR CARRIER SAFETY IMPROVEMENT"; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2479: Accountability, Efficiency, Transparency

AN ACT TO CODIFY SECTION 25-43-1.108, MISSISSIPPI CODE OF 1972, TO REQUIRE A REGULATORY REDUCTION PROGRAM FOR THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY AS A PILOT AGENCY; TO PROVIDE THAT THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY SHALL NOT ADOPT A NEW REGULATORY REQUIREMENT UNLESS IT SIMULTANEOUSLY REMOVES TWO OR MORE OTHER EXISTING REGULATORY REQUIREMENTS; TO REQUIRE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY AND ANY OTHER PILOT AGENCY TO REPORT TO THE PEER COMMITTEE; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

S. B. No. 2480: Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-1-29, MISSISSIPPI CODE OF 1972, TO GRANT THE EXECUTIVE DIRECTOR OF THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS, WITH COMMISSION APPROVAL, THE AUTHORITY TO REQUIRE THE CHRONIC WASTING DISEASE (CWD) TESTING OF WHITE-TAILED DEER HARVESTED WITHIN ANY ENCLOSURE; TO AMEND SECTION 49-7-58.2, MISSISSIPPI CODE OF 1972, TO GRANT THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS THE AUTHORITY TO REQUIRE THE CWD TESTING OF WHITE-TAILED DEER HARVESTED WITHIN ANY ENCLOSURE; TO AMEND SECTION 49-7-58.1, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO REPEAL SECTION 49-7-58.5, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE CHRONIC WASTING DISEASE TESTING OF WHITE-TAILED DEER HARVESTED WITHIN ANY ENCLOSURE AND PROVIDES PENALTIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

S. B. No. 2481: Highways and Transportation

AN ACT TO AMEND SECTION 9, CHAPTER 450, LAWS OF 2020, TO REVISE THE DESIGNATION OF A SEGMENT OF MISSISSIPPI HIGHWAY 42 IN GREENE COUNTY, MISSISSIPPI, AS THE "DEPUTY U.S. MARSHAL JAKE GREEN AND GREENE COUNTY DEPUTY LAWRENCE DUNNAM MEMORIAL HIGHWAY, EOW APRIL 1, 1921"; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2482: Judiciary, Division A

AN ACT TO CREATE THE "MISSISSIPPI FAIR HOUSING ACT"; TO DEFINE CERTAIN TERMS AS USED IN THE ACT; TO MAKE LEGISLATIVE DECLARATION THAT THE OPPORTUNITY TO OBTAIN HOUSING AND OTHER REAL ESTATE WITHOUT DISCRIMINATION IS A CIVIL RIGHT; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE TRANSACTIONS WITH EXCEPTION; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE FINANCING WITH EXCEPTION; TO PROHIBIT CERTAIN REPRESENTATIONS IN REAL ESTATE TRANSACTIONS; TO PROHIBIT RETALIATION; TO PROVIDE A CIVIL REMEDY FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2483: Judiciary, Division A

AN ACT TO CREATE NEW SECTION 63-3-1314, MISSISSIPPI CODE OF 1972, TO CLASSIFY ELECTRIC BICYCLES AS BICYCLES AND NOT AS MOTOR VEHICLES; TO PROVIDE THAT MANUFACTURERS AND DISTRIBUTORS OF ELECTRIC BICYCLES SHALL APPLY TO EACH ELECTRIC BICYCLE A LABEL THAT IS PERMANENTLY AFFIXED, IN A PROMINENT LOCATION, AND CONTAINING THE CLASSIFICATION NUMBER, TOP ASSISTED SPEED, AND MOTOR WATTAGE OF THE ELECTRIC BICYCLE, AND PRINTED IN ARIAL FONT IN AT LEAST 9-POINT TYPE; TO PROHIBIT TAMPERING WITH OR MODIFYING AN ELECTRIC BICYCLE SO AS TO CHANGE ITS MOTOR-POWERED SPEED CAPABILITY OR ENGAGEMENT, UNLESS THE REQUIRED LABEL INDICATING THE CLASSIFICATION IS REPLACED AFTER MODIFICATION; TO REQUIRE ELECTRIC BICYCLES TO COMPLY WITH THE EQUIPMENT AND MANUFACTURING REQUIREMENTS FOR BICYCLES ADOPTED BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION IN 16 CFR PART 1512; TO REQUIRE ELECTRIC BICYCLES TO OPERATE IN A MANNER SO THAT THE ELECTRIC MOTOR IS DISENGAGED OR CEASES TO FUNCTION WHEN THE RIDER STOPS PEDALING OR WHEN THE BRAKES ARE APPLIED; TO ALLOW ELECTRIC BICYCLES TO BE RIDDEN IN PLACES WHERE BICYCLES ARE PERMITTED, INCLUDING, BUT NOT LIMITED TO, STREETS, HIGHWAYS, ROADWAYS, BICYCLE LANES, BICYCLE PATHS AND MULTIUSE PATHS; TO SPECIFY THE RIGHTS OF MUNICIPALITIES, LOCAL AUTHORITIES AND STATE AGENCIES TO PROHIBIT THE USE OF DIFFERENT CATEGORIES OF ELECTRIC BICYCLES ON BICYCLE PATHS, MULTIUSE PATHS AND NONMOTORIZED TRAILS; TO PROHIBIT PERSONS UNDER THE AGE OF 16 FROM OPERATING CLASS 3 ELECTRIC BICYCLES; TO REQUIRE THAT ALL CLASS 3 ELECTRIC BICYCLES BE EQUIPPED WITH A SPEEDOMETER THAT DISPLAYS THE SPEED THE BICYCLE IS TRAVELING IN MILES PER HOUR; TO AMEND SECTION 63-3-103, MISSISSIPPI CODE OF 1972, TO DEFINE "ELECTRIC BICYCLE" AND TO DEFINE FURTHER THREE CLASSES OF ELECTRIC BICYCLES; TO AMEND SECTIONS 17-17-403, 21-37-3, 27-19-3, 27-51-5, 63-15-3, 63-17-55, 63-17-155, 63-19-3, 63-21-5 AND 63-31-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

S. B. No. 2484: Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-65, MISSISSIPPI CODE OF 1972, TO LEGALIZE THE SHOOTING OF BEARS BY A LANDOWNER WHEN ENCOUNTERED ON THE LANDOWNER'S PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) Butler

S. B. No. 2485: Wildlife, Fisheries and Parks

AN ACT TO AUTHORIZE THE ISSUANCE STATEWIDE OF A PERMIT FOR HUNTING WITH DOGS, TO BE PATTERNED AFTER THE PERMIT AUTHORIZED IN HOMOCITTO NATIONAL FOREST UNDER THE REGULATIONS OF THE

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS; AND FOR RELATED PURPOSES.

By Senator(s) Whaley, Blackwell

S. B. No. 2486: Wildlife, Fisheries and Parks

AN ACT TO DIRECT THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS NOT TO RENEW ITS LEASES WITH THE UNITED STATES ARMY CORPS OF ENGINEERS FOR JOHN W. KYLE STATE PARK, GEORGE P. COSSAR STATE PARK AND HUGH WHITE STATE PARK; TO PROVIDE THAT LAKE LINCOLN STATE PARK SHALL CEASE TO BE MAINTAINED AND OPERATED AS A STATE PARK AND SHALL INSTEAD BE MAINTAINED AND OPERATED AS A FISHERIES LAKE; TO PROVIDE THAT NATCHEZ STATE PARK SHALL CEASE TO BE MAINTAINED AND OPERATED AS A STATE PARK AND SHALL INSTEAD BE MAINTAINED AND OPERATED AS A WILDLIFE MANAGEMENT AREA; TO DIRECT THE COMMISSION TO CONVEY CERTAIN STATE PARKS TO CERTAIN COUNTIES OR MUNICIPALITIES TO BE MAINTAINED AND OPERATED AS COUNTY OR MUNICIPAL PARKS; TO DIRECT THE COMMISSION TO OFFER CERTAIN GROUPINGS OF STATE PARKS FOR LEASE TO PRIVATE COMPANIES THAT WILL AGREE TO MAINTAIN AND OPERATE THE PARKS FOR THE RECREATIONAL BENEFIT OF THE PUBLIC; TO SET THE PRICE OF ADMISSION TO THE STATE PARKS TO BE MAINTAINED AND OPERATED BY PRIVATE COMPANIES; TO PROVIDE THAT ALL FUNDS RAISED BY THE OPERATION OF THE PARKS UNDER THE LEASES SHALL BE DEPOSITED INTO THE FISH AND WILDLIFE FUND CREATED IN SECTION 49-5-21; TO PROVIDE THAT THE LEASES SHALL BE DRAFTED BY A FOUR-MEMBER COMMISSION, TWO OF WHOM SHALL BE APPOINTED BY THE GOVERNOR AND TWO OF WHOM SHALL BE APPOINTED BY THE LIEUTENANT GOVERNOR; TO SET AN APPOINTMENT DEADLINE OF JULY 1, 2021, AFTER WHICH THE GOVERNOR MAY MAKE THE LIEUTENANT GOVERNOR'S UNFILLED APPOINTMENTS, AND THE LIEUTENANT GOVERNOR MAY MAKE THE GOVERNOR'S UNFILLED APPOINTMENTS; TO AMEND SECTIONS 29-1-1 AND 55-3-47, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE REQUIREMENTS OF THOSE SECTIONS THE CONVEYANCES OF CERTAIN STATE PARKS BY THE COMMISSION TO CERTAIN COUNTIES OR MUNICIPALITIES; TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO GIVE QUALIFIED RESORT AREA STATUS TO THE STATE PARKS LEASED BY THE COMMISSION TO PRIVATE COMPANIES FOR MAINTENANCE AND OPERATION; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

S. B. No. 2487: Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-31.5, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE TRANSPORTATION OF WILD HOGS IN THE STATE OF MISSISSIPPI IS A CLASS I VIOLATION; TO AMEND SECTION 49-7-140, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTHORITY OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO ISSUE PERMITS FOR THE TRANSPORTATION OF FERAL HOGS, LIVE SWINE OR RUSSIAN BOARS; AND FOR RELATED PURPOSES.

By Senator(s) Whaley, Younger

S. B. No. 2488: Agriculture

AN ACT TO AMEND SECTION 69-5-1, MISSISSIPPI CODE OF 1972, TO ADD AN ADDITIONAL MEMBER TO THE MISSISSIPPI FAIR ADVISORY COUNCIL; AND FOR RELATED PURPOSES.

By Senator(s) Butler, Witherspoon, Simmons (13th)

S. B. No. 2489: Highways and Transportation

AN ACT TO AMEND SECTION 49-23-9, MISSISSIPPI CODE OF 1972, TO REVISE THE HEIGHT REQUIREMENTS ALLOWABLE FOR OUTDOOR ADVERTISING SIGNS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2490: Highways and Transportation

AN ACT TO ADD PORTIONS OF THE PEARL AND PASCAGOULA STREET INTERSTATE 55 EXITS AND ENTRANCES IN HINDS COUNTY TO THE STATE HIGHWAY SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2491: Environment Prot, Cons and Water Res

AN ACT TO AMEND SECTION 17-17-227, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO SOLID WASTE MANAGEMENT PLAN SHALL INCLUDE ANY PROPOSED NEW SOLID WASTE FACILITY IF THE NEW FACILITY IS LOCATED WITHIN ONE MILE OF AN EXISTING PERMITTED SOLID WASTE FACILITY, UNLESS A REFERENDUM ELECTION HAS BEEN CONDUCTED AND APPROVED; TO AMEND SECTION 17-17-229, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FACILITY PERMIT, GRANT OR LOAN MAY NOT BE ISSUED BY ANY AGENCY OF THE STATE FOR ANY NEW SOLID WASTE FACILITY IF THE NEW FACILITY IS LOCATED WITHIN ONE MILE OF AN EXISTING PERMITTED SOLID WASTE FACILITY, UNLESS A REFERENDUM ELECTION HAS BEEN CONDUCTED AND APPROVED; TO CREATE NEW SECTION 17-17-237, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REFERENDUM PROCESS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2492: Agriculture

AN ACT TO DIRECT THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE TO ENSURE THE INCLUSION OF MINORITY AND SOCIALLY DISADVANTAGED FARMERS IN THE DEVELOPMENT, ADOPTION, IMPLEMENTATION AND ENFORCEMENT OF LAWS, REGULATIONS POLICIES AND PROGRAMS AUTHORIZING THE GROWTH, PRODUCTION AND PROCESSING OF INDUSTRIAL HEMP IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2493: Economic and Workforce Development; Appropriations

AN ACT TO ESTABLISH A "PARTNERSHIPS FOR GROWTH" GRANT PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND TO CREATE A FUND FOR THAT PURPOSE; TO PRESCRIBE THE PURPOSES AND CONDITIONS FOR THE EXPENDITURE OF FUNDS; TO AMEND SECTION 57-1-55, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2494: Finance

AN ACT TO ESTABLISH A STATE INCOME TAX CREDIT FOR QUALIFIED AFFORDABLE ELDERLY MISSISSIPPI PROJECTS PLACED IN SERVICE IN MISSISSIPPI AFTER JANUARY 1, 2019; TO PRESCRIBE CRITERIA FOR EACH QUALIFIED AFFORDABLE ELDERLY MISSISSIPPI PROJECT AND THE AUTHORIZED STATE TAX CREDIT; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF REVENUE AND THE MISSISSIPPI HOME CORPORATION TO PROMULGATE NECESSARY RULES AND REGULATIONS TO ADMINISTER THIS PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2495: Housing; Appropriations

AN ACT TO ESTABLISH THE MISSISSIPPI AFFORDABLE HOUSING OPPORTUNITY FUND; TO CREATE SECTION 43-33-801, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS RELATED TO THE HOUSING OPPORTUNITY FUND; TO CREATE SECTION 43-33-803, MISSISSIPPI CODE OF 1972, TO ESTABLISH AND PROVIDE FOR THE ADMINISTRATION OF THE HOUSING OPPORTUNITY FUND; TO CREATE SECTION 43-33-805, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MISSISSIPPI HOME CORPORATION TO IMPLEMENT AND

ADMINISTER THE HOUSING OPPORTUNITY FUND; TO CREATE SECTION 43-33-807, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE MISSISSIPPI AFFORDABLE HOUSING OPPORTUNITY FUND ADVISORY COUNCIL; TO CREATE SECTION 43-33-809, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE PERCENTAGE OF FUNDING AVAILABLE TO CERTAIN PERSONS OR TO CERTAIN ACTIVITIES; TO CREATE SECTION 43-33-811, MISSISSIPPI CODE OF 1972, TO ESTABLISH MINIMUM AFFORDABILITY PERIODS FOR APPLICANTS; TO CREATE SECTION 43-33-813, MISSISSIPPI CODE OF 1972, TO PROVIDE MINIMUM STANDARDS FOR THE HOUSING OPPORTUNITY FUND APPLICATION PROCESS; TO CREATE SECTION 43-33-815, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MISSISSIPPI HOME CORPORATION TO ADMINISTER THE HOUSING OPPORTUNITY FUND IN COMPLIANCE WITH STATE AND FEDERAL HOUSING PROGRAMS; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT 2.5% OF ALL TAXES COLLECTED BY THE DEPARTMENT OF REVENUE ON LUMBER AND BUILDING MATERIALS SHALL BE CREDITED TO THE MISSISSIPPI AFFORDABLE HOUSING OPPORTUNITY FUND; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2496: Economic and Workforce Development; Municipalities

AN ACT TO AMEND SECTION 43-35-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "URBAN RENEWAL PROJECT" UNDER THE MISSISSIPPI URBAN RENEWAL LAW; TO BRING FORWARD SECTIONS 43-35-1, 43-35-5, 43-35-7, 43-35-9, 43-35-11, 43-35-13, 43-35-15, 43-35-17, 43-35-19, 43-35-21, 43-35-23, 43-35-25, 43-35-27, 43-35-29, 43-35-31, 43-35-33, 43-35-35 AND 43-35-37, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE URBAN RENEWAL LAW, FOR THE PURPOSES OF AMENDMENT; TO BRING FORWARD SECTIONS 43-35-101, 43-35-103, 43-35-105, 43-35-107, 43-35-109, 43-35-111, 43-35-113, 43-35-115 AND 43-35-117, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE SLUM CLEARANCE IN MUNICIPALITIES, FOR THE PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2497: Economic and Workforce Development; Municipalities

AN ACT TO AUTHORIZE AND DIRECT MUNICIPALITIES AND COUNTIES TO DEVELOP AND PROMULGATE INCLUSIONARY HOUSING ZONING PLANS THAT CONSIDER THE SUPPLY OF SAFE, SANITARY AND AFFORDABLE HOUSING FOR ANTICIPATED RESIDENTS OF THEIR COMMUNITIES IN ORDER TO ATTRACT ECONOMIC DEVELOPMENT TO THE COMMUNITY AND TO INCREASE HOMEOWNERSHIP OPPORTUNITIES FOR HOUSEHOLDS IN THE 50-80% MEDIAN FAMILY INCOME RANGE; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2498: Finance

AN ACT TO AMEND SECTION 43-33-717, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI HOME CORPORATION TO IMPLEMENT A DOWN-PAYMENT ASSISTANCE PROGRAM WHICH PROVIDES A SLIDING SCALE FOR UNIVERSITY GRADUATES BASED UPON LEVEL OF DEGREE AND REQUIRING THE INDIVIDUAL TO RESIDE IN MISSISSIPPI FOR FIVE YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2499: Veterans and Military Affairs; Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTIONS 49-7-5 AND 49-15-313, MISSISSIPPI CODE OF 1972, TO AUTHORIZE VETERANS WHO ARE 50% SERVICE-CONNECTED DISABLED OR MORE TO OBTAIN A FREE COMBINATION HUNTING AND FISHING LICENSE AND FREE SALTWATER SPORTS FISHING LICENSE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2500: Wildlife, Fisheries and Parks; Judiciary, Division B

AN ACT TO AMEND SECTION 97-15-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROHIBITION AGAINST HUNTING ON ANY STREET, PUBLIC ROAD, PUBLIC HIGHWAY, LEVEE OR RAILROAD; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Younger, Tate, Suber, Hill

S. B. No. 2501: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 49-4-3, MISSISSIPPI CODE OF 1972, TO REDEFINE "COMMISSION" TO MEAN THE MISSISSIPPI ADVISORY COMMISSION ON WILDLIFE, FISHERIES AND PARKS, WHICH SHALL OPERATE ONLY AS AN ADVISORY COMMISSION TO THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS; TO AMEND SECTION 49-4-4, MISSISSIPPI CODE OF 1972, TO RECONSTITUTE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS AS AN ADVISORY COMMISSION; TO AMEND SECTION 49-4-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS SHALL SERVE AT THE WILL AND PLEASURE OF THE GOVERNOR; TO AMEND SECTIONS 49-4-7, 49-4-13, 49-4-37, 49-4-39 AND 49-4-41, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE PROVISIONS; TO BRING FORWARD SECTION 49-4-31, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2502: Ports and Marine Resources

AN ACT TO AMEND SECTION 49-15-64.4, MISSISSIPPI CODE OF 1972, TO DELETE THE RESTRICTION THAT ONLY LICENSED COMMERCIAL SHRIMPERS ARE AUTHORIZED TO TRANSPORT SHRIMP ACROSS STATE LINES FOR THE PURPOSE OF SELLING OR DELIVERING LIVE BAIT IN ANOTHER STATE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2503: Finance

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

By Senator(s) McLendon

S. B. No. 2504: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE RURAL PHYSICIANS SCHOLARSHIP PROGRAM FOR FISCAL YEAR 2022.

By Senator(s) McLendon, Branning

S. B. No. 2505: Finance

AN ACT TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO ARE RECEIVING A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHO ARE ELECTED AS A MEMBER OF THE LEGISLATURE AFTER RETIREMENT, AND MEMBERS OF THE LEGISLATURE WHO ARE ELIGIBLE TO RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHILE SERVING AS A MEMBER OF THE LEGISLATURE, MAY RECEIVE A RETIREMENT ALLOWANCE FROM THE SYSTEM WHILE SERVING AS A MEMBER OF THE LEGISLATURE IN ADDITION TO RECEIVING THE REGULAR COMPENSATION FOR MEMBERS OF THE LEGISLATURE; TO PROVIDE THAT THOSE PERSONS SHALL NOT BE ACTIVE MEMBERS OF THE RETIREMENT SYSTEM AND SHALL NOT RECEIVE ANY

CREDITABLE SERVICE FOR THE PERIOD DURING WHICH THEY RECEIVE A RETIREMENT ALLOWANCE WHILE SERVING AS A MEMBER OF THE LEGISLATURE; TO AMEND SECTION 25-11-105, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO REQUIRE THOSE PERSONS TO PAY THE FULL AMOUNT OF THE EMPLOYEE'S CONTRIBUTIONS ON THE AMOUNT OF COMPENSATION RECEIVED FOR SERVING AS A MEMBER OF THE LEGISLATURE; TO PROVIDE THAT THOSE PERSONS WILL NOT RECEIVE ANY ADDITIONAL CREDITABLE SERVICE IN THE RETIREMENT SYSTEM AS A RESULT OF THE PAYMENT OF THE EMPLOYEE'S CONTRIBUTION; AND FOR RELATED PURPOSES.
By Senator(s) Norwood

S. B. No. 2506: Finance

AN ACT TO CREATE THE "CITIZENS FOR ECONOMIC DEVELOPMENT ACT"; TO AUTHORIZE THE GOVERNING AUTHORITIES OF ANY MUNICIPALITY OR COUNTY TO IMPOSE A SPECIAL SALES TAX OF NOT MORE THAN 1% ON THE GROSS PROCEEDS OF ALL SALES OR THE GROSS INCOME OF BUSINESSES IN THE MUNICIPALITY OR COUNTY DERIVED FROM ACTIVITIES TAXED AT THE RATE OF 7% OR MORE UNDER THE MISSISSIPPI SALES TAX LAW; TO PROVIDE THAT THE SPECIAL SALES TAX SHALL NOT BE LEVIED UNLESS AUTHORIZED BY AT LEAST 3/5 OF THE VOTES CAST AT A REFERENDUM CALLED AND HELD FOR SUCH PURPOSE; TO AUTHORIZE A MUNICIPALITY OR COUNTY TO INCUR INDEBTEDNESS IN AN AMOUNT NOT GREATER THAN AN AMOUNT FOR WHICH DEBT SERVICE IS CAPABLE OF BEING FUNDED BY THE PROCEEDS OF THE SPECIAL SALES TAX; TO PROVIDE THAT THE SPECIAL SALES TAX REVENUE COLLECTED PURSUANT TO SUCH A TAX SHALL BE USED AND EXPENDED BY THE MUNICIPALITY OR COUNTY TO FUND CAPITAL PROJECTS; TO PROVIDE FOR THE DISCONTINUANCE OF THE SPECIAL SALES TAX UPON COMPLETION OF THE FUNDING OF THE PROJECTS FOR WHICH THE TAX WAS LEVIED; TO AMEND SECTIONS 19-9-5 AND 21-33-303, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) McMahan

S. B. No. 2507: Finance

AN ACT TO AMEND SECTIONS 57-1-16, 57-1-221 AND 57-93-1, MISSISSIPPI CODE OF 1972, TO ALLOW BUSINESSES LOCATED ON TRIBAL LANDS WITHIN THE GEOGRAPHICAL BOUNDARY OF MISSISSIPPI TO BE ELIGIBLE FOR MISSISSIPPI DEVELOPMENT AUTHORITY DISCRETIONARY PROGRAMS THROUGH THE ACE FUND, THE INDUSTRY INCENTIVE FINANCING REVOLVING FUND AND THE EXISTING INDUSTRY PRODUCTIVITY LOAN FUND; AND FOR RELATED PURPOSES.
By Senator(s) Branning

S. B. No. 2508: Judiciary, Division A

AN ACT TO AMEND SECTION 25-41-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF PUBLIC BODY; TO CREATE NEW SECTION 25-41-4, MISSISSIPPI CODE OF 1972, TO REQUIRE PUBLIC BODIES TO CREATE AND MAINTAIN A PUBLIC NOTICE LIST; TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO REQUIRE NOTICE BY EMAIL OF MEETING TIMES TO THOSE ON THE PUBLIC NOTICE LIST; TO AMEND SECTION 25-41-11, MISSISSIPPI CODE OF 1972, TO REVISE REQUIREMENTS RELATING TO THE AVAILABILITY OF MINUTES OF THE MEETINGS OF PUBLIC BODIES; AND FOR RELATED PURPOSES.
By Senator(s) Norwood

S. B. No. 2509: Finance

AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF A TOBACCO/CIGAR SHOP RETAILER'S PERMIT UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO PROVIDE THAT PERMITTEES MUST DERIVE THE MAJORITY OF THEIR REVENUE FROM THE

SALE OF TOBACCO PRODUCTS; TO PROVIDE THAT SUCH PERMITS SHALL AUTHORIZE THE HOLDER THEREOF TO PURCHASE AND RESELL ALCOHOLIC BEVERAGES, INCLUDING NATIVE WINES, FOR CONSUMPTION ON THE PREMISES OF THE TOBACCO/CIGAR SHOP DURING LEGAL HOURS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THE ANNUAL PRIVILEGE TAX REQUIRED TO BE PAID FOR THE ISSUANCE OF TOBACCO/CIGAR SHOP RETAILER'S PERMITS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2510: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST NOXUBEE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A COUNTY EMERGENCY OPERATIONS CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2511: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-39, MISSISSIPPI CODE OF 1972, TO EXEMPT ATTORNEYS EMPLOYED BY THE ATTORNEY GENERAL'S OFFICE FROM THE CEILING ESTABLISHED FOR SALARIES OF PUBLIC EMPLOYEES; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2512: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF FULLY FUNDING THE COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THE AYERS SETTLEMENT AGREEMENT FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2513: Appropriations

AN ACT TO AMEND SECTION 37-115-47, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER OR ANY OTHER STATE AGENCY TO DONATE SURPLUS MEDICAL SUPPLIES AND EQUIPMENT TO NONPROFIT ORGANIZATIONS FOR DISTRIBUTION TO CHARITABLE ORGANIZATIONS AND CLINICS AS DEEMED APPROPRIATE BY THE MEDICAL CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2514: Appropriations

AN ACT TO AMEND SECTION 69-2-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT THAT MAY BE LOANED OR GRANTED FROM THE EMERGING CROPS FUND TO ASSIST IN PROVIDING FINANCING FOR MINORITY ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2515: Finance

AN ACT TO CREATE A NEW SECTION IN TITLE 27, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY INDIVIDUALS TO HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; TO PROVIDE THAT THE CREDIT AUTHORIZED BY THIS ACT IS IN LIEU OF CHARITABLE DEDUCTIONS TAKEN UNDER THE INTERNAL REVENUE CODE AND UTILIZED FOR STATE TAX PURPOSES; TO CREATE A NEW SECTION IN TITLE 27, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY BUSINESS ENTERPRISES TO

HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; TO PROVIDE THAT THE CREDIT AUTHORIZED BY THIS ACT IS IN LIEU OF CHARITABLE DEDUCTIONS TAKEN UNDER THE INTERNAL REVENUE CODE AND UTILIZED FOR STATE TAX PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2516: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN UTILIZING THE CONSTRUCTION MANAGER AT-RISK METHOD OF PROJECT DELIVERY, THE DEPARTMENT OF FINANCE AND ADMINISTRATION MAY REQUIRE THE MANAGER TO PROCURE ANY AND ALL RESULTING CONSTRUCTION CONTRACTS NECESSARY TO COMPLETE THE PROJECT; TO PROVIDE THAT ALL SUCH CONTRACTS SHALL BE BETWEEN THE MANAGER AND THE CONTRACTORS AND SHALL BE EXEMPT FROM THE PROVISIONS OF THE BID LAW; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2517: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-5-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERFORMANCE BOND IS NOT REQUIRED WHEN A CONTRACT FOR THE CONSTRUCTION, ALTERATION OR REPAIR OF ANY PUBLIC BUILDING OR PUBLIC WORK IS LESS THAN \$50,000.00 AND THE PUBLIC BODY ELECTS TO MAKE TWO PAYMENTS VALUED AT 50% OF THE CONTRACT AMOUNT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2518: Finance

AN ACT TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION ONE VEHICLE OWNED BY A STATE-LICENSED TEACHER EMPLOYED BY A PUBLIC SCHOOL DISTRICT SITUATED WITHIN A GEOGRAPHICAL AREA OF THE STATE WHERE THERE EXISTS A CRITICAL SHORTAGE OF TEACHERS, AS DESIGNATED BY THE STATE BOARD OF EDUCATION; TO PROVIDE A 50% DISCOUNT OFF THE AD VALOREM TAX ON ONE MOTOR VEHICLE OWNED BY A STATE-LICENSED TEACHER EMPLOYED BY ANY OTHER PUBLIC SCHOOL DISTRICT IN THE STATE; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2519: Finance

AN ACT TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION 20% OF THE ASSESSED VALUE OF ONE MOTOR VEHICLE OWNED BY A PERSON EMPLOYED FULL TIME AS A CLASSROOM TEACHER BY A PUBLIC SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2520: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 21-15-37 AND 25-60-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LOCAL GOVERNING AUTHORITIES TO DISPOSE OF MUNICIPAL DOCKETS, ASSESSMENT ROLLS AND PAYROLL RECORDS AFTER 20 YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Blackwell

S. B. No. 2521: Economic and Workforce Development; Finance

AN ACT TO AMEND SECTION 57-62-5, MISSISSIPPI CODE OF 1972, AS APPLYING TO INCENTIVE APPLICANTS FROM AND AFTER JULY 1, 2010, TO REVISE THE DEFINITION OF "NEW DIRECT JOB" SOLELY WITH RESPECT TO A

FARM EQUIPMENT MANUFACTURER THAT LOCATES ITS NORTH AMERICAN HEADQUARTERS TO MISSISSIPPI BETWEEN JANUARY 1, 2018, AND DECEMBER 31, 2020, TO ALLOW A POSITION TO QUALIFY IF CREATED BEFORE A SPECIFIC DATE DETERMINED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY, THAT FALLS ON OR AFTER THE DATE THAT THE MDA FIRST ISSUES TO SUCH FARM EQUIPMENT MANUFACTURER ONE OR MORE WRITTEN COMMITMENTS OR OFFERS OF ANY INCENTIVES IN CONNECTION WITH THE NEW HEADQUARTERS PROJECT AND RELATED FACILITIES EXPECTED TO RESULT IN THE CREATION OF SUCH NEW JOB; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2522: Labor; Judiciary, Division A

AN ACT TO BAN CRIMINAL HISTORY CHECKS AS PART OF THE PRELIMINARY JOB APPLICATION PROCESS EXCEPT AS REQUIRED BY LAW; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2523: Economic and Workforce Development; Finance

AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HINDS COUNTY SHALL BE A SEPARATE WORKFORCE INVESTMENT AREA UNDER THE FEDERAL WORKFORCE INVESTMENT ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2524: Labor; Economic and Workforce Development

AN ACT TO ESTABLISH THE OPPORTUNITIES FOR DIVERSITY IN CONTRACTING PROGRAM (ODC) TO BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO IMPROVE THE NUMBER OF SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS THAT DO BUSINESS WITH THE STATE BY FACILITATING AND IMPROVING ACCESS TO GOVERNMENT CONTRACTS; TO REQUIRE EACH STATE AGENCY TO APPOINT AN ODC COMPLIANCE OFFICER WHO WILL BE RESPONSIBLE FOR MONITORING COMPLIANCE WITH THE ODC PROGRAM AND FOR REPORTING COMPLIANCE OR NONCOMPLIANCE FOR THEIR RESPECTIVE AGENCIES TO THE MDA; TO ESTABLISH THE RESPONSIBILITIES OF ODC COMPLIANCE OFFICERS; TO REQUIRE STATE AGENCIES TO INCLUDE CERTAIN LANGUAGE IN CONTRACTS FOR GOODS AND SERVICES; TO ESTABLISH A PROCESS FOR ISSUING ODC WAIVERS; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2525: Labor; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 71-1-1, MISSISSIPPI CODE OF 1972, TO EMPOWER THE STATE BOARD OF HEALTH TO ESTABLISH AN OFFICE OF WORKPLACE SAFETY AND HEALTH TO REGULATE OCCUPATIONAL HEALTH AND SAFETY STANDARDS IN THE STATE OF MISSISSIPPI AND TO PRESCRIBE ITS POWERS AND RESPONSIBILITIES; TO AMEND SECTIONS 71-1-25 and 71-1-27, MISSISSIPPI CODE OF 1972, TO EMPOWER THE OFFICE OF WORKPLACE SAFETY AND HEALTH TO ENFORCE CHILD LABOR LAWS IN THE STATE OF MISSISSIPPI AND TO PRESCRIBE ITS POWERS AND RESPONSIBILITIES; TO AMEND SECTION 41-3-15, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Witherspoon, Norwood, Jackson (11th), Turner-Ford

S. B. No. 2526: Universities and Colleges

AN ACT TO CREATE NEW SECTION 37-106-80, MISSISSIPPI CODE OF 1972, TO CREATE THE STATE RESIDENT FORGIVABLE STUDENT LOAN PROGRAM; TO PROVIDE THAT IN LIEU OF LOAN REPAYMENT, A LOAN RECIPIENT MAY ELECT TO BECOME A RESIDENT OF THE STATE FOR A PERIOD OF FIVE CONTINUOUS YEARS AFTER GRADUATION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2527: Education

AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH CREATE THE "MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998"; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE PROVISIONS THAT CONSTITUTE THE "MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998"; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2528: Appropriations

AN ACT TO CREATE THE STAY ON TRACK ACT OF 2021; TO CREATE A PROGRAM THAT PROVIDES PARENTS WITH AN EDUCATIONAL SERVICES GRANT TO ASSIST THEM IN PROVIDING SUPPLEMENTAL EDUCATIONAL SERVICES TO THEIR CHILDREN; TO PROVIDE FOR THE ELIGIBILITY, GRANT AMOUNTS AND REQUIREMENTS OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2529: Education

AN ACT TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT END-OF-COURSE ASSESSMENTS REQUIRED FOR HIGH SCHOOL GRADUATION SHALL INCLUDE ONLY THOSE REQUIRED BY FEDERAL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2530: Education; Appropriations

AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO EMPLOY ASSISTANT TEACHERS/READING INSTRUCTORS IN EACH KINDERGARTEN, FIRST-GRADE, SECOND-GRADE AND THIRD-GRADE CLASS AND TO PROVIDE THAT THE STATE SHALL ALLOT SUFFICIENT FUNDING FOR THESE ASSISTANT TEACHERS/READING INSTRUCTORS; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL DEVELOP AN INCENTIVE PROGRAM TO HIRE EXPERIENCED TEACHERS IN "F" RATED SCHOOL DISTRICTS; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL DEVELOP A PROGRAM TO RECRUIT, HIRE AND RETAIN ASSISTANT TEACHERS IN "C," "D" AND "F" RATED SCHOOL DISTRICTS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2531: Education

AN ACT TO CREATE THE "T INITIATIVE OF 2021"; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL DEVELOP AND IMPLEMENT A PROGRAM TO PROVIDE ADDITIONAL RESOURCES TO STUDENTS FOR VIRTUAL LEARNING; TO PROVIDE THAT THE DEPARTMENT SHALL PROVIDE SCHOOLS WITH ACCESS TO HIGH-SPEED BROADBAND INTERNET IN RURAL CRITICAL INTERNET SHORTAGE AREAS; TO IMPLEMENT A PROGRAM TO TRACK AND MONITOR STUDENT'S PROGRESS DURING THE COVID-19 PANDEMIC; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL ASSIST SCHOOLS IN PROVIDING TUTORING FOR STUDENTS IN VIRTUAL LEARNING; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Chassaniol, Barnett, Thomas, Blount, Simmons (12th), Jackson (32nd), Norwood

S. B. No. 2532: Education

AN ACT TO CREATE THE EXPAND MISSISSIPPI CONNECTIVITY FOR EDUCATION ACT; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL DEVELOP A PROGRAM WITH THE GOAL TO INCREASE INTERNET CONNECTIVITY TO STUDENTS AND SCHOOLS; TO PROVIDE THAT THE DEPARTMENT SHALL

IDENTIFY SCHOOLS AND SCHOOL DISTRICTS THAT LACK BASIC INTERNET CONNECTIVITY; TO PROVIDE THAT THE DEPARTMENT SHALL PROVIDE FUNDS TO THOSE SCHOOLS AND SCHOOL DISTRICTS THAT ARE RATED AS HAVING CRITICAL CONNECTIVITY PROBLEMS BEFORE ALLOCATING OTHER FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2533: Education; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 37-179-1 AND 37-179-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPROVE THE CREATION OF DISTRICTS OF INNOVATION; TO DEFINE CERTAIN TERMS RELATED TO "DISTRICTS OF INNOVATION"; TO LIMIT THE INITIAL APPROVAL AND SUBSEQUENT RENEWALS OF DISTRICTS OF INNOVATION TO FIVE-YEAR PERIODS; TO DIRECT THE BOARD TO PROMULGATE ADMINISTRATIVE RULES AND REGULATIONS TO PRESCRIBE THE CONDITIONS AND PROCEDURES TO BE USED BY LOCAL SCHOOL BOARDS TO BE APPROVED AS A DISTRICT OF INNOVATION; TO SPECIFY THE CRITERIA TO BE ADDRESSED BY THE ADMINISTRATIVE REGULATIONS; TO PRESCRIBE THE REQUIREMENTS FOR A DISTRICT TO BE A DISTRICT OF INNOVATION APPLICANT; TO PRESCRIBE THE STATUTORY REQUIREMENTS WITH WHICH SCHOOLS OF INNOVATION WITHIN DISTRICTS OF INNOVATION MUST COMPLY; TO IDENTIFY AREAS IN WHICH DISTRICTS OF INNOVATION MAY REQUEST APPROVAL OF PRACTICES THAT ARE DIFFERENT THAN CURRENT STATUTORY REQUIREMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2534: Education

AN ACT TO CREATE NEW SECTION 37-13-22, MISSISSIPPI CODE OF 1972, TO ALLOW THE STATE BOARD OF EDUCATION TO PROVIDE VOCATIONAL, AGRICULTURAL, FORESTRY, CIVICS, AND HOME EDUCATION PROGRAMS FOR STUDENTS; TO PROVIDE THAT SCHOOLS AND SCHOOL DISTRICTS MAY ENTER INTO AGREEMENTS WITH SEPARATE SCHOOL DISTRICTS AND STATE AGENCIES TO EFFECTUATE SUCH PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2535: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 37-13-8, MISSISSIPPI CODE OF 1972, TO REQUIRE LOCAL SCHOOL BOARDS TO DESIGNATE A PERIOD OF REFLECTION AT THE BEGINNING OF EACH SCHOOL DAY IN WHICH STUDENTS AND STAFF MAY VOLUNTARILY GATHER FOR PRAYER; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

S. B. No. 2536: Universities and Colleges; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE "MISSISSIPPI FAIRNESS ACT"; TO REQUIRE ANY PUBLIC SCHOOL, PUBLIC INSTITUTION OF HIGHER LEARNING OR INSTITUTION OF HIGHER LEARNING THAT IS A MEMBER OF THE NCAA, NAIA OR NJCCA TO DESIGNATE ITS ATHLETIC TEAMS OR SPORTS ACCORDING TO BIOLOGICAL SEX; TO PROVIDE PROTECTION FOR ANY SCHOOL OR INSTITUTION OF HIGHER EDUCATION THAT MAINTAINS SEPARATE ATHLETIC TEAMS OR SPORT FOR STUDENTS OF THE FEMALE SEX; TO CREATE PRIVATE CAUSES OF ACTION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2537: Education; Appropriations

AN ACT ENTITLED THE "TIM TEBOW ACT"; TO AUTHORIZE INTERSCHOLASTIC EXTRACURRICULAR ACTIVITY PARTICIPATION OF STUDENTS ENROLLED IN HOMESCHOOLS; TO DEFINE "HOMESCHOOL" AND "INTERSCHOLASTIC EXTRACURRICULAR ACTIVITY"; TO IDENTIFY THE

CONDITIONS UNDER WHICH A STUDENT ENROLLED IN A HOMESCHOOL MAY PARTICIPATE IN INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES; TO PROHIBIT DISCRIMINATION AGAINST HOMESCHOOL STUDENT SELECTION OR PARTICIPATION IN SUCH ACTIVITIES; TO SPECIFY WAITING PERIOD FOR PARTICIPATION WHEN A STUDENT TRANSFERS FROM A PUBLIC SCHOOL TO A HOMESCHOOL; TO PROVIDE THAT PARTICIPATION IN EXTRACURRICULAR ACTIVITY IS A PRIVILEGE AND NOT A RIGHT; AND FOR RELATED PURPOSES.

By Senator(s) Younger

S. B. No. 2538: Education; Appropriations

AN ACT TO PREVENT STATE FUNDING FROM BEING USED BY ELEMENTARY AND SECONDARY SCHOOLS TO TEACH THE 1619 PROJECT CURRICULUM; TO PROVIDE THAT ELEMENTARY AND SECONDARY SCHOOLS THAT TEACH THE 1619 PROJECT CURRICULUM SHALL RECEIVE REDUCED MISSISSIPPI ADEQUATE EDUCATION PROGRAM FUNDS BY TWENTY-FIVE PERCENT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2539: Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HINDS COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR CONVICTIONS OBTAINED IN ITS JUSTICE, COUNTY AND CIRCUIT COURTS, TO BE USED TO FUND REPAIRS TO AND RENOVATIONS OF THE COURTHOUSES AND PRETRIAL DETENTION FACILITIES OF HINDS COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2540: Universities and Colleges; Appropriations

AN ACT TO CREATE THE STEP AHEAD PROGRAM, WHICH SHALL PROVIDE A STANDARDIZED DUAL ENROLLMENT PROGRAM FOR SECONDARY STUDENTS; TO PROVIDE REQUIREMENTS FOR PARTICIPATION IN THE PROGRAM; TO PROVIDE THAT A COMMUNITY COLLEGE OR INSTITUTION OF HIGHER LEARNING SHALL BE PROVIDED A STATE APPROPRIATION AT A CERTAIN RATE FOR STEP AHEAD STUDENTS; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 2541: Universities and Colleges; Appropriations

AN ACT TO CREATE THE GRADUATE NURSING LOAN REPAYMENT PROGRAM TO PROVIDE FORGIVABLE LOANS TO NURSE EDUCATORS WHO ARE EMPLOYED AT NURSING DEGREE-GRANTING COMMUNITY COLLEGES OR INSTITUTIONS OF HIGHER LEARNING IN THE STATE; TO PROVIDE FOR THE ELIGIBILITY, LOAN AMOUNTS, AND REQUIREMENTS OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 2542: Universities and Colleges; Appropriations

AN ACT TO ESTABLISH THE MISSISSIPPI GRANT PROGRAM FOR COMMUNITY AND JUNIOR COLLEGE STUDENTS IN MISSISSIPPI; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PRESCRIBE ELIGIBILITY REQUIREMENTS FOR STUDENTS AT PUBLIC COMMUNITY AND JUNIOR COLLEGES IN MISSISSIPPI TO RECEIVE GRANTS; TO SPECIFY THAT SUCH GRANTS MAY BE APPLIED ONLY TO TUITION AND FEES NOT COVERED BY A FEDERAL GRANT; TO AUTHORIZE THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO PROMULGATE RULES AND REGULATIONS GOVERNING THE GRANT PROGRAM; TO PROVIDE THAT THE PROGRAM MAY BE FUNDED FROM THE AMOUNTS ALLOCATED TO COMMUNITY AND JUNIOR COLLEGE ATHLETIC PROGRAMS; TO PROVIDE THAT THE GRANT PROGRAM SHALL BE ADMINISTERED BY THE MISSISSIPPI COMMUNITY COLLEGE BOARD AND THE

MISSISSIPPI ASSOCIATION OF COMMUNITY AND JUNIOR COLLEGES; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2543: Universities and Colleges

AN ACT TO PROVIDE THAT THE FUNDING ALLOCATION MODEL EMPLOYED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING MUST WEIGHT NONRESIDENT COMPLETED CREDIT HOURS BASED ON THE PERCENTAGE OF NONRESIDENT ENROLLMENT AT EACH INSTITUTION; TO ESTABLISH APPROPRIATE WEIGHTING FOR NONRESIDENT CREDIT HOUR COMPLETION; TO PROVIDE THAT THE DIFFERENCE IN FUNDS BETWEEN THE BOARD'S 2013 PERFORMANCE ALLOCATION MODEL AND THE FUNDING ALLOCATION MODEL WITH APPROPRIATE WEIGHTING SHALL BE SET ASIDE TO FUND GRANT AWARDS UNDER THE HIGHER EDUCATION LEGISLATIVE PLAN GRANT PROGRAM; TO AMEND SECTIONS 37-101-15 AND 37-106-12, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2544: Accountability, Efficiency, Transparency

AN ACT TO CREATE A JOINT STUDY COMMITTEE TO EXAMINE AND DEVELOP RECOMMENDATIONS REGARDING THE STRUCTURE OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2545: Universities and Colleges; Appropriations

AN ACT TO ESTABLISH THE MISSISSIPPI GRANT PROGRAM FOR COMMUNITY AND JUNIOR COLLEGE STUDENTS IN MISSISSIPPI; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PRESCRIBE ELIGIBILITY REQUIREMENTS FOR STUDENTS AT PUBLIC COMMUNITY AND JUNIOR COLLEGES IN MISSISSIPPI TO RECEIVE GRANTS; TO SPECIFY THAT SUCH GRANTS MAY BE APPLIED ONLY TO TUITION AND FEES NOT COVERED BY A FEDERAL GRANT; TO AUTHORIZE THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO PROMULGATE RULES AND REGULATIONS GOVERNING THE GRANT PROGRAM; TO PROVIDE THAT THE PROGRAM MAY BE FUNDED FROM THE AMOUNTS ALLOCATED TO COMMUNITY AND JUNIOR COLLEGE ATHLETIC PROGRAMS; TO PROVIDE THAT THE GRANT PROGRAM SHALL BE ADMINISTERED BY THE MISSISSIPPI COMMUNITY COLLEGE BOARD AND THE MISSISSIPPI ASSOCIATION OF COMMUNITY AND JUNIOR COLLEGES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2546: Universities and Colleges; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-53-191, MISSISSIPPI CODE OF 1972, TO EXEMPT INSTITUTIONS OF HIGHER LEARNING FROM THE REQUIREMENTS OF THE PROCUREMENT PROCESS FOR WIRELESS COMMUNICATION DEVICES IF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING DESIGNATES THAT IT IS A PANDEMIC OR EMERGENCY SITUATION REQUIRING SUCH AN EXEMPTION; AND FOR RELATED PURPOSES.

By Senator(s) Butler, Witherspoon

S. B. No. 2547: Universities and Colleges; Appropriations

AN ACT TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A STUDENT MUST SCORE AT LEAST A 17 ON THE AMERICAN COLLEGE TEST TO BE ELIGIBLE FOR THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM; TO AMEND SECTION 37-106-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A STUDENT MUST SCORE AT LEAST A 30 ON THE AMERICAN COLLEGE TEST TO BE ELIGIBLE FOR THE MISSISSIPPI EMINENT SCHOLARS GRANT PROGRAM; TO AMEND SECTION 37-106-75, MISSISSIPPI

CODE OF 1972, TO PROVIDE THAT A STUDENT MUST SCORE AT LEAST A 21 ON THE AMERICAN COLLEGE TEST TO BE ELIGIBLE FOR THE HIGHER EDUCATION LEGISLATIVE PLAN GRANT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2548: Universities and Colleges; Appropriations

AN ACT ENTITLED THE "MISSISSIPPI TARGETED STUDENT LOAN FORGIVENESS ACT"; TO ESTABLISH THE TARGETED STUDENT LOAN FORGIVENESS PROGRAM TO BE ADMINISTERED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING SUBJECT TO AVAILABLE APPROPRIATION TO ALLEVIATE THE BURDEN OF STUDENT LOAN DEBT AND ATTRACT QUALIFIED WORKERS TO AREAS OF THE STATE POPULATION LOSS OR SHORTAGE OF SKILLED WORKERS; TO ESTABLISH QUALIFICATIONS AND CRITERIA FOR THE LOAN FORGIVENESS AWARD; TO DIRECT THE BOARD OF TRUSTEES TO ANNUALLY PUBLISH A LIST OF COUNTIES AND MUNICIPALITIES IN THE STATE WHERE RESIDENTS SHALL BE ELIGIBLE FOR STUDENT DEBT FORGIVENESS GRANTS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2549: Elections

AN ACT TO AMEND SECTION 23-15-591, MISSISSIPPI CODE OF 1972, TO PROHIBIT PUBLIC OFFICERS, EMPLOYEES OR CONTRACTORS OF THIS STATE FROM RELEASING THE NUMBER OF VOTES CAST IN THE GENERAL ELECTION FOR THE OFFICE OF THE PRESIDENT OF THE UNITED STATES UNTIL AFTER THE TIMES SET BY LAW FOR THE MEETING AND VOTES OF THE PRESIDENTIAL ELECTORS IN ALL STATES; TO AUTHORIZE THE SECRETARY OF STATE TO RELEASE THE PERCENTAGE OF STATEWIDE VOTES CAST FOR EACH SET OF PRESIDENTIAL ELECTORS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2550: Judiciary, Division A

AN ACT TO AMEND SECTION 45-6-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT DIRECTOR AND INVESTIGATORS OF THE FRAUD INVESTIGATION UNIT WITH THE DEPARTMENT OF HUMAN SERVICES HAVE LAW ENFORCEMENT AUTHORITY; TO AMEND SECTION 43-1-23, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2551: Judiciary, Division B

AN ACT TO AUTHORIZE THE DIVISION OF CYBER CRIME WITHIN THE OFFICE OF THE ATTORNEY GENERAL TO INTERCEPT WIRE, ORAL, OR ELECTRONIC COMMUNICATION TO INVESTIGATE CHILD EXPLOITATION CASES; TO DEFINE TERMS; TO PROVIDE FOR AN APPLICATION PROCESS AND ESTABLISH CERTAIN CONTENT REQUIREMENTS FOR AN APPLICATION; TO AUTHORIZE A JUDGE TO ENTER AN EX PARTE ORDER GRANTING THE APPLICATION AND TO REQUIRE CERTAIN FINDINGS; TO LIMIT THE DURATION OF AN ORDER GRANTING AN APPLICATION; TO AUTHORIZE EXTENSIONS TO THE ORDER GRANTING THE APPLICATION; TO PROVIDE THAT THE CONTENTS OF ANY INTERCEPT BE RECORDED; TO REQUIRE THAT THE RECORDING BE MADE AVAILABLE UNDER SEAL TO THE ISSUING JUDGE; TO PROVIDE THAT APPLICATIONS AND ORDERS UNDER THIS ACT SHALL BE CONFIDENTIAL; TO PROVIDE THAT THE CONTENTS OF AN INTERCEPT SHALL NOT BE ADMITTED AS EVIDENCE UNLESS EACH PARTY HAS RECEIVED A COPY OF THE ORDER AUTHORIZING THE INTERCEPT; TO PROVIDE FOR MOTIONS TO SUPPRESS THE INTERCEPTED COMMUNICATIONS; TO AUTHORIZE AN APPEAL OF AN ORDER GRANTING A MOTION TO SUPPRESS OR DENYING AN APPLICATION; TO GOVERN THE DISCLOSURE AND USE OF THE INTERCEPTED COMMUNICATION AS IT RELATES TO OTHER UNLAWFUL ACTIVITY; TO PROVIDE THAT THE INTERCEPTED COMMUNICATION SHALL NOT BE RECEIVED IN EVIDENCE IN

VIOLATION OF THIS ACT; TO REQUIRE AN ANNUAL REPORT; TO PROVIDE THAT ANY AMBIGUITY IN THIS ACT BE RESOLVED IN FAVOR OF THE AGGRIEVED PARTY AND AGAINST THE STATE; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2552: Judiciary, Division B

AN ACT TO AMEND SECTION 99-15-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS CHARGED WITH CRIMES OF FRAUD OR EMBEZZLEMENT EXCEEDING A CERTAIN AMOUNT ARE NOT ELIGIBLE FOR PRETRIAL INTERVENTION; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, England, Suber, McLendon, Boyd, McCaughn

S. B. No. 2553: Corrections

AN ACT TO BRING FORWARD SECTIONS 47-5-901 THROUGH 47-5-911, 47-5-401, 47-5-451, 47-5-471, 47-5-938 AND 99-19-42, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Suber, McLendon, McCaughn, Boyd

S. B. No. 2554: Judiciary, Division B; Appropriations

AN ACT TO CREATE THE BULLETPROOF VESTS REVOLVING FUND TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY FOR LOCAL LAW ENFORCEMENT AGENCIES TO APPLY FOR MONIES NECESSARY FOR THE MATCH REQUIREMENT OF THE DEPARTMENT OF JUSTICE VEST PARTNERSHIP GRANT ACT OF 1998; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2555: Elections

AN ACT TO AMEND SECTION 21-1-27, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT AN ELECTION BE HELD IN ANY PART OF A COUNTY WHICH IS THE SUBJECT OF AN ANNEXATION OR REMOVAL ORDINANCE; TO PROVIDE THAT THE COSTS OF THE ELECTION SHALL BE PAID BY THE GOVERNING AUTHORITY OF THE MUNICIPALITY THAT IS SEEKING THE ANNEXATION OR REMOVAL OF THE PROPOSED TERRITORY IN THE COUNTY; TO REPEAL SECTION 21-1-29, MISSISSIPPI CODE OF 1972, WHICH REQUIRES AN ENLARGEMENT OR CONTRACTION PETITION TO BE FILED IN CHANCERY COURT; TO AMEND SECTION 21-1-31, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MUNICIPAL AUTHORITIES TO PAY ATTORNEY'S FEES AND ALL COSTS OF COURT WHEN APPEALING THE ELECTION RESULTS; TO AMEND SECTION 21-1-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHANCELLOR MAY CONSIDER ELECTION RESULTS AS EVIDENCE; TO AMEND SECTIONS 21-1-35 AND 21-1-43, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

S. B. No. 2556: Judiciary, Division B

AN ACT TO AMEND SECTIONS 99-19-81, MISSISSIPPI CODE OF 1972, TO PROVIDE A TIME PERIOD FOR QUALIFICATION OF CERTAIN HABITUAL OFFENDERS; TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS THAT REGULATE HABITUAL OFFENDERS; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2557: Judiciary, Division B

AN ACT TO PROHIBIT RETAIL FOOD ESTABLISHMENTS FROM IMPOSING COST-PLUS PRICING FORMULAS; TO PROVIDE A PENALTY FOR THE CRIME; TO PROVIDE THAT A VIOLATION OF THE SECTION SHALL CONSTITUTE AN UNLAWFUL TRADE PRACTICE; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Simmons (12th)

S. B. No. 2558: Judiciary, Division B

AN ACT TO PROHIBIT THE OPEN CARRYING OF A FIREARM WHILE AT CERTAIN PARADES OR DEMONSTRATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2559: Energy

AN ACT TO AUTHORIZE THE PUBLIC SERVICE COMMISSION TO ENTER INTO CONTRACTS AND AGREEMENTS WITH FEDERAL AGENCIES INCLUDING, BUT NOT LIMITED TO, THE UNITED STATES DEPARTMENT OF COMMERCE, THE FEDERAL COMMUNICATIONS COMMISSION OR THE NATIONAL TELECOMMUNICATIONS INFORMATION AGENCY, FOR THE PURPOSES OF PROVIDING SERVICES FOR THE COLLECTION OF DATA AND MAPPING OF BROADBAND AVAILABILITY; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2560: Judiciary, Division B

AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PERSONS MAY PETITION THE CIRCUIT COURT TO EXPUNGE A FIRST OFFENSE OF DRIVING UNDER THE INFLUENCE SUBJECT TO CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Suber

S. B. No. 2561: Judiciary, Division B

AN ACT TO ENACT THE "EMPOWERING REENTRY THROUGH LICENSING ACT" WHICH PROVIDES FOR A SIX-MONTH PROVISIONAL DRIVER'S LICENSE ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY TO ELIGIBLE PERSONS WHO HAVE BEEN RELEASED FROM INCARCERATION; TO DEFINE TERMS; TO AUTHORIZE PROVISIONAL LICENSES; TO PROVIDE CERTAIN REQUIREMENTS AND CERTAIN DISQUALIFICATIONS FOR ELIGIBILITY; TO REQUIRE CERTAIN DUTIES OF THE DEPARTMENT OF PUBLIC SAFETY TO ADMINISTER THE ACT; TO DIRECT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO IDENTIFY ELIGIBLE PERSONS TO APPLY FOR A PROVISIONAL DRIVER'S LICENSE; TO AMEND SECTIONS 47-5-157 AND 47-7-33.1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2562: Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 20 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO

AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Norwood

S. B. No. 2563: Elections

AN ACT TO AMEND SECTION 23-15-713, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EVERY DULY QUALIFIED ELECTOR TO VOTE BY ABSENTEE BALLOT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Norwood

S. B. No. 2564: Judiciary, Division B

AN ACT TO PROVIDE THAT THE COMPREHENSIVE FIREARMS CODE OF THE STATE OF MISSISSIPPI IS INTERPOSED IN PLACE OF ANY FEDERAL LAW CONFISCATING FIREARMS OF LAW-ABIDING CITIZENS; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2565: Judiciary, Division B

AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF SAFETY TO ALLOW A LICENSEE TO UPDATE THE PERMANENT ADDRESS FOR A CONCEALED-CARRY LICENSE ONLINE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2566: Judiciary, Division A

AN ACT TO AMEND SECTION 43-21-603, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE YOUTH COURT SHALL CONSIDER THE REPORT OF THE DEPARTMENT OF CHILD PROTECTION SERVICES DURING A DISPOSITION HEARING; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2567: Judiciary, Division B

AN ACT ENTITLED THE "SECOND AMENDMENT PRESERVATION ACT"; TO PROVIDE THAT THE MISSISSIPPI LEGISLATURE PREEMPTS THE LAW OF FIREARMS, COMPONENTS, AMMUNITION AND FIREARM SUPPLIES TO THE COMPLETE EXCLUSION OF ANY ORDER, ORDINANCE OR REGULATION BY ANY POLITICAL SUBDIVISION OR MUNICIPALITY OF THIS STATE; TO BRING FORWARD SECTIONS 45-9-51, 45-9-53 AND 45-9-101, MISSISSIPPI CODE OF 1972, WHICH PROVIDE CONDITIONS ON CARRYING CONCEALED WEAPONS AND TO BRING FORWARD SECTIONS 97-37-7 AND 97-37-9, MISSISSIPPI CODE OF 1972, WHICH PROVIDE CONDITIONS ON CARRYING DEADLY WEAPONS AND PENALTIES; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2568: Judiciary, Division A; Judiciary, Division B

AN ACT TO CODIFY SECTION 11-65-3, MISSISSIPPI CODE OF 1972, TO PROHIBIT STATE OR LOCAL ENABLING OF FEDERAL GUN BAN ENFORCEMENT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

S. B. No. 2569: Judiciary, Division B

AN ACT TO CREATE THE CRIME OF SELLING, TRANSFERRING, MARKETING OR GIVING AWAY URINE FOR THE PURPOSE OF ADULTERATING A HUMAN URINE SAMPLE FOR A CHEMICAL TEST; TO PROVIDE PENALTIES; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2570: Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE EARLY NOT MORE THAN 21 DAYS NOR LESS THAN FIVE DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT EARLY VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE OR AT A LOCATION DESIGNATED BY THE REGISTRAR; TO REQUIRE A PERSON WHO DESIRES TO VOTE EARLY TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE OR AT THE LOCATION DESIGNATED BY THE REGISTRAR DURING THE EARLY VOTING PERIOD IN THE SAME MANNER AS HE OR SHE WOULD AT HIS OR HER VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE EARLY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE EARLY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING EARLY VOTING SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO VOTE EARLY IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE EARLY VOTING; TO AMEND SECTIONS 23-15-195, 23-15-653 AND 23-15-353, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTIONS 23-15-627, 23-15-637, 23-15-641, 23-15-713 AND 23-15-715, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT VOTERS MAY NOT CAST ABSENTEE BALLOTS AT THE OFFICE OF THE REGISTRAR DURING THE EARLY VOTING PERIOD; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2571: Elections

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

REVISE THE CATEGORIES OF VOTERS WHO MAY CAST AN ABSENTEE BALLOT; TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL ABSENTEE BALLOTS MUST BE RECEIVED BY THE REGISTRAR BY A CERTAIN TIME ON THE DAY BEFORE THE ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2572: Judiciary, Division B

AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO CLARIFY THE STATUS OF OUT-OF-STATE DUI CONVICTIONS USED FOR PURPOSES OF ENHANCEMENT OF PENALTY FOR FOURTH AND SUBSEQUENT DUI VIOLATIONS; TO CLARIFY THAT EXPUNCTIONS OF VIOLATIONS OF THIS SECTION, INCLUDING NONADJUDICATIONS GRANTED BY AN INTERVENTION COURT, MUST BE RECORDED WITHIN THE CONFIDENTIAL REGISTRY OF ALL EXPUNCTIONS; TO AMEND SECTION 9-23-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ORDERS OF NONADJUDICATION AND EXPUNCTION MUST BE RECORDED WITHIN THE CONFIDENTIAL REGISTRY OF ALL EXPUNCTIONS CREATED IN SECTION 63-11-30; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. B. No. 2573: Judiciary, Division B

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT UNIFORM REPORTING STANDARDS FOR JAIL CENSUS DATA BY COUNTY SHERIFF'S DEPARTMENTS AND TO CREATE AND MAINTAIN A CENTRALIZED DATABASE FOR STORING THIS DATA; TO AMEND SECTIONS 19-25-63 AND 47-1-21, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT JAIL DOCKETS KEPT BY COUNTY SHERIFFS COMPLY WITH UNIFORM REPORTING STANDARDS IN ORDER TO PROMOTE COMPLIANCE WITH RULE 8 OF THE MISSISSIPPI RULES OF CRIMINAL PROCEDURE AND INCREASE CRIMINAL JUSTICE TRANSPARENCY; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

S. B. No. 2574: Corrections; Judiciary, Division B

AN ACT TO CREATE A PILOT REENTRY COURT; TO ESTABLISH A REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AUTHORIZE THE JUDGE PRESIDING OVER THE PILOT REENTRY COURT AT THE TIME OF INITIAL SENTENCING OF ANY SECOND OR SUBSEQUENT OFFENDER TO RECOMMEND THE OFFENDER BE PLACED IN THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM FOR A PERIOD OF NO MORE THAN THREE YEARS AFTER THE INITIAL SENTENCING; TO RECONSIDER THE SENTENCE AND PLACE THE OFFENDER ON POST-RELEASE SUPERVISION; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

S. B. No. 2575: Elections

AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED ELECTORS TO SUBMIT VOTER REGISTRATION APPLICATIONS THROUGH A SECURE INTERNET WEBSITE ESTABLISHED BY THE SECRETARY OF STATE; TO ESTABLISH THE PROCEDURE BY WHICH THE COUNTY REGISTRAR SHALL PROCESS ONLINE APPLICATIONS; TO AMEND SECTIONS 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2576: Elections; Constitution

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING

THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; TO BRING FORWARD SECTION 23-15-573, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE PROCEDURE FOR CASTING AN AFFIDAVIT BALLOT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2577: Elections

AN ACT TO ENACT THE "MISSISSIPPI ELECTION REFORM ACT OF 2021"; TO CODIFY A NEW SECTION TO ENSURE THAT ONLY CITIZEN'S OF THE UNITED STATES BE PERMITTED TO VOTE IN MISSISSIPPI; TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972 TO PROVIDE THAT AN ELIGIBLE, UNREGISTERED PERSON MAY REGISTER TO VOTE ONLINE; TO CODIFY NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COUNTY REGISTRAR OR COUNTY ELECTION COMMISSION SHALL REMOVE FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM THOSE ELECTORS WHO FAIL TO RESPOND TO A CONFIRMATION NOTICE FOR A PERIOD OF CONSECUTIVE YEARS; TO DEFINE TERMS; TO REQUIRE ELECTION COMMISSIONERS TO SEND REGISTERED ELECTORS WHO DO NOT VOTE FOR A CERTAIN PERIOD A CONFIRMATION NOTICE; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO CODIFY NEW SECTION 23-15-395, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO REGULATE THE REVIEW, CERTIFICATION, DECERTIFICATION AND IMPLEMENTATION OF VOTING SYSTEMS; TO AMEND SECTIONS 23-15-551 AND 23-15-691, MISSISSIPPI CODE OF 1972, TO DELETE THE OPTION OF MARKING ELECTION BALLOTS WITH INDELIBLE PENCIL; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REVISE THE APPLICATION FOR AN ABSENTEE ELECTOR'S BALLOT; TO AMEND SECTION 23-15-1053, MISSISSIPPI CODE OF 1972, TO REQUIRE POLITICAL PARTIES THAT SEEK REGISTRATION IN MISSISSIPPI TO SELECT INTERIM OFFICERS TO FULFILL THE REGISTRATION REQUIREMENTS OF THE ARTICLE; TO AMEND SECTIONS 23-15-13, 23-15-33, 23-15-35, 23-15-37, 23-15-

39, 23-15-41, 23-15-79, 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 23-15-15, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT REQUIRES DOCUMENTATION OF NATURALIZED PERSONS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2578: Judiciary, Division B

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

By Senator(s) Blackwell

S. B. No. 2579: Judiciary, Division B; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI WHITE-COLLAR CRIME OFFENDER LIST; TO DEFINE TERMS; TO DIRECT THE ATTORNEY GENERAL TO CREATE AN ONLINE LIST OF OFFENDERS; TO AUTHORIZE THE ATTORNEY GENERAL TO PROMULGATE RULES FOR THE IMPLEMENTATION OF THE ACT; TO CREATE NEW SECTION 5-8-2, MISSISSIPPI CODE OF 1972, TO PROHIBIT PERSONS ON THE LIST FROM LOBBYING; TO AMEND SECTION 25-1-113, MISSISSIPPI CODE OF 1972, TO PROHIBIT LOCAL GOVERNMENTS FROM HIRING PERSONS ON THE LIST FOR CERTAIN POSITIONS; TO AMEND SECTION 99-19-35, MISSISSIPPI CODE OF 1972, TO PROHIBIT APPOINTMENT OR ELECTION OF PERSONS ON THE LIST TO CERTAIN OFFICES OR EMPLOYMENT; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2580: Judiciary, Division B

AN ACT TO AMEND SECTIONS 97-3-21, 99-19-101 AND 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH THE UNITED STATES SUPREME COURT HOLDING IN THE CASE OF MILLER V. ALABAMA; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2581: Judiciary, Division B

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

By Senator(s) Hill

S. B. No. 2582: Elections

AN ACT TO AMEND SECTION 23-15-297, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE OF EACH POLITICAL PARTY TO DETERMINE THE FILING FEE FOR ENTERING THE RACE FOR PARTY NOMINATIONS FOR OFFICE FOR CERTAIN POLITICAL CANDIDATES; TO REVISE THE FILING FEE FOR CERTAIN INDEPENDENT CANDIDATES; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE ANY NECESSARY RULES AND REGULATIONS TO ADMINISTER AND ENFORCE THIS SECTION; TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2583: Judiciary, Division B

AN ACT TO AMEND SECTION 63-7-59, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTY LAW ENFORCEMENT OFFICERS TO ENFORCE MOTOR VEHICLE WINDOW TINT VIOLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2584: Judiciary, Division B; Appropriations

AN ACT TO ESTABLISH A STATE-FUNDED PUBLIC DEFENDER SYSTEM FOR INDIGENT PARTIES ACCUSED OF VIOLENT CRIMES; TO AMEND SECTIONS 99-18-

5, 99-18-7, 99-18-17, 99-19-73 AND 37-26-9, MISSISSIPPI CODE OF 1972, TO CREATE A VIOLENT CRIMES INDIGENT DEFENSE COUNSEL DIVISION WITHIN THE OFFICE OF THE STATE PUBLIC DEFENDER FOR THE PURPOSE OF PROVIDING REPRESENTATION TO INDIGENT PARTIES UNDER INDICTMENT FOR VIOLENT CRIMES; TO PRESCRIBE THE DUTIES OF THE DIVISION, TO CREATE A VIOLENT CRIMES INDIGENT DEFENDANT DEFENSE COUNSEL FUND, TO INCREASE THE ASSESSMENT ON FELONIES AND THE COURT EDUCATION FUND FEE TO BE DISTRIBUTED TO THE INDIGENT DEFENDANT DEFENSE COUNSEL FUND; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2585: Judiciary, Division B

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

By Senator(s) Turner-Ford

S. B. No. 2586: Appropriations

AN ACT TO AMEND REENACTED SECTION 47-5-901, MISSISSIPPI CODE OF 1972, TO INCREASE RATE OF REIMBURSEMENT FOR SERVICE OF SENTENCE BY STATE PRISONERS IN COUNTY JAIL IF SPACE UNAVAILABLE IN STATE FACILITY; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2587: Elections

AN ACT TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REGISTRAR TO ALPHABETIZE RECEIVED ABSENTEE BALLOTS; TO AMEND SECTION 23-15-639, MISSISSIPPI CODE OF 1972, TO REQUIRE THE RESOLUTION BOARD TO TALLY ABSENTEE BALLOTS AT THE OPENING OF THE POLLS; TO AMEND SECTIONS 23-15-645 AND 23-15-517, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2588: Elections

AN ACT TO CREATE NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COUNTY REGISTRAR OR COUNTY ELECTION COMMISSION SHALL REMOVE FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM THOSE ELECTORS WHO FAIL TO RESPOND TO A CONFIRMATION NOTICE FOR A PERIOD OF CONSECUTIVE YEARS; TO DEFINE THE TERMS "CONFIRMATION NOTICE" AND "FAIL TO RESPOND TO THE CONFIRMATION NOTICE"; TO REQUIRE ELECTION COMMISSIONERS TO SEND REGISTERED ELECTORS WHO DO NOT VOTE FOR A CERTAIN PERIOD A CONFIRMATION NOTICE; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2589: Elections

AN ACT TO AMEND SECTION 23-15-171, MISSISSIPPI CODE OF 1972, TO REQUIRE COUNTY EXECUTIVE COMMITTEES TO APPOINT MEMBERS OF THE MUNICIPAL EXECUTIVE COMMITTEE AND INFORM THE MUNICIPAL CLERK AND STATE EXECUTIVE COMMITTEE OF THE APPOINTMENTS BY A DATE CERTAIN BEFORE THE MUNICIPAL PRIMARY ELECTION; TO REQUIRE THE STATE EXECUTIVE COMMITTEE, IF IT HAS RECEIVED NO NOTICE OF THE APPOINTMENTS BY THE DEADLINE, TO APPOINT MEMBERS OF THE MUNICIPAL EXECUTIVE COMMITTEE AND INFORM THE MUNICIPAL CLERK BY A DATE

CERTAIN BEFORE THE MUNICIPAL PRIMARY ELECTION; TO REVISE THE NUMBER OF MEMBERS APPOINTED TO THE MUNICIPAL EXECUTIVE COMMITTEE; TO REPEAL SECTIONS 23-15-313 AND 23-15-315, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR TEMPORARY EXECUTIVE COMMITTEES, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2590: Elections

AN ACT TO AMEND SECTION 23-15-1053, MISSISSIPPI CODE OF 1972, TO REQUIRE POLITICAL PARTIES THAT SEEK REGISTRATION IN MISSISSIPPI TO SELECT INTERIM OFFICERS TO FULFILL THE REGISTRATION REQUIREMENTS OF THE ARTICLE; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2591: Elections

AN ACT TO PROVIDE THAT THE OFFICE OF ELECTION COMMISSIONER SHALL BE A NONPARTISAN OFFICE; TO PROVIDE THAT THE NAMES OF CANDIDATES FOR THE OFFICE OF ELECTION COMMISSIONER SHALL BE LISTED AS NONPARTISAN ON A BALLOT; TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFYING DEADLINE FOR ELECTION COMMISSIONERS; TO AMEND SECTIONS 23-15-367 AND 23-15-511, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2592: Elections

AN ACT TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REVISE THE APPLICATION FOR AN ABSENTEE ELECTOR'S BALLOT; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2593: Elections

AN ACT TO AMEND SECTION 23-15-895, MISSISSIPPI CODE OF 1972, TO EXTEND THE PROHIBITION ON ELECTIONEERING ACTIVITIES TO ALL PERSONS WITHIN THE POLLING PLACE AND IN ANY PUBLIC AREA THAT IS WITHIN A SET DISTANCE OF THE POLLING PLACE; TO DEFINE THE ACTIVITIES WHICH CONSTITUTE ELECTIONEERING; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2594: Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 21 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO

REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2595: Drug Policy; Judiciary, Division A

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO REDUCE THE PUNISHMENT FOR SIMPLE POSSESSION OF A SMALL AMOUNT OF MARIJUANA TO A CIVIL PENALTY; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO GRANT TO MUNICIPAL COURTS JURISDICTION OVER CIVIL OFFENSES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2596: Judiciary, Division B

AN ACT TO PROHIBIT THE CREATION OF CRIMINAL OFFENSES NOT SUBJECT TO THE STRICTURES OF BICAMERALISM AND PRESENTMENT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

S. B. No. 2597: Corrections; Judiciary, Division B

AN ACT TO AMEND SECTION 47-5-198, MISSISSIPPI CODE OF 1972, TO REVISE THE MANDATORY SENTENCE AND FINE IMPOSED FOR BRINGING ANY CONTROLLED SUBSTANCE OR NARCOTIC DRUG INTO OR POSSESSING ANY CONTROLLED SUBSTANCE OR NARCOTIC DRUG WITHIN ANY STATE CORRECTIONAL FACILITY, COUNTY JAIL, MUNICIPAL JAIL OR OTHER JAIL; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2598: Judiciary, Division B

AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF SAFETY TO WAIVE THE RESIDENCY REQUIREMENT FOR A CONCEALED-CARRY LICENSE FOR SPOUSES OF ACTIVE MILITARY PERSONNEL STATIONED IN MISSISSIPPI; TO AMEND SECTIONS 63-1-9 AND 63-1-21, MISSISSIPPI CODE OF 1972, TO REMOVE THE INTERMEDIATE LICENSE; TO REVISE THE DEPARTMENT OF PUBLIC SAFETY'S AUTHORITY TO ISSUE DRIVER'S LICENSES AND LEARNER'S PERMITS; TO REQUIRE A LICENSEE UNDER A CERTAIN AGE TO BE SUPERVISED WHILE DRIVING FOR THE FIRST 6 MONTHS OF POSSESSION OF A DRIVER'S LICENSE; TO AMEND SECTION 63-11-23, MISSISSIPPI CODE OF 1972, TO REMOVE AN EXCEPTION TO LICENSE SUSPENSION FOR PARTICIPATING IN A COURT-ORDERED DRUG TESTING PROGRAM; TO AMEND SECTION 63-11-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PETITION APPEALING THE FORFEITURE, SUSPENSION OR DENIAL OF ISSUANCE OF A LICENSE SHALL BE SERVED ON THE ATTORNEY GENERAL AND THE COMMISSIONER OF PUBLIC SAFETY; TO AMEND SECTIONS 45-33-43, 63-1-5, 63-1-6, 63-1-10.1, 63-1-23, 63-1-33, 63-1-35, 63-1-37, 63-1-43 AND 63-1-47, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2599: Elections

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE

PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTION 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2600: Elections

AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED ELECTORS TO SUBMIT VOTER REGISTRATION APPLICATIONS THROUGH A SECURE INTERNET WEBSITE ESTABLISHED BY THE SECRETARY OF STATE; TO ESTABLISH THE PROCEDURE BY WHICH THE COUNTY REGISTRAR SHALL PROCESS ONLINE APPLICATIONS; TO AMEND SECTIONS 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2601: Judiciary, Division B

AN ACT TO AMEND SECTION 47-7-37.1, MISSISSIPPI CODE OF 1972, TO REMOVE ABSCONDING FROM SUPERVISION AS A GROUND FOR REVOCATION OF PROBATION BY THE COURT; AND FOR RELATED PURPOSES.
By Senator(s) Fillingane, Simmons (12th)

S. B. No. 2602: Insurance; Appropriations

AN ACT TO AMEND SECTION 83-34-4, MISSISSIPPI CODE OF 1972, TO DIVERT A CERTAIN AMOUNT OF THE NONADMITTED INSURER POLICY FEE TO FUND THE RURAL FIRE TRUCK AND SUPPLEMENTAL FUND, AND TO PROVIDE FUNDS TO THE FIRE MARSHAL'S OFFICE FOR FIRE APPARATUS GRANTS AND FIRE PROTECTION GRANTS; TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO ALLOW USED FIRE TRUCKS THAT ARE LESS THAN FIVE YEARS OLD TO BE PURCHASED UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Michel

S. B. No. 2603: Insurance

AN ACT TO AMEND SECTION 83-11-551, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INSURER TO DIRECT AN AUCTION FIRM OR AUTOMOTIVE DISMANTLER TO RELEASE A VEHICLE TO THE VEHICLE'S OWNER OR LIENHOLDER WHEN THE INSURER DOES NOT TAKE OWNERSHIP OF THE VEHICLE; TO REQUIRE NOTICE TO THE OWNER AND LIENHOLDER THAT THE

VEHICLE IS AVAILABLE FOR PICK UP; TO PROVIDE FOR A LIEN-FREE SALVAGE CERTIFICATE OF TITLE OR A PARTS-ONLY CERTIFICATE OF TITLE TO AN AUCTION FIRM OR AUTOMOTIVE DISMANTLER IF THE OWNER OR LIENHOLDER DOES NOT PICK UP THE VEHICLE WITHIN A CERTAIN NUMBER OF DAYS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2604: Accountability, Efficiency, Transparency

AN ACT TO AUTHORIZE MUNICIPALLY OWNED UTILITIES AND OTHER ENTITIES TO ADOPT RULES AND PROCEDURES AUTHORIZING ACCOUNTING SYSTEM ACCOMMODATION OF CERTAIN UNCOLLECTIBLE INDEBTEDNESS OWED BY A CUSTOMER FOR UTILITY SERVICES; TO AMEND SECTIONS 31-19-27 AND 31-19-29, MISSISSIPPI CODE OF 1972, DEALING WITH DOUBTFUL CLAIMS; TO SPECIFICALLY AUTHORIZE RATE STRUCTURES BASED ON CERTAIN FACTORS; TO ALLOW MUNICIPALLY-OWNED UTILITIES AND OTHER ENTITIES TO CREATE CUSTOMER ASSISTANCE PROGRAMS FOR LOW-INCOME CUSTOMERS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2605: Municipalities

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF MUNICIPALITIES TO ALLOW THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE MUNICIPALITY; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE OR TEMPORARY DRIVER'S PERMIT AND PROOF OF FINANCIAL RESPONSIBILITY; TO REQUIRE CERTAIN REGISTRATION OF GOLF CARTS AND LOW-SPEED VEHICLES; TO AMEND SECTIONS 27-19-3, 27-51-5 AND 63-17-155, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Barnett, Jackson (32nd), Norwood

S. B. No. 2606: Tourism; Finance

AN ACT TO CREATE NEW SECTIONS 67-11-1, 67-11-3, 67-11-5, 67-11-7, 67-11-9, 67-11-11 AND 67-5-13, MISSISSIPPI CODE OF 1972, TO BE KNOWN AS THE "MISSISSIPPI NATIVE SPIRIT LAW"; TO DEFINE "NATIVE SPIRIT" AS A BEVERAGE PRODUCED IN MISSISSIPPI FOR SALE POSSESSING A VOLUME OF AT LEAST 51% OF THE FINISHED PRODUCT OBTAINED FROM DISTILLATION OF FERMENTED GRAIN, STARCH, MOLASSES OR SUGAR GROWN AND PRODUCED IN MISSISSIPPI; TO DEFINE "NATIVE DISTILLERY" AS AN ESTABLISHMENT WITHIN THIS STATE WHERE NATIVE SPIRIT IS PRODUCED IN WHOLE OR IN PART FOR SALE; TO LEGALIZE THE MANUFACTURE AND SALE OF NATIVE SPIRITS, TO BE REGULATED IN THE SAME MANNER AS NATIVE WINES; TO ESTABLISH PRIVILEGE AND EXCISE TAXES UPON PRODUCERS OF NATIVE SPIRITS; TO AMEND SECTIONS 67-1-5, 67-1-7, 67-1-13, 67-1-37, 67-1-41, 67-1-45, 67-1-51, 67-1-73, 27-4-3, 27-71-5, 27-71-7, 27-71-21, 27-77-1 AND 27-77-17, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2607: Judiciary, Division A; Appropriations

AN ACT TO CREATE A COUNTY COURT IN AND FOR EVERY COUNTY; TO AMEND SECTION 9-9-1, MISSISSIPPI CODE OF 1972, TO CREATE COUNTY COURT DISTRICTS; TO AMEND SECTION 9-9-5, MISSISSIPPI CODE OF 1972, TO SET FORTH THE QUALIFICATIONS OF JUDGES OF THE COUNTY COURTS; TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO SET FORTH THE SALARY OF THE COUNTY COURT JUDGES; TO AMEND SECTION 9-9-19, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR TERMS OF COURT; TO AMEND SECTION 9-9-21, MISSISSIPPI CODE OF 1972, TO SET FORTH THE JURISDICTION OF THE COUNTY COURT; TO AMEND SECTIONS 9-9-23, 9-1-19, 9-1-23, 9-1-25 AND 9-1-35, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 43-21-107,

MISSISSIPPI CODE OF 1972, TO CONFORM YOUTH COURT JURISDICTION; TO AMEND SECTION 43-21-123, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDING FOR THE COUNTY COURTS; TO AMEND SECTIONS 23-15-973 AND 23-15-975, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-13-1, 9-13-17 AND 9-13-19, MISSISSIPPI CODE OF 1972, TO PROVIDE A COURT REPORTER AND CONFORM PROVISIONS CONCERNING COURT REPORTERS; TO DESIGNATE THE CLERK OF THE COUNTY COURT AND THE CLERK OF THE YOUTH COURT; TO BRING FORWARD SECTIONS 9-13-31 AND 43-21-45, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF AMENDMENT; TO AMEND SECTIONS 43-21-111, 43-21-123, 43-21-125, 43-21-801 and 99-35-1, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-13-61, MISSISSIPPI CODE OF 1972, TO DELETE ARCHAIC REFERENCE TO FAMILY COURTS; TO REPEAL SECTION 9-9-3, MISSISSIPPI CODE OF 1972, WHICH ALLOWS FOR ESTABLISHMENT OF A COUNTY COURT BY AGREEMENT OF TWO OR MORE COUNTIES; TO REPEAL SECTION 9-9-9, MISSISSIPPI CODE OF 1972, WHICH RESTRICTS THE PRACTICE OF LAW BY COUNTY COURT JUDGES; TO REPEAL SECTION 9-9-13, MISSISSIPPI CODE OF 1972, WHICH ALLOWS MUNICIPALITIES TO SUPPLEMENT COUNTY COURT JUDGE SALARIES; TO REPEAL SECTION 9-9-14, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR HARRISON COUNTY; TO REPEAL SECTION 9-9-15, MISSISSIPPI CODE OF 1972, WHICH ALLOWS ADDITIONAL COUNTY COURT JUDGES FOR HINDS COUNTY; TO REPEAL SECTION 9-9-16, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR WASHINGTON COUNTY; TO REPEAL SECTION 9-9-17, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL JUDGE FOR JACKSON COUNTY; TO REPEAL SECTION 9-9-18, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR RANKIN COUNTY; TO REPEAL SECTION 9-9-18.1, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR MADISON COUNTY; TO REPEAL SECTION 9-9-18.2, MISSISSIPPI CODE OF 1972, WHICH ALLOWS A COUNTY COURT JUDGE FOR PEARL RIVER COUNTY; TO REPEAL SECTION 9-9-18.3, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR LAUDERDALE COUNTY; TO REPEAL SECTION 9-9-18.5, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR DESOTO COUNTY; TO REPEAL SECTION 9-9-18.6, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR LEE COUNTY; TO REPEAL SECTIONS 9-9-37, 9-9-39, 9-9-41, 9-9-43 AND 9-9-45, MISSISSIPPI CODE OF 1972, WHICH ALLOW COUNTIES TO ESTABLISH OR ABOLISH A COUNTY COURT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2608: Business and Financial Institutions; Judiciary, Division A

AN ACT TO PROVIDE THAT A PARTY WHO IS ADVERSELY AFFECTED BY FINAL AGENCY ACTION IS ENTITLED TO JUDICIAL REVIEW; TO PROVIDE THAT A PERSON MAY SEEK JUDICIAL REVIEW IN THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY; TO PROVIDE THAT ALL PROCEEDINGS SHALL BE INSTITUTED BY FILING A NOTICE OF APPEAL OR PETITION FOR REVIEW IN ACCORDANCE WITH THE MISSISSIPPI RULES OF APPELLATE PROCEDURE WITHIN 30 DAYS AFTER THE RENDITION OF THE ORDER BEING APPEALED; TO PROVIDE THAT IF THE AGENCY DECISION HAS THE EFFECT OF SUSPENDING OR REVOKING A PROFESSIONAL LICENSE, SUPERSEDEAS SHALL BE GRANTED AS A MATTER OF RIGHT UPON SUCH CONDITIONS AS ARE REASONABLE, UNLESS A COURT, UPON PETITION OF THE AGENCY, DETERMINES THAT A SUPERSEDEAS WOULD CONSTITUTE A PROBABLE DANGER TO THE HEALTH, SAFETY OR WELFARE OF THE STATE; TO PROVIDE THE RELIEF THAT MAY POTENTIALLY BE GRANTED BY THE REVIEWING COURT; TO AMEND SECTIONS 73-1-31, 73-2-16, 73-3-329, 73-4-19, 73-6-19, 73-5-27, 73-7-27, 73-9-61, 73-9-65, 73-10-21, 73-11-57, 73-13-37, 73-13-93, 73-14-39, 73-15-31, 73-17-15, 73-19-45, 73-19-111, 73-21-101, 73-23-63, 73-24-25, 73-25-27, 73-25-95, 73-29-39, 73-30-11, 73-31-21, 73-33-11, 73-34-43, 73-35-25, 73-36-33, 73-36-36, 73-39-81, 73-42-

13, 73-43-14, 73-53-25, 73-55-19, 73-57-33, 73-59-13, 73-60-35, 73-61-3, 73-63-49, 73-67-19, 73-69-33, 73-71-49, 73-73-33 AND 73-75-19, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2609: Business and Financial Institutions; Finance

AN ACT TO CREATE THE MISSISSIPPI SAVINGS INITIATIVE; TO AUTHORIZE THE CREATION OF INDIVIDUAL DEVELOPMENT ACCOUNTS FOR LOW-INCOME INDIVIDUALS THAT MAY BE UTILIZED BY THE ACCOUNT HOLDER FOR CERTAIN PURPOSES; TO AUTHORIZE THE DEPARTMENT OF BANKING AND CONSUMER FINANCE TO CONTRACT WITH FIDUCIARY ORGANIZATIONS TO SERVE AS INTERMEDIARIES BETWEEN INDIVIDUAL DEVELOPMENT ACCOUNT HOLDERS AND FINANCIAL INSTITUTIONS HOLDING ACCOUNT FUNDS; TO PROVIDE THAT THE GROSS HOUSEHOLD INCOME OF INDIVIDUAL RETIREMENT ACCOUNT HOLDERS MAY NOT EXCEED 185% OF THE POVERTY LEVEL AND THE ACCOUNT HOLDER'S NET WORTH MAY NOT EXCEED \$10,000.00; TO REQUIRE INDIVIDUALS OPENING AN INDIVIDUAL DEVELOPMENT ACCOUNT TO ENTER INTO AN AGREEMENT WITH A FIDUCIARY ORGANIZATION; TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE MATCHING FUNDS FOR AMOUNTS CONTRIBUTED TO THE INDIVIDUAL DEVELOPMENT ACCOUNT BY THE INDIVIDUAL DEVELOPMENT ACCOUNT HOLDER; TO LIMIT THE AMOUNT OF MATCHING FUNDS THAT MAY BE PROVIDED FOR AN INDIVIDUAL DEVELOPMENT ACCOUNT; TO PROVIDE THE PURPOSES FOR WHICH INDIVIDUAL DEVELOPMENT ACCOUNTS MAY BE UTILIZED; TO PROVIDE CIVIL PENALTIES FOR THE WITHDRAWAL OF INDIVIDUAL DEVELOPMENT ACCOUNT FUNDS FOR PURPOSES OTHER THAN THOSE AUTHORIZED UNDER THIS ACT; TO REQUIRE FIDUCIARY ORGANIZATIONS TO MAKE QUARTERLY REPORTS TO THE DEPARTMENT OF BANKING AND CONSUMER FINANCE CONTAINING CERTAIN INFORMATION; TO PROVIDE THAT FUNDS DEPOSITED IN AN INDIVIDUAL DEVELOPMENT ACCOUNT SHALL NOT BE COUNTED AS INCOME, ASSETS OR RESOURCES OF THE INDIVIDUAL IN DETERMINING FINANCIAL ELIGIBILITY FOR ASSISTANCE OR SERVICES PURSUANT TO ANY FEDERAL, FEDERALLY ASSISTED, STATE OR MUNICIPAL PROGRAM BASED ON NEED; TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO EXCLUDE FROM GROSS INCOME INTEREST OR DIVIDEND EARNED ON AN INDIVIDUAL DEVELOPMENT ACCOUNT AND ANY MONEY WITHDRAWN FROM AN INDIVIDUAL DEVELOPMENT ACCOUNT THAT IS USED FOR A QUALIFIED PURPOSE; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

S. B. No. 2610: Judiciary, Division A

AN ACT TO DEFINE TERMS; TO PROVIDE THAT A PROPERTY OWNER'S ASSOCIATION HAS A STATUTORY LIEN ON A UNIT FOR ANY ASSESSMENT ATTRIBUTABLE TO THAT UNIT OR FINES IMPOSED AGAINST ITS UNIT OWNER; TO STATE THE PRIORITY OF THE LIEN; TO PROVIDE THAT A LIEN IS EXTINGUISHED UNLESS PROCEEDINGS TO ENFORCE THE LIEN ARE FILED WITHIN THREE YEARS OF THE ASSESSMENTS BECOMING DUE; TO PROVIDE THAT AN ASSOCIATION MAY FILE AN ACTION TO FORECLOSE A LIEN ONLY UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

By Senator(s) Suber, McCaughn

S. B. No. 2611: Judiciary, Division A; Finance

AN ACT TO PROVIDE THAT A POWER OF ATTORNEY OR LIMITED POWER OF ATTORNEY SHALL NOT BE REQUIRED AS A SUPPORTING DOCUMENT WITH AN APPLICATION FOR A NEW CERTIFICATE OF TITLE ON MOTOR VEHICLES PURCHASED OUT OF STATE; TO DIRECT THE DEPARTMENT OF REVENUE TO UPDATE ITS RULES AND REGULATIONS IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2612: Judiciary, Division A

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

By Senator(s) Turner-Ford

S. B. No. 2613: Judiciary, Division A

AN ACT TO AMEND SECTION 43-21-355, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN INDIVIDUALS WHO PARTICIPATE IN AN INVESTIGATION, EVALUATION, OR JUDICIAL PROCEEDING RESULTING FROM A REQUIRED REPORT OF CHILD ABUSE SHALL BE PRESUMED TO BE ACTING IN GOOD FAITH; TO PROVIDE CIVIL IMMUNITY TO CERTAIN INDIVIDUALS AND INSTITUTIONS WHO PARTICIPATE IN AN INVESTIGATION, EVALUATION OR JUDICIAL PROCEEDING RESULTING FROM A REPORT OF CHILD ABUSE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2614: Judiciary, Division A

AN ACT TO AMEND SECTION 11-51-75, MISSISSIPPI CODE OF 1972, TO EXEMPT CONSTITUTIONAL CHALLENGES TO ORDINANCES, RULES, REGULATIONS AND LAWS OF LOCAL GOVERNMENTS FROM THE TEN-DAY FILING REQUIREMENT; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2615: Judiciary, Division A

AN ACT TO AMEND SECTION 43-19-48, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO USE ADDITIONAL METHODS OF COMMUNICATION TO SEND NOTICES RELATING TO ENCUMBRANCES OF ASSETS FOR CHILD SUPPORT TO FINANCIAL INSTITUTIONS IF ALLOWED BY THE FINANCIAL INSTITUTIONS; TO CREATE NEW SECTION 43-19-36, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILD SUPPORT OBLIGATIONS SHALL BE SUSPENDED BY OPERATION OF LAW FOR PERSONS ORDERED TO PAY CHILD SUPPORT WHO ARE INCARCERATED OR INVOLUNTARILY INSTITUTIONALIZED FOR MORE THAN 180 DAYS, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT THE CHILD SUPPORT OBLIGATION WILL RESUME 60 DAYS AFTER THE NONCUSTODIAL PARENT IS RELEASED FROM INCARCERATION, AND THE NONCUSTODIAL PARENT'S CHILD SUPPORT ORDER AND OBLIGATION WILL BECOME ENFORCEABLE ON THAT DATE; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES WHEN ENFORCING A CHILD SUPPORT ORDER TO ADMINISTRATIVELY ADJUST THE ARREARS BALANCE FOR AN ORDER FOR CHILD SUPPORT THAT WAS SUSPENDED BECAUSE OF INCARCERATION OR INSTITUTIONALIZATION UNDER CERTAIN CONDITIONS AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2616: Judiciary, Division A

AN ACT TO AMEND SECTIONS 11-27-19 AND 11-27-83, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BUSINESS DAMAGES ARE CONSIDERED A

COMPONENT OF JUST COMPENSATION IN EMINENT DOMAIN AND QUICK-TAKE PROCEEDINGS IF THE PROPERTY OWNER HAS OPERATED THE BUSINESS FOR AT LEAST FIVE YEARS AND TO PROVIDE FOR CERTAIN SPECIFIC DAMAGES IN MISSISSIPPI DEPARTMENT OF TRANSPORTATION QUICK-TAKE ACTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2617: Judiciary, Division A

AN ACT TO CREATE THE "STOP SOCIAL MEDIA CENSORSHIP ACT"; TO DEFINE CERTAIN TERMS RELATING TO SOCIAL MEDIA WEBSITES; TO AUTHORIZE A SOCIAL MEDIA WEBSITE USER TO BRING A CAUSE OF ACTION AGAINST A SOCIAL MEDIA WEBSITE FOR CENSORING THE WEBSITE USER'S POLITICAL OR RELIGIOUS SPEECH OR USING AN ALGORITHM TO DISFAVOR, SHADOWBAN OR CENSOR THE USER'S RELIGIOUS SPEECH OR POLITICAL SPEECH; TO PROVIDE FOR DAMAGES RELATING TO A CAUSE OF ACTION AGAINST A SOCIAL MEDIA WEBSITE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2618: Judiciary, Division A

AN ACT TO AMEND SECTION 99-41-29, MISSISSIPPI CODE OF 1972, TO EARMARK 10% OF THE ANNUAL FEDERAL VICTIMS OF CRIME ACT ALLOCATIONS (VOCA) TO THE MISSISSIPPI DEPARTMENT OF HEALTH TO PROVIDE GUN VIOLENCE VICTIM SERVICES; TO AUTHORIZE SUCH FUNDS TO BE USED TO CREATE A VIOLENCE INTERVENTION PROGRAM GRANT FUND TO BE EXPENDED ON EVIDENCE-DRIVEN VIOLENCE REDUCTION AND INTERVENTION PROGRAMS IN COMMUNITIES WITH DISPROPORTIONATELY HIGH RATES OF HOMICIDES AND VIOLENT CRIMES; TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972, TO INCREASE THE ASSESSMENT ON FELONY CONVICTIONS TO BE DEPOSITED INTO THE VIOLENCE INTERVENTION PROGRAM GRANT FUND; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2619: Insurance

AN ACT TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO CHANGE THE 36-MONTH EXPERIENCE RATING REQUIREMENT UNDER THE UNEMPLOYMENT COMPENSATION LAW TO 18 MONTHS; TO AMEND SECTION 71-5-513, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO CONDUCT CERTAIN CHECKS REGARDING DISQUALIFIED CLAIMANTS OF UNEMPLOYMENT COMPENSATION BENEFITS; AND FOR RELATED PURPOSES.

By Senator(s) Branning, Sparks

S. B. No. 2620: Judiciary, Division A

AN ACT TO REQUIRE A COURT OF ORIGINAL JURISDICTION TO ISSUE AN INJUNCTION WHERE A PLAINTIFF DEMONSTRATES THE VIOLATION OF A SOCIAL MEDIA COMPANY'S COMMUNITY STANDARDS OR POLICIES BY A DEFENDANT'S COMMUNICATIONS ON THE SOCIAL MEDIA COMPANY'S PLATFORM; TO AUTHORIZE THE COURT OF ORIGINAL JURISDICTION TO ENJOIN THE DEFENDANT, ANY SOCIAL MEDIA COMPANY THAT DISTRIBUTES, HOSTS OR DISSEMINATES THE DEFENDANT'S COMMUNICATION, OR ANY CORPORATE SPONSOR OF THE DEFENDANT; TO AUTHORIZE THE COURT OF ORIGINAL JURISDICTION TO CONSIDER THE FILING OF CRIMINAL CHARGES RELATED TO THE COMMUNICATIONS TO BE ENJOINED AS A FACTOR IN DETERMINING WHETHER THE DEFENDANT HAS VIOLATED A SOCIAL MEDIA COMPANY'S COMMUNITY STANDARDS OR POLICIES; TO PROVIDE THAT A CRIMINAL CONVICTION RELATED TO THE COMMUNICATIONS THAT ARE THE SUBJECT OF THE PETITION SHALL BE SUFFICIENT EVIDENCE TO MERIT THE ISSUANCE OF A PERMANENT INJUNCTION UNDER THIS SECTION; TO AMEND SECTION 97-45-15,

MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HARASS"; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

S. B. No. 2621: Judiciary, Division A

AN ACT TO ESTABLISH A "TASK FORCE TO STUDY MISSISSIPPI'S LAWS REGARDING THE AWARDED AND CALCULATING OF CHILD SUPPORT, ALIMONY AND OTHER RELATED MATTERS IN DOMESTIC LAW"; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK FORCE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2622: Municipalities

AN ACT TO AMEND SECTIONS 21-17-5, 21-19-15 AND 21-37-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF MUNICIPALITIES BY RETROACTIVELY AND PROSPECTIVELY PROHIBITING GOVERNING AUTHORITIES OF MUNICIPALITIES FROM RESTRICTING THE EXERCISE OF FREE SPEECH AND OTHER FUNDAMENTAL RIGHTS WITHIN THE IMMEDIATE VICINITY OF MEDICAL OR HEALTH CARE FACILITIES WITHOUT PRIOR LEGISLATIVE APPROVAL; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2623: Insurance

AN ACT TO REENACT SECTIONS 63-16-1, 63-16-3, 63-16-5, 63-16-7, 63-16-9, 63-16-11 AND 63-16-13, MISSISSIPPI CODE OF 1972, WHICH CREATE THE PUBLIC SAFETY VERIFICATION AND ENFORCEMENT ACT; TO AMEND SECTION 63-16-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2624: Business and Financial Institutions

AN ACT TO AMEND SECTION 73-35-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN APPEAL TAKEN BY A DEFENDANT FROM AN ADVERSE RULING OR ORDER OF THE MISSISSIPPI REAL ESTATE COMMISSION SHALL ACT AS A SUPERSEDEAS; TO PROVIDE THAT THE SUPERSEDEAS MAY BE IN THE DISCRETION OF THE COURT IN CERTAIN INSTANCES; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2625: Business and Financial Institutions; Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTIONS 73-47-1, 73-47-3, 73-47-5, 73-47-7, 73-47-9 AND 73-47-11, MISSISSIPPI CODE OF 1972, WHICH CREATE THE OCCUPATIONAL BOARD COMPLIANCE ACT OF 2017, FOR PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2626: Business and Financial Institutions

AN ACT TO AMEND SECTIONS 79-4-7.01, 79-4-7.02 AND 79-4-7.05, MISSISSIPPI CODE OF 1972, UNDER THE MISSISSIPPI BUSINESS CORPORATION ACT, TO ALLOW CORPORATIONS TO HOLD ANNUAL OR SPECIAL SHAREHOLDER MEETINGS REMOTELY; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

S. B. No. 2627: Business and Financial Institutions

AN ACT TO CREATE NEW SECTION 73-60-47, MISSISSIPPI CODE OF 1972, TO REQUIRE APPLICANTS FOR LICENSURE AS A HOME INSPECTOR TO UNDERGO CERTAIN BACKGROUND CHECKS; TO AMEND SECTIONS 73-60-11 AND

73-60-31, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

S. B. No. 2628: Business and Financial Institutions

AN ACT TO REENACT SECTION 75-67-403, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS USED UNDER THE MISSISSIPPI TITLE PLEDGE ACT; TO REENACT SECTION 75-67-505, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES LICENSING REQUIREMENTS FOR CHECK CASHERS UNDER THE MISSISSIPPI CHECK CASHERS ACT; TO REENACT SECTIONS 75-67-601 THROUGH 75-67-639, MISSISSIPPI CODE OF 1971, WHICH CREATE THE MISSISSIPPI CREDIT AVAILABILITY ACT; TO AMEND REENACTED SECTION 75-67-639, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THE PREVIOUSLY MENTIONED SECTIONS IN THE MISSISSIPPI TITLE PLEDGE ACT AND THE MISSISSIPPI CHECK CASHERS ACT, AND TO EXTEND THE REPEALER ON THE MISSISSIPPI CREDIT AVAILABILITY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Caughman, McMahan

S. B. No. 2629: Business and Financial Institutions; Municipalities

AN ACT TO AMEND SECTION 27-17-457, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CONTRACTOR WHO HOLDS A CURRENT CERTIFICATE OF RESPONSIBILITY ISSUED BY THE STATE BOARD OF CONTRACTORS SHALL BE ALLOWED TO DO BUSINESS IN ANY MUNICIPALITY OR COUNTY IN THE STATE WITHOUT BEING REQUIRED TO OBTAIN A SEPARATE LICENSE IN THE MUNICIPALITY OR COUNTY, PROVIDED HE FURNISHES EVIDENCE OF THE CERTIFICATE AND PAYS THE LOCAL PRIVILEGE TAX; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2630: County Affairs

AN ACT TO AMEND SECTION 19-7-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTY LAW LIBRARIES TO USE COLLECTED FUNDS FOR TECHNOLOGICAL PURPOSES, INCLUDING, BUT NOT LIMITED TO, ONLINE SUBSCRIPTION SERVICES AND ELECTRONIC RECORDS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2631: Insurance

AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "TELEMEDICINE" UNDER STATUTES MANDATING COVERAGE UNDER HEALTH INSURANCE PLANS IN MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2632: Judiciary, Division A

AN ACT TO REENACT SECTIONS 75-24-351 THROUGH 75-24-357, MISSISSIPPI CODE OF 1972, WHICH PROHIBIT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENT AND ESTABLISH REMEDIES FOR PREVAILING PLAINTIFFS IN CIVIL ACTIONS INSTITUTED UNDER THE PROVISIONS; TO AMEND REENACTED SECTION 75-24-359, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE REENACTED PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2633: Judiciary, Division A

AN ACT TO AMEND SECTION 11-53-81, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "OPEN ACCOUNT"; TO PROVIDE THAT WRITTEN DEMAND MAY BE DELIVERED TO THE ACCOUNT DEBTOR BY CERTAIN MEANS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2634: Judiciary, Division A; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 25-31-5 AND 25-31-10, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF LEGAL ASSISTANTS AND INVESTIGATORS FOR THE SEVENTH CIRCUIT COURT DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2635: Business and Financial Institutions

AN ACT TO AMEND SECTIONS 27-105-5, 27-105-303, 27-105-305, 27-105-315 AND 27-105-353, MISSISSIPPI CODE OF 1972, TO ALLOW UNITED STATES TREASURY-CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND CREDIT UNIONS WHOSE ACCOUNTS ARE INSURED BY THE NATIONAL CREDIT UNION ADMINISTRATION TO QUALIFY AS PUBLIC FUNDS DEPOSITORIES AND ACCEPT PUBLIC FUNDS FROM COUNTIES, MUNICIPALITIES AND OTHER LOCAL GOVERNMENTAL UNITS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2636: Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 37-26-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL ADMINISTER THE MISSISSIPPI FOSTER CARE FUND; TO AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO PROVIDE GRANTS TO ENTITIES PROVIDING TRAINING AND COLLABORATIVE RESOURCES TO NON-PROFITS WHOSE MISSION IS TO SERVE CHILDREN AND FAMILIES AT RISK OF ENTERING THE MISSISSIPPI FOSTER CARE SYSTEM OR IN THE MISSISSIPPI FOSTER CARE SYSTEM; TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972, TO INCREASE THE STATE ASSESSMENT FOR THE MISSISSIPPI FOSTER CARE FUND; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2637: County Affairs; Finance

AN ACT TO AMEND SECTIONS 19-5-17, 19-5-21 AND 19-5-22, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT GARBAGE LIENS MAY BE ASSESSED BY COUNTIES IN THE SAME MANNER AS AD VALOREM TAXES; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2638: Judiciary, Division A

AN ACT TO AMEND SECTION 89-3-1, MISSISSIPPI CODE OF 1972, TO PROVIDE AN RECORDING PROCEDURE FOR ELECTRONIC DOCUMENTS IN COUNTIES THAT DO NOT HAVE ELECTRONIC CAPABILITY; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2639: Judiciary, Division A

AN ACT TO CREATE A STUDY COMMITTEE TO STUDY THE PROBLEM OF UNMERCHANTABLE AND UNINSURABLE TITLES RESULTING FROM SALES OF LAND FOR NONPAYMENT OF TAXES, AND TO RECOMMEND SOLUTIONS; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2640: Judiciary, Division A

AN ACT TO ABOLISH THE TORT OF ALIENATION OF AFFECTION; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2641: Judiciary, Division A

AN ACT TO ENACT THE MISSISSIPPI VEXATIOUS LITIGANT ACT OF 2021; TO DEFINE TERMS; TO PROVIDE RELIEF FOR DEFENDANTS SUBJECTED TO SUIT BY PERSONS DETERMINED BY A COURT TO BE VEXATIOUS LITIGANTS; TO REQUIRE

POSTING OF SECURITY FOR COSTS AND FEES UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

S. B. No. 2642: Business and Financial Institutions

AN ACT TO PROHIBIT DISCRIMINATION AGAINST ANY APPLICANT IN A CREDIT TRANSACTION ON THE BASIS OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, MARITAL STATUS, AGE OR SOURCE OF INCOME; TO PROVIDE EXCEPTIONS; TO REQUIRE COPIES OF ALL CREDIT VALUATIONS AND APPRAISALS TO BE FURNISHED BY THE CREDITOR TO THE APPLICANT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2643: County Affairs

AN ACT TO AMEND SECTION 27-43-3, MISSISSIPPI CODE OF 1972, TO REVISE THE SERVICE OF NOTICE OF A TAX SALE TO INCLUDE SERVICE BY A CONSTABLE; TO BRING FORWARD SECTION 27-45-5, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2644: Judiciary, Division A; Municipalities

AN ACT TO REQUIRE THE STATE OF MISSISSIPPI AND POLITICAL SUBDIVISIONS THEREOF TO COMPENSATE LAW ENFORCEMENT OFFICERS WHO ARE NONEXEMPT EMPLOYEES UNDER THE FAIR LABOR STANDARDS ACT (FLSA) BY MANDATING AT LEAST THE REGULAR HOURLY RATE BE PAID, OR HOUR-FOR-HOUR COMPENSATORY TIME, FOR THE FIRST 43 HOURS IN A WEEK, 86 HOURS IN A TWO-WEEK PERIOD OR 171 HOURS IN A 28-DAY PERIOD; TO REQUIRE COMPLIANCE WITH THE FLSA FOR HOURS WORKED IN EXCESS OF THOSE STATED AMOUNTS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

S. B. No. 2645: Insurance

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

By Senator(s) Blackwell

S. B. No. 2646: Insurance

AN ACT TO AMEND SECTION 83-11-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN INSURANCE POLICY COVERING A POLITICAL SUBDIVISION UNDER THE UNINSURED MOTORIST ACT SHALL BE PROHIBITED FROM PAYING FOR ANY ELEMENT OF LOSS IF THE INDIVIDUAL IS ENTITLED TO RECEIVE

PAYMENT FOR THE SAME ELEMENT OF LOSS ARISING FROM THE SAME OCCURRENCE THROUGH ANOTHER INSURANCE POLICY PURCHASED BY THE SAME POLITICAL SUBDIVISION; AND FOR RELATED PURPOSES.

By Senator(s) Hill, Michel

S. B. No. 2647: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE REVERSE AUCTION REQUIREMENT SHALL NOT APPLY TO ANY PURCHASE BY A GOVERNING AUTHORITY UPON A FINDING AND DETERMINATION BY THE GOVERNING AUTHORITY, BY RESOLUTION DULY AND LAWFULLY ADOPTED AND SPREAD UPON ITS MINUTES, THAT THE REVERSE AUCTION PROCESS IS NOT THE BEST METHOD FOR PURCHASING THAT PARTICULAR ITEM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2648: Energy; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 53-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE OIL AND GAS BOARD, INSTEAD OF THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY, SHALL HAVE JURISDICTION AND AUTHORITY TO ENFORCE THE PROVISIONS OF THE MISSISSIPPI GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE ACT; TO PROVIDE THAT THE BOARD SHALL SERVE AS THE PERMITTING AGENCY FOR CLASS VI UNDERGROUND INJECTION CONTROL WELLS AND IS AUTHORIZED TO PROMULGATE SUCH RULES AND REGULATIONS AS ARE NECESSARY FOR THE DEVELOPMENT AND ADMINISTRATION OF THE CLASS VI UNDERGROUND INJECTION CONTROL WELL PROGRAM; TO AMEND SECTIONS 53-11-5, 53-11-7 AND 53-11-23, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2649: Energy

AN ACT TO REENACT AND AMEND SECTION 31-7-14, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON USE OF ENERGY EFFICIENT EQUIPMENT OR SERVICE CONTRACTS; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2650: Energy

AN ACT TO REENACT SECTIONS 19-5-303, 19-5-313, 19-5-319, 19-5-331, 19-5-333, 19-5-335, 19-5-337, 19-5-339, 19-5-341, 19-5-353, 19-5-357, 19-5-359 AND 19-5-361, MISSISSIPPI CODE OF 1972, WHICH REGULATE 911 AND E911 EMERGENCY TELECOMMUNICATIONS SERVICES AND REQUIRE THE COLLECTION OF SERVICE CHARGES; TO AMEND SECTION 19-5-371, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON EMERGENCY TELECOMMUNICATIONS SERVICES, ALSO KNOWN AS 911; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2651: Public Property

AN ACT TO AMEND SECTION 31-9-13, MISSISSIPPI CODE OF 1972, TO CLARIFY CURRENT POLICY FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION'S OFFICE OF SURPLUS PROPERTY'S PLAN OF OPERATION TO ALLOW CONTINUED STATE PARTICIPATION IN THE FEDERAL DONATION PROGRAM PER FEDERAL REGULATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2652: Public Property; Accountability, Efficiency, Transparency

AN ACT TO AMEND CHAPTER 442, LAWS OF 1944, AS AMENDED BY CHAPTER 394, LAWS OF 1990, TO PROVIDE THAT A PARCEL OF LAND OF THE CITY OF JACKSON AS CONVEYED FROM THE STATE OF MISSISSIPPI IN 1944 SHALL ONLY BE USED BY THE CITY OF JACKSON FOR PARK AND RECREATIONAL PURPOSES, INCLUDING A HOTEL AND A CONFERENCE CENTER AS INCIDENTAL

TO AND NECESSARY FOR RECREATIONAL USE OF THE PROPERTY, AND SHALL REVERT TO THE STATE OF MISSISSIPPI WHEN IT CEASES TO BE USED FOR THOSE PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2653: Ports and Marine Resources; Public Property

AN ACT TO PROVIDE THAT SUBMERGED LOGS SHALL NOT BE REMOVED FROM PUBLIC TRUST TIDELANDS OR SUBMERGED LANDS FOR COMMERCIAL PURPOSES UNLESS APPROVED BY THE OFFICE OF THE SECRETARY OF STATE THROUGH A PUBLIC TRUST TIDELANDS LEASE WITH THE STATE OF MISSISSIPPI, BY AND THROUGH THE SECRETARY OF STATE, THAT AUTHORIZES THE REMOVAL OF SUBMERGED LOGS WITHIN A SPECIFIED AREA AND FOR A SPECIFIED LENGTH OF TIME; TO PROVIDE THAT THE LESSEE SHALL PAY TO THE SECRETARY OF STATE AN APPRAISED LEASEHOLD INTEREST FOR USE OF THE REMOVAL AREA AS SET FORTH IN THE LEASEHOLD AGREEMENT PLUS 15% OF THE STUMPAGE VALUE RECEIVED BY THE LESSEE FROM THE RECOVERED SUBMERGED LOGS; TO REQUIRE LESSEES TO POST A PERFORMANCE BOND TO ENSURE COMPLIANCE WITH THE CONDITIONS AND LIMITATIONS SET FORTH IN THE LEASEHOLD AGREEMENT; TO PROVIDE THAT THE SECRETARY OF STATE SHALL ALLOCATE AND PAY ANY FUNDS DERIVED FROM THE PUBLIC TRUST TIDELANDS LEASE FOR THE RECOVERY AND SALE OF SUBMERGED LOGS TO THE PUBLIC TRUST TIDELANDS FUND; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2654: Finance

AN ACT TO AMEND SECTION 63-1-43, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO WAIVE THE FEE FOR ANY DRIVER'S LICENSE, INTERMEDIATE LICENSE OR LEARNER'S PERMIT ISSUED TO APPLICANTS WHO ARE IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 45-1-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Jackson (11th), Thomas, Simmons (13th), Norwood, Butler, Barnett, Jackson (32nd)

S. B. No. 2655: Insurance

AN ACT TO REQUIRE THAT CERTAIN INSURANCE POLICIES AND CONTRACTS SHALL PROVIDE COVERAGE FOR HEARING AIDS AND SERVICES FOR DEAF AND HEARING IMPAIRED; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Seymour, Jackson (11th), Simmons (12th), Barnett, McCaughn, Thomas, Chism, Boyd, Tate, Jackson (32nd), Branning

S. B. No. 2656: Education

AN ACT TO PROVIDE THAT A PUPIL COMPLIES WITH THE RESIDENCY REQUIREMENTS OF A SCHOOL DISTRICT IF THE PUPIL'S PARENT IS TRANSFERRED OR IS PENDING TRANSFER TO A MILITARY INSTALLATION WITHIN THE STATE WHILE ON ACTIVE MILITARY DUTY PURSUANT TO AN OFFICIAL MILITARY ORDER; TO REQUIRE A PARENT TO PROVIDE PROOF OF RESIDENCE IN THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER THE PUBLISHED ARRIVAL DATE PROVIDED ON OFFICIAL DOCUMENTATION; TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ACTIVE DUTY MILITARY AND CIVILIAN MILITARY PERSONNEL RESIDING OFF BASE TO ENROLL THEIR CHILDREN IN SCHOOLS OF CHOICE; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2657: Education; Appropriations

AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL IMPLEMENT A PROGRAM TO RECRUIT, TRAIN AND EMPLOY ASSISTANT TEACHERS IN SCHOOL

DISTRICTS THAT HAVE BEEN RATED AS "C", "D" AND "F" SCHOOLS ACCORDING TO THE STATE'S ACCREDITATION STANDARDS; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2658: Education; Appropriations

AN ACT TO AMEND SECTION 37-151-6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATURE TO FULLY FUND THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2659: Education

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN APPLICANT SHALL BE AWARDED A TEACHER LICENSE IF THEY POSSESS AN 18 ON THE ACT TEST AND HAVE WHAT IS CONSIDERED AS A PASSING SCORE ON THE PRAXIS CORE ACADEMIC SKILLS FOR EDUCATORS EXAMINATION, AS SET BY THE DEPARTMENT OF EDUCATION; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2660: Education; Appropriations

AN ACT TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL IMPLEMENT A PROGRAM THAT OFFERS AN INCENTIVE PACKAGE TO TEACHERS WHO HAVE AT LEAST FIVE YEARS OF EXPERIENCE AND THAT AGREE TO TEACH IN FAILING SCHOOL SYSTEMS; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2661: Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE INCREASE OF THE STARTING BASE TEACHER SALARY TO \$40,000.00 OVER A FOUR-YEAR PERIOD; TO PROVIDE THAT BEGINNING IN THE 2025-2026 SCHOOL YEAR, TEACHER SALARIES BE EQUAL TO THE SOUTHEASTERN REGIONAL AVERAGE; AND FOR RELATED PURPOSES.
By Senator(s) Turner-Ford

S. B. No. 2662: Education

AN ACT TO AMEND SECTION 29-3-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL MANAGING BOARDS OF EDUCATION OR SCHOOL DISTRICTS MAY ENTER INTO SUPPLY AGREEMENTS FOR THE SALE OF FOREST PRODUCTS OFF OF SIXTEENTH SECTION LAND; TO PROVIDE FOR CERTAIN REQUIREMENTS RELATING TO THOSE AGREEMENTS; AND FOR RELATED PURPOSES.
By Senator(s) Caughman

S. B. No. 2663: Education

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

S. B. No. 2664: Education

AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO PRESCRIBE STANDARDS AND BENCHMARKS UNDER THE EARLY LEARNING COLLABORATIVE ACT; TO AUTHORIZE TECHNICAL TEACHER AND TEACHER

ASSISTANT SUPPORT SERVICES; TO REQUIRE INDIVIDUALIZED PROFESSIONAL DEVELOPMENT PLANS AND APPROVED CURRICULUM; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE THE GOVERNOR AND THE LEGISLATURE WITH AN EVALUATION OF PROGRAM EFFECTIVENESS; TO REQUIRE THE PEER COMMITTEE TO REVIEW THE DEPARTMENT OF EDUCATION'S EVALUATIONS AND ANNUAL REPORTS AND SUBMIT A SUMMARY OF ITS FINDINGS TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2665: Education; Appropriations

AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO PRESCRIBE MINIMUM FUNDING LEVELS FOR PREKINDERGARTEN PROGRAMS UNDER THE EARLY LEARNING COLLABORATIVE ACT; TO STATE THE INTENT OF THE LEGISLATURE TO INCREASE APPROPRIATED FUNDS ANNUALLY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2666: Education; Appropriations

AN ACT ENTITLED THE "TIM TEBOW ACT"; TO AUTHORIZE STUDENTS ENROLLED IN HOMESCHOOLS TO PARTICIPATE IN INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES; TO DEFINE "HOMESCHOOL" AND "INTERSCHOLASTIC EXTRACURRICULAR ACTIVITY"; TO IDENTIFY THE CONDITIONS UNDER WHICH A STUDENT ENROLLED IN A HOMESCHOOL MAY PARTICIPATE IN INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES; TO PROHIBIT DISCRIMINATION AGAINST HOMESCHOOL STUDENT SELECTION OR PARTICIPATION IN SUCH ACTIVITIES; TO PROVIDE FOR THE HOMESCHOOL EXTRACURRICULAR ACTIVITY FUND; TO PROVIDE THAT PARTICIPATION IN EXTRACURRICULAR ACTIVITY IS A PRIVILEGE AND NOT A RIGHT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2667: Education

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF EDUCATION TO LICENSE ANY TEACHER CANDIDATE IN THOSE SUBJECT AREAS IN WHICH THE TEACHER CANDIDATE RECEIVES A PASSING SCORE ON THE PRAXIS EXAM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2668: Education

AN ACT TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BEGINNING WITH THE 2021-2022 SCHOOL YEAR NO MORE THAN 10% OF TEACHERS IN ANY SCHOOL DISTRICT TEACHING CORE CURRICULUM COURSES MAY BE EXEMPT FROM TEACHER LICENSURE REQUIREMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2669: Education; Appropriations

AN ACT TO CREATE THE MISSISSIPPI SAVE OUR SCHOOLS PROGRAM TO HIRE TEACHERS TO WORK IN "D" RATED SCHOOLS AND "F" RATED SCHOOLS BEGINNING WITH THE 2021-2022 SCHOOL YEAR; TO REPEAL SECTION 37-19-10, MISSISSIPPI CODE OF 1972, WHICH IS THE SCHOOL RECOGNITION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2670: Education

AN ACT TO PROVIDE THAT THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION SHALL ALLOW MEMBER SCHOOLS TO PARTICIPATE IN EXTRACURRICULAR ACTIVITIES AGAINST SCHOOLS WITH HOME-SCHOOLED

STUDENTS AND AGAINST SCHOOLS THAT ARE NOT ACCREDITED BY THE DEPARTMENT OF EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2671: Education

AN ACT TO AMEND SECTION 37-9-105, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT TEACHER ASSISTANTS SHALL BE GIVEN NOTICE OF NONREEMPLOYMENT; TO AMEND SECTION 37-9-109, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT TEACHERS AND TEACHER ASSISTANTS SHALL BE PROVIDED WRITTEN NOTICE AND THE OPPORTUNITY FOR A HEARING REGARDING NONREEMPLOYMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2672: Education

AN ACT TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR PURPOSES OF DETERMINING SCHOOL ACCOUNTABILITY DESIGNATION FOR THE 2020-2021 SCHOOL YEAR, THE DEPARTMENT OF EDUCATION SHALL USE EACH SCHOOL'S DESIGNATION FROM THE 2018-2019 SCHOOL YEAR, PROVIDED THAT SCHOOLS THAT RECEIVE A HIGHER DESIGNATION FOR THE 2020-2021 SCHOOL YEAR SHALL RECEIVE THE HIGHER DESIGNATION FOR ACCOUNTABILITY; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2673: Education

AN ACT TO CREATE NEW SECTIONS 37-183-1, 37-183-3, 37-183-5, 37-183-7, 37-183-9 AND 37-183-11 MISSISSIPPI CODE OF 1972, TO CREATE THE DISTRICT SYSTEM DESIGN PARTNERSHIP PROGRAM, TO REQUIRE THE DESIGNATED SCHOOL DISTRICTS TO PARTICIPATE IN THE PROGRAM, TO REQUIRE EACH DESIGNATED SCHOOL DISTRICT TO DEVELOP A REDESIGN PLAN; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

S. B. No. 2674: Education

AN ACT TO CREATE THE 2021 MISSISSIPPI EDUCATION TASK FORCE TO REVIEW AND MAKE RECOMMENDATIONS ON EXISTING SCHOOL REGULATIONS AND THE STATE ACCOUNTABILITY SYSTEM IN ORDER TO REMOVE EXCESSIVE REGULATIONS AND PROVIDE GREATER FLEXIBILITY IN EVALUATING PUBLIC SCHOOLS; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE; TO DESCRIBE SPECIFIC TOPICS TO BE STUDIED BY THE TASK FORCE; TO REQUIRE THE TASK FORCE TO MAKE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE LEGISLATURE BY DECEMBER 1, 2021; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 2675: Education

AN ACT TO CREATE THE COVID IMPACT LITERACY-BASED PROMOTION MODIFICATION ACT; TO PROVIDE THAT FOR THE 2020-2021 SCHOOL YEAR, STUDENTS IN THIRD GRADE WHO RECEIVE WHAT IS CONSIDERED A FAILING SCORE ON THE READING SCREENER SHALL STILL BE CONSIDERED READY FOR PROMOTION TO THE NEXT GRADE, HOWEVER STUDENTS WHO FAIL THE ASSESSMENT SHALL BE GIVEN THE REMEDIAL INSTRUCTION PROVIDED FOR IN THE LITERACY-BASED PROMOTION ACT; TO AMEND SECTIONS 37-177-1, 37-177-9, 37-177-11, AND 37-177-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE 2020-2021 SCHOOL YEAR, STUDENTS IN THIRD GRADE WHO RECEIVE WHAT IS CONSIDERED A FAILING SCORE ON THE READING SCREENER SHALL STILL BE CONSIDERED READY FOR PROMOTION TO THE NEXT GRADE; TO PROVIDE THAT STUDENTS WHO FAIL THE ASSESSMENT SHALL STILL BE GIVEN THE INSTRUCTION PROVIDED FOR UNDER THIS CHAPTER; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2676: Education

AN ACT TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXEMPTION FROM UNEXCUSED ABSENCES OF CHILDREN WITH DISABILITIES FOR ABSENCES RELATED TO THE DISABILITY AS DEFINED UNDER THE PROVISIONS OF THE FEDERAL INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) AND OTHER FEDERAL LAW; TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL REQUIRE ANNUAL TRAINING FOR SCHOOL ATTENDANCE OFFICERS, WHICH SHALL INCLUDE COMPONENTS THAT EMPHASIZE PROVISIONS OF IDEA AND SECTION 504 OF THE REHABILITATION ACT; TO ENABLE SCHOOL ATTENDANCE OFFICERS TO PROPERLY IDENTIFY AND INTERACT WITH CHILDREN WITH DISABILITIES AS DEFINED HEREIN; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2677: Education

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

By Senator(s) Boyd

S. B. No. 2678: Education

AN ACT TO CREATE THE MISSISSIPPI COMPUTER SCIENCE AND CYBER EDUCATION EQUALITY ACT; TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF EDUCATION TO IMPLEMENT A MANDATORY K-12 COMPUTER SCIENCE CURRICULUM BASED ON THE MISSISSIPPI COLLEGE AND CAREER-READINESS STANDARDS FOR COMPUTER SCIENCE WHICH INCLUDES INSTRUCTION IN, BUT NOT LIMITED TO, COMPUTATIONAL THINKING, COMPUTER PROGRAMMING, CYBER SECURITY, DATA SCIENCE, ROBOTICS AND OTHER COMPUTER SCIENCE AND CYBER-RELATED CONTENT; TO PRESCRIBE MINIMUM COMPONENTS OF THE CURRICULUM AT EACH GRADE LEVEL; AND TO PROVIDE FOR TEACHER TRAINING AS NEEDED AT ALL GRADE LEVELS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2679: Education

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

By Senator(s) Boyd

S. B. No. 2680: Education; Appropriations

AN ACT TO AMEND SECTION 37-15-6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP A CENTRAL REPORTING SYSTEM TO BE USED BY SCHOOL DISTRICTS FOR THE MANDATORY REPORTING TO THE DEPARTMENT OF ALL DATA REQUIRED BY FEDERAL LAW TO BE REPORTED TO THE UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION AND SCHOOL DISTRICTS AND CHARTER SCHOOLS TO PUBLISH SAID INFORMATION ON THEIR RESPECTIVE WEBSITES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2681: Education; Appropriations

AN ACT TO AMEND SECTION 27-104-13, MISSISSIPPI CODE OF 1972, TO EXEMPT THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM FROM MID-YEAR BUDGET REDUCTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2682: Education

AN ACT TO AMEND SECTION 37-15-9, MISSISSIPPI CODE OF 1972, TO ENACT THE OUR CHILDREN'S HEALTH IMPACTS OUR FUTURE LAW; TO REQUIRE THE PARENT, LEGAL GUARDIAN OR LEGAL CUSTODIAN OF A CHILD ENROLLING IN A PUBLIC SCHOOL TO CHECK A BOX AND SIGN AN ACCOMPANYING STATEMENT ACKNOWLEDGING RECEIPT OF NOTICE OF THE HEALTH BENEFIT TO THE CHILD AND IMPORTANCE OF A MEDICAL AND DENTAL PHYSICAL; TO AMEND SECTION 37-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2683: Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY; TO REQUIRE THE MINIMUM TEACHER SALARY SCALE FOR THE 2022-2023 SCHOOL YEAR TO EQUAL, AT A MINIMUM, THE SOUTHEASTERN AVERAGE SALARY; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM ANNUAL SALARY FOR TEACHER ASSISTANTS; TO REQUIRE THE MINIMUM ASSISTANT TEACHER SALARY FOR THE 2022-2023 SCHOOL YEAR TO EQUAL, AT A MINIMUM, THE SOUTHEASTERN AVERAGE SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2684: Education; Appropriations

AN ACT TO AMEND SECTION 37-151-6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATURE TO FULLY FUND THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2685: Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE A SALARY SUPPLEMENT, REIMBURSEMENT FOR MOVING EXPENSES, AND REIMBURSEMENT FOR INTERVIEWING EXPENSES FOR ANY TEACHER WHO HAS FIVE OR MORE YEARS OF EXPERIENCE AND CHOOSES TO TEACH IN AN "F"-DESIGNATED SCHOOL WITHIN AN "F"-DESIGNATED SCHOOL DISTRICT; TO AMEND SECTION 37-159-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2686: Education

AN ACT TO CREATE THE MISSISSIPPI CIVIC LITERACY ACT; TO REQUIRE THE TEACHING OF THE NATION'S FOUNDING AND RELATED DOCUMENTS BEGINNING WITH THE 2021-2022 SCHOOL YEARS; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO SUBMIT AN ANNUAL REPORT TO THE GOVERNOR AND LEGISLATURE ON THE EFFECTIVENESS OF THE CURRICULUM ON CIVIC LITERACY; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

S. B. No. 2687: Education; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 37-11-5, MISSISSIPPI CODE OF 1972, TO PROHIBIT PRINCIPALS AND TEACHERS FROM TELLING STUDENTS, TEACHERS OR STAFF THAT AN ACTIVE SHOOTER DRILL IS REAL; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

S. B. No. 2688: Education

AN ACT TO AMEND SECTION 37-11-57, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF CORPORAL PUNISHMENT IN PUBLIC AND CHARTER SCHOOLS TO DISCIPLINE A STUDENT; TO PROVIDE THAT ANY EMPLOYEE WHO VIOLATES THE CORPORAL PUNISHMENT PROHIBITION SHALL BE HELD LIABLE FOR CIVIL DAMAGES SUFFERED AS A RESULT OF THE ADMINISTRATION OF CORPORAL PUNISHMENT; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

S. B. No. 2689: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 7-7-213, MISSISSIPPI CODE OF 1972, TO INCREASE THE FEE WHICH MAY BE CHARGED BY THE STATE AUDITOR FOR PERFORMING AUDITS AND OTHER SERVICES; TO AMEND SECTION 7-7-211, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2690: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CHOCTAW COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPAIRS TO A BRIDGE ON FENTRISS PANHANDLE ROAD; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2691: Finance

AN ACT TO AMEND SECTION 80, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST THE MISSISSIPPI TRANSPORTATION COMMISSION AND THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION IN PAYING THE COSTS ASSOCIATED WITH INFRASTRUCTURE UPGRADES TO IMPROVE THE CAPACITY AND SAFETY OF THE INTERSECTION OF MISSISSIPPI HIGHWAY 7 AND UNIVERSITY AVENUE IN OXFORD, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2692: Rules

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

By Senator(s) Blackmon

S. B. No. 2693: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF LAWRENCE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD AND BRIDGE REPAIRS; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2694: Finance

AN ACT TO AMEND SECTION 41, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE TOWN OF WESSON, MISSISSIPPI, MAY BE USED; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2695: Finance; Accountability, Efficiency, Transparency

AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR A PERCENTAGE OF THE COST OF INSTALLING NEW ALTERNATIVE FUELING INFRASTRUCTURE FOR CERTAIN ALTERNATIVE FUELS; TO PROVIDE AN INCOME TAX CREDIT FOR A PERCENTAGE OF THE COST OF INSTALLING A RESIDENTIAL COMPRESSED NATURAL GAS FUELING SYSTEM; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PRESCRIBE THE MAXIMUM AMOUNT OF THE ONE-TIME CREDIT, BASED ON THE TYPE OF QUALIFIED CLEAN-BURNING MOTOR VEHICLE FUEL PROPERTY, WHICH MAY BE CLAIMED IN A TAXABLE YEAR; TO PROVIDE THAT ANY UNUSED PORTION OF THE CREDIT MAY BE CARRIED FORWARD FOR THE SUCCEEDING FIVE TAX YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2696: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF MONTICELLO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH FRONTAGE ROAD PAVING, A NEW RESTROOM FACILITY AND REPAIRS TO THE PAVILION AT ATWOOD WATER PARK, LAND ACQUISITION FOR AND RELOCATION OF THE DEPOT, AND REPLACEMENT OF THE WATER WHEEL AT COOPER'S FERRY PARK; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2697: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF NEW HEBRON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF A NEW FIRE TRUCK, THE CONSTRUCTION OF A WILDLIFE WALKING TRACK, AND THE REPAIR OF TOWN STREETS; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2698: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF WESSON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD AND BRIDGE REPAIRS; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2699: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW HIGHWAY SAFETY PATROL SUBSTATION IN STARKVILLE, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2700: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF NOXUBEE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH HVAC IMPROVEMENTS AND UPGRADES TO ITS ENHANCED 911 SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2701: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WEST POINT, MISSISSIPPI,

IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS AND REPAIRS TO MARSHALL PARK; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2702: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF LINCOLN COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD AND BRIDGE REPAIRS; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2703: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF WALTHAM COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD AND BRIDGE REPAIRS; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2704: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF MATHISTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPLACEMENT OF TWO SEWER LIFT PUMPS AND RELATED HOUSING; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2705: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF MATHISTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPAIRS TO AND RESURFACING OF TOWN STREETS; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2706: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF STARKVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE EXTENSION OF HOSPITAL ROAD AND STARK ROAD; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2707: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF STARKVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF LAND FOR, AND CONSTRUCTION OF, A PUBLIC LIBRARY; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2708: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF RICHLAND, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A PEDESTRIAN BRIDGE ACROSS U.S. HIGHWAY 49; AND FOR RELATED PURPOSES.

By Senator(s) Caughman, Kirby

S. B. No. 2709: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF FEMININE HYGIENE PRODUCTS, CONTRACEPTIVE PRODUCTS, BABY FORMULA AND DIAPERS; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

S. B. No. 2710: Finance; Accountability, Efficiency, Transparency

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE JACKSON MUNICIPAL AIRPORT AUTHORITY IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS AT HAWKINS FIELD AIRPORT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2711: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST HINDS COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION AND DEVELOPMENT OF THE HINDS PARKWAY ROAD PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2712: Finance; Accountability, Efficiency, Transparency

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE JACKSON MUNICIPAL AIRPORT AUTHORITY IN PAYING COSTS ASSOCIATED WITH JACKSON METRO AEROPLEX INFRASTRUCTURE DEVELOPMENT PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2713: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST HINDS COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A MENTAL AND BEHAVIORAL HEALTH COURT/COLLABORATIVE AND/OR MENTAL HEALTH FACILITY; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2714: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST HINDS COUNTY, MISSISSIPPI, IN PAYING THE COSTS OF CONSTRUCTION AND DEVELOPMENT OF THE BYRAM-CLINTON PARKWAY PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2715: Appropriations

AN ACT TO AMEND SECTIONS 71-3-73, 71-3-95, 71-3-97, 71-3-99 AND 71-3-100, MISSISSIPPI CODE OF 1972, TO REESTABLISH THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION AS A SPECIAL FUND AGENCY; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2716: Finance

AN ACT TO AMEND SECTION 27-3-79, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ESTABLISH AN AMNESTY PROGRAM FOR TAXPAYERS HAVING AN UNPAID TAX LIABILITY DUE AFTER JANUARY 1, 2005, AND BEFORE DECEMBER 31, 2019; TO PROVIDE THAT THE PROGRAM SHALL BEGIN ON SEPTEMBER 1, 2021, AND END ON DECEMBER 31, 2021; TO PROVIDE THAT TAX AMNESTY SHALL BE AVAILABLE TO ANY TAXPAYER WHO IS LIABLE FOR TAXES ADMINISTERED BY THE DEPARTMENT, INCLUDING, BUT NOT LIMITED TO, TAXPAYERS SUBJECT TO TAX-RELATED CRIMINAL INVESTIGATIONS OR PROSECUTION, TO INTEREST AND PENALTIES COLLECTED UNDER THE INTERNATIONAL FUEL TAX AGREEMENT OR INTERNATIONAL REGISTRATION PLAN, TO ESTIMATED PAYMENTS MADE UNDER THE MISSISSIPPI INCOME TAX WITHHOLDING LAW OF 1968 OR TO ANY TAXPAYER WHO PARTICIPATED IN THE 2004 TAX AMNESTY PROGRAM; TO PROVIDE THAT ALL

INTEREST AND PENALTIES THAT HAVE ACCRUED SINCE A LIABILITY BECAME A FINALLY DETERMINED TAX LIABILITY SHALL BE WAIVED FOR AN ELIGIBLE TAXPAYER WHO MAKES A TOTAL PAYMENT OF THE ORIGINAL TAX LIABILITY DURING THE AMNESTY PERIOD; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2717: Finance; Accountability, Efficiency, Transparency

AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR A PERCENTAGE OF THE COST OF INSTALLING NEW ALTERNATIVE FUELING INFRASTRUCTURE FOR CERTAIN ALTERNATIVE FUELS; TO PROVIDE AN INCOME TAX CREDIT FOR A PERCENTAGE OF THE COST OF INSTALLING A RESIDENTIAL COMPRESSED NATURAL GAS FUELING SYSTEM; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PRESCRIBE THE MAXIMUM AMOUNT OF THE ONE-TIME CREDIT, BASED ON THE TYPE OF QUALIFIED CLEAN-BURNING MOTOR VEHICLE FUEL PROPERTY, WHICH MAY BE CLAIMED IN A TAXABLE YEAR; TO PROVIDE THAT ANY UNUSED PORTION OF THE CREDIT MAY BE CARRIED FORWARD FOR THE SUCCEEDING FIVE TAX YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2718: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 51-9-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE GOVERNOR SHALL APPOINT TWO MEMBERS FROM THE CITY OF JACKSON TO SERVE ON THE BOARD OF DIRECTORS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2719: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 57-1-57, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE WITH THE SECRETARY OF THE SENATE AND THE CLERK OF THE HOUSE OF REPRESENTATIVES A COPY OF ITS STUDY TO DETERMINE IF THERE IS A SIGNIFICANT STATISTICAL DISPARITY IN THE TOTAL NUMBER OF QUALIFIED MINORITY CONTRACTORS OF GOODS AND SERVICES DOING BUSINESS IN THE STATE OF MISSISSIPPI AND THE ACTUAL NUMBER OF SUCH MINORITY CONTRACTORS WITH WHOM THE STATE OF MISSISSIPPI, OR WITH WHOM A PRIME CONTRACTOR WITH THE STATE OF MISSISSIPPI, HAS CONTRACTED TO PROVIDE GOODS AND SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2720: Finance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 57-26-1, MISSISSIPPI CODE OF 1972, TO INCLUDE CERTAIN HOTELS WITHIN THE DEFINITION OF THE TERM "TOURISM PROJECT" FOR PURPOSES OF THE TOURISM PROJECT SALES TAX INCENTIVE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2721: Rules

AN ACT TO CREATE THE STATE TRUTH COMMISSION; TO PRESCRIBE POWERS AND DUTIES OF THE COMMISSION; TO PROVIDE FOR THE ESTABLISHMENT OF PROCEDURES TO INVESTIGATE GRIEVANCES REGISTERED WITH THE COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2722: Rules

AN ACT AUTHORIZING A NEW MISSISSIPPI OFFICIAL STATE SONG ENTITLED "MISSISSIPPI BEAUTIFUL"; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2723: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICES TO HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2724: Universities and Colleges; Appropriations

AN ACT TO AMEND SECTION 37-155-25, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATURE TO FULLY FUND THE MISSISSIPPI PREPAID AFFORDABLE COLLEGE TUITION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2725: Appropriations

AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211 AND 27-103-213, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE BUDGET PROCESS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-103-303, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTHORITY TO USE FUNDS FROM THE CAPITAL EXPENSE FUND FOR THE EMERGENCY PLUGGING OF ORPHANED WELLS IDENTIFIED BY THE OIL AND GAS BOARD; TO PROVIDE FOR CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND DURING THE FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2726: Finance

AN ACT TO BRING FORWARD SECTIONS 25-11-101, 25-11-103, 25-11-105, 25-11-106, 25-11-106.1, 25-11-107, 25-11-109, 25-11-110, 25-11-111, 25-11-111.1, 25-11-112, 25-11-114, 25-11-115, 25-11-115.1, 25-11-115.2, 25-11-118, 25-11-119, 25-11-119.1, 25-11-120, 25-11-121, 25-11-123, 25-11-125, 25-11-127, 25-11-129, 25-11-131, 25-11-133, 25-11-135, 25-11-137, 25-11-139 AND 25-11-141, MISSISSIPPI CODE OF 1972, WHICH CREATE THE MISSISSIPPI PUBLIC EMPLOYEES' RETIREMENT SYSTEM, FOR PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2727: Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTIONS 39-5-1, 39-5-3, 39-5-5 AND 39-5-6, MISSISSIPPI CODE OF 1972, TO BRING FORWARD THE PROVISIONS ESTABLISHING THE DEPARTMENT OF ARCHIVES AND HISTORY AND ITS BOARD OF TRUSTEES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2728: Finance

AN ACT TO CREATE NEW SECTION 67-1-32, MISSISSIPPI CODE OF 1972, TO ALLOW RETIRING LAW ENFORCEMENT OFFICERS OF THE DEPARTMENT OF REVENUE TO KEEP ONE ISSUED SIDEARM EACH; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2729: Public Health and Welfare; Finance

AN ACT RELATING TO THE PRACTICE OF MEDICINE; TO AMEND SECTION 73-25-1, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS UNDER THE MEDICAL PRACTICE ACT; TO AMEND SECTIONS 73-25-3 AND 73-25-5, MISSISSIPPI CODE OF 1972, TO CLARIFY CERTAIN PROCEDURES TO OBTAIN A LICENSE TO PRACTICE MEDICINE; TO AMEND SECTION 73-25-14, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR ELECTRONIC NOTICE OF LICENSE RENEWAL, TO PROVIDE PROCEDURES FOR PHYSICIANS TO REQUEST INACTIVE STATUS, AND TO PRESCRIBE FINES AND PROCEDURES FOR RENEWAL OF A LAPSED LICENSE; TO AMEND SECTION 73-25-17, MISSISSIPPI CODE OF 1972, TO CLARIFY

PROCEDURES FOR THE ISSUANCE OF A TEMPORARY LICENSE TO PRACTICE MEDICINE; TO AMEND SECTION 73-25-18, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A SPECIAL VOLUNTEER MEDICAL LICENSE; TO AMEND SECTIONS 73-25-19, 73-25-21 AND 73-25-23, MISSISSIPPI CODE OF 1972, TO CLARIFY PROCEDURES FOR ISSUANCE OF A LICENSE BY RECIPROCITY; TO AMEND SECTIONS 73-25-27, 73-25-28, 73-25-29, 73-25-30 AND 73-25-32, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROCEDURES FOR DISCIPLINARY ACTION AGAINST LICENSES, THE ISSUANCE OF SUBPOENAS BY THE BOARD OF MEDICAL LICENSURE, THE GROUNDS FOR DISCIPLINARY ACTION, THE OPTIONS AVAILABLE TO THE BOARD FOLLOWING DISCIPLINARY HEARINGS AGAINST LICENSEES, AND PETITIONS FOR REINSTATEMENT OF LICENSES; TO AMEND SECTION 73-25-33, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ACTION OF UNLAWFUL PRACTICE OF MEDICINE AND THE AUTHORITY OF THE BOARD TO SEEK INJUNCTIVE RELIEF; TO AMEND SECTIONS 73-25-53, 73-25-55, 73-25-57, 73-25-59, 73-25-61, 73-25-63 AND 73-25-65, MISSISSIPPI CODE OF 1972, TO CLARIFY CERTAIN PROCEDURES UNDER THE DISABLED PHYSICIAN LAW; TO AMEND SECTION 73-25-87, MISSISSIPPI CODE OF 1972, TO REVISE DISCIPLINARY ACTION WHICH THE BOARD IS AUTHORIZED TO TAKE AT THE BEHEST OF PHYSICIAN MEMBERS OF THE BOARD ITSELF; TO AMEND SECTION 73-25-89, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HEARING MUST BE HELD WITHIN SIXTY DAYS IF THE BOARD DETERMINES THAT A PHYSICIAN'S CONTINUATION OF PRACTICE IS AN IMMEDIATE DANGER; TO REPEAL SECTION 73-25-9, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES SPECIFIC FEES FOR LICENSURE EXAMINATION; TO REPEAL SECTION 73-25-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR LOST LICENSES; TO REPEAL SECTION 73-25-25, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF A LICENSE FOR A PERSON DESIRING TO PRACTICE OSTEOPATHIC MEDICINE IN THIS STATE; TO REPEAL SECTION 73-25-39, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE ACQUISITION OF BOOKS AND STATIONARY BY THE BOARD; TO REPEAL SECTION 73-25-81, MISSISSIPPI CODE OF 1972, WHICH DEFINES THE MEMBERSHIP OF THE BOARD RESPONSIBLE FOR LICENSURE AND DISCIPLINE OF PHYSICIANS IN THIS STATE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2730: Veterans and Military Affairs; Judiciary, Division A

AN ACT TO AMEND SECTIONS 27-33-3 AND 27-33-67, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT HOMESTEAD EXEMPTION FOR VETERANS IS BASED ON 100% PERMANENT AND TOTAL SERVICE-CONNECTED DISABILITY; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2731: Veterans and Military Affairs; County Affairs

AN ACT TO PROVIDE THAT COUNTIES AND MUNICIPALITIES IN THIS STATE ARE ENCOURAGED TO COOPERATE WITH MILITARY INSTALLATIONS TO ENCOURAGE COMPATIBLE LAND USE AND HELP PREVENT INCOMPATIBLE ENCROACHMENT NEAR MILITARY INSTALLATIONS AND FACILITATE THE CONTINUED PRESENCE OF MAJOR MILITARY INSTALLATIONS IN THIS STATE; TO PROVIDE THE COUNTIES, MUNICIPALITIES AND MILITARY INSTALLATIONS TO WHICH THIS ACT APPLIES; TO ENCOURAGE COUNTIES AND MUNICIPALITIES TO PROVIDE MILITARY INSTALLATIONS WITH INFORMATION RELATING TO LAND USE AND DEVELOPMENT WHICH WOULD AFFECT THE USE OF LAND ADJACENT TO OR IN CLOSE PROXIMITY TO MILITARY INSTALLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. B. No. 2732: Gaming; Finance

AN ACT TO CREATE THE MISSISSIPPI MOBILE SPORTS POOL AND RACE BOOK WAGERING ACT; TO PROVIDE CERTAIN DEFINITIONS; TO PROVIDE FOR LICENSING; TO ESTABLISH THE MEANS OF OPERATION; TO SET FORTH A

METHOD OF TAXATION; TO AMEND SECTION 75-76-5, MISSISSIPPI CODE OF 1972, TO REVISE THE GAMING CONTROL ACT DEFINITIONS OF "ASSOCIATED EQUIPMENT," "GAMING DEVICE" AND "SPORTS POOL"; TO DEFINE "DIGITAL PLATFORM" AS THE OPERATION OF A SPORTS POOL OR RACE BOOK OVER THE INTERNET, INCLUDING ON WEBSITES AND MOBILE DEVICES, BY THE HOLDER OF A GAMING LICENSE OR BY AN OPERATOR ON BEHALF OF THE HOLDER OF A GAMING LICENSE; TO DEFINE "OPERATOR" AS AN ENTITY LICENSED AS A MANUFACTURER AND DISTRIBUTOR AND AUTHORIZED TO OPERATE A DIGITAL PLATFORM ON BEHALF OF THE HOLDER OF A GAMING LICENSE; TO AMEND SECTIONS 75-76-33, 75-76-55, 75-76-79, 75-76-89, 75-76-101 AND 75-76-175, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE USE OF DIGITAL PLATFORMS; TO AMEND SECTION 75-76-177, MISSISSIPPI CODE OF 1972, TO REVISE THE GAMING LICENSE FEES IN REGARDS TO PLATFORM GROSS REVENUES; TO AMEND SECTION 97-33-305, MISSISSIPPI CODE OF 1972, TO REVISE THE FANTASY CONTEST ACT TO DELETE THE PROHIBITION ON OPERATORS OFFERING CONTESTS BASED ON THE PERFORMANCE OF PARTICIPANTS IN COLLEGIATE SPORTS EVENTS; AND FOR RELATED PURPOSES.

By Senator(s) Moran

S. B. No. 2733: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO ALLOW THE DIVISION OF MEDICAID TO REIMBURSE FOR TELEMEDICINE TREATMENT FOR RECIPIENTS THAT HAVE ATTENTION DEFICIT HYPERACTIVITY DISORDER; TO EXTEND THE DATE OF REPEAL THEREON; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2734: Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DIVISION OF MEDICAID SHALL PROVIDE REIMBURSEMENT TO ELIGIBLE PROVIDERS FOR LONG-ACTING REVERSIBLE CONTRACEPTIVES FOR WOMEN OF CHILD-BEARING AGE, AS DEFINED BY THE DIVISION; TO EXTEND THE DATE OF REPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2735: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED, BEGINNING JULY 1, 2021; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA), AS AMENDED, AND TO EXTEND THE DATE OF REPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2736: Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO REIMBURSE FOR ALL CARE AND SERVICES UNDER THE PROGRAMS OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE); AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2737: Medicaid; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO IMPOSE A MORATORIUM ON NEW MEDICAID ENROLLED PROVIDERS OF PERSONAL CARE AND RESPIRE CARE SERVICES, AND TO EXTEND THE DATE OF REPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2738: Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DIVISION OF MEDICAID TO RECOGNIZE FEDERALLY QUALIFIED HEALTH CENTERS (FQHC) AND RURAL HEALTH CLINICS (RHC) AS BOTH AN ORIGINATING AND DISTANT SITE PROVIDER FOR THE PURPOSES OF TELEHEALTH REIMBURSEMENT; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

S. B. No. 2739: Medicaid

AN ACT TO AMEND SECTION 43-13-121, MISSISSIPPI CODE OF 1972, TO DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS AND EXPEND FUNDS APPROPRIATED AS NECESSARY TO PROVIDE HOME- AND COMMUNITY-BASED SERVICES TO THE AGED/DISABLED, PHYSICALLY DISABLED AND RECIPIENTS WITH TRAUMATIC BRAIN INJURY/SPINAL CORD INJURY TO ELIMINATE ANY WAITING PERIOD FOR SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2740: Medicaid

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO EXTEND MEDICAID COVERAGE FOR ELIGIBLE WOMEN FOR UP TO 12 MONTHS POSTPARTUM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2741: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE DEPARTMENT OF HUMAN SERVICES FROM PROVIDING ANY ASSISTANCE TO ANY PERSON CONVICTED OF MORE THAN TWO FELONY OFFENSES; TO REPEAL SECTION 43-12-71, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT OPTS MISSISSIPPI OUT OF 21 USC SECTION 862a(a); AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel

S. B. No. 2742: Public Health and Welfare

AN ACT TO CREATE NEW SECTION 73-5-34, MISSISSIPPI CODE OF 1972, TO DEFINE MOBILE BARBERSHOPS, PERMIT MOBILE BARBERSHOPS AND AUTHORIZE THE BOARD OF BARBER EXAMINERS TO REGULATE MOBILE BARBERSHOPS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2743: Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED TO THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH FOR THE CONVERSION OF FIVE HUNDRED BEDS TO BE UTILIZED AS CRISIS OR SUBSTANCE ABUSE TREATMENT BEDS AT EXISTING STATE MENTAL RETARDATION FACILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2744: Public Health and Welfare; Finance

AN ACT TO PROVIDE FOR THE LICENSURE OF ANESTHESIOLOGIST ASSISTANTS BY THE STATE BOARD OF MEDICAL LICENSURE; TO PROVIDE MINIMUM REQUIREMENTS AND LIMITATIONS FOR PRACTICE BY ANESTHESIOLOGIST ASSISTANTS; TO AUTHORIZE THE BOARD OF MEDICAL LICENSURE TO PROMULGATE RULES AND REGULATIONS REGARDING THAT PRACTICE; TO PROVIDE FOR LICENSURE FEES TO BE PAID BY APPLICANTS; TO

AMEND SECTIONS 73-26-1 AND 73-43-11, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2745: Public Health and Welfare

AN ACT TO AMEND SECTION 41-121-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HEALTH CARE PRACTITIONERS SHALL WEAR A PHOTO IDENTIFICATION NAME TAG DURING ALL PATIENT ENCOUNTERS; TO PROVIDE THAT ALL HEALTH CARE PRACTITIONERS WHO PARTICIPATE IN A COLLABORATIVE PRACTICE BUT ARE NOT MEDICAL DOCTORS OR DOCTORS OF OSTEOPATHIC MEDICINE SHALL BE REQUIRED TO CONSPICUOUSLY POST IN HIS OFFICE THE NAME OF THE SUPERVISING PHYSICIAN; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2746: Public Health and Welfare

AN ACT TO CREATE HUDSON'S LAW, TO REQUIRE HEALTH CARE PROVIDERS TO PROVIDE EDUCATIONAL INFORMATION TO NEW OR EXPECTANT PARENTS WHO RECEIVE A POSITIVE TEST FOR DOWN SYNDROME REGARDING THEIR CHILD; TO REQUIRE THE DEPARTMENT OF HEALTH TO MAKE INFORMATION AVAILABLE REGARDING DOWN SYNDROME; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2747: Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE MORATORIUM ON THE ESTABLISHMENT OR EXPANSION OF CURRENTLY APPROVED SERVICE AREA OF A HOME HEALTH AGENCY OR THE CONTRACTING OF A BRANCH OFFICE OF SUCH HOME HEALTH AGENCY; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2748: Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OF A 60-BED NURSING FACILITY IN ANY UNDERSERVED MINORITY ZIP CODE AREA IN THE STATE; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2749: Public Health and Welfare

AN ACT TO AMEND SECTION 43-11-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONAL CARE HOMES MUST BE LICENSED AND REGULATED BY THE STATE DEPARTMENT OF HEALTH IF THEY PROVIDE INDIVIDUAL OR GROUP LIVING ARRANGEMENTS FOR ONE OR MORE PERSONS WHO ARE UNRELATED TO THE OPERATOR; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

S. B. No. 2750: Public Health and Welfare

AN ACT TO CREATE NEW SECTION 73-21-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PHARMACISTS TO TEST OR SCREEN FOR AND TREAT CERTAIN MINOR, NONCHRONIC HEALTH CONDITIONS AFTER COMPLETING AN APPROVED EDUCATION COURSE AND MEETING OTHER REQUIREMENTS; TO PROVIDE THAT PHARMACISTS WHO TEST FOR AND TREAT INFLUENZA OR STREPTOCOCCUS MUST HAVE AN ESTABLISHED WRITTEN PROTOCOL WITH A SUPERVISING PRACTITIONER APPROVED BY THE STATE BOARD OF PHARMACY; TO REQUIRE PHARMACISTS PROVIDING SERVICES UNDER THIS SECTION TO COMPLETE A CONTINUING EDUCATION COURSE APPROVED BY THE BOARD ADDRESSING ISSUES RELATED TO MINOR, NONCHRONIC HEALTH CONDITIONS FOR EACH ANNUAL LICENSURE RENEWAL; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2751: Public Health and Welfare

AN ACT TO AMEND SECTION 73-67-15, 73-67-17, 73-67-19, 73-67-21 AND 73-67-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF MASSAGE THERAPY SHALL ESTABLISH REQUIREMENTS FOR THE REGISTRATION OF MASSAGE ESTABLISHMENTS; TO REQUIRE THE BOARD SHARE DOCUMENTS WITH STATE AGENCIES; TO PROVIDE FOR THE HOUR REQUIREMENTS FOR MASSAGE PRACTICE; TO REPEAL SECTION 73-67-39, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DATE OF REPEAL FOR SECTIONS 73-67-1 THROUGH 73-67-37, WHICH IS THE MISSISSIPPI PROFESSIONAL MASSAGE THERAPY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2752: Public Health and Welfare

AN ACT TO AMEND SECTION 73-25-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISCIPLINARY SANCTIONS BY THE STATE BOARD OF MEDICAL LICENSURE AGAINST A LICENSED PHYSICIAN FOR CHARGING FOR OUTPATIENT ANATOMIC PATHOLOGY SERVICES UNLESS THE SERVICES WERE RENDERED PERSONALLY BY THE LICENSED PRACTITIONER OR UNDER HIS SUPERVISION; TO AUTHORIZE DISCIPLINARY SANCTIONS AGAINST A PHYSICIAN FOR THE DIVISION OF FEES OR ARRANGEMENT TO DIVIDE THE FEES RECEIVED FOR PROFESSIONAL SERVICES WITH ANY PERSON FOR REFERRING A PATIENT; AND FOR RELATED PURPOSES.

By Senator(s) England

S. B. No. 2753: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH A MISSISSIPPI RARE DISEASE ADVISORY COUNCIL WITHIN THE STATE DEPARTMENT OF HEALTH TO EDUCATE MEDICAL PROFESSIONALS, GOVERNMENTAL AGENCIES AND THE PUBLIC ABOUT RARE DISEASES AND TO FUND RESEARCH IN THE DEVELOPMENT OF TREATMENTS FOR RARE DISEASES; TO PROVIDE FOR THE MEMBERSHIP OF THE COUNCIL AND PRESCRIBE ITS DUTIES AND RESPONSIBILITIES; TO PROVIDE THAT THE COUNCIL SHALL APPLY FOR AND EXPEND GRANTS FROM THE FEDERAL GOVERNMENT OR PRIVATE SOURCES FOR FUNDING THE ACTIVITIES OF THE COUNCIL; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Wiggins

S. B. No. 2754: Public Health and Welfare

AN ACT TO AMEND SECTIONS 41-85-3, 41-85-7, 41-85-11 AND 41-85-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH MAY AUTHORIZE HOSPICE LICENSEES TO PROVIDE HOSPICE SERVICES TO INDIVIDUALS WHO ARE NOT TERMINALLY ILL BUT WHO CAN BENEFIT FROM PALLIATIVE CARE AND SUPPORTIVE CARE SERVICES, IF SUCH EXPANSION OF THE MINIMUM QUALIFICATIONS OF INDIVIDUALS WHO ARE ELIGIBLE TO RECEIVE HOSPICE SERVICES IS APPROVED BY THE UNITED STATES CENTERS FOR MEDICARE AND MEDICAID SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2755: Public Health and Welfare; Appropriations

AN ACT TO PROVIDE THAT THE DEPARTMENT OF HEALTH MAY ENTER INTO AGREEMENTS WITH HEALTH CARE ENTITIES TO CREATE A STATEWIDE ELECTRONIC HEALTH INFORMATION EXCHANGE; TO CREATE A PROGRAM UNDER THE STATE DEPARTMENT OF HEALTH TO PROVIDE FUNDS TO HEALTH CARE ENTITIES FOR STARTUP COSTS RELATED TO THEIR PARTICIPATION IN A STATEWIDE ELECTRONIC HEALTH INFORMATION EXCHANGE; TO PROVIDE FOR REQUIREMENTS FOR PARTICIPATION IN THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2756: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 41-9-303, 41-9-305, 41-9-307 AND 41-9-309, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL HOSPITALS IN THE STATE MAY ENTER INTO AGREEMENTS UNDER THE RURAL HEALTH AVAILABILITY ACT; TO CREATE NEW SECTION 41-9-310, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT APPLICANTS MUST IDENTIFY PROPRIETARY DOCUMENTS TO THE BOARD, WITH SUCH DOCUMENTS BEING DESIGNATED AS TRADE SECRETS BY THE BOARD; TO CONFORM THE PROVISIONS OF THE ACT WITH CURRENT ANTITRUST LAW; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2757: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE HOSPITAL COOPERATION ACT OF 2021; TO PROVIDE THAT HOSPITALS MAY ENTER INTO COOPERATIVE AGREEMENTS FOR CERTAIN PURPOSES; TO REQUIRE PARTIES TO THOSE COOPERATIVE AGREEMENTS TO APPLY FOR A CERTIFICATE OF PUBLIC ADVANTAGE GOVERNING THE COOPERATIVE AGREEMENT; TO PROVIDE STANDARDS OF REVIEW FOR THE STATE DEPARTMENT OF HEALTH WITH REGARD TO THOSE APPLICATIONS AND ISSUANCE OF CERTIFICATES; TO REQUIRE THE DEPARTMENT TO MONITOR, REGULATE, AND ACTIVELY SUPERVISE THOSE AGREEMENTS; TO AUTHORIZE THE DEPARTMENT TO REVOKE A CERTIFICATE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2758: Public Health and Welfare

AN ACT TO AMEND SECTION 73-25-34, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HEALTH CARE PROVIDERS MAY PROVIDE SERVICES THROUGH THE USE OF INTERACTIVE AUDIO, VIDEO, OR OTHER ELECTRONIC MEDIA TO A MISSISSIPPI RESIDENT WHO LIVES IN AN AREA DESIGNATED A HEALTH PROFESSIONAL SHORTAGE AREA FOR PRIMARY CARE, MENTAL HEALTH OR DENTAL CARE BY THE DEPARTMENT OF HEALTH; PROVIDE FOR THE REQUIREMENTS THAT A PROVIDER MUST MEET TO PRACTICE UNDER THIS ACT; TO PROVIDE THAT A PROVIDER SHALL BE IMMUNE FROM LIABILITY FOR ANY CIVIL ACTION ARISING OUT OF THE PROVISION OF SUCH CARE IF PROVIDED IN GOOD FAITH ON A CHARITABLE BASIS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2759: Public Health and Welfare

AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE MONTHLY BENEFIT AMOUNT FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2760: Public Health and Welfare; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 73-43-1, 73-43-3, 73-43-5, 73-43-7, AND 73-43-14, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP AND TERMS OF OFFICE OF THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2761: Public Health and Welfare

AN ACT TO AMEND SECTION 73-19-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF OPTOMETRY TO DEFINE THE PRACTICE OF OPTOMETRY; TO PROVIDE FOR THE DISEASES AND CONDITIONS THAT

OPTOMETRISTS ARE AUTHORIZED TO EXAMINE, DIAGNOSE AND MANAGE; TO PROVIDE THAT AN OPTOMETRIST MAY UTILIZE LOCAL ANESTHESIA IN THE PERFORMANCE OF CERTAIN PROCEDURES; TO PROVIDE THAT NO OPTOMETRIST SHALL PERFORM CATARACT SURGERY OR ANY OTHER SURGERY THAT REQUIRES GENERAL ANESTHESIA; TO PROVIDE THAT AN OPTOMETRIST MAY PERFORM LASER CAPSULOTOMIES IF HE HAS BEEN CERTIFIED BY THE BOARD OF OPTOMETRY TO PERFORM OPTOMETRIC LASER PROCEDURES; TO AMEND SECTION 73-19-27, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT ALLOWS OPTOMETRISTS TO USE PHARMACEUTICAL AGENTS IN THEIR PRACTICE; TO AMEND SECTION 73-19-157, MISSISSIPPI CODE OF 1972, TO PROVIDE OPTOMETRISTS THE AUTHORITY TO USE AND PRESCRIBE CERTAIN PHARMACEUTICAL MEDICATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2762: Public Health and Welfare

AN ACT TO AMEND SECTION 43-12-33, MISSISSIPPI CODE OF 1972, TO PERMIT THE USE OF A SIMPLIFIED REPORTING SYSTEM BY THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES UNDER 7 CFR SECTION 273.12(a)(5); AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2763: Public Health and Welfare

AN ACT TO AMEND SECTION 73-19-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF OPTOMETRY TO DEFINE THE PRACTICE OF OPTOMETRY; TO PROVIDE FOR THE DISEASES AND CONDITIONS THAT OPTOMETRISTS ARE AUTHORIZED TO EXAMINE, DIAGNOSE AND MANAGE; TO PROVIDE THAT AN OPTOMETRIST MAY UTILIZE LOCAL ANESTHESIA IN THE PERFORMANCE OF CERTAIN PROCEDURES; TO PROVIDE THAT NO OPTOMETRIST SHALL PERFORM CATARACT SURGERY OR ANY OTHER SURGERY THAT REQUIRES GENERAL ANESTHESIA; TO PROVIDE THAT OPTOMETRISTS MAY PERFORM CERTAIN OPTOMETRIC LASER PROCEDURES; TO AMEND SECTION 73-19-27, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT ALLOWS OPTOMETRIST TO USE PHARMACEUTICAL AGENTS IN THEIR PRACTICE; TO AMEND SECTION 73-19-157, MISSISSIPPI CODE OF 1972, TO PROVIDE OPTOMETRISTS THE AUTHORITY TO USE AND PRESCRIBE CERTAIN PHARMACEUTICAL MEDICATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

S. B. No. 2764: Finance

AN ACT TO CODIFY SECTIONS 41-2-1 THROUGH 41-2-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF HEALTH TO ADMINISTER THE MISSISSIPPI MEDICAL MARIJUANA PROGRAM; TO AUTHORIZE THE DEPARTMENT TO DELEGATE RESPONSIBILITIES UNDER THE PROGRAM TO ANY STATE AGENCY AGREEING TO ACCEPT THE DELEGATION AND TO PAY SUCH AGENCY FOR THE PERFORMANCE OF SERVICES; TO REQUIRE EACH MEDICAL MARIJUANA TREATMENT CENTER TO ADD A FEE ON THE FINAL SALE OF MEDICAL MARIJUANA EQUAL TO THE SALES TAX RATE ON TANGIBLE PERSONAL PROPERTY; TO PRESCRIBE CRIMINAL PENALTIES AND LICENSURE DISCIPLINARY ACTION AGAINST ANY TREATMENT CENTER FOR FAILURE OR REFUSAL TO CHARGE SUCH FEE; TO PROVIDE REQUIREMENTS FOR RETURNS AND PAYMENTS OF THE REQUIRED FEES AND AUTHORIZE THE DEPARTMENT TO MAKE ASSESSMENT AND DEMAND THEREFOR; TO PROVIDE FOR RECORD KEEPING BY TREATMENT CENTERS; TO PRESCRIBE GRIEVANCE PROCEDURES; TO AUTHORIZE THE DEPARTMENT TO ISSUE WARRANTS FOR THE COLLECTION OF FEES AND TO FILE CIVIL ACTION; TO PROVIDE FOR LIABILITY OF PERSONS OWNING STOCK IN THE TREATMENT CENTERS; TO PROVIDE PROCEDURES FOR SEIZURE OF PROPERTY FOR FAILURE TO COMPLY WITH FEE PAYMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2765: Finance

AN ACT TO ENACT THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AUTHORIZE MEDICAL CANNABIS USE BY CERTAIN PATIENTS WHO HAVE DEBILITATING MEDICAL CONDITIONS; TO PROVIDE CERTAIN PROTECTIONS TO PATIENTS, CAREGIVERS, MEDICAL PROVIDERS, MEDICAL CANNABIS ESTABLISHMENTS, DISPENSARIES, PHARMACIES AND TESTING FACILITIES FOR THE MEDICAL USE OF CANNABIS; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH WILL ADMINISTER THIS ACT AND ISSUE REGISTRY IDENTIFICATION CARDS TO QUALIFYING PATIENTS AND REGISTRATIONS TO QUALIFYING FACILITIES; TO AUTHORIZE LOCAL GOVERNMENTS TO ENACT CERTAIN ORDINANCES NOT IN CONFLICT WITH THIS ACT; TO PROVIDE CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; TO PROVIDE FOR AN ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS TO THE LEGISLATURE AND THE DEPARTMENT; TO REQUIRE THE DEPARTMENT TO MAKE AN ANNUAL REPORT TO THE LEGISLATURE REGARDING THE OPERATION OF THIS ACT; TO CREATE NEW SECTION 27-65-28, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE RETAIL SALES OF CANNABIS PRODUCTS SHALL BE TAXED BY 7%; TO CREATE THE MISSISSIPPI WORKFORCE AND COLLEGE OPPORTUNITY SCHOLARSHIP PROGRAM AND BOARD OF DIRECTORS, WHICH PROVIDE LAST-DOLLAR SCHOLARSHIPS TO STUDENTS ENROLLED IN FULL-TIME PUBLIC AND PRIVATE COLLEGES AND UNIVERSITIES AND WORKFORCE TRAINING PROGRAMS FROM FUNDS GENERATED FROM THE SALES AND EXCISE TAX OF CANNABIS PRODUCTS; TO AMEND SECTIONS 41-29-125, 41-29-127, 41-29-136, 41-29-137, 41-29-139, 41-29-141 AND 41-29-143, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2766: Universities and Colleges; Accountability, Efficiency, Transparency

AN ACT TO ENACT THE FORMING OPEN AND ROBUST UNIVERSITY MINDS (FORUM) ACT; TO PROHIBIT A STATE INSTITUTION OF HIGHER LEARNING FROM DENYING A RELIGIOUS, POLITICAL OR IDEOLOGICAL STUDENT ORGANIZATION A BENEFIT OR PRIVILEGE AVAILABLE TO ANOTHER STUDENT ORGANIZATION, OR OTHERWISE DISCRIMINATE AGAINST SUCH AN ORGANIZATION, BASED ON THE EXPRESSION OF THE ORGANIZATION; TO REQUIRE STATE INSTITUTIONS OF HIGHER LEARNING TO DEVELOP AND MAKE AVAILABLE MATERIALS EXPLAINING THE POLICY FOR CAMPUS STAFF AND STUDENTS; TO REQUIRE STATE INSTITUTIONS OF HIGHER LEARNING TO SUBMIT A YEARLY REPORT DETAILING THE COURSE OF ACTION IMPLEMENTED TO COMPLY WITH THE POLICY; TO PRESCRIBE A ONE-YEAR STATUTE OF LIMITATIONS FOR ACTIONS BROUGHT UNDER THIS ACT; TO WAIVER THE STATE'S IMMUNITY FROM LIABILITY UNDER THE ELEVENTH AMENDMENT OF THE UNITED STATES CONSTITUTION; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

S. B. No. 2767: Finance

AN ACT TO BE KNOWN AS THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AUTHORIZE MEDICAL CANNABIS USE BY CERTAIN PATIENTS WHO HAVE DEBILITATING MEDICAL CONDITIONS; TO PROVIDE CERTAIN PROTECTIONS TO PATIENTS, CAREGIVERS, MEDICAL PROVIDERS, MEDICAL CANNABIS ESTABLISHMENTS, DISPENSARIES, PHARMACIES AND TESTING FACILITIES FOR THE MEDICAL USE OF CANNABIS; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH WILL ADMINISTER THIS ACT AND ISSUE REGISTRY IDENTIFICATION CARDS TO QUALIFYING PATIENTS AND REGISTRATIONS TO QUALIFYING FACILITIES; TO AUTHORIZE LOCAL GOVERNMENTS TO ENACT CERTAIN ORDINANCES NOT IN CONFLICT WITH THIS ACT; TO PROVIDE CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; TO PROVIDE FOR AN

ADVISORY COMMITTEE TO MAKE RECOMMENDATIONS TO THE LEGISLATURE AND THE DEPARTMENT; TO REQUIRE THE DEPARTMENT TO MAKE AN ANNUAL REPORT TO THE LEGISLATURE ABOUT THE OPERATION OF THIS ACT; TO CREATE NEW SECTION 27-65-28, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE RETAIL SALES OF CANNABIS PRODUCTS SHALL BE TAXED BY 7%; TO CREATE THE MISSISSIPPI WORKFORCE AND COLLEGE OPPORTUNITY SCHOLARSHIP PROGRAM, WHICH PROVIDES LAST DOLLAR SCHOLARSHIPS TO STUDENTS ENROLLED IN FULL-TIME PUBLIC AND PRIVATE COLLEGES AND UNIVERSITIES AND WORK FORCE TRAINING PROGRAMS FROM FUNDS GENERATED FROM THE SALES AND EXCISE TAX OF CANNABIS PRODUCTS; TO AMEND SECTIONS 41-29-125, 41-29-127, 41-29-136, 41-29-137, 41-29-139, 41-29-141 AND 41-29-143, MISSISSIPPI CODE OF 1972; TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2768: Judiciary, Division B; Finance

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO REMOVE MARIJUANA FROM THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES; TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO CONFORM THE PENALTY FOR POSSESSION OF CONTROLLED SUBSTANCES OTHER THAN MARIJUANA; TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO CONFORM DEFINITIONS FOR THE UNIFORM CONTROLLED SUBSTANCES ACT; TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO EXTEND THE REPEALER; TO CREATE NEW SECTION 27-65-28, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE RETAIL SALES OF CANNABIS PRODUCTS SHALL BE TAXED BY 7%; TO AMEND SECTIONS 41-29-147, 41-29-149.1, 41-29-150 AND 33-13-520, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2769: Judiciary, Division A; Universities and Colleges

AN ACT TO CREATE A CAUSE OF ACTION FOR VIOLATION OF FREE SPEECH AT INSTITUTIONS OF HIGHER EDUCATION; TO PROVIDE FOR PROTECTIONS FOR THE RIGHT OF ALL PEOPLE TO ENGAGE IN LAWFUL EXPRESSION; TO PROTECT STUDENTS AND STUDENT GROUPS FROM DISCIPLINARY ACTION BECAUSE OF THEIR LAWFUL EXPRESSION; TO REQUIRE STUDENT TO BE EDUCATED REGARDING FREE SPEECH; TO PROVIDE FOR THE REMEDIES, STATUTE OF LIMITATIONS, AND PROCEDURE FOR A CAUSE OF ACTION FOR VIOLATIONS OF FREE SPEECH BY INSTITUTIONS OF HIGHER EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2770: Judiciary, Division A; Universities and Colleges

AN ACT TO CREATE A CAUSE OF ACTION FOR DISCRIMINATORY HARASSMENT AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; TO DEFINE DISCRIMINATORY HARASSMENT; TO CLARIFY THAT STUDENT-ON-STUDENT SPEECH THAT DOES NOT RISE TO THE DEFINITION OF DISCRIMINATORY HARASSMENT SHALL BE PROTECTED SPEECH; TO PROVIDE FOR WHO MAY BRING A CAUSE OF ACTION FOR DISCRIMINATORY HARASSMENT; TO PROVIDE THAT THE STATE WAIVES IMMUNITY UNDER THE ELEVENTH AMENDMENT TO SUITS UNDER THIS ACT; TO PROVIDE FOR THE REMEDIES AND STATUTE OF LIMITATIONS UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 2771: Judiciary, Division A; Agriculture

AN ACT TO AMEND SECTION 75-24-25, MISSISSIPPI CODE OF 1972, TO EXEMPT THE SALE OF RAW AGRICULTURAL PRODUCTS BY GROWERS, PRODUCERS AND PROCESSORS FROM PRICE-GOUGING RESTRICTIONS

DURING A DECLARED STATE OF EMERGENCY OR LOCAL EMERGENCY; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2772: Insurance

AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TELEMEDICINE" AS USED IN THE STATUTE REQUIRING HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR TELEMEDICINE SERVICES; TO PROVIDE THAT TELEMEDICINE CONSULTATIONS BETWEEN A PATIENT AND A PROVIDER ARE TO BE COVERED TO THE SAME EXTENT AS THE SERVICES WOULD BE COVERED IF PROVIDED THROUGH IN-PERSON CONSULTATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2773: Insurance; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE "MISSISSIPPI PROFESSIONAL EMPLOYER ORGANIZATION RECOGNITION AND REGISTRATION ACT"; TO PROVIDE LEGISLATIVE FINDINGS; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO PROVIDE THAT NOTHING IN THIS ACT OR IN ANY PROFESSIONAL AGREEMENT SHALL AFFECT A COLLECTIVE BARGAINING AGREEMENT OR ANY STATE, LOCAL OR FEDERAL LICENSING REQUIREMENT APPLICABLE TO ANY CLIENT OR COVERED EMPLOYEE; TO PROVIDE THAT COVERED EMPLOYEES SHALL BE DEEMED EMPLOYEES SOLELY OF THE CLIENT FOR PURPOSES OF DETERMINING TAX CREDITS AND OTHER ECONOMIC INCENTIVES; TO REQUIRE REGISTRATION WITH THE DEPARTMENT OF INSURANCE; TO PROVIDE REGISTRATION FEES; TO REQUIRE EACH PEO OR PEO GROUP TO MAINTAIN POSITIVE WORKING CAPITAL OR OTHER MINIMUM FINANCIAL REQUIREMENTS; TO PROVIDE RIGHTS AND DUTIES OF EMPLOYER, EMPLOYEE AND CLIENT; TO PROVIDE THAT A CLIENT AND A REGISTERED PEO SHALL EACH BE DEEMED AN EMPLOYER UNDER THE LAWS OF THIS STATE FOR PURPOSES OF SPONSORING RETIREMENT AND WELFARE BENEFIT PLANS FOR ITS COVERED EMPLOYEES; TO PROHIBIT CERTAIN ACTS AND TO AUTHORIZE THE DEPARTMENT OF INSURANCE TO TAKE DISCIPLINARY ACTIONS FOR VIOLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2774: Insurance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 71-3-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CLAIMANT'S FAILURE TO TIMELY FILE MEDICAL RECORDS IN SUPPORT OF A CONTROVERTED WORKERS' COMPENSATION CLAIM MAY RESULT IN DISMISSAL OF THE CLAIM; TO AMEND SECTION 71-3-35, MISSISSIPPI CODE OF 1972, TO REQUIRE THE EMPLOYER OR CARRIER IN CERTAIN INSTANCES TO NOTIFY THE EMPLOYEE THAT HIS RIGHT TO BENEFITS MAY BE BARRED BY THE STATUTE OF LIMITATIONS; TO AMEND SECTION 71-3-66, MISSISSIPPI CODE OF 1972, TO REVISE THE CONFIDENTIALITY OF WORKERS' COMPENSATION COMMISSION RECORDS; TO AMEND SECTION 71-3-77, MISSISSIPPI CODE OF 1972, TO ALLOW NOTICE TO THE INSURED OF CANCELLATIONS AND NONRENEWALS TO BE SERVED ELECTRONICALLY AS LONG AS RECEIPT IS ACKNOWLEDGED; TO AMEND SECTION 25-61-3, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983 TO EXEMPT FROM THE DEFINITION OF PUBLIC RECORDS CERTAIN RECORDS OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2775: Insurance; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE HEALTHCARE CONTRACTING SIMPLIFICATION ACT; TO DEFINE TERMS USED IN THE ACT; TO PROHIBIT A CONTRACTING ENTITY FROM OFFERING TO A HEALTH CARE PROVIDER A HEALTH CARE CONTRACT

THAT INCLUDES AN ALL-PRODUCTS CLAUSE; TO PROHIBIT A CONTRACTING ENTITY FROM OFFERING TO A HEALTH CARE PROVIDER A HEALTH CARE CONTRACT THAT INCLUDES A MOST FAVORED NATION CLAUSE; TO REGULATE THE CONTRACTING PROCESS; TO REQUIRE A CONTRACTING ENTITY TO CONTRACT WITH ANY HEALTH CARE PROVIDER; TO PROVIDE THAT THE DEPARTMENT OF INSURANCE SHALL ENFORCE THIS ACT; TO REQUIRE THE COMMISSIONER OF INSURANCE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO ENSURE COMPLIANCE WITH THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2776: Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF NOXUBEE COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR CIVIL CASES FILED AND MISDEMEANOR CONVICTIONS AND/OR NONADJUDICATIONS OBTAINED IN ITS JUSTICE COURT, TO BE PLACED IN A SPECIAL COUNTY FUND DESIGNATED THE "NOXUBEE COUNTY CAPITAL IMPROVEMENTS FUND" AND USED TO FUND CAPITAL IMPROVEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2777: Highways and Transportation

AN ACT TO UPDATE AND STREAMLINE MOTOR CARRIER REGULATION; TO AMEND SECTION 77-7-45, MISSISSIPPI CODE OF 1972, TO MAKE DISCRETIONARY WITH THE MISSISSIPPI TRANSPORTATION COMMISSION THE HOLDING OF A PUBLIC HEARING ON THE APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; TO AMEND SECTION 77-7-51, MISSISSIPPI CODE OF 1972, TO MAKE DISCRETIONARY WITH THE TRANSPORTATION COMMISSION THE HOLDING OF A HEARING ON THE APPLICATION FOR A PERMIT; TO AMEND SECTION 77-7-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CARRIERS OF HOUSEHOLD GOODS, BOTH COMMON CARRIERS AND CONTRACT CARRIERS, SHALL BE STRICTLY LIABLE FOR THE LOSS OR DAMAGE TO THE HOUSEHOLD GOODS CARRIED; TO AMEND SECTION 77-7-223, MISSISSIPPI CODE OF 1972, TO REMOVE REFERENCES TO CODE SECTIONS REPEALED BY THIS ACT; TO REPEAL SECTION 77-7-211, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS COMMON CARRIERS OF PASSENGERS FROM TRANSPORTING PASSENGERS UNLESS THE CARRIERS HAVE FILED WITH THE COMMISSION TARIFFS SHOWING THEIR RATES, AND UNLESS THOSE RATES HAVE BEEN PUBLISHED; TO REPEAL SECTION 77-7-213, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS COMMON CARRIERS BY MOTOR VEHICLE FROM CHARGING OR RECEIVING COMPENSATION FOR TRANSPORTATION OR RELATED SERVICES THAT DIFFERS FROM THE RATES SPECIFIED IN THEIR TARIFFS; TO REPEAL SECTION 77-7-215, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS A CHANGE IN RATES OR CLASSIFICATIONS, OR IN ANY RELATED REGULATIONS OR PRACTICES, SPECIFIED IN ANY ELECTIVE TARIFF OF A COMMON CARRIER BY MOTOR VEHICLE, UNLESS 30 DAYS' NOTICE OF THE PROPOSED CHANGE HAS BEEN FILED AND POSTED; TO REPEAL SECTION 77-7-217, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COMMISSION TO INVESTIGATE AND HOLD HEARINGS ON THE REASONABLENESS OF COMMON CARRIER RATES AND CLASSIFICATIONS, AND TO DETERMINE LAWFUL RATES AND CLASSIFICATIONS; TO REPEAL SECTION 77-7-219, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COMMISSION TO HOLD HEARINGS ON THE LAWFULNESS OF COMMON CARRIER RATES, REGULATIONS AND PRACTICES CONNECTED WITH A SCHEDULE CONTAINING NEW RATES OR CLASSIFICATIONS, AND TO SUSPEND THE SCHEDULE AND DEFER THE USE OF THE RATES, REGULATIONS OR PRACTICES FOR NO MORE THAN 180 DAYS; TO REPEAL SECTION 77-7-221, MISSISSIPPI CODE OF 1972, WHICH LISTS FACTORS TO BE CONSIDERED AND EXCLUDED BY THE COMMISSION IN DETERMINING JUST AND REASONABLE RATES FOR THE TRANSPORTATION OF PASSENGERS

BY COMMON CARRIERS BY MOTOR VEHICLE; TO REPEAL SECTION 77-7-241, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS CONTRACT CARRIERS BY MOTOR VEHICLE FROM TRANSPORTING PASSENGERS IN INTRASTATE COMMERCE UNLESS THE CARRIERS HAVE FILED WITH THE COMMISSION THEIR MINIMUM TRANSPORTATION CHARGES, AND UNLESS THOSE CHARGES HAVE BEEN PUBLISHED, AND WHICH FURTHER PROHIBITS REDUCTIONS IN CHARGES WITHOUT NOTICE; TO REPEAL SECTION 77-7-243, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COMMISSION TO INVESTIGATE AND HOLD HEARINGS ON THE REASONABLENESS OF CONTRACT CARRIER CHARGES, REGULATIONS AND PRACTICES FOR THE TRANSPORTATION OF PASSENGERS IN INTRASTATE COMMERCE, AND TO DETERMINE MINIMUM RATES AND DESIRABLE REGULATIONS AND PRACTICES UPON CONSIDERATION OF CERTAIN FACTORS AND EXCLUSION OF OTHER FACTORS; TO REPEAL SECTION 77-7-245, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COMMISSION TO HOLD HEARINGS ON THE LAWFULNESS OF CONTRACT CARRIER CHARGES, REGULATIONS AND PRACTICES CONNECTED WITH A SCHEDULE OR CONTRACT CONTAINING REDUCED CHARGES, AND TO SUSPEND THE SCHEDULE OR CONTRACT AND DEFER THE USE OF THE CHARGES, REGULATIONS OR PRACTICES FOR NO MORE THAN 180 DAYS; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2778: Highways and Transportation

AN ACT TO AMEND SECTION 65-21-1, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS RELATING TO THE DESIGN OF BRIDGES AND CULVERTS; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2779: Highways and Transportation

AN ACT TO AMEND SECTION 65-3-97, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO SUBMIT TO THE TRANSPORTATION COMMISSION A DETAILED DESCRIPTION OF THE CRITERIA AND ANALYSES UTILIZED TO CHANGE THE PRIORITY OF NEW CAPACITY PROJECTS; TO REQUIRE THE TRANSPORTATION COMMISSION TO INCLUDE THE DETAILED DESCRIPTION OF THE CRITERIA AND ANALYSES IN ITS MINUTES ALONG WITH ALL SUPPORTING DOCUMENTATION; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2780: Environment Prot, Cons and Water Res

AN ACT TO AMEND SECTION 17-17-227, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO SOLID WASTE MANAGEMENT PLAN SHALL INCLUDE ANY PROPOSED NEW NONHAZARDOUS SOLID WASTE SANITARY LANDFILL IF THE NEW LANDFILL IS LOCATED WITHIN A COUNTY HAVING TWO OR MORE EXISTING PERMITTED NONHAZARDOUS SOLID WASTE SANITARY LANDFILLS, UNLESS A REFERENDUM ELECTION HAS BEEN CONDUCTED AND APPROVED; TO AMEND SECTION 17-17-229, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FACILITY PERMIT, GRANT OR LOAN MAY NOT BE ISSUED BY ANY AGENCY OF THE STATE FOR ANY NEW NONHAZARDOUS SOLID WASTE SANITARY LANDFILL IF THE NEW LANDFILL IS LOCATED WITHIN A COUNTY HAVING TWO OR MORE EXISTING PERMITTED NONHAZARDOUS SOLID WASTE SANITARY LANDFILLS, UNLESS A REFERENDUM HAS BEEN CONDUCTED AND APPROVED; TO CREATE NEW SECTION 17-17-237, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REFERENDUM PROCESS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

S. B. No. 2781: Agriculture; Finance

AN ACT TO AMEND SECTION 75-29-951, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM ANNUAL GROSS SALES FOR A COTTAGE FOOD OPERATION TO BE EXEMPT FROM FOOD ESTABLISHMENT PERMIT FEES; TO

AUTHORIZE A COTTAGE FOOD OPERATION TO ADVERTISE COTTAGE FOOD PRODUCTS OVER THE INTERNET, INCLUDING THROUGH SOCIAL MEDIA; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2782: Wildlife, Fisheries and Parks

AN ACT TO CREATE A NEW SECTION IN TITLE 49, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A GAME BREEDER'S LICENSE TO BE ISSUED BY THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE RAISING OF WHITE-TAILED DEER, IN ENCLOSURES SURROUNDED BY FENCES AT LEAST EIGHT-FEET HIGH, FOR PROPAGATING PURPOSES; TO REQUIRE THE DEPARTMENT TO MAKE A THOROUGH INVESTIGATION AND DETERMINE THE QUALIFICATIONS, RESPONSIBILITY AND EQUIPMENT OF APPLICANTS FOR THE LICENSE; TO PROVIDE THAT THE LICENSE SHALL EXPIRE ON SEPTEMBER 30 OF THE YEAR IN WHICH ISSUED, UNLESS RENEWED; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES FOR ENGAGING IN THE BUSINESS OF BREEDING, RAISING, PRODUCING AND HANDLING OF WHITE-TAILED DEER OR THEIR EGGS, EMBRYOS OR SEMEN; TO SPECIFY LICENSE FEES; TO ALLOW LICENSEES TO SELL LIVE WHITE-TAILED DEER, OR THE EGGS, EMBRYOS OR SEMEN OF WHITE-TAILED DEER, FOR PROPAGATING PURPOSES TO ANY PERSON WITHIN OR WITHOUT THIS STATE; TO REQUIRE THAT PURCHASERS BE REPORTED TO THE DEPARTMENT BEFORE THE SALE OR SHIPMENT OF SAME; TO REQUIRE THAT THE SERIAL NUMBER OF THE LICENSE OF THE GAME BREEDER MAKING THE SALE OR SHIPMENT APPEAR ON, OR BE CONSPICUOUSLY ATTACHED TO, THE CRATE OR OTHER CONTAINER IN WHICH WHITE-TAILED DEER, OR THE EGGS, EMBRYOS OR SEMEN OF WHITE-TAILED DEER, ARE BEING SHIPPED; TO ALLOW THE DEPARTMENT TO CANCEL OR DECLARE VOID ANY GAME BREEDER'S LICENSE WHEN IT IS NOT BEING USED IN STRICT COMPLIANCE WITH THE SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

S. B. No. 2783: Ports and Marine Resources

AN ACT TO AMEND SECTION 49-27-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES IS AUTHORIZED TO DETERMINE THE ORDINARY HIGH WATER MARK (OHWM) FOR PURPOSES OF PLACING BULKHEADS AND RIP-RAP ON PRIVATE PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) Moran

S. B. No. 2784: Ports and Marine Resources

AN ACT TO AMEND SECTIONS 49-15-401, 49-15-403, 49-15-405, 49-15-407, 49-15-409, 49-15-411, 49-15-413 AND 49-15-415, MISSISSIPPI CODE OF 1972, TO CLARIFY THE RESPONSIBILITIES OF THE MISSISSIPPI ADVISORY COMMISSION ON MARINE RESOURCES RELATIVE TO ADMINISTRATIVE HEARING PROCEDURES, COMPLAINTS AND RECOMMENDATIONS ON POTENTIAL ADMINISTRATIVE PENALTIES AND TO PROVIDE THAT THE EXECUTIVE DIRECTOR WILL MAKE THE FINAL DECISION REGARDING WHETHER A VIOLATION HAS OCCURRED AND THE APPROPRIATE PENALTY; AND FOR RELATED PURPOSES.

By Senator(s) Moran

S. B. No. 2785: Highways and Transportation

AN ACT TO AMEND SECTION 63-1-7, MISSISSIPPI CODE OF 1972, TO EXEMPT THE REQUIREMENTS OF DRIVER'S EXAMINATION AND LICENSURE FROM ACTIVE DUTY MILITARY MEMBERS, THEIR SPOUSES AND DEPENDENT CHILDREN WHO ARE LICENSED AS DRIVERS UNDER A LAW REQUIRING THE LICENSING OF DRIVERS IN THEIR HOME STATE AND WHO HAVE IN THEIR IMMEDIATE POSSESSION A VALID DRIVER'S LICENSE ISSUED IN THEIR HOME STATE; AND FOR RELATED PURPOSES.

By Senator(s) Younger

S. B. No. 2786: Ports and Marine Resources

AN ACT TO AMEND SECTION 49-15-21, MISSISSIPPI CODE OF 1972, TO DELETE THE RESTRICTIONS ON THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES AS TO WHO MAY SERVE AS MARINE PATROL RESERVE OFFICERS, TO ALLOW THE RESERVE OFFICERS TO BE PAID IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT DUTIES RELATED TO HOMELAND SECURITY THREATS SHALL BE INCLUDED IN THE RESPONSIBILITIES OF THE MARINE PATROL AND TO DELETE CERTAIN RESERVE OFFICER TRAINING REPORTING REQUIREMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Moran

S. B. No. 2787: Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 59-21-87, MISSISSIPPI CODE OF 1972, TO ALLOW WATER SKIING WITHOUT AN OBSERVER IN THE BOAT IF THE BOAT IS EQUIPPED WITH CERTAIN MIRRORS; TO REQUIRE SKIERS TO WEAR A PERSONAL FLOTATION DEVICE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2788: Highways and Transportation

AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO RESTRICT THE USE OF RADAR SPEED DETECTION EQUIPMENT BY MUNICIPAL LAW ENFORCEMENT OFFICERS IN MUNICIPALITIES WITH A POPULATION ABOVE 15,000 TO FEDERALLY DESIGNATED NON-LIMITED-ACCESS HIGHWAYS WITHIN THE CORPORATE LIMITS; TO REMOVE THE PROHIBITION ON THE MISSISSIPPI HIGHWAY SAFETY PATROL SETTING UP RADAR ON HIGHWAYS IN MUNICIPALITIES WITH A POPULATION ABOVE 15,000; TO PROVIDE THAT THE MISSISSIPPI HIGHWAY SAFETY PATROL SHALL BE IMMEDIATELY NOTIFIED BY MUNICIPAL LAW ENFORCEMENT OF ANY ROAD BLOCKAGES OR EMERGENCIES OCCURRING ON ANY FEDERALLY DESIGNATED LIMITED-ACCESS HIGHWAYS LYING WITHIN THE CORPORATE LIMITS; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Frazier, Horhn, Norwood, Michel

S. B. No. 2789: Constitution; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 37-13-161, MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL DISTRICTS TO TEACH RELIGION, HEBREW SCRIPTURES AND THE BIBLE IN HISTORY AND ETHICS COURSES DURING THE MONTH OF APRIL; AND FOR RELATED PURPOSES.

By Senator(s) McMahan, Williams, Caughman

S. B. No. 2790: Education

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO REVISE LICENSURE QUALIFICATIONS AND REQUIREMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2791: Education

AN ACT TO AMEND SECTION 37-13-171, MISSISSIPPI CODE OF 1972, TO EXTEND BY FIVE YEARS THE REPEALER ON THE PROVISION OF LAW REQUIRING EVERY SCHOOL DISTRICT TO ADOPT A POLICY TO IMPLEMENT ABSTINENCE-ONLY OR ABSTINENCE-PLUS EDUCATION INTO ITS CURRICULUM; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 2792: Labor; Judiciary, Division A

AN ACT TO AMEND SECTIONS 73-77-5, 73-77-7 AND 73-77-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS OF THE FRESH START ACT OF 2019 SHALL APPLY NOTWITHSTANDING ANY OTHER PROVISION OF LAW; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2793: Education; Appropriations

AN ACT TO AMEND SECTION 37-161-3, MISSISSIPPI CODE OF 1972, TO CREATE A PILOT PROGRAM FOR THE CREATION OF VIRTUAL PUBLIC SCHOOLS OPERATED BY SCHOOL DISTRICTS; TO PROVIDE FOR THE DEFINITIONS AND REQUIREMENTS OF THE PROGRAM; TO PROVIDE FOR THE FUNDING FORMULA FOR THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2794: Education; Appropriations

AN ACT TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO ALLOW PUBLIC SCHOOL DISTRICTS TO OFFER ONLINE CAREER TRACK PROGRAMS; TO PROVIDE FOR THE ENROLLMENT POLICY, FUNDING FORMULA AND ACCOUNTABILITY REPORTING FOR THESE PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2795: Corrections

AN ACT ENTITLED THE "MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT"; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CONDITIONS FOR PAROLE ELIGIBILITY AND TO PROVIDE LIMITATIONS ON INMATE ELIGIBILITY TO PETITION THE SENTENCING COURT FOR PAROLE ELIGIBILITY IF THE INMATE IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE OR NONVIOLENCE; TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR INMATE CASE PLANNING AND TO PRESCRIBE DATES FOR THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COMPLETE CASE PLANS FOR PAROLE-ELIGIBLE INMATES TO ENSURE THAT THE PLAN IS ACHIEVABLE; TO AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, TO PROVIDE A MINIMUM TIME OFFENDERS CONVICTED OF A CRIME OF VIOLENCE MUST SERVE BEFORE RELEASE AND A MINIMUM PERCENTAGE OF OTHER SENTENCES OTHER OFFENDERS MUST SERVE BEFORE RELEASE; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO REQUIRE AN AFFIRMATIVE VOTE OF AT LEAST THREE MEMBERS OF THE MISSISSIPPI PAROLE BOARD TO GRANT PAROLE TO AN INMATE CONVICTED OF A CRIME OF VIOLENCE AFTER JUNE 30, 1995; TO AMEND SECTION 47-7-13, MISSISSIPPI CODE OF 1972, TO REQUIRE AN AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS OF THE MISSISSIPPI PAROLE BOARD TO GRANT PAROLE TO A SEX OFFENDER; TO AMEND SECTION 47-7-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VICTIM OR DESIGNATED FAMILY MEMBER SHALL BE PROVIDED AN OPPORTUNITY TO BE HEARD BY THE PAROLE BOARD PRIOR TO A PAROLE DECISION; TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PAROLE HEARINGS FOR SEX OFFENDERS; AND FOR RELATED PURPOSES.

By Senator(s) Barnett, Jackson (11th), Sparks, Butler, Wiggins, Jackson (32nd)

S. B. No. 2796: Elections

AN ACT TO AMEND SECTION 23-15-641, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE REGISTRAR TO NOTIFY A VOTER OF A PROVISIONAL REJECTION OF AN ABSENTEE BALLOT BASED ON A DISCREPANCY BETWEEN THE SIGNATURE ON THE ABSENTEE APPLICATION AND THE ABSENTEE BALLOT ENVELOPE; TO REQUIRE THAT IF THE REGISTRAR SENDS A NOTICE TO THE VOTER THAT THE NOTICE INFORM THE VOTER OF THE DEFICIENCY AND THE PROCESS TO CURE THE DEFICIENCY BY A CERTAIN DATE; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 2797: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS OF THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY; TO EXPAND THE COMMISSIONER'S POWERS; TO REQUIRE THE COMMISSIONER TO ESTABLISH WITHIN THE DEPARTMENT THE MISSISSIPPI OFFICE OF HOMELAND SECURITY; TO CODIFY A NEW SECTION WITHIN CHAPTER 1, TITLE 45, MISSISSIPPI CODE OF 1972, TO TRANSFER THE OFFICE OF CAPITOL POLICE FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER TO ADMINISTER OATHS; TO AMEND SECTION 45-6-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "LAW ENFORCEMENT OFFICER" TO INCLUDE THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY AND ANY EMPLOYEE OF THE DEPARTMENT OF PUBLIC SAFETY SO DESIGNATED BY THE COMMISSIONER; TO REVISE THE DEFINITION OF THE TERM "PART-TIME LAW ENFORCEMENT OFFICER" TO INCLUDE ANY PART-TIME EMPLOYEE OF THE DEPARTMENT OF PUBLIC SAFETY SO DESIGNATED BY THE COMMISSIONER; TO AMEND SECTION 45-1-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTIGATIVE SERVICES PROVIDED ON A CONTRACTUAL BASIS TO THE MISSISSIPPI BUREAU OF INVESTIGATION SHALL BE TO ENFORCE THE LAWS OF MISSISSIPPI; TO REVISE THE APPROVAL REQUIREMENTS OF CONTRACTUAL ARRANGEMENTS WITH THE MISSISSIPPI BUREAU OF INVESTIGATION; TO PROVIDE EXCLUSIVE JURISDICTION TO THE MISSISSIPPI BUREAU OF INVESTIGATION TO INVESTIGATE ALL INCIDENTS OF OFFICER-INVOLVED SHOOTINGS IN THE STATE; TO CODIFY A NEW SECTION WITHIN CHAPTER 5, TITLE 7, MISSISSIPPI CODE OF 1972, TO PROVIDE EXCLUSIVE AUTHORITY TO THE ATTORNEY GENERAL TO PROSECUTE ALL INCIDENTS OF OFFICER-INVOLVED SHOOTINGS; TO AMEND SECTION 41-29-112, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTIGATIVE SERVICES PROVIDED ON A CONTRACTUAL BASIS TO THE BUREAU OF NARCOTICS SHALL BE TO ENFORCE THE LAWS OF MISSISSIPPI AND TO ASSIST ANY OTHER LAW ENFORCEMENT EFFORT; TO REVISE THE APPROVAL REQUIREMENTS OF CONTRACTUAL ARRANGEMENTS WITH THE MISSISSIPPI BUREAU OF NARCOTICS; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXEMPT CONTRACTS ENTERED INTO BY THE DEPARTMENT OF PUBLIC SAFETY FOR SERVICE ON SPECIALIZED EQUIPMENT AND SOFTWARE USED BY THE OFFICE OF FORENSICS LABORATORIES AND TO EXEMPT FORENSIC PATHOLOGY POSITIONS FROM STATE PROCUREMENT LAWS; TO AMEND SECTION 41-61-53, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "MEDICAL EXAMINER INVESTIGATOR"; TO AMEND SECTION 41-61-55, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT OF CERTAIN PERSONS TO APPROVE THE APPOINTMENT OR DISCHARGE OF THE STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-65, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE MEDICAL EXAMINER TO USE MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTOMATIC REPEALER ON THE PROVISION THAT AUTHORIZES FEES FOR MEDICAL EXAMINERS; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT DEPUTY STATE MEDICAL EXAMINERS BE LICENSED IN MISSISSIPPI TO PRACTICE MEDICINE; TO AMEND SECTION 45-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS OF CERTAIN POSITIONS WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 45-3-45, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT RECRUITS BE TRAINED FOR AT LEAST 80 DAYS; TO ENACT THE "MISSISSIPPI UNMANNED AIRCRAFT SYSTEMS PROTECTION ACT OF 2021"; TO PROSECUTE UNAUTHORIZED FLYING OPERATIONS OF UNMANNED AIRCRAFT SYSTEMS OVER CORRECTIONAL FACILITIES AND CRITICAL INFRASTRUCTURE SITES; TO DEFINE TERMS; TO PENALIZE VIOLATIONS OF THE ACT; TO AMEND SECTIONS 25-1-87 AND 29-5-69, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 29-5-77, MISSISSIPPI CODE OF 1972, WHICH PROVIDES JURISDICTION TO THE DEPARTMENT OF FINANCE AND

ADMINISTRATION TO ENFORCE THE LAWS OF MISSISSIPPI WITHIN THE CAPITOL COMPLEX; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2798: Energy

AN ACT TO PROVIDE FOR CERTAIN PARTICIPATION OF INVESTOR-OWNED ELECTRIC UTILITIES IN THE EXPANSION OF BROADBAND SERVICES IN THE STATE OF MISSISSIPPI; TO AMEND SECTION 77-3-2, MISSISSIPPI CODE OF 1972, TO DECLARE THE POLICY OF THIS STATE TO SUPPORT EXPANSION OF EXISTING AND EMERGING TECHNOLOGIES TO FOSTER RELIABLE AND RESILIENT SERVICE AND CUSTOMER ACCESS TO ENHANCED SERVICES; TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO INCLUDE DEFINITIONS OF "BROADBAND SERVICE PROVIDER," "BROAD AND OPERATOR," "ELECTRIC DELIVERY SYSTEM" AND "ENHANCED GRID INVESTMENTS"; TO AMEND SECTION 77-3-44, MISSISSIPPI CODE OF 1972, TO INCLUDE FIBER OPTIC INFRASTRUCTURE AND ENHANCED GRID INVESTMENTS AS AN ECONOMIC DEVELOPMENT ACTIVITY IN WHICH CERTAIN UTILITIES ARE AUTHORIZED TO UNDERTAKE, AND TO AUTHORIZE INVESTOR-OWNED ELECTRIC UTILITIES TO GRANT PERMISSION TO BROADBAND OPERATORS OR BROADBAND SERVICE PROVIDERS TO USE THE ELECTRIC DELIVERY SYSTEM; TO CREATE A NEW SECTION TO PROVIDE COMPETITIVE SAFEGUARDS WHEN AN ELECTRIC UTILITY GRANTS PERMISSION TO A BROADBAND OPERATOR OR BROADBAND SERVICE PROVIDER TO USE ANY PART OF THE UTILITY'S ELECTRIC DELIVERY SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2799: Medicaid

AN ACT RELATING TO THE MISSISSIPPI MEDICAID PROGRAM; TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO PROVIDE UP TO 12 MONTHS OF CONTINUOUS COVERAGE POSTPARTUM FOR ANY INDIVIDUAL WHO QUALIFIES FOR MEDICAID AS A PREGNANT WOMAN TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, RELATING TO REIMBURSEMENT FOR CARE AND SERVICES UNDER THE MEDICAID PROGRAM; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING TO REIMBURSEMENT OF INPATIENT HOSPITAL SERVICES; TO PROVIDE THAT MEDICAID IS AUTHORIZED TO MAKE PARTIAL PAYMENTS FOR NURSING SERVICES; TO PROVIDE FOR NURSING FACILITY REIMBURSEMENT FOR HOME LEAVE DAYS; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING TO REIMBURSEMENT OF NURSING FACILITY SERVICES; TO PROVIDE FOR REIMBURSEMENT FOR FEES FOR PHYSICIAN SERVICES COVERED ONLY BY MEDICAID; TO AUTHORIZE THE DIVISION TO REIMBURSE OBSTETRICIANS AND GYNCOLOGISTS FOR CERTAIN PRIMARY CARE SERVICES AT 100% OF THE MEDICARE RATE; TO DELETE THE PROVISION THAT REQUIRES THE DIVISION TO ALLOW PHYSICIAN-ADMINISTERED DRUGS TO BE BILLED AND REIMBURSED AS A MEDICAL CLAIM OR PHARMACY POINT-OF-SALE; TO PROVIDE THAT THE DIVISION SHALL MAKE PARTIAL PAYMENTS, AS DETERMINED BY THE DIVISION, TO INTERMEDIATE CARE FACILITY SERVICES AND TO DELETE CERTAIN PROVISIONS RELATING TO FAIR RENTAL REIMBURSEMENT FOR SUCH FACILITIES; TO DEFINE CLINIC SERVICES AS IT RELATES TO THE REIMBURSEMENTS BY MEDICAID FOR THOSE SERVICES; TO AUTHORIZE MEDICAID REIMBURSEMENT FOR THERAPEUTIC AND CASE MANAGEMENT MENTAL HEALTH SERVICES PROVIDED BY SERVICE PROVIDERS ACCREDITED BY THE JOINT COMMISSION OR CERTAIN OTHER ACCREDITING AGENCIES; TO PROVIDE THAT MEDICAID MAY ESTABLISH AN UPPER PAYMENT LIMITS PROGRAM FOR AMBULANCE TRANSPORTATION AND ASSESS PROVIDERS OF SUCH SERVICE; TO REQUIRE THE DIVISION OF MEDICAID TO RECOGNIZE FEDERALLY QUALIFIED HEALTH CENTERS (FQHC), RURAL HEALTH CLINICS (RHC) AND COMMUNITY MENTAL HEALTH CENTERS (CMHC) AS BOTH AN ORIGINATING AND DISTANT SITE PROVIDER FOR THE

PURPOSES OF TELEHEALTH REIMBURSEMENT; TO DELETE THE PROVISIONS RELATING TO MEDICAID'S DEVELOPMENT OF AN ALTERNATIVE MODEL FOR DISTRIBUTION OF MEDICAL CLAIMS AND SUPPLEMENTAL PAYMENTS FOR SERVICES; TO AUTHORIZE REIMBURSEMENT FOR CERTAIN PSYCHIATRIC SERVICES; TO CLARIFY THE REIMBURSEMENT OF PEDIATRIC SKILLED NURSING SERVICES, INPATIENT PSYCHIATRIST SERVICES AND NONEMERGENCY TRANSPORTATION SERVICES; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REIMBURSE CROSSOVER CLAIMS FOR INPATIENT HOSPITAL SERVICES AND THOSE UNDER MEDICARE PART B; TO DELETE CERTAIN PROVISIONS RELATING TO THE REIMBURSEMENT OF PHYSICIAN ASSISTANT SERVICES; TO PROVIDE THAT THE DIVISION MAY ESTABLISH COPAYMENTS AND COINSURANCE FOR ANY MEDICAID SERVICES; TO ALLOW THE DIVISION TO USE ENHANCED REIMBURSEMENTS AND UPPER PAYMENT LIMIT PROGRAMS FOR ITS REIMBURSEMENT PROGRAM; TO AUTHORIZE REIMBURSEMENT FOR A BARIATRIC SURGERY PROGRAM; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REDUCE THE RATE OF REIMBURSEMENT TO CERTAIN PROVIDERS FOR SERVICES BY 5% OF THE ALLOWED AMOUNT FOR THAT SERVICE; TO REQUIRE PROVIDERS TO MAINTAIN RECORDS AS PRESCRIBED BY THE DIVISION AND IN ACCORDANCE WITH FEDERAL LAW; TO DELETE CERTAIN ENROLLMENT LIMITATIONS AND PROVISIONS RELATING TO MANAGED CARE PROGRAMS; TO ALLOW THE DIVISION OF MEDICAID TO APPROVE THE USE OF ALTERNATIVE PAYMENT MODELS FOR REIMBURSEMENT RATES; TO CLARIFY LIMITATIONS ON MEDICAID ELIGIBILITY FOR ENROLLMENT IN MANAGED CARE PROGRAMS; TO DELETE THE PROVISIONS THAT PROVIDE FOR THE COMMISSION ON EXPANDING MEDICAID MANAGED CARE; TO REQUIRE CONTRACTORS RECEIVING PAYMENTS UNDER A MANAGED CARE DELIVERY SYSTEM TO DISCLOSE TO THE CHAIRMEN OF THE SENATE AND HOUSE MEDICAID COMMITTEES THE ADMINISTRATIVE EXPENSES FOR THE PRIOR YEAR, AND THE NUMBER OF EMPLOYEES IN MISSISSIPPI WHO ARE DEDICATED TO MEDICAID AND CHIP LINES OF BUSINESS AS OF JUNE 30 OF EACH YEAR; TO PROVIDE FOR REVIEWS OF THE MANAGED CARE PROGRAMS BY THE STATE AUDITOR; TO REQUIRE THAT ALL MANAGED CARE CONTRACTORS SHALL DEVELOP AND IMPLEMENT A UNIFORM CREDENTIALING PROCESS BY WHICH ALL PROVIDERS ARE CREDENTIALLED BY JULY 1, 2022; TO DELETE THE PROVISION THAT THERE SHALL NOT BE CUTS TO INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO DIRECT THE DIVISION TO EVALUATE THE FEASIBILITY OF UTILIZING A SINGLE VENDOR TO ADMINISTER PHARMACY BENEFITS AND/OR DENTAL BENEFITS PROVIDED UNDER MANAGED CARE; TO DIRECT MANAGED CARE CONTRACTORS TO IMPLEMENT INNOVATIVE PROGRAMS FOR MEMBERS WITH DIABETES; TO AUTHORIZE THE DIVISION TO NEGOTIATE A LIMITATION ON LIABILITY TO THE STATE OF CERTAIN PROSPECTIVE CONTRACTORS; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NURSING FACILITIES OPERATED BY THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER ARE NOT EXEMPT FROM THE ANNUAL ASSESSMENT FOR THE SUPPORT OF THE MEDICAID PROGRAM, TO DELETE CERTAIN TECHNICAL PROVISIONS RELATING TO THE ASSESSMENT AND COLLECTION OF THE HOSPITAL ASSESSMENT, TO CLARIFY THE PROCEDURE FOR PAYMENT OF THE HOSPITAL ASSESSMENT FOR THE NONFEDERAL SHARE NECESSARY FOR THE MEDICARE UPPER PAYMENT LIMITS (UPL) PROGRAM AND THE DISPROPORTIONATE SHARE HOSPITAL (DSH) PROGRAM; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE MORATORIUM ON THE AUTHORITY OF THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OR CONVERSION OF CHILD/ADOLESCENT PSYCHIATRIC OR CHEMICAL DEPENDENCY BEDS PARTICIPATING IN THE MEDICAID PROGRAM AND TO DELETE CERTAIN RESTRICTIONS ON MEDICAID REIMBURSEMENT FOR SUCH BEDS; TO AMEND SECTION 41-75-5, MISSISSIPPI CODE OF 1972, TO DELETE THE RESTRICTION ON POST ACUTE RESIDENTIAL BRAIN INJURY REHABILITATION

FACILITIES PARTICIPATION IN THE MEDICAID PROGRAM; TO AMEND SECTION 83-9-353, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN RESTRICTIONS ON REMOTE PATIENT TELEMONTORING SERVICES; AND FOR RELATED PURPOSES.
By Senator(s) Blackwell

S. B. No. 2800: Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEALER ON THE COMPREHENSIVE LIST OF THE TYPES OF CARE AND SERVICES COVERED BY MEDICAID; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2801: Medicaid

AN ACT TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HEALTH CARE FACILITIES OPERATED BY THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER ARE NOT EXEMPT FROM THE ANNUAL ASSESSMENT FOR THE SUPPORT OF THE MEDICAID PROGRAM, TO DELETE CERTAIN TECHNICAL PROVISIONS RELATING TO THE ASSESSMENT AND COLLECTION OF THE HOSPITAL ASSESSMENT, TO CLARIFY THE PROCEDURE FOR PAYMENT OF THE HOSPITAL ASSESSMENT FOR THE NONFEDERAL SHARE NECESSARY FOR THE MEDICARE UPPER PAYMENT LIMITS (UPL) PROGRAM AND THE DISPROPORTIONATE SHARE HOSPITAL (DSH) PROGRAM AND TO DELETE THE AUTOMATIC REPEALER ON THIS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2802: Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, RELATING TO REIMBURSEMENT FOR CARE AND SERVICES UNDER THE MEDICAID PROGRAM, TO PROVIDE THAT MEDICAID IS AUTHORIZED TO INCLUDE PAYMENTS OF PART OR ALL OF COSTS FOR CERTAIN SERVICES AND CARE; TO DELETE CERTAIN PROVISIONS RELATING TO REIMBURSEMENT OF INPATIENT HOSPITAL SERVICES; TO DELETE CERTAIN PROVISIONS RELATING TO THE REIMBURSEMENT OF OUTPATIENT HOSPITAL SERVICES; TO PROVIDE FOR NURSING FACILITY REIMBURSEMENT FOR HOME LEAVE DAYS; TO DELETE CERTAIN PROVISIONS RELATING TO REIMBURSEMENT OF NURSING FACILITY SERVICES; TO PROVIDE FOR REIMBURSEMENT FOR FEES FOR PHYSICIAN SERVICES COVERED ONLY BY MEDICAID; TO DELETE THE PROVISION THAT REQUIRES THE DIVISION TO ALLOW PHYSICIAN-ADMINISTERED DRUGS TO BE BILLED AND REIMBURSED AS A MEDICAL CLAIM OR PHARMACY POINT-OF-SALE; TO PROVIDE THAT THE DIVISION SHALL MAKE PARTIAL PAYMENTS, AS DETERMINED BY THE DIVISION, TO INTERMEDIATE CARE FACILITY SERVICES; TO DEFINE CLINIC SERVICES AS IT RELATES TO THE REIMBURSEMENTS BY MEDICAID FOR THOSE SERVICES; TO PROVIDE THAT MEDICAID MAY ESTABLISH AN UPPER PAYMENT LIMITS PROGRAM FOR AMBULANCE TRANSPORTATION; TO DELETE THE PROVISIONS RELATING TO MEDICAID'S DEVELOPMENT OF AN ALTERNATIVE MODEL FOR DISTRIBUTION OF MEDICAL CLAIMS AND SUPPLEMENTAL PAYMENTS FOR SERVICES; TO DELETE THE CERTAIN PROVISIONS RELATING TO REIMBURSEMENT OF NURSE PRACTITIONER SERVICES; TO PROVIDE THAT THE REIMBURSEMENT OF PEDIATRIC SKILLED NURSING SERVICES, INPATIENT PSYCHIATRIST SERVICES AND NONEMERGENCY TRANSPORTATION SERVICES SHALL BE DETERMINED BY THE DIRECTOR OF MEDICAID; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REIMBURSE CROSSOVER CLAIMS FOR INPATIENT HOSPITAL SERVICES AND THOSE UNDER MEDICARE PART B; TO DELETE CERTAIN PROVISIONS RELATING TO THE REIMBURSEMENT OF PHYSICIAN ASSISTANT SERVICES; TO PROVIDE THAT THE DIVISION MAY ESTABLISH COPAYMENTS AND COINSURANCE FOR ANY MEDICAID SERVICES; TO ALLOW THE DIVISION TO USE ENHANCED REIMBURSEMENTS AND UPPER PAYMENT LIMIT PROGRAMS FOR ITS REIMBURSEMENT PROGRAM; TO DELETE THE PROVISION THAT REQUIRES

MEDICAID TO REDUCE THE RATE OF REIMBURSEMENT TO CERTAIN PROVIDERS FOR SERVICES BY 5% OF THE ALLOWED AMOUNT FOR THAT SERVICE; TO REQUIRE PROVIDERS TO MAINTAIN RECORDS AS PRESCRIBED BY THE DIVISION AND IN ACCORDANCE WITH FEDERAL LAW; TO REQUIRE THE DIVISION TO REIMBURSE OBSTETRICIANS AND GYNECOLOGISTS FOR CERTAIN PRIMARY CARE SERVICES AT 100% OF THE MEDICARE RATE; TO DELETE CERTAIN ENROLLMENT LIMITATIONS AND PROVISIONS RELATING TO MANAGED CARE PROGRAMS; TO ALLOW THE DIVISION OF MEDICAID TO APPROVE THE USE OF ALTERNATIVE PAYMENT MODELS FOR REIMBURSEMENT RATES; TO CLARIFY MEDICAID ELIGIBILITY FOR ENROLLMENT IN MANAGED CARE PROGRAMS; TO DELETE THE PROVISIONS THAT PROVIDE FOR THE COMMISSION ON EXPANDING MEDICAID MANAGED CARE; TO REQUIRE CONTRACTORS RECEIVING PAYMENTS UNDER A MANAGED CARE DELIVERY SYSTEM TO DISCLOSE TO THE CHAIRMEN OF THE SENATE AND HOUSE MEDICAID COMMITTEES THE ADMINISTRATIVE EXPENSES FOR THE PRIOR YEAR, AND THE NUMBER OF EMPLOYEES IN MISSISSIPPI THAT ARE DEDICATED TO MEDICAID AND CHIP LINES OF BUSINESS AS OF JUNE 30 OF EACH YEAR; TO PROVIDE FOR REVIEWS OF THE MANAGED CARE PROGRAMS BY THE STATE AUDITOR; TO REQUIRE THAT ALL MANAGED CARE CONTRACTORS SHALL DEVELOP AND IMPLEMENT A UNIFORM CREDENTIALING PROCESS BY WHICH ALL PROVIDERS ARE CREDENTIALLED BY JULY 1, 2022; TO DELETE THE PROVISION THAT THERE SHALL NOT BE CUTS TO INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS; TO REQUIRE CERTAIN REPORTS RELATING TO EXTENDING MEDICAID COVERAGE FOR POSTPARTUM CARE; TO EXTEND THE AUTOMATIC REPEALER; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2803: Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, RELATING TO REIMBURSEMENT FOR CARE AND SERVICES UNDER THE MEDICAID PROGRAM, TO PROVIDE THAT MEDICAID IS AUTHORIZED TO INCLUDE PAYMENTS OF PART OR ALL OF COSTS FOR CERTAIN SERVICES AND CARE; TO DELETE CERTAIN PROVISIONS RELATING TO REIMBURSEMENT OF INPATIENT HOSPITAL SERVICES; TO DELETE CERTAIN PROVISIONS RELATING TO THE REIMBURSEMENT OF OUTPATIENT HOSPITAL SERVICES; TO PROVIDE FOR NURSING FACILITY REIMBURSEMENT FOR HOME LEAVE DAYS; TO DELETE CERTAIN PROVISIONS RELATING TO REIMBURSEMENT OF NURSING FACILITY SERVICES; TO PROVIDE FOR REIMBURSEMENT FOR FEES FOR PHYSICIAN SERVICES COVERED ONLY BY MEDICAID; TO DELETE THE PROVISION THAT REQUIRES THE DIVISION TO ALLOW PHYSICIAN-ADMINISTERED DRUGS TO BE BILLED AND REIMBURSED AS A MEDICAL CLAIM OR PHARMACY POINT-OF-SALE; TO PROVIDE THAT THE DIVISION SHALL MAKE PARTIAL PAYMENTS, AS DETERMINED BY THE DIVISION, TO INTERMEDIATE CARE FACILITY SERVICES; TO DEFINE CLINIC SERVICES AS IT RELATES TO THE REIMBURSEMENTS BY MEDICAID FOR THOSE SERVICES; TO PROVIDE THAT MEDICAID MAY ESTABLISH AN UPPER PAYMENT LIMITS PROGRAM FOR AMBULANCE TRANSPORTATION; TO DELETE THE PROVISIONS RELATING TO MEDICAID'S DEVELOPMENT OF AN ALTERNATIVE MODEL FOR DISTRIBUTION OF MEDICAL CLAIMS AND SUPPLEMENTAL PAYMENTS FOR SERVICES; TO DELETE THE CERTAIN PROVISIONS RELATING TO REIMBURSEMENT OF NURSE PRACTITIONER SERVICES; TO PROVIDE THAT THE REIMBURSEMENT OF PEDIATRIC SKILLED NURSING SERVICES, INPATIENT PSYCHIATRIST SERVICES AND NONEMERGENCY TRANSPORTATION SERVICES SHALL BE DETERMINED BY THE DIRECTOR OF MEDICAID; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REIMBURSE CROSSOVER CLAIMS FOR INPATIENT HOSPITAL SERVICES AND THOSE UNDER MEDICARE PART B; TO DELETE CERTAIN PROVISIONS RELATING TO THE REIMBURSEMENT OF PHYSICIAN ASSISTANT SERVICES; TO PROVIDE THAT THE DIVISION MAY ESTABLISH COPAYMENTS AND COINSURANCE FOR ANY MEDICAID SERVICES; TO ALLOW THE DIVISION TO USE

ENHANCED REIMBURSEMENTS AND UPPER PAYMENT LIMIT PROGRAMS FOR ITS REIMBURSEMENT PROGRAM; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REDUCE THE RATE OF REIMBURSEMENT TO CERTAIN PROVIDERS FOR SERVICES BY 5% OF THE ALLOWED AMOUNT FOR THAT SERVICE; TO REQUIRE PROVIDERS TO MAINTAIN RECORDS AS PRESCRIBED BY THE DIVISION AND IN ACCORDANCE WITH FEDERAL LAW; TO REQUIRE THE DIVISION TO REIMBURSE OBSTETRICIANS AND GYNECOLOGISTS FOR CERTAIN PRIMARY CARE SERVICES AT 100% OF THE MEDICARE RATE; TO DELETE CERTAIN ENROLLMENT LIMITATIONS AND PROVISIONS RELATING TO MANAGED CARE PROGRAMS; TO ALLOW THE DIVISION OF MEDICAID TO APPROVE THE USE OF ALTERNATIVE PAYMENT MODELS FOR REIMBURSEMENT RATES; TO CLARIFY MEDICAID ELIGIBILITY FOR ENROLLMENT IN MANAGED CARE PROGRAMS; TO DELETE THE PROVISIONS THAT PROVIDE FOR THE COMMISSION ON EXPANDING MEDICAID MANAGED CARE; TO REQUIRE CONTRACTORS RECEIVING PAYMENTS UNDER A MANAGED CARE DELIVERY SYSTEM TO DISCLOSE TO THE CHAIRMEN OF THE SENATE AND HOUSE MEDICAID COMMITTEES THE ADMINISTRATIVE EXPENSES FOR THE PRIOR YEAR, AND THE NUMBER OF EMPLOYEES IN MISSISSIPPI THAT ARE DEDICATED TO MEDICAID AND CHIP LINES OF BUSINESS AS OF JUNE 30 OF EACH YEAR; TO PROVIDE FOR REVIEWS OF THE MANAGED CARE PROGRAMS BY THE STATE AUDITOR; TO REQUIRE THAT ALL MANAGED CARE CONTRACTORS SHALL DEVELOP AND IMPLEMENT A UNIFORM CREDENTIALING PROCESS BY WHICH ALL PROVIDERS ARE CREDENTIALLED BY JULY 1, 2022; TO DELETE THE PROVISION THAT THERE SHALL NOT BE CUTS TO INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS; TO REQUIRE CERTAIN REPORTS RELATING TO EXTENDING MEDICAID COVERAGE FOR POSTPARTUM CARE; TO EXTEND THE AUTOMATIC REPEALER; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HEALTH CARE FACILITIES OPERATED BY THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER ARE NOT EXEMPT FROM THE ANNUAL ASSESSMENT FOR THE SUPPORT OF THE MEDICAID PROGRAM, TO DELETE CERTAIN TECHNICAL PROVISIONS RELATING TO THE ASSESSMENT AND COLLECTION OF THE HOSPITAL ASSESSMENT, TO CLARIFY THE PROCEDURE FOR PAYMENT OF THE HOSPITAL ASSESSMENT FOR THE NONFEDERAL SHARE NECESSARY FOR THE MEDICARE UPPER PAYMENT LIMITS (UPL) PROGRAM AND THE DISPROPORTIONATE SHARE HOSPITAL (DSH) PROGRAM AND TO DELETE THE AUTOMATIC REPEALER ON THIS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 2804: Finance

AN ACT TO CREATE A NEW SECTION IN TITLE 67, CHAPTER 1, MISSISSIPPI CODE TO 1972, TO CREATE A DELIVERY SERVICE PERMIT TO ALLOW THE HOLDER TO CONTRACT FOR THE DELIVERY OF ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT FROM A LICENSED RETAILER TO A CONSUMER; TO ALLOW A LICENSED RETAILER TO DELIVER ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT TO A CONSUMER IF THE RETAILER ALSO HOLDS A DELIVERY SERVICE PERMIT; TO SPECIFY CONDITIONS OF DELIVERY PURSUANT TO THE PERMIT; TO SET OUT APPLICATION REQUIREMENTS FOR THE PERMIT; TO SPECIFY THE ENFORCEMENT POWERS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO INCLUDE THE DELIVERY SERVICE PERMIT AMONG THE ALCOHOL PERMITS ISSUED BY THE DEPARTMENT OF REVENUE; TO PROVIDE THAT THE HOLDER OF A PACKAGE RETAILER'S PERMIT UNDER SECTION 67-1-51 OR OF A BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT PERMIT UNDER SECTION 67-3-19 IS AUTHORIZED TO APPLY FOR A DELIVERY SERVICE PERMIT AS A PRIVILEGE SEPARATE FROM ITS EXISTING RETAIL PERMIT; TO AMEND SECTIONS 67-1-37, 67-1-83, 67-3-5, 67-3-25 AND 27-71-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2805: Finance

AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO MAKE DISCRETIONARY THE PROVISION REQUIRING THE DEPARTMENT OF REVENUE TO IMMEDIATELY REVOKE THE PERMIT OF ANY PERMITTEE WHO VIOLATES THE SECTION'S PROHIBITIONS ON ALCOHOLIC BEVERAGE SALES TO CERTAIN PERSONS OR AT CERTAIN TIMES; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2806: Finance

AN ACT TO BRING FORWARD SECTIONS 27-3-31, 67-1-37, 67-1-41, 67-1-43 AND 67-1-45, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO PROVIDE THAT THE LEGISLATURE SHALL APPROPRIATE FUNDS FOR NECESSARY UPGRADES TO THE ALCOHOLIC BEVERAGE CONTROL DIVISION WAREHOUSE; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2807: Finance

AN ACT TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO RESTORE THE PROVISION OF LAW RESTRICTING THE AREAS IN WHICH THE MANUFACTURE, SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES ARE PERMISSIBLE AND LAWFUL TO INCORPORATED MUNICIPALITIES, QUALIFIED RESORT AREAS AND CLUBS; TO PROVIDE THAT ANY PERMITS ISSUED BY THE DEPARTMENT OF REVENUE BETWEEN JULY 1, 2020, AND JUNE 30, 2021, FOR THE MANUFACTURE, SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES, WHETHER OR NOT ISSUED TO PERMITTEES IN SUCH MUNICIPALITIES, QUALIFIED RESORT AREAS OR CLUBS, SHALL BE ELIGIBLE FOR RENEWAL ON OR AFTER JULY 1, 2021; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2808: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 29-5-215, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PRINCIPAL OF AND INTEREST ON BONDS ISSUED TO PROVIDE FUNDS FOR THE CAPITOL COMPLEX IMPROVEMENT DISTRICT WILL BE PAID PRIMARILY FROM MONIES IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT PROJECT FUND; IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2809: Accountability, Efficiency, Transparency

AN ACT TO REENACT AND AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE PROVISION REQUIRING PUBLIC ACCESS TO RECORDS AND A WRITTEN EXPLANATION WHEN PUBLIC RECORDS CANNOT BE PRODUCED WITHIN A SPECIFIED TIME; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2810: Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH A MISSISSIPPI DEPARTMENT OF LABOR; TO SET FORTH AND PRESCRIBE THE FUNCTIONS OF ADMINISTRATIVE OFFICES IN THE DEPARTMENT; TO PROVIDE FOR THE ELECTION OF THE COMMISSIONER OF LABOR; TO AMEND SECTION 71-5-101, MISSISSIPPI CODE OF 1972, TO ABOLISH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY AND TRANSFER THE DUTIES, POWERS AND FUNDS OF THE DEPARTMENT TO THE OFFICE OF EMPLOYMENT SECURITY IN THE MISSISSIPPI DEPARTMENT OF LABOR; TO REPEAL SECTION 71-5-107, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO EMPOWER THE DEPARTMENT OF LABOR TO ADMINISTER AND COORDINATE CERTAIN FEDERAL AND STATE-

FUNDED JOB TRAINING AND EMPLOYMENT-RELATED EDUCATION PROGRAMS; TO PRESCRIBE THE RESPONSIBILITIES OF THE OFFICE OF INDUSTRY SERVICE AND INDUSTRY START-UP TRAINING, THE OFFICE OF EMPLOYEE RELATIONS AND JOB DISCRIMINATION AND THE OFFICE OF DISABLED EMPLOYEE ASSISTANCE IN THE DEPARTMENT; TO AMEND SECTIONS 7-1-351, 7-1-355, 7-1-357, 7-1-361, 7-1-363 AND 7-1-365, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO SET THE ANNUAL SALARY OF THE COMMISSIONER OF LABOR; TO AMEND SECTIONS 23-15-193 AND 23-15-297, MISSISSIPPI CODE OF 1972, TO ADD THE COMMISSIONER OF LABOR TO THE LIST OF ELECTED OFFICIALS; AND FOR RELATED PURPOSES.
By Senator(s) Simmons (12th), Witherspoon, Norwood, Barnett, Turner-Ford, Jackson (32nd)

S. B. No. 2811: Finance

AN ACT TO ESTABLISH A PROCEDURE FOR THE DISPOSITION OF ABANDONED MANUFACTURED OR MOBILE HOMES AND ASSOCIATED PERSONAL PROPERTY; TO PROVIDE DEFINITIONS; TO PROVIDE FOR A COMPLAINT FOR DISPOSITION OF ABANDONED MANUFACTURED OR MOBILE HOMES; TO PROVIDE FOR THE ENTRY OF AN ORDER BY THE COURT NAMING A COMMISSIONER TO HANDLE THE DISPOSITION AND SETTING THE DATE AND TIME OF THE SALE; TO PROVIDE FOR ADVERTISEMENT AND PROCEDURES FOR THE SALE; TO PROVIDE FOR PAYMENT OF DEBT AND EXERCISE OF POSSESSION; TO PROVIDE FOR DISBURSEMENT OF BID AMOUNT BY THE COMMISSIONER; TO PROVIDE FOR ENTRY OF A FINAL ORDER AND SUBMISSION OF THE BILL OF SALE TO THE MISSISSIPPI DEPARTMENT OF REVENUE; TO PROVIDE THAT THIS PROCEEDING IS A GOOD FAITH DEFENSE OF THE OWNER OF REAL PROPERTY TO CLAIMS OF WRONGFUL SALE; TO AMEND SECTION 19-3-85, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Branning, Fillingane

S. B. No. 2812: Finance

AN ACT TO AMEND SECTION 63-21-17, MISSISSIPPI CODE OF 1972, TO LIMIT THE PERIOD IN WHICH THE MISSISSIPPI DEPARTMENT OF REVENUE IS REQUIRED TO RETAIN MOTOR VEHICLE CERTIFICATES OF TITLE TO 15 YEARS FROM THE DATE OF ISSUANCE; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2813: Finance

AN ACT TO AMEND SECTION 45-49-3, MISSISSIPPI CODE OF 1972, TO CHANGE THE PERIOD FOR ISSUANCE OF AN AMUSEMENT RIDE OPERATING PERMIT DECAL FROM 12 MONTHS TO A CALENDAR YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2814: Finance

AN ACT TO AMEND SECTION 71-5-506, MISSISSIPPI CODE OF 1972, TO ALLOW WITHHOLDING FROM UNEMPLOYMENT COMPENSATION FOR STATE INCOME TAXES, CORRESPONDING TO THE WITHHOLDING ALLOWED FOR FEDERAL INCOME TAXES; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2815: Finance

AN ACT TO AMEND SECTION 27-19-31, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT FOR APPORTIONED VEHICLES TO HAVE A DECAL SPECIFYING THE MONTH AND YEAR OF EXPIRATION ATTACHED TO THE LICENSE TAG; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2816: Finance

AN ACT TO AMEND SECTION 27-3-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SAME PAY INCREASES FOR DEPARTMENT OF REVENUE APPRAISERS UPON ATTAINMENT OF CERTAIN STATE CERTIFICATIONS AS AUTHORIZED FOR COUNTY TAX ASSESSORS AND THEIR DEPUTIES AND ASSISTANTS; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2817: Elections; Finance

AN ACT TO AMEND SECTION 25-11-109, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COUNTY AND MUNICIPAL ELECTION COMMISSIONERS SHALL RECEIVE CREDITABLE SERVICE IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR THEIR TERMS OF OFFICE; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2818: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE DECISION PROCEDURE ON PUBLIC BID REQUIREMENTS FOR HIGH COMPLEXITY CONSTRUCTION PROJECTS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2819: Finance

AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO ALLOW THE HOLDER OF A PACKAGE RETAILER'S PERMIT TO SAMPLE NEW PRODUCT FURNISHED BY A MANUFACTURER WITHOUT PRIOR APPROVAL FROM THE DEPARTMENT OF REVENUE, AND TO SELL LOTTERY TICKETS AND OTHER ITEMS RELATED TO WINE AND LIQUOR USE OR CONSUMPTION; TO BROADEN THE RANGE OF BUSINESSES THAT MAY RECEIVE CLASS 3 TEMPORARY RETAILER'S PERMITS AND TO LIMIT THE ANNUAL ISSUANCE OF SUCH PERMITS TO SIX PER BUSINESS; TO IMPOSE CERTAIN LIMITS ON THE ISSUANCE OF PACKAGE RETAILER'S PERMITS AND OTHER RETAILER'S PERMITS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT THE NUMBER OF PERMITS ISSUED BY THE DEPARTMENT SHALL NOT BE LIMITED ON A POPULATION BASIS; TO AMEND SECTION 97-31-47, MISSISSIPPI CODE OF 1972, TO SPECIFY AN EXCEPTION TO THE PROHIBITION ON THE TRANSPORTATION OF INTOXICATING LIQUORS INTO OR WITHIN THIS STATE FOR INSTANCES WHERE AUTHORIZED BY LAW; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2820: Accountability, Efficiency, Transparency

AN ACT TO CREATE THE "MISSISSIPPI TOURISM REORGANIZATION ACT"; TO CREATE THE MISSISSIPPI DEPARTMENT OF TOURISM; TO REQUIRE THE GOVERNOR TO APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, AN EXECUTIVE DIRECTOR OF THE DEPARTMENT OF TOURISM; TO PRESCRIBE THE GENERAL POWERS AND DUTIES OF THE DEPARTMENT OF TOURISM AND THE EXECUTIVE DIRECTOR; TO AUTHORIZE THE DEPARTMENT OF TOURISM TO ESTABLISH A PROGRAM OF GRANTS TO BE MATCHED BY TOURISM ENTITIES IN THE STATE; TO PROVIDE FOR THE TRANSFER OF POWERS AND DUTIES OF STATE AGENCIES RELATING TO TOURISM TO THE DEPARTMENT OF TOURISM; TO AUTHORIZE THE DEPARTMENT OF TOURISM TO SELL ADVERTISING AND OTHER TOURISM PROMOTIONAL INFORMATION AND TO CREATE THE MISSISSIPPI DEPARTMENT OF TOURISM ADVERTISING FUND; TO CREATE THE MISSISSIPPI TOURISM ASSOCIATION MARKETING ADVISORY BOARD TO ASSIST THE DEPARTMENT OF TOURISM; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DIVERT A PORTION OF SALES TAX REVENUE COLLECTED FROM RESTAURANTS AND HOTELS INTO THE DEPARTMENT OF TOURISM ADVERTISING FUND INSTEAD OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM FUND; TO REPEAL SECTION 57-1-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES GENERAL POWERS AND DUTIES OF THE MISSISSIPPI

DEVELOPMENT AUTHORITY WITH RESPECT TO TOURISM; TO REPEAL SECTION 57-1-60, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TO ESTABLISH A PROGRAM OF GRANTS TO FINANCE, PROMOTE AND ADVERTISE LOCAL TOURIST ATTRACTIONS; TO REPEAL SECTION 57-1-61, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE TRANSFER OF FUNCTIONS OF THE TRAVEL AND TOURISM DIVISION OF THE AGRICULTURAL AND INDUSTRIAL BOARD TO THE DEPARTMENT OF ECONOMIC DEVELOPMENT; TO REPEAL SECTION 57-1-63, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE TRANSFER OF POWERS AND DUTIES OF STATE AGENCIES RELATING TO TOURISM TO THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO REPEAL SECTION 57-1-64, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE MISSISSIPPI DEVELOPMENT AUTHORITY TO SELL ADVERTISING AND OTHER TOURISM INFORMATION AND CREATES THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM ADVERTISING FUND; TO REPEAL SECTION 57-1-64.1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TOURISM ASSOCIATION MARKETING ADVISORY BOARD TO ASSIST THE MISSISSIPPI DEVELOPMENT AUTHORITY; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

S. B. No. 2821: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SERVING AND RETIRED JUDGES IN THE FEDERAL AND STATE COURT SYSTEMS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2822: Finance; Economic and Workforce Development

AN ACT TO CREATE THE "MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT"; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR APPLICATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR THE CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO A QUALIFIED BUSINESS OR INDUSTRY FOR A QUALIFIED ECONOMIC DEVELOPMENT PROJECT; TO PRESCRIBE THE MEANS OF CALCULATING AND APPLYING SUCH INCENTIVE; TO PROHIBIT UTILIZATION OF CERTAIN OTHER INCENTIVES IN COMBINATION WITH THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR ANNUAL REPORTING BY A QUALIFIED BUSINESS OR INDUSTRY, MODIFICATIONS TO PRIOR INCENTIVE AWARDS BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND DEADLINES FOR THE UTILIZATION OF SUCH INCENTIVE; TO AUTHORIZE AUDITS BY THE MISSISSIPPI DEPARTMENT OF REVENUE AND SHARING OF CERTAIN INFORMATION ABOUT CERTAIN INCENTIVE AWARDEES BETWEEN STATE AGENCIES; TO CLARIFY THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY IS GRANTED EXCLUSIVE JURISDICTION TO CERTIFY, AWARD AND MAKE ANY ADJUSTMENTS TO A MISSISSIPPI FLEXIBLE TAX INCENTIVE FOR A QUALIFIED BUSINESS OR INDUSTRY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY AND THE MISSISSIPPI DEPARTMENT OF REVENUE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THIS ACT; TO AMEND SECTION 27-7-22, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE INCOME TAX LIABILITY; TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET WITHHOLDING TAX LIABILITY; TO AMEND SECTION 27-7-311, MISSISSIPPI CODE OF 1972, TO EXCLUDE ANY MISSISSIPPI FLEXIBLE TAX INCENTIVE APPLIED AS A CREDIT TO OFFSET STATE INCOME TAX LIABILITY FROM THE ANNUAL STATEMENT REQUIRED TO BE FILED WITH THE COMMISSIONER OF REVENUE FOR AN EMPLOYEE; TO AMEND SECTION 27-13-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE

TAX LIABILITY OF MISSISSIPPI CORPORATIONS; TO AMEND SECTION 27-13-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF FOREIGN CORPORATIONS; TO AMEND SECTION 27-65-93, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A DIRECT PAY PERMIT TO A QUALIFIED BUSINESS OR INDUSTRY THAT IS AWARDED A MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE USE TAX LIABILITY; TO AMEND SECTION 57-1-14, MISSISSIPPI CODE OF 1972, TO DELAY OR PRECLUDE CERTAIN INFORMATION PROVIDED IN APPLICATIONS AND ANNUAL REPORTS FOR THE MISSISSIPPI FLEXIBLE TAX INCENTIVE FROM DISCLOSURE PURSUANT TO THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Harkins

S. B. No. 2823: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A COUNTY ELECTED OFFICIAL'S ANNUAL SALARY SHALL NOT BE REDUCED AS A RESULT OF A REDUCTION IN TOTAL ASSESSED VALUATION OR A CHANGE IN POPULATION; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2824: Accountability, Efficiency, Transparency

AN ACT TO CREATE THE "LINE-ITEM APPROPRIATION TRANSPARENCY ACT"; TO REQUIRE RECIPIENT ENTITIES THAT RECEIVE PASS-THROUGH FUNDING FROM LINE-ITEM APPROPRIATION BY THE LEGISLATURE TO ANNUALLY FILE A REPORT DETAILING THE EXPENDITURE OF THE STATE MONEY OR THE INTENDED EXPENDITURE OF ANY STATE MONEY THAT HAS NOT BEEN SPENT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2825: Highways and Transportation

AN ACT TO CREATE THE MISSISSIPPI TRANSPORTATION INFRASTRUCTURE INVESTMENT ACT OF 2021; TO TRANSFER LAW ENFORCEMENT PERSONNEL AND LAW ENFORCEMENT DUTIES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION RELATED TO THE MOTOR CARRIER REGULATORY LAW TO THE MOTOR CARRIER DIVISION OF THE MISSISSIPPI HIGHWAY SAFETY PATROL WITHIN THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTIONS 77-7-16 AND 45-3-21, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 25-13-3, MISSISSIPPI CODE OF 1972, TO EXCLUDE TRANSFERRED PERSONNEL FROM THE HIGHWAY SAFETY PATROL RETIREMENT SYSTEM; TO AMEND SECTIONS 63-5-33 AND 65-1-46, MISSISSIPPI CODE OF 1972, TO INCREASE THE WEIGHT LIMIT FOR HARVEST PERMITS FROM 84,000 POUNDS TO 88,000 POUNDS; TO AMEND SECTION 27-19-11, MISSISSIPPI CODE OF 1972, TO ADD GROSS WEIGHT CATEGORIES FROM 80,001 POUNDS TO 88,000 POUNDS FOR CARRIERS OF PROPERTY AND SPECIFY PRIVILEGE TAX RATES FOR THE NEW WEIGHT CATEGORIES; TO AMEND SECTION 27-19-89, MISSISSIPPI CODE OF 1972, TO ADJUST THE PENALTIES FOR HARVEST PERMIT HOLDERS FOR WEIGHT LIMIT VIOLATIONS; TO PROVIDE THAT THE FINE FOR EXCEEDING A GROSS VEHICLE WEIGHT OF 90,000 POUNDS, BUT NOT EXCEEDING A GROSS VEHICLE WEIGHT OF 100,000 POUNDS, SHALL BE \$1,500.00; TO PROVIDE THAT THE FINE FOR EXCEEDING A GROSS VEHICLE WEIGHT OF 100,000 POUNDS SHALL BE \$2,500.00 FOR A FIRST OFFENSE AND \$3,500.00 FOR A SECOND OFFENSE; TO PROVIDE THAT ANY SUBSEQUENT OFFENSE OF EXCEEDING A GROSS VEHICLE WEIGHT OF 100,000 POUNDS MAY SUBJECT THE PERMIT HOLDER TO SUSPENSION OF THE HARVEST PERMIT FOR UP TO 30 DAYS; TO REQUIRE MILLS TO KEEP A LOG OF EACH VEHICLE'S GROSS WEIGHT AND TO REPORT OVERWEIGHT VEHICLES TO THE DEPARTMENT OF

PUBLIC SAFETY WITHIN 48 HOURS; TO PROVIDE THAT FAILURE TO REPORT WILL SUBJECT THE MILL TO A FINE TO BE DETERMINED IN THE REGULATIONS OF THE DEPARTMENT OF PUBLIC SAFETY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE REVENUE FOR THE EMERGENCY ROAD AND BRIDGE REPAIR FUND; TO BRING FORWARD SECTIONS 77-7-13 AND 77-7-15, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Branning, Whaley

S. B. No. 2826: Accountability, Efficiency, Transparency; Finance

AN ACT TO AMEND SECTION 25-3-13, MISSISSIPPI CODE OF 1972, TO REVISE THE ANNUAL SALARY FOR MEMBERS OF COUNTY BOARDS OF SUPERVISORS, ALLOW COST-OF-LIVING ADJUSTMENT TO THOSE SALARIES, AND TO PROHIBIT STATE REVENUE FROM BEING USED TO FUND SALARY INCREASES; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2827: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13.2, MISSISSIPPI CODE OF 1972, TO SPECIFY THE PREQUALIFICATION PROCESS FOR A CONSTRUCTION MANAGER AT RISK SOLICITING BIDS FOR PUBLIC PROJECTS; TO REQUIRE A CONSTRUCTION MANAGER AT RISK TO SOLICIT BIDS FOR A PROJECT; TO ALLOW THE CONSTRUCTION MANAGER AT RISK, IN CONSULTATION WITH THE RELEVANT AGENCY OR GOVERNING AUTHORITY, TO PREQUALIFY CONTRACTORS OR VENDORS; TO SPECIFY QUALIFICATIONS THAT MAY BE CONSIDERED; TO REQUIRE PUBLICATION, AT LEAST TWO WEEKS IN ADVANCE OF THE PREQUALIFICATION, OF THE QUALIFICATIONS TO BE CONSIDERED; TO PROVIDE FOR THE DISQUALIFICATION OF A BIDDER BASED ON FAILURE TO PROVIDE INFORMATION IN A TIMELY AND COMPLETE MANNER; TO PROVIDE PROTECTIONS FOR CONFIDENTIAL AND PROPRIETARY INFORMATION SUBMITTED BY A BIDDER DURING THE PREQUALIFICATION PROCESS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2828: Finance

AN ACT TO AMEND SECTION 67-1-31, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION STATING THAT NOTHING SHALL BE CONSTRUED AS GRANTING AGENTS AND INSPECTORS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE GENERAL POLICE POWERS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2829: Finance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 27-19-99 AND 27-19-155, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT OF THE MOTOR VEHICLE REGISTRATION AND TAG FEES RECEIVED BY THE DEPARTMENT OF REVENUE, THE PORTION OF THE RECEIPTS EQUAL TO THE COST OF LICENSE TAGS, DECALS AND ASSOCIATED FREIGHT COSTS SHALL BE DEPOSITED INTO THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND; TO AMEND SECTION 27-19-179, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND MAY BE USED BY THE DEPARTMENT OF REVENUE FOR THE PURPOSE OF PAYING THE COSTS INCURRED FOR PURCHASING LICENSE TAGS AND DECALS AND ASSOCIATED FREIGHT COSTS; TO BRING FORWARD SECTION 27-104-205, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE DEFRAID OF EXPENSES OF CERTAIN STATE AGENCIES BY APPROPRIATION OF THE LEGISLATURE FROM THE STATE GENERAL FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2830: Finance

AN ACT TO AMEND SECTION 57-105-1, MISSISSIPPI CODE OF 1972, TO EXTEND, FROM JULY 1, 2021, TO JULY 1, 2022, THE MISSISSIPPI DEVELOPMENT AUTHORITY'S ABILITY TO ALLOCATE THE NEW MARKETS TAX CREDIT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2831: Finance

AN ACT TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR COSTS AND EXPENSES INCURRED FOR THE REHABILITATION OF CERTAIN HISTORIC STRUCTURES, TO AUTHORIZE THE SALE OR TRANSFER OF THE CREDITS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2832: Finance

AN ACT TO AMEND SECTION 27-7-22.36, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE OF THE UPHOLSTERED HOUSEHOLD FURNITURE MANUFACTURING JOB TAX CREDIT FROM JANUARY 1, 2022, TO JANUARY 1, 2026; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2833: Finance

AN ACT TO CREATE NEW SECTION 63-17-86, MISSISSIPPI CODE OF 1972, TO PROVIDE OBLIGATIONS OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS AND DEALERS WITH REGARD TO RATES FOR PARTS AND LABOR; TO PROVIDE THAT THE PARTS MARKUP AND LABOR RATE MAY BE ESTABLISHED AT THE ELECTION OF THE DEALER BY THE DEALER SUBMITTING TO THE MANUFACTURER CERTAIN INFORMATION AND DECLARING THE PARTS MARKUP OR LABOR RATE; TO PROVIDE THAT A SUBMITTED PARTS MARKUP OR LABOR RATE SHALL EACH BE PRESUMED TO BE REASONABLE UNLESS THE MANUFACTURER REBUTS THAT PRESUMPTION WITHIN A CERTAIN PERIOD OF TIME; TO PROVIDE THAT THE DEALER MAY FILE A PROTEST WITH THE MOTOR VEHICLE COMMISSION IF THE DEALER AND THE MANUFACTURER DO NOT AGREE ON THE PARTS MARKUP OR LABOR RATE; TO AMEND SECTION 63-17-55, MISSISSIPPI CODE OF 1972, TO INCLUDE DEFINITIONS FOR "PREDELIVERY PREPARATION OBLIGATIONS," "WARRANTY WORK," "REPAIR ORDER," "QUALIFIED REPAIR" AND "QUALIFIED REPAIR ORDER," WHEN USED IN THE MOTOR VEHICLE COMMISSION LAW; TO AMEND SECTION 63-17-85, MISSISSIPPI CODE OF 1972, TO REVISE THE GROUNDS FOR DENIAL, REVOCATION OR SUSPENSION OF A LICENSE UNDER THE MOTOR VEHICLE COMMISSION LAW; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2834: Appropriations; Accountability, Efficiency, Transparency

AN ACT TO CREATE A MISSISSIPPI HISTORIC SITE PRESERVATION FUND TO BE USED TO MATCH FEDERAL OR OTHER PRIVATE FUNDS FOR MAKING GRANTS FOR THE PURPOSE OF FEE SIMPLE PURCHASE OR PROTECTIVE INTEREST PURCHASE OF ENDANGERED PROPERTY DIRECTLY RELATED TO MISSISSIPPI NATIVE AMERICAN HERITAGE, MISSISSIPPI CIVIL WAR BATTLEFIELDS OR MISSISSIPPI CIVIL RIGHTS MOVEMENT SITES; TO PROVIDE THAT SUCH FUND SHALL BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY OFFICE OF HISTORIC PRESERVATION; TO PRESCRIBE CERTAIN CONDITIONS ON THE ALLOCATIONS FROM THE FUND; TO PRESCRIBE ELIGIBLE COSTS FOR WHICH MONIES FROM THE FUND MAY BE ALLOCATED; TO AUTHORIZE COOPERATIVE AGREEMENTS FOR THE IMPLEMENTATION OF SUCH GRANTS; TO AMEND SECTION 39-5-6, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2835: Finance; Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTIONS 27-53-5, 27-53-7, 27-53-13, 27-53-15, 27-53-25, 27-53-29, 27-67-5, 63-21-64 AND 75-49-21 MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE REGISTRATION OF MANUFACTURED OR MOBILE HOMES, FOR PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2836: Finance

AN ACT TO ESTABLISH THE WHOLESALE TO RETAIL ACCOUNTABILITY PROGRAM ("WRAP"); TO STANDARDIZE THE REPORTING OF WHOLESALE SALES FOR RESALE PURPOSES MADE WITHIN THIS STATE ON WHICH SALES OR USE TAX WAS NOT COLLECTED; TO PROVIDE ELECTRONIC FILING OF REQUIRED INFORMATION REPORTS; TO PROVIDE PENALTIES FOR NONCOMPLIANCE; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2837: Ports and Marine Resources; Finance

AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO CREATE A CHARTER VESSEL OPERATOR'S PERMIT TO AUTHORIZE THE HOLDER THEREOF TO SELL AND SERVE ALCOHOL TO THE PASSENGERS OF A CHARTER VESSEL OPERATOR; TO DEFINE A CHARTER VESSEL OPERATOR AS A COMMON CARRIER THAT IS CERTIFIED TO CARRY AT LEAST 49 PASSENGERS, OPERATES ONLY IN THE WATERS WITHIN THE STATE OF MISSISSIPPI, WHICH LIE SOUTH OF INTERSTATE 10 IN THE THREE MOST SOUTHERN COUNTIES IN THE STATE OF MISSISSIPPI, EXTENDING NOT FURTHER THAN ONE MILE SOUTH OF SUCH COUNTIES, AND PROVIDES VESSEL SERVICES FOR TOURS AND CRUISES IN SUCH WATERS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2838: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 27-19-56.480 AND 27-19-44, MISSISSIPPI CODE OF 1972, TO EXEMPT THE MARTY WILSON FOUNDATION ONE GULF ONE GOAL FROM THE REQUIREMENTS OF SUBMITTING PROOF SATISFACTORY TO THE DEPARTMENT OF REVENUE THAT AT LEAST 300 DISTINCTIVE LICENSE TAGS WILL BE PURCHASED, AND OF DEPOSITING WITH THE DEPARTMENT AN AMOUNT NECESSARY TO PURCHASE 300 DISTINCTIVE LICENSE TAGS, WITHIN THREE YEARS OF THE AUTHORIZATION OF THE TAGS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2839: Finance

AN ACT TO AMEND SECTION 37-148-3, MISSISSIPPI CODE OF 1972, TO ADD AND REVISE DEFINITIONS PERTAINING TO THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH (SMART) BUSINESS ACT; TO AMEND SECTION 37-148-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SMART BUSINESS ACT SHALL INCLUDE THE SMART BUSINESS REBATE TO PROMOTE RESEARCH PARTNERSHIPS BETWEEN COLLEGES AND INVESTORS AND THE SMART BUSINESS ACCELERATE INITIATIVE TO PROMOTE THE DEVELOPMENT OF STATE-OWNED INTELLECTUAL PROPERTY; TO SET OUT THE TERMS OF IMPLEMENTATION OF THE SMART BUSINESS REBATE AND THE SMART BUSINESS ACCELERATE INITIATIVE; TO REDUCE, FROM \$5,000,000.00 TO \$3,500,000.00, THE MAXIMUM TOTAL AMOUNT OF REBATES ISSUED UNDER THE SMART BUSINESS REBATE BY THE STATE IN ANY ONE FISCAL YEAR; TO AMEND SECTION 37-148-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, FOR EACH SMART BUSINESS ACCELERATE INITIATIVE DISBURSEMENT CERTIFICATE ISSUED IN A GIVEN YEAR, THE REPORT FILED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING WITH THE GOVERNOR AND THE LEGISLATURE MUST INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, THE NAME OF THE APPLICANT, A DESCRIPTION OF THE RESEARCH VALIDATION AND

THE AMOUNT OF THE DISBURSEMENT; TO CREATE NEW SECTION 37-148-11, MISSISSIPPI CODE OF 1972, TO REPEAL THE SMART BUSINESS ACT ON JULY 1, 2026; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2840: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-65-9, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION PROVIDING THAT THE HIRING OF AN INTERNAL AUDIT DIRECTOR BY A UNIVERSITY, COMMUNITY/JUNIOR COLLEGE AND STATE AGENCY SHALL BE SUBJECT TO SPECIFIC APPROPRIATION OF AVAILABLE FUNDING; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2841: Finance

AN ACT TO AMEND SECTION 31-7-13.1, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION ALLOWING DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING; TO PROVIDE THAT THE METHOD MAY BE USED ON RESIDENTIAL BUILDINGS RESIDENTIAL MIXED-USE DEVELOPMENTS, PARKING GARAGES AND OTHER PRESCRIPTIVE TYPE FACILITIES; TO ALLOW THE METHOD TO BE USED WHEN THE DEPARTMENT OF FINANCE AND ADMINISTRATION OR GOVERNING AUTHORITY HAS DETERMINED THAT IT SATISFIES THE PUBLIC INTEREST BETTER THAN TRADITIONAL DESIGN-BID-BUILD METHOD; TO REVISE NOTICE REQUIREMENTS; TO PROVIDE THAT PROPOSALS WHICH INCLUDE CRITERIA OTHER THAN COST SHALL BE EVALUATED BY AN EVALUATION COMMITTEE ESTABLISHED BY THE PROCURING ENTITY; TO PROVIDE THAT COST AS AN EVALUATION FACTOR SHALL BE GIVEN THE HIGHEST CRITERIA WEIGHTING; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2842: Appropriations

AN ACT TO AMEND SECTION 57-1-521, MISSISSIPPI CODE OF 1972, TO CORRECT THE PROVISION REQUIRING THE RECIPIENT OF A GRANT UNDER THE RENTAL ASSISTANCE GRANT PROGRAM TO CONSIDER ANY RENTAL PAYMENTS DUE UNDER A RENTAL AGREEMENT AT THE PROPERTY FOR WHICH THE GRANT IS MADE AS HAVING BEEN PAID IN FULL THROUGH DECEMBER 30, 2020, SPECIFYING THAT ANY RENTAL PAYMENTS FOR THE MONTH OR MONTHS REIMBURSED BY THE GRANT SHALL BE CONSIDERED PAID IN FULL; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2843: Finance

AN ACT TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT EMPLOYERS WITH AN AVERAGE MONTHLY WITHHOLDING TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR REMIT, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE WITHHOLDING TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF THEIR JUNE WITHHOLDING TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; TO AMEND SECTION 27-65-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT TAXPAYERS WITH AN AVERAGE MONTHLY SALES TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR REMIT, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE SALES TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF THEIR JUNE SALES TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT EMPLOYERS WITH AN AVERAGE MONTHLY USE TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR REMIT, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE USE TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF

THEIR JUNE USE TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2844: Finance

AN ACT TO REQUIRE THAT ANY LOCAL TAX WHICH IS TO BE COLLECTED AND PAID TO THE DEPARTMENT OF REVENUE IN THE SAME OR SIMILAR MANNER THAT STATE SALES TAXES ARE COLLECTED AND PAID, WHETHER AUTHORIZED UNDER THE GENERAL LAW OR UNDER A LOCAL AND PRIVATE LAW OF THIS STATE, BE PLACED ON THE BALLOT FOR THE APPROVAL OF AT LEAST 60% OF THE QUALIFIED ELECTORS WHO VOTE IN THE ELECTION OF THE LOCAL GOVERNMENT, BOTH FOR INITIAL IMPOSITION AND FOR CONTINUATION OR RENEWAL; TO SPECIFY THAT NOTICE REQUIREMENTS SHALL BE THE SAME FOR A VOTE ON THE CONTINUATION OR RENEWAL OF A TAX AS FOR A VOTE ON ITS INITIAL IMPOSITION; TO PROVIDE THAT ANY PROPOSED LOCAL TAX FAILING TO RECEIVE THE REQUIRED 60% APPROVAL SHALL NOT BE IMPOSED, AND THE AUTHORITY FOR ANY EXISTING LOCAL TAX FAILING TO RECEIVE THE REQUIRED 60% APPROVAL SHALL LAPSE ON THE DATE OF ITS REPEAL; TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2845: Finance

AN ACT TO AMEND SECTION 27-51-15, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE ASSESSMENT OF MOTOR VEHICLE AD VALOREM TAXES BASED ON THE ACTUAL PURCHASE PRICE OF EACH VEHICLE; TO AMEND SECTIONS 27-51-25, 27-53-23 AND 27-3-4, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO REPEAL SECTIONS 27-51-19, 27-51-21, 27-51-23, 27-51-35, 27-51-37, 27-51-39 AND 27-51-45, MISSISSIPPI CODE OF 1972, WHICH CONCERN MOTOR VEHICLE ASSESSMENT SCHEDULES FOR PURPOSES OF AD VALOREM TAXES; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2846: Municipalities; Accountability, Efficiency, Transparency

AN ACT TO PROVIDE A MINIMUM PAYMENT TO DEFRAY THE COST OF PUBLIC AMBULANCE SERVICE BY COUNTIES AND MUNICIPALITIES UNLESS SUPERSEDED BY AN INTERLOCAL AGREEMENT; TO AMEND SECTIONS 41-55-1, 41-55-2 AND 41-55-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2847: Business and Financial Institutions; Finance

AN ACT TO AMEND SECTIONS 57-10-501 THROUGH 57-10-525, MISSISSIPPI CODE OF 1972, TO REPURPOSE THE MISSISSIPPI SMALL BUSINESS ASSISTANCE ACT INTO A MISSISSIPPI SMALL BUSINESS RECOVERY AND REVITALIZATION PROGRAM; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO CONTRACT WITH PRIVATE ENTITIES TO PROVIDE PROFESSIONAL SERVICES TO SMALL BUSINESSES INCLUDING TAX PREPARATION, EMPLOYEE PAYROLL, WORKING CAPITAL, OUTSTANDING BUSINESS EXPENSE AND ADAPTIVE BUSINESS PRACTICES NEEDED TO REMAIN OPEN DURING THE ECONOMIC DOWNTURN; TO INCREASE THE AMOUNT THAT MAY BE LOANED TO INDIVIDUAL APPLICANTS UNDER THE PROGRAM; TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS WHICH MAY BE INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FUND THIS PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2848: Business and Financial Institutions; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE "FOREIGN COMPANY ACCOUNTABILITY ACT"; TO DEFINE CERTAIN TERMS USED IN THE ACT; TO REQUIRE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEVELOP AND PUBLISH A LIST OF COMPANIES DETERMINED TO ENGAGE IN FRAUDULENT FINANCIAL ACTIVITIES; TO PROHIBIT THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE STATE TREASURER FROM INVESTING FUNDS WITH A COMPANY THAT IS IDENTIFIED ON THE LIST; TO PROVIDE THAT AN INVESTMENT MAY BE MADE IN A COMPANY ENGAGED IN SUCH ACTIVITIES IF THE INVESTOR MAKES A DETERMINATION THAT THE INVESTMENTS ARE NECESSARY IN ORDER TO PERFORM ITS FUNCTIONS; TO HOLD HARMLESS OFFICERS, EMPLOYEES AND AGENTS OF THE RETIREMENT SYSTEM AND STATE TREASURER'S OFFICE FOR CLAIMS ARISING FROM DECISIONS TO RESTRICT INVESTMENTS UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. B. No. 2849: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE REVERSE AUCTION REQUIREMENT SHALL APPLY TO INDIVIDUAL PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS ONLY WHEN PURCHASING PRODUCTS THAT ARE SOLD THROUGH RESELLERS; AND FOR RELATED PURPOSES.

By Senator(s) Younger

S. B. No. 2850: Finance

AN ACT TO AMEND SECTION 63-21-15, MISSISSIPPI CODE OF 1972, TO ALLOW APPLICATION FOR A CERTIFICATE OF TITLE TO A VEHICLE LACKING PROPER DOCUMENTATION IF THE VEHICLE IS AT LEAST 30 YEARS OLD AND THE APPLICANT SUBMITS A CERTIFICATE OF OWNERSHIP SIGNED UNDER PENALTY OF PERJURY ON A FORM PRESCRIBED BY THE DEPARTMENT OF REVENUE; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 2851: Finance; Accountability, Efficiency, Transparency

AN ACT RELATING TO THE SALE AND REDEMPTION OF TAX FORFEITED LANDS; TO CLARIFY THE STATUTE OF LIMITATIONS FOR A PRIOR PROPERTY OWNER TO REGAIN HIS PROPERTY LOST TO TAXES IF THE SALE IS INVALIDATED BY JUDICIAL ACTION; TO CLARIFY THE PERIOD OF TIME IN WHICH NOTICE MUST BE SERVED TO THE PRIOR OWNER OF PENDING TAX SALE; TO INCREASE THE FEE FOR SERVICE OF NOTICE OF TAX SALE TO BE PAID BY THE PROPERTY OWNER UPON REDEMPTION OR BY THE HOLDER OF THE TAX DEED; TO CLARIFY THE PRICE TO BE PAID BY THE PROPERTY OWNER TO THE TAX LIENHOLDER IF THE TAX LIEN IS INVALIDATED BY THE COURTS AND RETURNED TO THE PROPERTY OWNER; TO AMEND SECTIONS 25-7-19, 27-41-55, 27-43-3, 27-45-1, 27-45-17, 27-41-21, 27-45-27 AND 29-1-37, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Kirby, Harkins

S. B. No. 2852: Finance; Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTIONS 27-71-301, 27-71-303, 27-71-307, 27-71-509, 67-1-5, 67-3-3, 67-3-22, 67-3-47, 67-3-48, 67-3-48.1, 67-3-49, 67-3-53 AND 67-3-55, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

S. B. No. 2853: Finance; Highways and Transportation

AN ACT TO CREATE THE PEER-TO-PEER CAR SHARING PROGRAM ACT; TO DEFINE TERMS FOR THE ACT; TO PROVIDE FOR THE PROGRAM LIABILITY FOR LOSS OR INJURY; TO PROVIDE FOR THE PROGRAM FINANCIAL RESPONSIBILITY REQUIREMENTS; TO PROVIDE FOR THE PROGRAM LIEN NOTIFICATION

REQUIREMENTS; TO PROVIDE SHARED VEHICLE OWNER'S INSURER COVERAGE EXCLUSIONS; TO PROVIDE FOR THE PROGRAM RECORDKEEPING REQUIREMENTS; TO PROVIDE THE SHARED VEHICLE OWNER OR DRIVER INSURER CLAIM CONTRIBUTION RIGHTS AGAINST THE PEER-TO-PEER CAR SHARING PROGRAM; TO PROVIDE FOR THE PEER-TO-PEER CAR SHARING PROGRAM INSURANCE RIGHTS IN SHARED VEHICLES; TO PROVIDE FOR EXEMPTION OF THE PEER-TO-PEER CAR SHARING PROGRAM AND SHARED VEHICLE OWNER FROM VICARIOUS LIABILITY; TO PROVIDE DISCLOSURE REQUIREMENTS OF THE CAR SHARING PROGRAM AGREEMENT TO SHARED VEHICLE OWNERS AND DRIVERS; TO PROVIDE PEER-TO-PEER CAR SHARING PROGRAM RESPONSIBILITY FOR EQUIPMENT PLACED IN SHARED VEHICLES; TO PROVIDE SAFETY RECALL NOTIFICATION REQUIREMENTS; TO AMEND SECTION 63-1-67, MISSISSIPPI CODE OF 1972, TO PROVIDE DRIVER LICENSING REQUIREMENTS OF PEER-TO-PEER VEHICLES; TO AUTHORIZE ELECTRONIC NOTICES AND DISCLOSURES BY MOTOR VEHICLE RENTAL COMPANIES OR PEER-TO-PEER CAR SHARING PROGRAMS; TO AMEND SECTION 27-65-231, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PEER-TO-PEER CAR SHARING PROGRAM IS SUBJECT TO ADDITIONAL TAX ON SHORT-TERM RENTALS; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PEER-TO-PEER CAR SHARING PROGRAM IS SUBJECT TO MISSISSIPPI SALES TAX; TO AMEND SECTION 27-65-7, MISSISSIPPI CODE OF 1972, TO INCLUDE THE PEER-TO-PEER CAR SHARING PROGRAM IN THE DEFINITION OF "RETAILER," AND THE RENTAL OF VEHICLES THROUGH A PEER-TO-PEER CAR SHARING PROGRAM IN THE DEFINITION OF "RETAIL SALE," FOR THE PURPOSE OF THE MISSISSIPPI SALES TAX LAW; TO AMEND SECTION 27-65-9, MISSISSIPPI CODE OF 1972, TO INCLUDE ANY PERSON OPERATING A PEER-TO-PEER CAR SHARING PROGRAM OFFERING SHARED VEHICLES WITHIN THIS STATE IN THE DEFINITION OF "DOING BUSINESS" FOR THE PURPOSE OF THE MISSISSIPPI SALES TAX LAW; TO AMEND SECTION 61-3-21, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN REQUIREMENTS FOR PEER-TO-PEER CAR SHARING PROGRAMS REGARDING AIRPORT AUTHORITY USAGE AGREEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2854: Appropriations; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2855: Finance; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE FAMILY EMPOWERMENT INITIATIVE; TO AUTHORIZE THE CREATION OF INDIVIDUAL DEVELOPMENT ACCOUNTS FOR LOW-INCOME INDIVIDUALS THAT MAY BE UTILIZED BY THE ACCOUNT HOLDER FOR CERTAIN PURPOSES; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO CONTRACT WITH FIDUCIARY ORGANIZATIONS TO SERVE AS INTERMEDIARIES BETWEEN INDIVIDUAL DEVELOPMENT ACCOUNT HOLDERS AND FINANCIAL INSTITUTIONS HOLDING ACCOUNT FUNDS; TO PROVIDE THAT THE GROSS HOUSEHOLD INCOME OF INDIVIDUAL RETIREMENT ACCOUNT HOLDERS MAY NOT EXCEED 185% OF THE POVERTY LEVEL AND THE ACCOUNT HOLDER'S NET WORTH MAY NOT EXCEED \$10,000.00; TO REQUIRE INDIVIDUALS OPENING AN INDIVIDUAL DEVELOPMENT ACCOUNT TO ENTER INTO AN AGREEMENT WITH A FIDUCIARY ORGANIZATION; TO PROVIDE THAT THE FIDUCIARY ORGANIZATION AND THE DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE MATCHING FUNDS FOR AMOUNTS CONTRIBUTED TO THE INDIVIDUAL DEVELOPMENT ACCOUNT BY THE INDIVIDUAL DEVELOPMENT ACCOUNT HOLDER; TO LIMIT THE AMOUNT OF MATCHING FUNDS THAT MAY BE PROVIDED FOR AN INDIVIDUAL DEVELOPMENT ACCOUNT; TO PROVIDE THE PURPOSES

FOR WHICH INDIVIDUAL DEVELOPMENT ACCOUNTS MAY BE UTILIZED; TO PROVIDE CIVIL PENALTIES FOR THE WITHDRAWAL OF INDIVIDUAL DEVELOPMENT ACCOUNT FUNDS FOR PURPOSES OTHER THAN THOSE AUTHORIZED UNDER THIS ACT; TO REQUIRE FIDUCIARY ORGANIZATIONS TO MAKE QUARTERLY REPORTS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY CONTAINING CERTAIN INFORMATION; TO PROVIDE THAT FUNDS DEPOSITED IN AN INDIVIDUAL DEVELOPMENT ACCOUNT SHALL NOT BE COUNTED AS INCOME, ASSETS OR RESOURCES OF THE INDIVIDUAL IN DETERMINING FINANCIAL ELIGIBILITY FOR ASSISTANCE OR SERVICES PURSUANT TO ANY FEDERAL, FEDERALLY ASSISTED, STATE OR MUNICIPAL PROGRAM BASED ON NEED; TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO EXCLUDE FROM GROSS INCOME INTEREST OR DIVIDEND EARNED ON AN INDIVIDUAL DEVELOPMENT ACCOUNT AND ANY MONEY WITHDRAWN FROM AN INDIVIDUAL DEVELOPMENT ACCOUNT THAT IS USED FOR A QUALIFIED PURPOSE; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2856: Finance

AN ACT TO CREATE THE RETAILER TAX FAIRNESS ACT; TO DEFINE TERMS; TO EXCLUDE THE AMOUNT OF CERTAIN STATE AND LOCAL TAXES AND FEES FROM THE AMOUNT ON WHICH AN INTERCHANGE FEE IS CHARGED FOR AN ELECTRONIC PAYMENT TRANSACTION; TO REQUIRE A PAYMENT CARD NETWORK EITHER TO DEDUCT THE AMOUNT OF ANY TAX IMPOSED FROM THE CALCULATION OF INTERCHANGE FEES SPECIFIC TO EACH FORM OR TYPE OF ELECTRONIC PAYMENT TRANSACTION AT THE TIME OF SETTLEMENT, OR TO REBATE PROMPTLY AN AMOUNT OF INTERCHANGE FEE PROPORTIONATE TO THE AMOUNT ATTRIBUTABLE TO THE TAX OR FEE; TO PROVIDE THAT A PAYMENT CARD NETWORK THAT VIOLATES THIS ACT SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN \$1,000.00 PER VIOLATION, PAYABLE TO THE PLAINTIFF, AND SHALL REFUND THE SURCHARGE TO EACH MERCHANT OR SELLER; TO PROHIBIT THE ALTERATION OR MANIPULATION OF THE COMPUTATION AND IMPOSITION OF INTERCHANGE FEES BY INCREASING THE RATE OR AMOUNT OF THE FEE APPLICABLE TO OR IMPOSED UPON THAT PORTION OF AN ELECTRONIC PAYMENT TRANSACTION NOT ATTRIBUTABLE TO A STATE OR LOCAL TAX OR FEE TO CIRCUMVENT THE EFFECT OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2857: Finance; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE "LAND BANK ACT" TO FACILITATE THE CONVERSION OF VACANT, ABANDONED OR TAX-DELINQUENT PROPERTIES INTO PRODUCTIVE USE; TO AUTHORIZE THE CREATION OF MUNICIPAL AND COUNTY LAND BANK AUTHORITIES AND TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CREATE JOINT LAND BANK AUTHORITIES; TO PROVIDE THE POWERS AND DUTIES OF SUCH AUTHORITIES; TO AUTHORIZE SUCH AUTHORITIES TO ACQUIRE AND DISPOSE OF PROPERTY; TO PROVIDE AN EXPEDITED PROCEDURE TO CONFIRM AND QUIET TITLE TO PROPERTY ACQUIRED BY SUCH AUTHORITIES; TO AUTHORIZE AUTHORITIES CREATED UNDER THIS ACT TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR CERTAIN PURPOSES; TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CREATE LOCAL LAND BANK AUTHORITIES TO BORROW MONEY AND ISSUE BONDS AND NOTES; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

S. B. No. 2858: Appropriations; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALARIES OF SWORN OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; TO PROVIDE SUCH SWORN OFFICERS WORKING FOR AN ACCREDITED DEPARTMENT WITH

SUPPLEMENTARY PAY; TO AMEND SECTION 27-115-85, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOUR MILLION DOLLARS OF THE LOTTERY PROCEEDS FUND SHALL BE TRANSFERRED INTO THE LAW ENFORCEMENT OFFICERS ACCREDITATION SUPPLEMENTAL PAY FUND; TO CREATE A NEW STATUTE THAT ESTABLISHES THE LAW ENFORCEMENT OFFICERS ACCREDITATION SUPPLEMENTAL PAY FUND; TO BRING FORWARD SECTIONS 25-13-3, 25-13-5, 25-13-7, 25-13-8, 25-13-9, 25-13-11, 25-13-12, 25-13-13, 25-13-16, 25-13-21, 25-13-23 AND 25-13-33, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS FOR THE HIGHWAY SAFETY PATROL RETIREMENT SYSTEM, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2859: Appropriations; Accountability, Efficiency, Transparency

AN ACT TO PROVIDE THAT LAW ENFORCEMENT OFFICERS WHO ARE EMPLOYED BY AN ACCREDITED LAW ENFORCEMENT DEPARTMENT SHALL RECEIVE SUPPLEMENTARY PAY ANNUALLY; TO AMEND SECTION 27-115-85, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT \$4,000,000.00 OF THE LOTTERY PROCEEDS FUND SHALL BE TRANSFERRED INTO THE LAW ENFORCEMENT OFFICERS ACCREDITATION SUPPLEMENTAL PAY FUND; TO CREATE A NEW STATUTE THAT ESTABLISHES THE LAW ENFORCEMENT OFFICERS ACCREDITATION SUPPLEMENTAL PAY FUND; TO CREATE A NEW SECTION TO ESTABLISH THE BULLETPROOF VESTS REVOLVING FUND TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY FOR LOCAL LAW ENFORCEMENT AGENCIES TO APPLY FOR MONIES NECESSARY FOR THE MATCH REQUIREMENT OF THE DEPARTMENT OF JUSTICE VEST PARTNERSHIP GRANT ACT OF 1998; TO AMEND SECTION 45-6-5, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP OF THE BOARD ON LAW ENFORCEMENT OFFICER STANDARDS AND TRAINING; TO AMEND SECTION 37-105-3, MISSISSIPPI CODE OF 1972, TO ALLOW UNIVERSITY POLICE OFFICERS TO HAVE JURISDICTION GREATER THAN 500 FEET FROM THE UNIVERSITY IF IN ACCORDANCE WITH AN INTERLOCAL AGREEMENT; TO PROVIDE FOR THE CRIME OF RECKLESS ENDANGERMENT; AND AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2860: Finance

AN ACT TO AMEND SECTION 75-23-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE PRESUMPTION OF THE BASIC COST OF CIGARETTES TO A WHOLESALE DEALER FROM 2% TO 4.5% FOR PURPOSES OF THE UNFAIR CIGARETTE SALES LAW; TO INCREASE THE PRESUMPTION OF CARTAGE COST FROM .5% TO 1% IN THE COMPUTATION OF THE COST OF DOING BUSINESS BY A WHOLESALE DEALER; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2861: Accountability, Efficiency, Transparency; Finance

AN ACT TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, TO EXTEND BY 20 YEARS THE REPEAL DATE ON THE AUTHORIZATION FOR MUNICIPALITIES WITH A POPULATION OF 150,000 OR MORE TO LEVY A ONE PERCENT SALES TAX ON ACTIVITIES TAXED AT THE RATE OF SEVEN PERCENT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

S. B. No. 2862: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-1, MISSISSIPPI CODE OF 1972, TO REVISE THE EXCLUSION OF AN ACADEMIC MEDICAL CENTER OR HEALTH SERVICES SCHOOL FROM THE DEFINITION OF "AGENCY" AS USED IN THE PUBLIC PURCHASING LAW; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2863: Appropriations

AN ACT TO AMEND SECTION 35, CHAPTER 102, LAWS OF 2020 (HOUSE BILL NO. 1712), TO REVISE THE APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR FISCAL YEAR 2021 TO EXTEND THE PERIOD FOR WHICH FUNDS MAY BE USED TO PURCHASE ACCUMULATED COMPENSATORY TIME AND TO INCREASE THE AMOUNT OF FUNDS WHICH MAY BE USED FOR THAT PURPOSE; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE "STATE FIRE ACADEMY WORKFORCE PROGRAM FUND" TO BE UTILIZED BY THE STATE FIRE ACADEMY TO DEFRAY THE COST OF WORKFORCE PROGRAMS; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO EXEMPT THE STATE FIRE ACADEMY WORKFORCE PROGRAM FUND FROM THE PROVISION REQUIRING THE STATE FIRE ACADEMY BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2864: Finance

AN ACT TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES SEPARATE INCOME TAX CREDITS FOR VOLUNTARY CASH CONTRIBUTIONS TO QUALIFYING CHARITABLE ORGANIZATIONS AND QUALIFYING FOSTER CARE CHARITABLE ORGANIZATIONS, TO INCLUDE CERTAIN COURT APPOINTED SPECIAL ADVOCATES (CASA) PROGRAMS WITHIN THE DEFINITION OF "QUALIFYING FOSTER CARE CHARITABLE ORGANIZATION"; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2865: Public Property

AN ACT TO AMEND SECTION 7-3-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL OFFICIAL STATE FLAGS THAT ARE TO BE DISPLAYED OVER THE STATE CAPITOL GROUNDS SHALL BE DISPLAYED AND CERTIFIED AS SUCH BY THE SECRETARY OF STATE; TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS PROVIDING FOR THE DISTRIBUTION OF THE OFFICIALLY DISPLAYED STATE FLAGS; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2866: Education; Appropriations

AN ACT TO AMEND SECTION 37-151-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AT LEAST 25% OF THE INCREASE IN STATE GENERAL FUND REVENUE OVER THE PREVIOUS FISCAL YEAR AS DETERMINED BY THE SINE DIE REVENUE ESTIMATE SHALL BE APPROPRIATED BY THE LEGISLATURE TOWARD THE REQUIRED STATE SUPPORT OF THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2867: Education; Appropriations

AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDING FOR ADDITIONAL ASSISTANT TEACHERS IN "C," "D" AND "F" SCHOOL DISTRICTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 2868: Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO ADD A MUNICIPALITY THROUGH WHICH RUN MISSISSIPPI HIGHWAY 27 AND MISSISSIPPI HIGHWAY 28 TO THE DEFINITION OF "QUALIFIED RESORT AREA" NOT REQUIRING A DECLARATION BY THE DEPARTMENT OF REVENUE; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2869: Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO REMOVE THE MAXIMUM LIMIT ON THE ANNUAL SALARY SUPPLEMENT WHICH MAY BE PAID TO THE SHERIFF OF THE COUNTY; AND FOR RELATED PURPOSES.
By Senator(s) Barrett

S. B. No. 2870: Finance; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 51-41-13, MISSISSIPPI CODE OF 1972, TO ALLOW ANY MEMBER OF THE BOARD OF DIRECTORS OF A WATER AUTHORITY FORMED UNDER CHAPTER 51, TITLE 41, MISSISSIPPI CODE OF 1972, TO BECOME A MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM IF THE WATER AUTHORITY HAS AN EXISTING AGREEMENT WITH THE SYSTEM TO COVER BOARD MEMBERS; TO AMEND SECTION 25-11-105, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.
By Senator(s) Younger

S. B. No. 2871: Housing; Finance

AN ACT ENTITLED THE "MISSISSIPPI WORKFORCE AND SENIOR AFFORDABLE HOUSING ACT"; TO PROVIDE FOR A MISSISSIPPI HOUSING TAX CREDIT EQUAL TO THE FEDERAL HOUSING TAX CREDIT WITH RESPECT TO QUALIFIED HOUSING PROJECTS PLACED IN SERVICE AFTER JANUARY 1, 2021; TO DEFINE QUALIFIED PROJECTS IN TERMS OF RESTRICTED RENT AMOUNTS AND MEDIAN INCOME LIMITS ON PERSONS OCCUPYING THE UNITS; AND FOR RELATED PURPOSES.
By Senator(s) Blackmon

S. B. No. 2872: Finance

AN ACT TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT AN ELECTION BE HELD BEFORE A CERTAIN AREA IN RANKIN COUNTY, AS DEFINED IN SECTION 67-1-5, MAY BE DESIGNATED A QUALIFIED RESORT AREA; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2873: Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX SALES OF FOOD AND BEVERAGES, OTHER THAN BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT IN SUPERMARKETS, GROCERY STORES, CONVENIENCE STORES, DOLLAR STORES, DRUGSTORES AND FARMERS' MARKETS; AND FOR RELATED PURPOSES.
By Senator(s) Norwood

S. B. No. 2874: Finance

AN ACT TO CREATE A NEW SECTION IN TITLE 73, CHAPTER 59, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL RESIDENTIAL CONTRACTORS, IN ORDER TO OBTAIN A BUILDING PERMIT IN THIS STATE, POSSESS A PERMIT FROM THE DEPARTMENT OF REVENUE ISSUED UNDER SECTION 27-65-27; TO DEFINE "RESIDENTIAL CONTRACTOR" FOR PURPOSES OF THIS PERMIT REQUIREMENT; TO CREATE A NEW SECTION IN TITLE 31, CHAPTER 3, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL COMMERCIAL CONTRACTORS, IN ORDER TO OBTAIN A BUILDING PERMIT IN THIS STATE, POSSESS A PERMIT FROM THE DEPARTMENT OF REVENUE ISSUED UNDER SECTION 27-65-27; TO DEFINE "COMMERCIAL CONTRACTOR" FOR PURPOSES OF THIS PERMIT REQUIREMENT; TO AMEND SECTION 27-65-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE PROVISIONS; AND FOR RELATED PURPOSES.
By Senator(s) Harkins

S. B. No. 2875: Judiciary, Division A

AN ACT TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IMPUTATION OF INCOME SHALL NOT BE BASED UPON A

STANDARD AMOUNT IN LIEU OF FACT GATHERING; TO AMEND SECTION 93-11-103, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WITHHOLDING ORDERS FOR CHILD SUPPORT SHALL BE IN COMPLIANCE WITH THE FEDERAL CONSUMER CREDIT PROTECTION ACT WITHHOLDING LIMITS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. B. No. 2876: Corrections

AN ACT ENTITLED THE "MISSISSIPPI CORRECTIONAL SAFETY AND REHABILITATION ACT OF 2021"; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CONDITIONS FOR PAROLE ELIGIBILITY AND TO PROVIDE LIMITATIONS ON INMATE ELIGIBILITY TO PETITION THE SENTENCING COURT FOR PAROLE ELIGIBILITY IF THE INMATE IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE OR NONVIOLENCE; TO REENACT AND AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR INMATE CASE PLANNING AND TO PRESCRIBE DATES FOR THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COMPLETE CASE PLANS FOR PAROLE-ELIGIBLE INMATES TO ENSURE THAT THE PLAN IS ACHIEVABLE; TO REENACT AND AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, TO PROVIDE A MINIMUM TIME OFFENDERS CONVICTED OF A CRIME OF VIOLENCE MUST SERVE BEFORE RELEASE AND A MINIMUM PERCENTAGE OF OTHER SENTENCES OTHER OFFENDERS MUST SERVE BEFORE RELEASE; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO REQUIRE AN AFFIRMATIVE VOTE OF AT LEAST THREE MEMBERS OF THE MISSISSIPPI PAROLE BOARD TO GRANT PAROLE TO AN INMATE CONVICTED OF A CRIME OF VIOLENCE AFTER JUNE 30 1995; TO AMEND SECTION 47-7-13, MISSISSIPPI CODE OF 1972, TO REQUIRE AN AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS OF THE MISSISSIPPI PAROLE BOARD TO GRANT PAROLE TO A SEX OFFENDER; TO AMEND SECTION 47-7-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VICTIM OR DESIGNATED FAMILY MEMBER SHALL BE PROVIDED AN OPPORTUNITY TO BE HEARD BY THE PAROLE BOARD PRIOR TO A PAROLE DECISION; TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PAROLE HEARINGS FOR SEX OFFENDERS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 2877: Finance

AN ACT TO AMEND SECTION 27-115-85, MISSISSIPPI CODE OF 1972, TO CHANGE THE ANNUAL DISTRIBUTION OF THE FIRST \$80,000,000.00 FROM THE LOTTERY PROCEEDS FUND SO THAT IT IS PAID TO COUNTIES AND MUNICIPALITIES, ACCORDING TO THE FORMULA FOR THE DISTRIBUTION OF USE TAX REVENUE, FOR THE OVERLAY AND RESTRIPIING OF ROADS AND BRIDGES, INSTEAD OF BEING PAID INTO THE STATE HIGHWAY FUND; TO PROVIDE THAT MONIES PAID TO COUNTIES AND MUNICIPALITIES PURSUANT TO SECTION 27-115-85 MAY BE USED ONLY FOR OVERLAY AND RESTRIPIING OF COUNTY AND MUNICIPAL ROADS AND BRIDGES; TO PROHIBIT COUNTIES AND MUNICIPALITIES FROM REDUCING EXISTING INFRASTRUCTURE BUDGETS AND REALLOCATING THE MONIES ALREADY EARMARKED FOR THOSE BUDGETS IN ANTICIPATION OF THE RECEIPT OF MONIES FROM THE LOTTERY PROCEEDS FUND; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

S. B. No. 2878: Energy

AN ACT TO PROHIBIT POLITICAL SUBDIVISIONS FROM ADOPTING AN ORDINANCE, RESOLUTION, REGULATION, CODE OR POLICY THAT PROHIBITS THE EXPANSION, UTILIZATION, CONNECTION OR RECONNECTION OF A SERVICE BASED UPON THE TYPE OF ENERGY TO BE DELIVERED; AND FOR RELATED PURPOSES.

By Senator(s) Carter

S. C. R. No. 521: Rules

A CONCURRENT RESOLUTION RECOGNIZING THE INDUCTION OF MULTIPLE GRAMMY AWARD-WINNING COUNTRY MUSIC SINGER-SONGWRITER MARTY STUART INTO THE COUNTRY MUSIC HALL OF FAME.

By Senator(s) Branning, Chassaniol

S. C. R. No. 522: Rules

A CONCURRENT RESOLUTION APPLYING FOR A UNITED STATES CONSTITUTION ARTICLE V AMENDMENTS CONVENTION SPECIFICALLY RELATING TO FEDERAL DEBT LIMITATION.

By Senator(s) Wiggins

S. C. R. No. 523: Rules

A CONCURRENT RESOLUTION APPLYING FOR A UNITED STATES CONSTITUTION ARTICLE V AMENDMENTS CONVENTION SPECIFICALLY RELATING TO A FEDERAL BALANCED BUDGET REQUIREMENT.

By Senator(s) Wiggins

S. C. R. No. 524: Rules

A CONCURRENT RESOLUTION APOLOGIZING FOR THE ROLE OF THE STATE IN THE PROSECUTION OF CURTIS FLOWERS OF WINONA, MISSISSIPPI, WHO WAS TRIED AN UNPRECEDENTED SIX TIMES IN A MURDER CASE AND SPENT 23 YEARS IN PRISON AND HIS FINAL CONVICTION WAS APPEALED TO THE UNITED STATES SUPREME COURT WHICH OVERTURNED THE VERDICT ON THE BASIS OF RACIAL DISCRIMINATION AFTER WHICH CHARGES WERE FINALLY DISMISSED.

By Senator(s) Jackson (11th), Simmons (12th), Jordan, Turner-Ford, Norwood, Barnett, Frazier, Butler, Witherspoon, Thomas, Jackson (32nd)

S. C. R. No. 525: Constitution

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO CONFORM THE PRO RATA SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL DISTRICTS, TO BASE THE REQUIRED NUMBER OF SIGNATURES ON THE LATEST PRESIDENTIAL ELECTION, AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW AND MATTERS PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT PROPOSAL SEPARATELY.

By Senator(s) Johnson

S. C. R. No. 526: Constitution

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE CERTAIN RIGHTS TO VICTIMS THROUGHOUT THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS.

By Senator(s) England

S. C. R. No. 527: Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING COACH LANE KIFFIN AND THE OLE MISS "REBELS" FOOTBALL TEAM FOR THEIR IMPRESSIVE VICTORY OVER THE INDIANA "HOOSIERS" ON JANUARY 2, 2021, IN THE OUTBACK BOWL IN TAMPA AND FOR THEIR OUTSTANDING 2020 REGULAR SEASON UNDER ADVERSE CIRCUMSTANCES.

By Senator(s) Michel, Kirby, Blount, Chassaniol, Boyd, Sparks, McCaughn, Hopson, Suber, Parks

S. R. No. 3: Rules

A RESOLUTION TO COMMEND AND CONGRATULATE THE MAGEE HIGH SCHOOL "TROJANS" FOOTBALL TEAM AND COACH TEDDY DYESS FOR WINNING THEIR FIRST STATE CHAMPIONSHIP IN 20 YEARS.

By Senator(s) Caughman

S. R. No. 4: Rules

A RESOLUTION RECOGNIZING NOAH HARRIS OF HATTIESBURG, MISSISSIPPI, AND NATCHEZ, MISSISSIPPI, AS HARVARD UNIVERSITY'S FIRST AFRICAN AMERICAN MALE STUDENT BODY PRESIDENT AND COMMENDING HIM FOR REPRESENTING MISSISSIPPI IN THIS PRESTIGIOUS ROLE.

By Senator(s) Polk

FIFTEENTH DAY, TUESDAY, JANUARY 19, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Chassaniol. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Parker.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

H. C. R. No. 2: Former Representative Gary V. Staples; commend legislative career and mourn loss upon his passing. Rules.

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

S. B. No. 2106: Off-duty law enforcement officers; authorized to use public vehicles for private security duty. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2270: Autopsies; provide for confidentiality of photographs and recordings of. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Ricky Hooker, Reid Graham, Robby Bogue and Greta Logan of Pontotoc, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Peggy Bell, Ron Scott, Mac Caldwell and Pam Whittington of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Alice Brown and E. L. "Sonny" Goolsby of Myrtle, MS.

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

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Boyce "Red" Richardson of Ecru, MS.

Senators McMahan and Chism moved that when the Senate adjourns, it adjourn in memory of Jean McGill Hall of Tupelo, MS.

Senators Younger and Chism, joined by all other Senators, moved that when the Senate adjourns, it adjourn in memory of Gary Keith Browning of Etta, MS.

Senators Boyd, Younger and Chism, joined by all other Senators, moved that when the Senate adjourns, it adjourn in memory of Virginia Thurman of New Albany, MS.

Senator Jackson S. (32nd) moved that when the Senate adjourns, it adjourn in memory of Frances Stewart Ball, Buster McAdory, Gerald McGee, Ann McGee and Susan Renee Sullivan of Louisville, MS.

Senators Simmons D. T. (12th) and Parker moved that when the Senate adjourns, it adjourn in memory of Alice Bruce of Greenville, MS.

Senators Frazier, Norwood and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Dr. Dollye M. E. Robinson of Jackson, MS.

Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mrs. Elois Lampkin of Jackson, MS.

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

Senators Carter and DeLano moved that when the Senate adjourns, it adjourn in memory of Molly Lee of Gulfport, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Mary Ileen Carroll of Clarkdale, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Phil W. Davis, Jr., Thad Walton Calcote, Jr., Clara Novella Morgan, David V. "Beetle" Bailey, Connie Wells Thompson, Kendra Diane Hall Goodman and Frances Arra Norwood Pigford of Meridian, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 20, 2021.

The motion prevailed, and at 10:17 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON RULES

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

S. B. No. 2075: State parks; change name of Natchez State Park to "Bob M. Dearing Natchez State Park." Title Sufficient. Do Pass.

S. C. R. No. 502: Remember the legacy of former Governor William F. Winter and extend deepest sympathy of the Legislature on his passing. Title Sufficient. Do Be Adopted.

S. C. R. No. 503: Commend Aysa Branch for winning Miss USA. Title Sufficient. Do Be Adopted.

S. C. R. No. 504: Ted Booth; commend for receiving the 2020 Legislative Staff Achievement Award from NCSL. Title Sufficient. Do Be Adopted.

S. C. R. No. 509: Extend deepest sympathy of Legislature on the passing of Mississippi Sports Icon JSU Coach "W.C." Gorden. Title Sufficient. Do Be Adopted.

S. C. R. No. 510: Mourn the passing of former Senator Tommy Moffatt, Sr., of Gautier, Mississippi, and commend his public and charitable service. Title Sufficient. Do Be Adopted.

S. C. R. No. 511: Commend Leake Academy "Rebels" Football Team for winning the MAIS Class 5A State Championship. Title Sufficient. Do Be Adopted.

S. C. R. No. 512: Commend the life of legendary college and NFL football player and Coach Ray Perkins from Petal, Mississippi. Title Sufficient. Do Be Adopted.

S. C. R. No. 513: Recognize the Bicentennial Celebration of Franklin Academy in Columbus, the first public school in Mississippi. Title Sufficient. Do Be Adopted.

S. C. R. No. 514: Extend sympathy of the Legislature to the family of the state's longest-serving Mayor, Dock Gabbert, of Derma, Mississippi. Title Sufficient. Do Be Adopted.

S. C. R. No. 515: Extending condolences of Mississippi Legislature on the passing of Wiggins Mayor Joel Travis Miles and remembering his legacy. Title Sufficient. Do Be Adopted.

S. C. R. No. 516: Pay tribute to the memory and career of pioneering country music superstar Charley Pride from Sledge, Mississippi. Title Sufficient. Do Be Adopted.

S. C. R. No. 517: Pay tribute to the memory of former State Senator and Representative Nolan Mettetal. Title Sufficient. Do Be Adopted.

S. C. R. No. 518: Commend Hillcrest Christian Fast Pitch Softball Team for MAIS State Championship. Title Sufficient. Do Be Adopted.

S. C. R. No. 519: Commend Brookhaven High School "Panthers" Boys Cross-Country Team for second consecutive state championship. Title Sufficient. Do Be Adopted.

S. R. No. 1: Commend Andy Ogletree for finishing his first Masters as Low Amateur. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

MESSAGE FROM THE LT. GOVERNOR
January 18, 2021

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

Pshon Barrett, Jackson, Mississippi, Board of Directors for the Mississippi Industries for the Blind, term effective June 30, 2018 and ending June 30, 2022.

Delbert Hosemann
LT. GOVERNOR

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

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Pshon Barrett, Board of Directors for the Mississippi Industries for the Blind, term effective June 30, 2018 and ending June 30, 2022, Public Health and Welfare.

REPORT OF COMMITTEES ON
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2001: Teachers' salaries; provide for increase. Title Sufficient. Do Pass.

DEBAR, Chairman
HOPSON, Chairman

REPORT OF COMMITTEE ON APPROPRIATIONS

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

H. B. No. 69: State Veterans Affairs Board; provide that certain employees of are nonstate service employees under state personnel system. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

S. B. No. 2020: Tribal identification cards; recognize as legal means of personal identification. Title Sufficient. Do Pass.

S. B. No. 2263: Cemeteries and burial grounds; make misleading filings unlawful. Title Sufficient. Do Pass.

WIGGINS, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Ricky Hooker, Reid Graham, Frances Stewart Ball, Buster McAdory, Gerald McGee, Ann McGee, Susan Renee Sullivan, Pam Whittington, E. L. "Sonny" Goolsby, Alice Bruce, Dr. Dollye M. E. Robinson, Mrs. Elois Lampkin, Robby Bogue, Jean McGill Hall, Gary Keith Browning, Virginia Thurman, Betty Bullard, Molly Lee, Mary Ileen Carroll, Phil W. Davis, Jr., Thad Walton Calcote, Jr., Clara Novella Morgan, David V. "Beetle" Bailey, Greta Logan, Connie Wells Thompson, Kendra Diane Hall Goodman, Frances Arra Norwood Pigford, Peggy Bell, Ron Scott, Mac Caldwell, Alice Brown, Richard Bogue and Boyce "Red" Richardson.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, JANUARY 19, 2021

SIXTEENTH DAY, WEDNESDAY, JANUARY 20, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Absent--Carter, Chassaniol. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Senator Barnett.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Hopson called up the following entitled bill:

H. B. No. 69: State Veterans Affairs Board; provide that certain employees of are nonstate service employees under state personnel system.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-9-107, Mississippi Code of 1972, is amended as follows:

25-9-107. The following terms, when used in this chapter, unless a different meaning is plainly required by the context, shall have the following meanings:

(a) "Board" means the State Personnel Board created under the provisions of this chapter.

(b) "State service" means all employees of state departments, agencies and institutions as defined herein, except those officers and employees excluded by this chapter.

(c) "Nonstate service" means the following officers and employees excluded from the state service by this chapter. The following are excluded from the state service:

(i) Members of the State Legislature, their staff and other employees of the legislative branch;

(ii) The Governor and staff members of the immediate Office of the Governor;

(iii) Justices and judges of the judicial branch or members of appeals boards on a per diem basis;

(iv) The Lieutenant Governor, staff members of the immediate Office of the Lieutenant Governor and officers and employees directly appointed by the Lieutenant Governor;

(v) Officers and officials elected by popular vote and persons appointed to fill vacancies in elective offices;

(vi) Members of boards and commissioners appointed by the Governor, Lieutenant Governor or the State Legislature;

(vii) All academic officials, members of the teaching staffs and employees of the state institutions of higher learning, the Mississippi Community College Board, and community and junior colleges;

(viii) Officers and enlisted members of the National Guard of the state;

(ix) Prisoners, inmates, student or patient help working in or about institutions;

(x) Contract personnel; provided that any agency which employs state service employees may enter into contracts for personal and professional services only if such contracts are approved in compliance with the rules and regulations promulgated by the * * * Public Procurement Review Board under Section * * * 27-104-7. Before paying any warrant for such contractual services in excess of * * * Seventy-five Thousand Dollars (\$75,000.00), the Auditor of Public Accounts, or the successor to those duties, shall determine whether the contract involved was for personal or professional services, and, if so, was approved by the * * * Public Procurement Review Board as required by law;

(xi) Part-time employees; provided, however, part-time employees shall only be hired into authorized employment positions classified by the board, shall meet minimum qualifications as set by the board, and shall be paid in accordance with the Variable Compensation Plan as certified by the board;

(xii) Persons appointed on an emergency basis for the duration of the emergency; the effective date of the emergency appointments shall not be earlier than the date approved by the State Personnel Director, and shall be limited to thirty (30) working days. Emergency appointments may be extended to sixty (60) working days by the State Personnel Board;

(xiii) Physicians, dentists, veterinarians, nurse practitioners and attorneys, while serving in their professional capacities in authorized employment positions who are required by statute to be licensed, registered or otherwise certified as such, provided that the State Personnel Director shall verify that the statutory qualifications are met prior to issuance of a payroll warrant by the Auditor;

(xiv) Personnel who are employed and paid from funds received from a federal grant program which has been approved by the Legislature or the Department of Finance and Administration whose length of employment has been determined to be time-limited in nature. This subparagraph shall apply to personnel employed under the provisions of the Comprehensive Employment and Training Act of 1973, as amended, and other special federal grant programs which are not a part of regular federally funded programs wherein appropriations and employment positions are appropriated by the Legislature. Such employees shall be paid in accordance with the Variable Compensation Plan and shall meet all qualifications required by federal statutes or by the Mississippi Classification Plan;

(xv) The administrative head who is in charge of any state department, agency, institution, board or commission, wherein the statute specifically authorizes the Governor, board, commission or other authority to appoint said administrative head; provided, however, that the salary of such administrative head shall be determined by the State Personnel Board in accordance with the Variable Compensation Plan unless otherwise fixed by statute;

(xvi) The State Personnel Board shall exclude top-level positions if the incumbents determine and publicly advocate substantive program policy and report directly to the agency head, or the incumbents are required to maintain a direct confidential working relationship with a key excluded official. Provided further, a written job classification shall be approved by the board for each such position, and positions so excluded shall be paid in conformity with the Variable Compensation Plan;

(xvii) Employees whose employment is solely in connection with an agency's contract to produce, store or transport goods, and whose compensation is derived therefrom;

(xviii) Repealed;

(xix) The associate director, deputy directors and bureau directors within the Department of Agriculture and Commerce;

(xx) Personnel employed by the Mississippi Industries for the Blind; provided that any agency may enter into contracts for the personal services of MIB employees without the prior approval of the State Personnel Board or the State Personal Service Contract Review Board; however, any agency contracting for the personal services of an MIB employee shall provide the MIB employee with not less than the entry-level compensation and benefits that the agency would provide to a full-time employee of the agency who performs the same services;

(xxi) Personnel employed by the Mississippi Department of Wildlife, Fisheries and Parks and the Mississippi Department of Marine Resources as law enforcement trainees (cadets); such personnel shall be paid in accordance with the Colonel Guy Groff State Variable Compensation Plan;

(xxii) Administrators and instructional employees under contract or employed by the Mississippi School of the Arts (MSA) established in Section 37-140-1 et seq.;

(xxiii) The President of the Mississippi Lottery Corporation and personnel employed by the Mississippi Lottery Corporation * * *; and

(xxiv) Employees, excluding administrative employees, of the State Veterans Affairs Board who are employed at a veterans home established by the State Veterans Affairs Board under Section 35-1-19.

(d) "Agency" means any state board, commission, committee, council, department or unit thereof created by the Constitution or statutes if such board, commission, committee, council, department, unit or the head thereof, is authorized to appoint subordinate staff by the Constitution or statute, except a legislative or judicial board, commission, committee, council, department or unit thereof.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-9-107, MISSISSIPPI CODE 1972, TO REVISE THE TERM "NONSTATE SERVICE" FOR PURPOSES OF THE STATE PERSONNEL SYSTEM TO INCLUDE EMPLOYEES, EXCLUDING ADMINISTRATIVE EMPLOYEES, OF THE STATE VETERANS AFFAIRS BOARD WHO ARE EMPLOYED AT VETERANS HOMES IN THE STATE; TO MAKE TECHNICAL AMENDMENTS REGARDING CONTRACTS FOR PERSONAL SERVICES TO CONFORM TO EXISTING LAW; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 69 was adopted.

YEAS AND NAYS On H. B. No. 69. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

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

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Eugene Newman of Lake Cormorant, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Jearrel Buddy Donahue and Freddie Hancock of Myrtle, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of James Staten of New Albany, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dorothy McKeithen of Clinton, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Karen Ann Holliman and Bette Doye McDavitt of Perkinston, MS.

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

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Maxine Shepherd of Sunflower Plantation, MS.

Senators Caughman and Kirby moved that when the Senate adjourns, it adjourn in memory of Billy Ray Mangum of Richland, MS.

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

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Viola Ave Nell Corder of Southernland, TX.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 21, 2021.

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

REPORT OF COMMITTEE ON EDUCATION

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

S. B. No. 2307: Dyslexia Awareness Training Program; require teachers to complete two hours of training for. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Eugene Newman, Jearrel Buddy Donahue, Rick Courtney, Viola Ave Nell Corder, Freddie Hancock, James Staten, Dorothy McKeithen, Karen Ann Holliman, Mary Thompson, Maxine Shepherd, Bette Doye McDavitt and Billy Ray Mangum.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, JANUARY 20, 2021

SEVENTEENTH DAY, THURSDAY, JANUARY 21, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Absent--Chassaniol, Kirby, Simmons S. (13th). Total--3.

The Secretary announced a quorum present.

The invocation was delivered by Senator Horhn.

Senator Jackson S. (32nd) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator DeBar called up the following entitled bill:

S. B. No. 2001: Teachers' salaries; provide for increase.

YEAS AND NAYS On S. B. No. 2001. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Chassaniol, Kirby, Simmons S. (13th). Total--3.

Unanimous consent was granted to add Senators Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chism, DeLano, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon and Younger as co-authors of **S. B. No. 2001**.

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

The motion prevailed, and at 10:17 AM, the Senate stood in recess.

The Senate resumed business at 11:15 AM, pursuant to recess, with President Hosemann presiding.

Senators Seymour and DeLano moved that when the Senate adjourns, it adjourn in memory of Mary Catherine Wagner of White Plains Community, MS.

Senators Seymour and DeLano moved that when the Senate adjourns, it adjourn in memory of Curtis Arthur Felsher of Woolmarket Community, MS.

Senators Seymour and England moved that when the Senate adjourns, it adjourn in memory of Mr. Moseley Allen Mallette of Vancleave, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ernest "Dale" Ladell Rivers of Latimer Community, MS.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Wade Nelson Spruill, Jr. of Hattiesburg, MS.

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

Senators Blount, Michel and Branning moved that when the Senate adjourns, it adjourn in memory of Truitt Breazeale of Philadelphia, MS.

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

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Sammie Lee Henry of Monticello, MS.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Rubin Lomax, Jr. of Darling, MS.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Arthur Stewart Nickens of Lambert, MS.

Senator Williams moved that when the Senate adjourns, it adjourn in memory of Paul Millsaps of Starkville, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Bradford Harvey Young of Meridian, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 25, 2021.

The motion prevailed, and at 11:44 AM, the Senate stood in recess.

MESSAGE FROM THE ITS
January 20, 2021

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

David Charles Johnson, Flowood, Mississippi, Executive Director of the Mississippi Department of Information Technology Services, term effective November 1, 2020.

June Songy, Chair
MS DEPT OF INFORMATION TECHNOLOGY SERVICES BOARD

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

David Charles Johnson, Executive Director of the Mississippi Department of Information Technology Services, term effective November 1, 2020, Accountability, Efficiency, Transparency.

MESSAGE FROM THE GOVERNOR
January 21, 2021

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

William Green (Will Green) Poindexter, III, Inverness, Mississippi, State Tax Appeals Board as an associate member, six year term effective immediately and ending June 30, 2026.

John Walter Rounsaville, Madison, Mississippi, Mississippi Development Authority as the Executive Director, term effective immediately and the appointee shall serve at the pleasure of the Governor.

Owen Bowdre (Hammer) Emerson, Hernando, Mississippi, State Oil and Gas Board representing the Third Supreme Court District, six year term effective immediately and ending June 30, 2026.

Tate Reeves
GOVERNOR

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

William Green (Will Green) Poindexter, III, State Tax Appeals Board as an associate member, six year term effective immediately and ending June 30, 2026, Finance.

John Walter Rounsaville, Mississippi Development Authority as the Executive Director, term effective immediately and the appointee shall serve at the pleasure of the Governor, Finance.

Owen Bowdre (Hammer) Emerson, State Oil and Gas Board, six year term effective immediately and ending June 30, 2026, Energy.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 69: State Veterans Affairs Board; provide that certain employees of are nonstate service employees under state personnel system.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

H. B. No. 106: AN ACT TO AMEND SECTION 14, CHAPTER 42, LAWS OF 2020, TO INCREASE THE AMOUNT IN THE FISCAL YEAR 2021 APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS THAT IS AUTHORIZED FOR EXPENDITURE IN THE INMATE WELFARE FUND; TO AMEND SECTION 8, CHAPTER 92, LAWS OF 2020, TO EXTEND THE PERIOD FOR WHICH FUNDS IN THE FISCAL YEAR 2021 APPROPRIATION TO THE DEPARTMENT OF EMPLOYMENT SECURITY MAY BE USED TO PURCHASE ACCUMULATED COMPENSATORY TIME BY EMPLOYEES WHOSE ACTIVITIES ARE DEEMED ESSENTIAL TO AGENCY OPERATIONS FOR RESPONDING TO COVID-19; TO AMEND SECTION 35, CHAPTER 102, LAWS OF 2020, TO EXTEND THE PERIOD FOR WHICH FUNDS IN THE FISCAL YEAR 2021 APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH MAY BE USED TO PURCHASE ACCUMULATED COMPENSATORY TIME BY EMPLOYEES WHOSE ACTIVITIES ARE DEEMED ESSENTIAL TO AGENCY OPERATIONS FOR RESPONDING TO COVID-19 AND TO INCREASE THE AMOUNT OF FUNDS THAT MAY BE USED FOR THAT PURPOSE; TO AMEND SECTION 18, CHAPTER 106, LAWS OF 2020, TO CLARIFY THE NAME OF A RECIPIENT OF PROJECT FUNDS FROM THE GULF COAST RESTORATION FUND IN THE FISCAL YEAR 2021 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY AND TO CORRECT THE PURPOSE OF ONE OF THE PROJECTS; TO AMEND SECTION 28, CHAPTER 107, LAWS OF 2020, TO CLARIFY THE NAMES OF TWO RECIPIENTS OF PROJECT FUNDS FROM THE BP SETTLEMENT FUND IN THE FISCAL YEAR 2021 APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE STATE FIRE ACADEMY WORKFORCE PROGRAM FUND, WHICH SHALL CONSIST OF MONIES MADE AVAILABLE BY THE LEGISLATURE AND MONIES RECEIVED BY THE STATE FIRE ACADEMY FOR WORKFORCE PROGRAMS; AND FOR RELATED PURPOSES.

H. B. No. 199: AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE INSTITUTIONS OF HIGHER LEARNING – OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2021; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; THE MISSISSIPPI DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2021; THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2021; THE STATE FIRE ACADEMY FOR FISCAL YEAR 2021; AND THE MISSISSIPPI INSURANCE DEPARTMENT FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mary Catherine Wagner, Curtis Arthur Felsher, Ernest "Dale" Ladell Rivers, Paul Millsaps, Bradford Harvey Young, Wade Nelson Spruill, Jr., Kathleen McMahan Griffin, Truitt Breazeale, Chester Wells, Sammie Lee Henry, Rubin Lomax, Arthur Stewart Nickens and Mr. Moseley Allen Mallette.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, JANUARY 21, 2021

TWENTY-FIRST DAY, MONDAY, JANUARY 25, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Absent--Chassaniol, Kirby, Simmons S. (13th). Total--3.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Kirby.

The invocation was delivered by Senator Hill.

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

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

The measures received and referred to committees on January 22, 2021, are listed on this date.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

MESSAGE FROM THE HOUSE

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

H. C. R. No. 1: A CONCURRENT RESOLUTION COMMENDING THE LIFE AND LEGACY OF MR. BOBBY PASCHAL MARTIN, AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 19: A CONCURRENT RESOLUTION RECOGNIZING JANUARY 22, 2021, AS "THE DAY OF TEARS" IN MISSISSIPPI TO MOURN THE INNOCENTS WHO LOST THEIR LIVES TO ABORTION.

H. C. R. No. 21: A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE TO HEAR THE STATE OF THE STATE ADDRESS OF GOVERNOR TATE REEVES.

Andrew Ketchings, Clerk of the House of Representatives

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

H. C. R. No. 21: State of the State address of the Governor; call joint session to hear. Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 69: AN ACT TO AMEND SECTION 25-9-107, MISSISSIPPI CODE 1972, TO REVISE THE TERM "NONSTATE SERVICE" FOR PURPOSES OF THE STATE PERSONNEL SYSTEM TO INCLUDE EMPLOYEES, EXCLUDING ADMINISTRATIVE EMPLOYEES, OF THE STATE VETERANS AFFAIRS BOARD WHO ARE EMPLOYED AT VETERANS HOMES IN THE STATE; TO MAKE TECHNICAL AMENDMENTS REGARDING CONTRACTS FOR PERSONAL SERVICES TO CONFORM TO EXISTING LAW; AND FOR RELATED PURPOSES.

Derrick T. Simmons, Chairman

REPORT OF COMMITTEE ON RULES

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

H. C. R. No. 21: State of the State address of the Governor; call joint session to hear. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Senator Michel moved that the rules be suspended for the immediate consideration of **H. C. R. No. 21**, and the motion prevailed.

Senator Michel called up the following entitled resolution:

H. C. R. No. 21: State of the State address of the Governor; call joint session to hear.

YEAS AND NAYS On H. C. R. No. 21. On motion of Senator Michel, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Chassaniol, Kirby, Simmons S. (13th). Total--3.

On motion of Senator Michel, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 21.

Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mr. Richard Grisham, Mrs. Aldean Smith Hunter and Mrs. Minnie L. Vaughn Scales of Jackson, MS.

Senator Frazier moved that when the Senate adjourns, it adjourn in memory of William Lloyd Etheredge of Montgomery, AL.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Lee Russell Spence and Anna Griffin Callender of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Barbara B. Rice of Star, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Jane Chancey Dubberly of Oxford, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Mary Helen Sams of Tupelo, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Charles James Bell of Madison, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ray Perkins of Petal, MS.

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

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Clifton Holland of Leakesville, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Mrs. Rosalyn Hutchinson of Tupelo, MS.

Senators Blount, Frazier, Horhn, Norwood and Michel moved that when the Senate adjourns, it adjourn in memory of Rev. Dr. Ernest E. Slaughter of Jackson, MS.

Senator Wiggins moved that when the Senate adjourns, it adjourn in memory of Joanne Anderson of Ocean Springs, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Mathew Gray Warren of Brandon, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Lewis Cleveland (LC) Sanders and Bill M. Thompson of Hamilton, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of John (Jack) M. Ledbetter of Columbus, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Dr. Dollye Robinson of Jackson, MS.

Senators Horhn and Butler moved that when the Senate adjourns, it adjourn in memory of Henry Louis (Hank) Aaron of Mobile, AL.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Barbara J. (Deason) Haskins of Collinsville, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dorothy Elaine Hardin-Wilson and Dr. Dave Alan Russell of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Peggy Chandler Boatner of Suqualena, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 26, 2021.

The motion prevailed, and at 4:16 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mr. Richard Grisham, Lee Russell Spence, William Lloyd Etheredge, Wesley Williamson, Clifton Holland, Mrs. Rosalyn Hutchinson, Rev. Dr. Ernest E. Slaughter, Joanne Anderson, Mathew Gray Warren, Lewis Cleveland (LC) Sanders, Bill M. Thompson, John (Jack) M. Ledbetter, Anna Griffin Callender, Dr. Dollye Robinson, Henry Louis (Hank) Aaron, Barbara J. (Deason) Haskins, Dorothy Elaine Hardin-Wilson, Dr. Dave Alan Russell, Peggy Chandler Boatner, Barbara B. Rice, Jane Chancey Dubberly, Mary Helen Sams, Charles James Bell, Ray Perkins, Mrs. Aldean Smith Hunter and Mrs. Minnie L. Vaughn Scales.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, JANUARY 25, 2021

TWENTY-SECOND DAY, TUESDAY, JANUARY 26, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Absent--Carter, Chassaniol, Kirby, Norwood. Total--4.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Kirby.

The invocation was delivered by Senator McMahan, written by Dr. Phil Ellis, Pastor, Faith Baptist Church, Saltillo, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. C. R. No. 21: A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE TO HEAR THE STATE OF THE STATE ADDRESS OF GOVERNOR TATE REEVES.

Derrick T. Simmons, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

S. B. No. 2068: Voyeurism; revise sentencing. Title Sufficient. Do Pass.

S. B. No. 2552: Pretrial Intervention Program; prohibit eligibility for persons charged with public embezzlement over a certain amount. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

S. B. No. 2561: "Empower Reentry Through Licensing Act"; authorize provisional driver's licenses for eligible inmates. Title Sufficient. Do Pass.

FILLINGANE, Chairman

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Anna Kate Powell of Silver Creek, MS.

Senator Witherspoon moved that when the Senate adjourns, it adjourn in memory of Mary Scott of McComb, MS.

Senators Fillingane and McDaniel moved that when the Senate adjourns, it adjourn in memory of Donald M. Swanberg of Laurel, MS.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Elizabeth Lamar of Marks, MS.

Senator Wiggins moved that when the Senate adjourns, it adjourn in memory of Francis "Sonny" Owen Rains, Jr. of Pascagoula, MS.

Senator McMahan, joined by all other Senators, moved that when the Senate adjourns, it adjourn in memory of Dorothy Seibel Davidson, WWII Veteran of Hannibal, MO.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of James H. Archie, Jr. of Meehan, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Joseph Lamar Mabry and Opal Harper of Meridian, MS.

Senator Blackwell moved that the Senate stand in recess until 2:30 PM, at which time it would reconvene for the Joint Session on the south steps of the New Capitol Building and that at the conclusion of the Joint Session, the Senate would then recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 27, 2021.

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

REPORT OF COMMITTEE ON FINANCE

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

S. B. No. 2477: Mississippi Home Corporation; remove reverter on statute granting authority to issue negotiable bonds and notes. Title Sufficient. Do Pass.

S. B. No. 2728: Department of Revenue; allow retiring law enforcement officers to keep one issued sidearm each. Title Sufficient. Do Pass.

S. B. No. 2804: Alcoholic beverage; create delivery service permit. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2805: Alcoholic beverages; remove provision requiring DOR to immediately revoke permit for certain unlawful sales. Title Sufficient. Do Pass.

S. B. No. 2812: Motor vehicles; limit period for DOR's retention of certificates of title to 15 years. Title Sufficient. Do Pass.

S. B. No. 2813: Amusement rides; change period for operating permit decals from 12 months to calendar year. Title Sufficient. Do Pass.

S. B. No. 2832: Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026. Title Sufficient. Do Pass.

S. B. No. 2850: Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 19: Dr. William Alonzo (Billy) Morehead, Madison, Mississippi, Public Procurement Review Board, four year term effective immediately and ending June 30, 2024. Do Advise and Consent.

HARKINS, Chairman

REPORT OF COMMITTEE ON APPROPRIATIONS

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

S. B. No. 2725: State Budget; bring forward certain provisions and transfer funds. Title Sufficient. Do Pass.

HOPSON, Chairman

REPORT OF COMMITTEES ON EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2305: William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman
HOPSON, Chairman

REPORT OF COMMITTEE ON CORRECTIONS

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

S. B. No. 2553: State offenders in county jail; bring forward sections relating to. Title Sufficient. Committee Substitute. Do Pass.

BARNETT, Chairman

REPORT OF COMMITTEE ON ELECTIONS

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

S. B. No. 2113: Voting equipment; require certification by the United States Election Assistance Commission. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2587: Absentee ballots; revise certain procedures. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2588: Statewide Elections Management System; remove electors who fail to respond to notice. Title Sufficient. Committee Substitute. Do Pass.

TATE, Chairman

JOINT SESSION

Pursuant to H. C. R. No. 21, a Joint Session was held on the south steps of the New Capitol Building.

The House received the Senate.

The Joint Session was convened by Speaker Philip Gunn.

Speaker Philip Gunn called on the committee composed of Senators Jackson S. (32nd), Parks and Michel and Representatives Karriem, Robinson and Roberson to escort Governor Tate Reeves and First Lady Elee Reeves to the dais.

The invocation was delivered by Pastor Rontal Jenkins, Board Member, District United Penacostal Church.

Speaker Philip Gunn introduced Lt. Governor Delbert Hosemann who presided over the Joint Session.

The National Anthem was performed by Specialist Sara Smith, Mississippi National Guard.

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

Lt. Governor Delbert Hosemann introduced Governor Tate Reeves who addressed the joint assembly:

“Thank you, Lieutenant Governor Hosemann and Speaker Gunn.

To members of the legislature and other public servants who would normally be here, I wish that we could be together today. We all know that normal has not been in the cards in 2020 or 2021 so far. But I know that you will be able to thoughtfully carry out your work even despite the challenges before us. I'm grateful for your service and I'm even more grateful for your friendship.

I'm very proud to be joined by my beautiful wife, who has been the steady hand I've needed during this tumultuous year. Elee, thank you for being a friend, a great Mom to our daughters, and a true partner in this work.

Ladies and gentlemen, I am here to say that our state is unconquerable. We have taken every hit that can be thrown. We've been tested by every force of nature, disease, and human frailty. It is already a miracle that our state is still standing, but we are not simply standing. We are marching forward.

In this year of crisis and confusion, there has been a solid foundation. It is the Mississippi spirit that binds all of us together. This is not a state of people who have cowered in the face of adversity.

We've got grit, and pride, and faith. We know how to overcome our differences and work together. We know how to do hard things. We know how to treat one another.

As we saw on Easter Sunday, this is a state of people who won't let a tornado leave the ground before arriving with chainsaws to clear their neighbors' land. As we saw after Zeta, it is a state of people who won't let the waves of a hurricane rush back to the sea before ensuring their neighbor has food and warmth. We are a state of people who step up, time and again, and have exceeded all expectations this year.

Tennessee Williams was a world-renowned playwright, and a son of Lowndes County, Mississippi. He once wrote that “The violets in the mountains have broken the rocks.” What he meant was that decency, kindness, empathy, and goodness always win, even when facing hardened opposition. That has

happened here, in our state, in our time. We've seen courage and compassion beat the forces of chaos and destruction in Mississippi. The victory isn't final, but we can see it here every day.

That victory is visible in the long hours of nurses, teachers, and first responders. It is visible in the lives saved by ordinary heroes administering care--physical, emotional, and spiritual--on a daily basis in our state.

It is because of those people that Mississippi was able to move forward when the rest of the world came to a halt. In Mississippi, we never stopped working. We never shut down our farms and we never shut down our factories. What we did slow down for safety, we opened up as quickly and as widely as we possibly could.

We've been cautious, never panicked. We've been safe, but not stubborn. Life cannot be lived in perpetual idleness and isolation. We realized that, and we've adapted our plans throughout the year--responding swiftly when the spread was most severe and opening up whenever it is possible.

And that has made a tremendous difference. Despite the once in a century pandemic, Mississippi's economy actually grew year over year. Think about that. We were the third-best state in the country for job recovery. We had more tourism spending return than any other state in the country--we were number one!

That's not just because of an open economy. It's because Mississippians don't want welfare, they want to work. They recognize the pride and dignity that comes with it, and they've been eager to return when given the opportunity.

It is also why, as we look forward, we cannot be content with where we are. We can never simply say "that's good enough."

I don't want to compete with the Mississippi of the last fifty years. I don't want to compete with Mississippi of the last decade. I don't want to compete with Mississippi of last year. I want to compete with the best--Florida, Georgia, Tennessee, Texas. Because I know we can compete, and I know we can win.

We can get in the ring with anybody, and we can leave with more jobs and

higher wages. Mississippians can bring more skill and dedication to any project than anyone else, anywhere in the world. We work harder than anyone. Why shouldn't we get the best jobs, the best expansions, and best headquarters? I believe we can. And as Mississippi's own, the great Dizzy Dean, once said: "If you can do it, it ain't braggin'."

This is a time of global upheaval, uncertainty, and chaos. And it is in those times that fortunes are made. We need to make Mississippi's fortune today--this is the moment in our history to do it. We've chosen a new banner, we've improved our education, and we've shown the world that we're open for business. Now we need to go out and win high-paying jobs for the people of our state.

I believe that in order to fully capture the potential of this historic moment, we must think big. We need a bold move. This is the time for an action that will turn heads all across the country and get money and people flowing in. And I believe that move is the elimination of the income tax. It is a reward for our hard workers, and an incentive for others to invest here, to grow here, and to live here.

We can transform our economy. We can do it in a smart way, recognizing that it will take a few years to phase in. But we can change a generation of lives here, by attracting the jobs and wages we deserve. I am ready to work with legislators on this, and I know that there is an appetite for this type of boldness.

There are still many who say that we can't lower taxes because it puts new government spending at risk. And I understand that it is often good politics to act like something from the government is a gift. The far left has played that tune for generations.

But we have to be clear: the government does not have anything that it does not first take from a taxpayer. And the people of this state understand that. We have to respect the workers of Mississippi enough to recognize when we can show restraint and stop taking from them. Allow you to spend your money that you make, and it will grow our economy beyond belief.

I also believe we need to sharpen one particular tool to get our economy rolling--our state's workforce development. We don't need Mississippians to be stuck in low-paying jobs. We want them to embark on careers with good pay and

freedom. The best way to accomplish that is to help lift young Mississippians up--give them access to training that puts them in a position to succeed.

The legislature made great progress in this effort last legislative session. I'm very grateful for their work. Now, I'm calling on the legislature to continue their wise investments in this mission. It is essential. It is how we will succeed. It is how we will lift people out of poverty and into proud work. I know they share that goal.

That mission really begins years sooner, with a solid education. Mississippi has made incredible strides--number one in the nation in improvements. Now we need to, once again, set our sights even higher. This is not good enough, we can be better.

This year, in spite of tremendous pressure, we recognized that education is essential. It cannot be accomplished at scale without the incredible efforts of in-person educators. It seems obvious in hindsight, but there were tremendous headwinds. I know that we made the right decision to open our schools and allow our children and parents access to a true education.

We need to keep working. We need to keep fighting for every child to have access to the education that they deserve. We need to ensure that parents have the choice to save their child from a district that lets them down. And we need to reward our teachers for the exceptional, life-changing work that they do.

I support a teacher pay raise. I know the Senate has already passed the Lieutenant Governor's plan, and I know that the Speaker and the House have always been supportive of raises for teachers. I'll be eager to sign any raise that the legislature can send me. Our teachers have earned it. It's the right way to invest.

There's a lot more policy and politics to be hashed out in the coming year. Some of it is even important. But I know the people of Mississippi have heard a lot from me over the last year, so I want to keep this address on point. I want the people of Mississippi to know my focus for the weeks, months, and year ahead:

First, we need to crush this virus and get back to our way of life. The virus is still here, and it cannot be solved by ignoring it. We have to defeat it, because Mississippians are done. We're done burying loved ones who were lost to this

virus. We're done with stressed hospitals. We're done with the fearful talk of lockdowns and shutdowns. We're ready for community again.

We all want schools to flourish with children learning and playing carefree. We want businesses thriving, with crowds of customers joined together. We want to let down the constant guard, and be joyful together. We want to be unafraid of fellowship with our friends and our neighbors.

It is one thing to eliminate government restrictions. Most of those went away last summer. It is another to be truly free from fear, and to have no more anxiety when we come together.

It will be a great day when we can gather in stadiums, churches, restaurants and bars--shoulder to shoulder--without the quiet fear of COVID. When you can celebrate with strangers after a touchdown, sing loudly at a concert not muffled by a mask, and just live life without fear. True comradery. That day is coming. It's coming sooner than we think. There is one more hurdle to that: the rapid distribution of the Coronavirus vaccine.

I reject the false narrative that is being pushed by some which says this is our new normal. That even after vaccination, we need to continue to hide away and live in perpetual isolation and fear. That's just wrong.

This is it. This is our moment. We can see the light at the end of the tunnel, and Mississippi is sprinting towards it. Last weekend, we celebrated 100,000 vaccines delivered. That took us about six weeks. We've done **another** 100,000 vaccinations since then, and as we speak we are likely delivering our 200,000th vaccine! That's because we refused to accept a slow pace--we went from the worst state in the country at the beginning of the process to operating at peak capacity.

I promise that we will smash every roadblock. We will get this done as safely and quickly as we possibly can, and allow people to protect themselves from the virus. It is my most immediate priority, and I assure you it has my full attention.

I also have a personal goal. It's one that I know I will fall short of, but I'm still aiming at it daily. It is to cultivate more empathy. It's been in short supply in this world for some time now. That's been on display across our nation too. And too

often that leads us to see one another as enemies. It leads to corrosion in trust. We as a people cannot allow cruelty to win. We must rise above. We must love our neighbors as ourselves.

We'll always have spirited debate and disagreement. You can fight for what you believe in, while honoring the man or woman on the other side. Above all we have to understand that every Mississippian--every American--is on the same team. We all want to be treated with grace. And we're all made in the image of a perfect God. So, my goal is to act like it.

For me, that means looking out for those who need extra help. It means being honest with people--admitting what I don't know and working to be better. It means diligently working to make Mississippi an even more welcoming, prosperous state.

I'm incredibly lucky that I'm not in it alone. None of us are. We're surrounded by a legion of fellow Mississippians. People who care about you. People who want you to succeed, because they know we will all rise together. If we can just harness that, we can accomplish anything.

I know that our state has what it takes to be exceptional. And I know that with God's continued providence and our unconquerable spirit, together, we can get there.

May God bless you, and may God bless Mississippi."

On motion of Representative Roberson, the Joint Session was dissolved at 3:00 PM, and pursuant to motion by Senator Blackwell previously adopted, the Senate stood in recess.

REPORT OF COMMITTEE ON DRUG POLICY

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

S. B. No. 2278: Uniform Controlled Substances Act; revise schedules. Title Sufficient. Do Pass.

JORDAN, Chairman

REPORT OF COMMITTEES ON JUDICIARY, DIVISION A AND PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2087: Cemetery owners; authorize to disinter dead human remains for reinterment, reburial or delivery to a carrier for transportation. Title Sufficient. Do Pass.

WIGGINS, Chairman
BRYAN, Chairman

REPORT OF COMMITTEE ON PUBLIC PROPERTY

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

S. B. No. 2081: University of Mississippi Medical Center property; revise leasing authority by removing provision requiring mixed-use development. Title Sufficient. Do Pass.

S. B. No. 2651: Surplus property; clarify current policy to conform with federal regulations for the Department of Finance and Administration. Title Sufficient. Do Pass.

TURNER-FORD, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Anna Kate Powell, Mary Scott, Donald M. Swanberg, Elizabeth Lamar, Francis "Sonny" Owen Rains, Jr., Dorothy Seibel Davidson, James H. Archie, Jr., Joseph Lamar Mabry and Opal Harper.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, JANUARY 26, 2021

TWENTY-THIRD DAY, WEDNESDAY, JANUARY 27, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Absent--Chassaniol, Kirby, Norwood. Total--3.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Kirby.

The invocation was delivered by Senator Younger.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Audrey Harlston Barton of Stonewall, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Brenda Sims of Flowood, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM or the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 28, 2021.

The motion prevailed, and at 10:11 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON MEDICAID

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

S. B. No. 2252: Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement. Title Sufficient. Committee Substitute. Do Pass.

BLACKWELL, Chairman

REPORT OF COMMITTEE ON ECONOMIC AND WORKFORCE DEVELOPMENT

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

S. B. No. 2124: Mississippi Department of Employment Security; revise various provisions regarding authority of. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2296: Office of Workforce Development; exempt executive director from certain salary and compensation requirements. Title Sufficient. Do Pass.

PARKER, Chairman

MESSAGE FROM THE GOVERNOR
January 25, 2021

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

Francis Clark (Franc) Lee, Flowood, Mississippi, Mississippi Gaming Commission, term effective immediately and ends September 30, 2024.

Michael Ray (Mike) Patterson, D.C., Boyle, Mississippi, State Board of Chiropractic Examiners representing the Second Congressional District, term effective immediately and ending April 20, 2024, vice Dr. Dottie Pernell.

Betsy Anne Lum Lipscomb, DVM, Port Gibson, Mississippi, Mississippi Board of Animal Health as the beef cattle breeder and producer, four year term effective immediately and ending July 31, 2024.

Chatham Hurst (Chat) Phillips, II, Yazoo City, Mississippi, Mississippi Commission on Environmental Quality to represent the state at large, seven year term effective immediately and ending June 30, 2027.

Vicki Lynn Bryant Blackwell, Southaven, Mississippi, Mississippi Real Estate Commission as the real estate broker representing the First Congressional District, term effective February 16, 2021 and ending June 30, 2021, vice Alvin (Al) Gilles.

Vicki Lynn Bryant Blackwell, Southaven, Mississippi, Mississippi Real Estate Commission as the real estate broker representing the First Congressional District, four year term beginning July 1, 2021 and ending June 30, 2025.

Stephen Charles (Steve) Edds, Ridgeland, Mississippi, Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor.

Thomas Kevin (Kevin) Smith, DVM, Carriere, Mississippi, Mississippi Board of Veterinary Medicine representing the Second Supreme Court District, term effective immediately and ending June 30, 2025.

Tate Reeves
GOVERNOR

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

Francis Clark (Franc) Lee, Mississippi Gaming Commission, term effective immediately and ends September 30, 2024, Gaming.

Michael Ray (Mike) Patterson, D.C., State Board of Chiropractic Examiners, term effective immediately and ending April 20, 2024, Public Health and Welfare.

Betsy Anne Lum Lipscomb, DVM, Mississippi Board of Animal Health as the beef cattle breeder and producer, four year term effective immediately and ending July 31, 2024, Agriculture.

Chatham Hurst (Chat) Phillips, II, Mississippi Commission on Environmental Quality to represent the state at large, seven year term effective immediately and ending June 30, 2027, Environment Prot, Cons and Water Res.

Vicki Lynn Bryant Blackwell, Mississippi Real Estate Commission as the real estate broker, term effective February 16, 2021 and ending June 30, 2021, Business and Financial Institutions.

Vicki Lynn Bryant Blackwell, Mississippi Real Estate Commission as the real estate broker, four year term beginning July 1, 2021 and ending June 30, 2025, Business and Financial Institutions.

Stephen Charles (Steve) Edds, Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor, Judiciary, Division A.

Thomas Kevin (Kevin) Smith, DVM, Mississippi Board of Veterinary Medicine, term effective immediately and ending June 30, 2025, Agriculture.

REPORT OF COMMITTEE ON EDUCATION

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

S. B. No. 2678: Mandatory K-12 computer science curriculum; authorize the State Department of Education to implement. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2664: Early Learning Collaborative Act of 2013; prescribe standards and benchmarks. Title Sufficient. Do Pass.

S. B. No. 2527: Mississippi Critical Teacher Shortage Act; extend repealer on. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 6: Kimberly Kay Remak, Olive Branch, Mississippi, Mississippi Charter School Authorizer Board, term effective December 8, 2020 and ending August 30, 2022. Do Advise and Consent.

S. N. No. 7: Dr. Ronnie Lynn McGehee, Madison, Mississippi, State Board of Education, term effective immediately and ending June 30, 2028. Do Advise and Consent.

S. N. No. 20: Glen Vernon East, Gulfport, Mississippi, State Board of Education as the School Administrator, term effective immediately and ending June 30, 2023, vice Buddy Bailey. Do Advise and Consent.

S. N. No. 21: Angela Sade Wheeler Bass, Ph.D., Jackson, Mississippi, State Board of Education, term effective immediately and ending June 30, 2025, representing the First Supreme Court District, vice Johnny Franklin. Do Advise and Consent.

DEBAR, Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

S. B. No. 2788: Radar speed detection; revise provisions concerning use by Highway Patrol and municipal law enforcement in certain cities. Title Sufficient. Do Pass.

S. B. No. 2785: Driver's license requirements; exempt active duty military members, spouses and dependent children under certain conditions. Title Sufficient. Do Pass.

S. B. No. 2481: Memorial highways; revise MS 42 designation for U.S. Marshal Jake Green & County Deputy Lawrence Dunnam in Greene County. Title Sufficient. Committee Substitute. Do Pass.

BRANNING, Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 11: David Steen Wansley, Sr., Vicksburg, Mississippi, Appeals Board of the Mississippi Transportation Commission, four year term effective immediately and ending June 30, 2024. Do Advise and Consent.

BRANNING, Chairman

REPORT OF COMMITTEE ON LABOR

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

S. B. No. 2019: Ban the Box Act; enact. Title Sufficient. Do Pass.

S. B. No. 2248: Law enforcement officers; entitled to certain follow-up drug testing before loss of certification. Title Sufficient. Do Pass.

HORHN, Chairman

REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

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

S. B. No. 2392: County port and harbor commission; provide for holdover of appointees. Title Sufficient. Do Pass.

S. B. No. 2784: Administrative hearing procedures for Department of Marine Resources violations; clarify duties of Advisory Commission. Title Sufficient. Do Pass.

S. B. No. 2786: Mississippi Department of Marine Resources enforcement officers; revise functions of Marine Patrol Reserve Officers. Title Sufficient. Committee Substitute. Do Pass.

MORAN, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

S. B. No. 2419: State Medical Examiner fees; extend repealer on. Title Sufficient. Do Pass.

S. B. No. 2751: Mississippi Professional Massage Therapy Act; provide new requirements and delete the repealer thereon. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2754: Hospice licensure; authorize eligible participants who have not been given a terminally ill diagnosis if approved by CMMS. Title Sufficient. Do Pass.

S. B. No. 2759: Temporary Assistance for Needy Families; increase the monthly amount. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2762: Department of Human Services; permit use of a simplified reporting system. Title Sufficient. Do Pass.

BRYAN, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

S. B. No. 2279: Parole and probation; criminalize absconding. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2569: Urine; create the crime of selling or tampering with urine. Title Sufficient. Do Pass.

S. B. No. 2578: Arrest warrants; authorize electronic signatures. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2598: Department of Public Safety; revise licensing. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2117: Juvenile offenders; provide alternative sentencing and parole options. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2121: Intimate visual material; criminalize disclosure of. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2223: Arrest warrants; authorize issuance for sex offenses against children upon oral testimony. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2282: Youth detention; raise minimum age for youth commitment to state training school and secure detention. Title Sufficient. Do Pass.

S. B. No. 2573: Department of Public Safety; implement uniform reporting standards for jail census data & create & maintain a centralized database. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2283: Freedom of Roadway Act; enact. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

REPORT OF COMMITTEES ON
DRUG POLICY AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2119: Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription. Title Sufficient. Committee Substitute. Do Pass.

JORDAN, Chairman
FILLINGANE, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:25 PM in memory of Audrey Harlston Barton and Brenda Sims.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, JANUARY 27, 2021

S. B. No. 2879: Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE INSTITUTIONS OF HIGHER LEARNING – OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2021, THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2021, THE OFFICE OF ATTORNEY GENERAL FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; THE STATE FIRE ACADEMY FOR FISCAL YEAR 2021; AND THE MISSISSIPPI INSURANCE DEPARTMENT FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

TWENTY-FOURTH DAY, THURSDAY, JANUARY 28, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Absent--Chassaniol, Harkins, Kirby, Norwood. Total--4.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Kirby.

The invocation was delivered by Senator Barnett.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON CORRECTIONS

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

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact. Title Sufficient. Committee Substitute. Do Pass.

BARNETT, Chairman

REPORT OF COMMITTEE ON INSURANCE

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

S. B. No. 2603: Salvage or abandoned vehicles; authorize disposition by auction firms on behalf of insurers. Title Sufficient. Do Pass.

S. B. No. 2332: Comprehensive Hurricane Damage Mitigation Program; extend repealer on development and implementation of program. Title Sufficient. Do Pass.

S. B. No. 2336: MS First Responders Health and Safety Act; delay effective date of. Title Sufficient. Do Pass.

S. B. No. 2337: Surplus Lines Association; transfer fees collected by the association upon written request by certain officials. Title Sufficient. Do Pass.

S. B. No. 2623: Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2631: Mandated coverage under health insurance plans; revise definition of "telemedicine." Title Sufficient. Committee Substitute. Do Pass.

MICHEL, Chairman

REPORT OF COMMITTEE ON INSURANCE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 25: Elizabeth Ashley (Beth) Harkins, Madison, Mississippi, Mississippi Workers' Compensation Commission as the Commissioner representing the employee interest, six year term effective immediately and ending December 31, 2026. Do Advise and Consent.

MICHEL, Chairman

MESSAGE FROM THE LT. GOVERNOR
January 28, 2021

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

Lauren Michelle Hegwood, Brandon, Mississippi, Board of Directors for the Mississippi Industries for the Blind as an individual who has at least five years' actual

experience in marketing or a related field, term effective July 1, 2020 and ending June 30, 2024.

Delbert Hosemann
LT. GOVERNOR

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

Lauren Michelle Hegwood, Board of Directors for the Mississippi Industries for the Blind as an individual who has at least five years' actual experience in marketing or a related field, term effective July 1, 2020 and ending June 30, 2024, Public Health and Welfare.

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

Senator Blount moved that when the Senate adjourns, it adjourn in memory of James Rayford Woodrick of Ridgeland, MS.

Senators Michel, Horhn and Blount moved that when the Senate adjourns, it adjourn in memory of Leland Speed of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ann Fournet of Jackson, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Dickey Ross and Quinton Eugene Swords of Pontotoc, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of B. A. "Sonny" Stubblefield of Ecru, MS.

Senators Blackwell, Parker and McLendon moved that when the Senate adjourns, it adjourn in memory of David Hunter Manley of Southaven, MS.

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

Senator Blackwell moved that the Senate stand in recess until 5:00 PM or the last committee report is filed, at which time the Senate would then adjourn until 9:00 AM, Friday, January 29, 2021.

The motion prevailed, and at 10:13 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON APPROPRIATIONS

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

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2429: State-owned vehicles; create study committee to study the management of. Title Sufficient. Do Pass.

S. B. No. 2863: MDH; revise appropriation for FY2021 to allow purchase of accumulated compensatory time incurred before June 30, 2021. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2879: Appropriations; additional appropriations for Institutions of Higher Learning (IHL). Title Sufficient. Committee Substitute. Do Pass.

HOPSON, Chairman

REPORT OF COMMITTEE ON TECHNOLOGY

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

S. B. No. 2394: Public officers and employees; revise policy regulating personal use of state-owned wireless communication devices. Title Sufficient. Do Pass.

DELANO, Chairman

REPORT OF COMMITTEE ON FINANCE

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

S. B. No. 2437: Distinctive motor vehicle license tags; authorize for Wildlife Mississippi. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2507: Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs. Title Sufficient. Do Pass.

S. B. No. 2814: Unemployment benefits; allow withholding for state income taxes, corresponding to withholding for federal income taxes. Title Sufficient. Do Pass.

S. B. No. 2815: Motor vehicles; remove requirement for apportioned vehicles to have decal with expiration month and year on license tag. Title Sufficient. Do Pass.

S. B. No. 2816: Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors. Title Sufficient. Do Pass.

S. B. No. 2828: Alcoholic Beverage Control Division; remove provision that agents and inspectors do not have general police powers. Title Sufficient. Do Pass.

S. B. No. 2811: Abandoned manufactured or mobile homes; establish procedure for disposition. Title Sufficient. Do Pass.

S. B. No. 2830: New Markets Tax Credit; extend MDA's ability to allocate by one year. Title Sufficient. Do Pass.

S. B. No. 2833: Motor Vehicle Commission Law; provide obligations of manufacturers, distributors & dealers regarding rates for parts and labor. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEES ON
ECONOMIC AND WORKFORCE DEVELOPMENT AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2521: Mississippi Advantage Jobs Act; revise definition of "new direct job" for incentive applicants from and after July 1, 2010. Title Sufficient. Do Pass.

PARKER, Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON ENERGY

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

S. B. No. 2372: Oil and gas; to extend repeal date on the use of the conservation fund to plug orphan or gas wells. Title Sufficient. Do Pass.

S. B. No. 2373: Motor fuel sales; provide immunity for damages caused by the use of incompatible fuel upon certain conditions. Title Sufficient. Do Pass.

S. B. No. 2559: Public Service Commission; may contract with federal agencies for the collection of data and mapping of broadband availability. Title Sufficient. Do Pass.

S. B. No. 2649: Energy efficiency contracts; extend repeal date on use of. Title Sufficient. Do Pass.

S. B. No. 2798: Broadband services; provide for the participation of investor-owned electric utilities in the expansion of. Title Sufficient. Committee Substitute. Do Pass.

CARTER, Chairman

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

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

S. B. No. 2204: Revised LLC Act and MS Registered Agents Act; require listing of registered agent's email address. Title Sufficient. Do Pass.

S. B. No. 2626: MS Business Corporation Act; amend to allow corporations to hold annual or special shareholder meetings remotely. Title Sufficient. Do Pass.

S. B. No. 2627: Home inspector license; require applicants to undergo certain background checks. Title Sufficient. Do Pass.

S. B. No. 2628: Credit Availability Act; extend repealer on. Title Sufficient. Do Pass.

CAUGHMAN, Chairman

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

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

S. B. No. 2313: Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness. Title Sufficient. Do Pass.

PARKS, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

S. B. No. 2086: Child advocacy centers; immunity from civil liability. Title Sufficient. Do Pass.

S. B. No. 2253: Concealed carry weapons permit; combine with driver's license or identification card. Title Sufficient. Do Pass.

S. B. No. 2324: Bad Faith Assertions of Patent Infringement; extend repealer on. Title Sufficient. Do Pass.

S. B. No. 2434: Capitol police; transfer to Department of Public Safety. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2456: Open Meetings Law; allow executive sessions for certain discussions by public hospital boards. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2483: Electric bicycles; classify as bicycles and not as motor vehicles, and regulate. Title Sufficient. Do Pass.

S. B. No. 2621: Task Force; establish to study domestic law matters. Title Sufficient. Committee Substitute. Do Pass.

WIGGINS, Chairman

REPORT OF COMMITTEES ON
LABOR AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2792: Fresh Start Act of 2019; expand. Title Sufficient. Do Pass.

HORHN, Chairman
WIGGINS, Chairman

MESSAGE FROM THE MS TRANSPORTATION COM
January 27, 2021

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

Margaret Melinda L. McGrath, Clinton, Mississippi, Executive Director of the Mississippi Department of Transportation, term set to expire April 1, 2025.

Tom King, Chairman
MS TRANSPORTATION COM

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

Margaret Melinda L. McGrath, Executive Director of the Mississippi Department of Transportation, term set to expire April 1, 2025, Highways and Transportation; Accountability, Efficiency, Transparency.

MESSAGE FROM THE GOVERNOR
January 28, 2021

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

Franklin Keith Davis, DVM, Hattiesburg, Mississippi, Mississippi Board of Veterinary Medicine representing the Second Supreme Court District, five year term beginning July 1, 2021 and ending June 30, 2026.

Stuart G. Denman, Jr., DVM, Charleston, Mississippi, Mississippi Board of Veterinary Medicine representing the Third Supreme Court District, term effective immediately and ending June 30, 2024.

Tate Reeves
GOVERNOR

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

Franklin Keith Davis, DVM, Mississippi Board of Veterinary Medicine, five year term beginning July 1, 2021 and ending June 30, 2026, Agriculture.

Stuart G. Denman, Jr., DVM, Mississippi Board of Veterinary Medicine, term effective immediately and ending June 30, 2024, Agriculture.

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

S. B. No. 2077: Central Market Board; abolish and transfer functions to the Department of Agriculture and Commerce. Title Sufficient. Do Pass.

S. B. No. 2098: State Board of Funeral Service; extend repealer on. Title Sufficient. Do Pass.

S. B. No. 2188: State agencies; revise reporting requirements when personnel actions are exempted from State Personnel Board procedures. Title Sufficient. Do Pass.

S. B. No. 2511: Salary cap; exempt attorneys employed by Attorney General from. Title Sufficient. Do Pass.

S. B. No. 2544: University of Mississippi Medical Center; create joint committee to study the organization of. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2689: State Auditor; increase fee which may be charged for performing audits and other services. Title Sufficient. Do Pass.

S. B. No. 2797: Department of Public Safety; revise authority, adjust trooper salaries, make technical amendments. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature. Title Sufficient. Do Pass.

S. B. No. 2827: Public purchases; specify prequalification process for construction manager at risk soliciting bids for projects. Title Sufficient. Do Pass.

S. B. No. 2189: Counties and municipalities; authorize to offer Medicare eligible employees supplemental compensation if employees secure Medicare. Title Sufficient. Do Pass.

POLK, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:28 PM in memory of James Rayford Woodrick, Jerry Beard, Leland Speed, Ann Fournet, Dickey Ross, Quinton Eugene Swords, B. A. "Sonny" Stubblefield, David Hunter Manley and Mary Thomas.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, JANUARY 28, 2021

TWENTY-FIFTH DAY, FRIDAY, JANUARY 29, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, Michel, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--42.

Absent--Branning, Carter, Chassaniol, Harkins, Hill, Kirby, McMahan, Moran, Norwood, Parks. Total--10.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Kirby.

The invocation was delivered by Senator Sparks.

Senator Jackson R. (11th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Mary Jane Plett and Frances Abraham Thomas of Vicksburg, MS.

Senators Jackson R. (11th) and Horhn moved that when the Senate adjourns, it adjourn in memory of Cicely Tyson of Harlem, NY.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Wallace Burnell Lott, Edna Breland Ross, Margie Ann Bond and Paul Prine of Wiggins, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Dr. Robert Edmund Pearce of Baton Rouge, LA.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Timothy Alan White of St. Martin Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Kendall Ray "Rambo" Duncan of Poplarville, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Shaylaree Antoine Smith of Jackson, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Jacqueline Mohle of Brandon, MS.

Senator Blackwell moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 1, 2021.

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

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Mary Jane Plett, Frances Abraham Thomas, Shaylaree Antoine Smith, Jacqueline Mohle, Cicely Tyson, Wallace Burnell Lott, Edna Breland Ross, Margie Ann Bond, Paul Prine, Dr. Robert Edmund Pearce, Timothy Alan White and Kendall Ray "Rambo" Duncan.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, JANUARY 29, 2021

S. B. No. 2880: Local and Private

AN ACT TO AMEND CHAPTER 834, LOCAL AND PRIVATE LAWS OF 1988, AS LAST AMENDED BY CHAPTER 942, LOCAL AND PRIVATE LAWS OF 1997, TO RECONSTITUTE THE MEMBERSHIP OF THE CALEDONIA NATURAL GAS DISTRICT BOARD OF COMMISSIONERS AS NATURAL GAS USERS RATHER THAN AS RESIDENTS OF THE DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Younger

S. B. No. 2881: Local and Private

AN ACT TO AMEND CHAPTER 925, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 914, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF BROOKHAVEN, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FROM HOTELS, MOTELS AND BED-AND-BREAKFAST ESTABLISHMENTS WITHIN THE CITY; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2882: Local and Private

AN ACT TO AMEND CHAPTER 918, LOCAL AND PRIVATE LAWS OF 2017, AS AMENDED BY CHAPTER 946, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE, FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW AUTHORIZING CONTRIBUTIONS BY THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO THE UNITED WAY OF LOWNDES COUNTY; TO INCREASE THE MAXIMUM ANNUAL AMOUNT OF SUCH CONTRIBUTIONS FROM \$130,000.00 to \$150,000.00 FOR FISCAL YEARS 2021, 2022 AND 2023; AND FOR RELATED PURPOSES.

By Senator(s) Younger

TWENTY-EIGHTH DAY, MONDAY, FEBRUARY 1, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Absent--Branning, Harkins, Norwood. Total--3.

The Secretary announced a quorum present.

The invocation was delivered by Senator Williams, written by Rev. Jim Genesse, Senior Pastor, First United Methodist Church, Starkville, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON ELECTIONS

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

S. B. No. 2589: Municipal executive committees; require county executive committee to appoint. Title Sufficient. Do Pass.

S. B. No. 2590: Political parties; require interim officers for registration purposes. Title Sufficient. Do Pass.

S. B. No. 2592: Absentee ballot; revise application form. Title Sufficient. Committee Substitute. Do Pass.

TATE, Chairman

REPORT OF COMMITTEE ON MUNICIPALITIES

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

S. B. No. 2605: Golf carts and low-speed vehicles; authorize municipalities to permit operation on municipal streets. Title Sufficient. Do Pass.

SIMMONS (12TH), Chairman

REPORT OF COMMITTEE ON CONSTITUTION

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

S. C. R. No. 501: Constitution; amend Section 273 to revise initiative signature requirements and limit initiatives to one proposal of law. Title Sufficient. Committee Substitute. Do Be Adopted.

JOHNSON, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

S. B. No. 2260: Public official corruption; authorize prosecution by Attorney General upon request of the State Auditor. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2352: Liquefied petroleum gas providers; provide affirmative defense in civil actions for damage or injury caused by certain circumstances. Title Sufficient. Do Pass.

S. B. No. 2638: Electronic documents; provide recording procedure for counties without electronic-recording capability. Title Sufficient. Do Pass.

S. B. No. 2022: Justice courts; required to accept electronic filing. Title Sufficient. Do Pass.

S. B. No. 2205: Birth certificate; adoptee may obtain certified copy of original after 18 years. Title Sufficient. Do Pass.

WIGGINS, Chairman

REPORT OF COMMITTEE ON FINANCE

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

S. B. No. 2806: Department of Revenue; bring forward code sections relating to ABC Division and authority to contract for services. Title Sufficient. Do Pass.

S. B. No. 2839: SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate. Title Sufficient. Do Pass.

S. B. No. 2843: Tax; remove requirement that taxpayers with average liability of at least \$50,000 remit 75% of June liability by June 25. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2868: Qualified resort areas; include a municipality through which run Mississippi Highway 27 and Mississippi Highway 28. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2872: Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area. Title Sufficient. Do Pass.

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEE ON FINANCE

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

S. B. No. 2807: Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEES ON
VETERANS AND MILITARY AFFAIRS AND FINANCE

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2293: Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person. Title Sufficient. Do Pass.

SEYMOUR, Chairman
HARKINS, Chairman

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Louis Cortez Byrd of Brookhaven, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Mary Evelyn Strickland Hawkins of Redding, CA.

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

Senators McMahan and Sparks moved that when the Senate adjourns, it adjourn in memory of Clay Coleman of Mantachie, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Cecil Larry Hollinghead, Sr. of Lucedale, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Mrs. Maxine Peeples Shepherd of Sunflower Plantation, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dorothy Stanfield Trunzler of Jackson, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Paul Douglas Thompson, April Renae Mullinax, Donald "Don" Patrick Delaney, Barbara Anderson and Ruby F. Davis of Meridian, MS.

Senator Blackwell moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 2, 2021.

The motion prevailed, and at 4:09 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON COUNTY AFFAIRS

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

S. B. No. 2024: Depositories; revise bid process for selection by counties and municipalities. Title Sufficient. Do Pass.

S. B. No. 2630: County law library; authorize use of money for technological purposes. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2643: Service of tax sale notices; revise to allow service by a constable. Title Sufficient. Do Pass.

HILL, Chairman

REPORT OF COMMITTEES ON
MUNICIPALITIES AND COUNTY AFFAIRS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2261: Perpetual cemetery law; revise notice and maintenance provisions for counties and municipalities. Title Sufficient. Committee Substitute. Do Pass.

SIMMONS (12TH), Chairman
HILL, Chairman

REPORT OF COMMITTEE ON MEDICAID

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

S. B. No. 2799: Mississippi Medicaid Program; make technical amendments to reimbursements and administration. Title Sufficient. Committee Substitute. Do Pass.

BLACKWELL, Chairman

REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

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

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S. B. No. 2035: Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2095: Hunting & fishing licenses; include manager or member of LLC owning land within exemption for resident landowners. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2787: Water skiing; revise safety requirements. Title Sufficient. Do Pass.

S. B. No. 2486: State parks; restructure ownership and management arrangements. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2487: Wild hogs; clarify designation of Class I violation for transportation of, and eliminate permits. Title Sufficient. Do Pass.

WHALEY, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:20 PM in memory of Louis Cortez Byrd, Mary Evelyn Strickland Hawkins, Barbara Anderson, Ruby F. Davis, Roger Campbell, Clay Coleman, Cecil Larry Hollinghead, Sr., Mrs. Maxine Peebles Shepherd, Dorothy Stanfield Trunzler, Paul Douglas Thompson, April Renae Mullinax and Donald "Don" Patrick Delaney.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, FEBRUARY 1, 2021

TWENTY-NINTH DAY, TUESDAY, FEBRUARY 2, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Absent--Branning, DeLano, Harkins. Total--3.

The Secretary announced a quorum present.

The invocation was delivered by Senator Boyd, written by Rev. Don Gann, Senior Pastor, First Baptist Church, Oxford, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Virginia Wallace Robinson of Pinola, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Dr. Wiley Carter Hutchins of Columbus, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Lt. Michael Anthony Boutte, Sr. of Carriere, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Joseph M. Abbott, Sr. of Summit, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Robin Morris of Canton, MS.

Senator Blackwell moved that the Senate stand in recess until 4:00 PM.

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

The Senate resumed business at 4:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

S. B. No. 2107: Firearms; prohibit local governments and state agencies from restricting possession. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2565: Concealed carry; allow licensee to update permanent address information online. Title Sufficient. Do Pass.

S. B. No. 2572: DUI law; revise fourth offense of and require all expunctions to be confidentially registered. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

REPORT OF COMMITTEES ON
CORRECTIONS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2574: Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC. Title Sufficient. Do Pass.

BARNETT, Chairman
FILLINGANE, Chairman

REPORT OF COMMITTEE ON FINANCE

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

S. B. No. 2764: Mississippi Medical Marijuana Program; create and provide fines, administration requirements, and fees related to the program. Title Sufficient. Do Pass.

S. B. No. 2765: Mississippi Medical Cannabis Act; create. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2877: Net lottery proceeds; allocate to counties and municipalities for road and bridge repairs, instead of to State Highway Fund. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2831: Historic structure income tax credit; authorize sale or transfer. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEES ON
TOURISM AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2606: Mississippi Native Spirit Law; create. Title Sufficient. Do Pass.

CHASSANIOL, Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

S. B. No. 2727: Department of Archives & History; bring forward provisions establishing the department and its board of directors. Title Sufficient. Do Pass.

S. B. No. 2184: Occupational Licensing Review Commission; require supervision of civil actions brought by occupational licensing boards. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2196: Appointment of officers; require Governor and Lt. Governor to make appointments to fill vacant offices within a certain period of time. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2820: Department of Tourism; create. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2809: Public records; delete repealer on provision requiring public access to records. Title Sufficient. Committee Substitute. Do Pass.

POLK, Chairman

REPORT OF COMMITTEES ON
PORTS AND MARINE RESOURCES AND PUBLIC PROPERTY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2653: Public Trust Tidelands; provide a procedure for the removal of submerged logs. Title Sufficient. Do Pass.

MORAN, Chairman
TURNER-FORD, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

S. B. No. 2004: Health Care CON; delete moratorium on child/adolescent psychiatric or chemical dependency beds and Medicaid reimbursement. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman

REPORT OF COMMITTEE ON APPROPRIATIONS

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

S. B. No. 2474: Department of Health; allow charges between agencies for services provided under the medical marijuana program. Title Sufficient. Do Pass.

HOPSON, Chairman

REPORT OF COMMITTEES ON
ENERGY AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2018: Mississippi Telephone Solicitation Act; extend repealer on provision requiring deposit of fees to State General Fund. Title Sufficient. Do Pass.

CARTER, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
INSURANCE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2602: Nonadmitted insurer policy fee; divert certain amount to fund fire trucks and fire apparatus/protection grants. Title Sufficient. Do Pass.

MICHEL, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
PUBLIC HEALTH AND WELFARE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2426: Department of Human Services; establish a grant program for regional food banks. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2221: Mississippi Dementia Care Program; create pilot program for assistance to caregivers for those with Alzheimer's or Dementia. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON

UNIVERSITIES AND COLLEGES AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2547: Scholarship eligibility requirements; increase minimum ACT scores for MTAG, HELP and MESG. Title Sufficient. Committee Substitute. Do Pass.

PARKS, Chairman
HOPSON, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

S. B. No. 2355: Age of majority; revise. Title Sufficient. Committee Substitute. Do Pass.

WIGGINS, Chairman

REPORT OF COMMITTEES ON
HOUSING AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2389: Domestic violence shelters; revise eligibility for funds. Title Sufficient. Do Pass.

BLACKMON, Chairman
WIGGINS, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

S. B. No. 2420: Temporary license for social workers; authorize to practice in nonprofit facilities. Title Sufficient. Do Pass.

S. B. No. 2746: Hudson's Law; require healthcare providers to provide information to parents who receive a postnatal diagnosis of down syndrome. Title Sufficient. Do Pass.

S. B. No. 2750: Pharmacists; authorize to test for and treat certain minor, nonchronic health conditions subject to certain requirements. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman

REPORT OF COMMITTEES ON
HOUSING AND PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2411: Services to individuals who are homeless or at risk of experiencing homelessness; DHS pilot project. Title Sufficient. Do Pass.

BLACKMON, Chairman
BRYAN, Chairman

MESSAGE FROM THE GOVERNOR
February 1, 2021

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

Gary Mack Grubbs, Hattiesburg, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective immediately and runs concurrently with Governor's term of office.

Tracy Koby Wofford, MAI, AI-GRS, Ridgeland, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the state at large, four year term beginning January 1, 2022 and ending December 31, 2025.

Scott Roach Shoemaker, Jackson, Mississippi, Mississippi State Personnel Board representing the First Supreme Court District, term effective immediately and ending June 30, 2023, vice Greg Moore.

Warren G. Rossi, Corinth, Mississippi, State Board of Cosmetology as a Third Supreme Court District representative, term effective immediately and ending March 28, 2023, vice Darlene L. Smith.

Tate Reeves
GOVERNOR

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

Gary Mack Grubbs, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective immediately and runs concurrently with Governor's term of office, Highways and Transportation.

Tracy Koby Wofford, MAI, AI-GRS, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the state at large, four year term beginning January 1, 2022 and ending December 31, 2025, Business and Financial Institutions.

Scott Roach Shoemaker, Mississippi State Personnel Board, term effective immediately and ending June 30, 2023, Accountability, Efficiency, Transparency.

Warren G. Rossi, State Board of Cosmetology as a Third Supreme Court District representative, term effective immediately and ending March 28, 2023, Public Health and Welfare.

Senator Blackwell moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 3, 2021.

The motion prevailed, and at 4:03 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON AGRICULTURE

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

S. B. No. 2072: Pecan Harvesting Law; revise penalties for violating. Title Sufficient. Do Pass.

S. B. No. 2076: Mississippi Fair Commission; remove repealer providing for the abolishment of. Title Sufficient. Committee Substitute. Do Pass.

YOUNGER, Chairman

REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

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

S. B. No. 2480: CWD; make testing of white-tailed deer harvested in enclosures discretionary with WF&P Department and Commission. Title Sufficient. Committee Substitute. Do Pass.

WHALEY, Chairman

REPORT OF COMMITTEES ON VETERANS AND MILITARY AFFAIRS AND WILDLIFE, FISHERIES AND PARKS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2499: Fishing and hunting licenses; free license for veterans who are 50% disabled or more. Title Sufficient. Do Pass.

SEYMOUR, Chairman
WHALEY, Chairman

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

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

S. B. No. 2624: MS Real Estate Commission; appeal from adverse ruling of commission shall act as a supersedeas. Title Sufficient. Committee Substitute. Do Pass.

CAUGHMAN, Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

S. B. No. 2478: Motor carrier safety improvements; prohibit consideration of use in evaluation of employment status. Title Sufficient. Do Pass.

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create. Title Sufficient. Committee Substitute. Do Pass.

BRANNING, Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 16: William Jarvis Van Devender, Jr., Jackson, Mississippi, Appeals Board of the Mississippi Transportation Commission, term effective December 29, 2020 and ending June 30, 2021. Do Advise and Consent.

BRANNING, Chairman

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

S. B. No. 2187: Universal Recognition of Occupational Licenses Act; enact. Title Sufficient. Committee Substitute. Do Pass.

POLK, Chairman

REPORT OF COMMITTEES ON APPROPRIATIONS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2834: Mississippi Historic Site Preservation Fund Grant Program; establish within Department of Archives and History. Title Sufficient. Do Pass.

S. B. No. 2854: Department of Public Safety; revise salaries of officers. Title Sufficient. Committee Substitute. Do Pass.

HOPSON, Chairman
POLK, Chairman

REPORT OF COMMITTEES ON
ENERGY AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2648: MS Geologic Sequestration of Carbon Dioxide Act; Oil and Gas Board shall have jurisdiction to enforce provisions of. Title Sufficient. Do Pass.

CARTER, Chairman
POLK, Chairman

REPORT OF COMMITTEES ON
FINANCE AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2435: Alcoholic beverages; revise various provisions relating to distilleries. Title Sufficient. Do Pass.

S. B. No. 2829: Department of Revenue; allow to use tag revenue to cover tag program expenses, with surplus lapsing into General Fund. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2835: Manufactured or mobile homes; bring forward provisions relating to the registration of. Title Sufficient. Do Pass.

HARKINS, Chairman
POLK, Chairman

REPORT OF COMMITTEES ON
PUBLIC HEALTH AND WELFARE AND ACCOUNTABILITY, EFFICIENCY,
TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2757: Hospital Cooperation Act of 2021; allow hospitals to enter into cooperative agreements. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman
POLK, Chairman

REPORT OF COMMITTEES ON
UNIVERSITIES AND COLLEGES AND ACCOUNTABILITY, EFFICIENCY,
TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2536: Athletics; enact the "Mississippi Fairness Act." Title Sufficient. Committee Substitute. Do Pass.

PARKS, Chairman
POLK, Chairman

REPORT OF COMMITTEES ON
VETERANS AND MILITARY AFFAIRS AND ACCOUNTABILITY, EFFICIENCY,
TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

S. B. No. 2165: Veterans Service Officers; revise certain qualifications and requirements. Title Sufficient. Do Pass.

SEYMOUR, Chairman
POLK, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:18 PM in memory of Virginia Wallace Robinson, Dr. Wiley Carter Hutchins, Lt. Michael Anthony Boutte, Sr., Joseph M. Abbott, Sr. and Robin Morris.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, FEBRUARY 2, 2021

THIRTIETH DAY, WEDNESDAY, FEBRUARY 3, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughtman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn,

Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Absent--Branning, DeLano, Harkins. Total--3.

The Secretary announced a quorum present.

The invocation was delivered by Senator Sparks.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

H. B. No. 106: State budget; revise provisions in several FY21 appropriation bills. Appropriations.

H. B. No. 199: Appropriation; additional for various state agencies for Fiscal Year 2021. Appropriations.

H. C. R. No. 1: Bobby Paschal Martin; commend life and legacy upon his passing. Rules.

H. C. R. No. 19: Day of Tears in Mississippi; recognize January 22, 2021, as. Rules.

Senator Hopson called up the following entitled bill:

S. B. No. 2429: State-owned vehicles; create study committee to study the management of.

YEAS AND NAYS On S. B. No. 2429. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons

D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--None.
Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2812: Motor vehicles; limit period for DOR's retention of certificates of title to 15 years.

YEAS AND NAYS On S. B. No. 2812. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--None.
Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2813: Amusement rides; change period for operating permit decals from 12 months to calendar year.

YEAS AND NAYS On S. B. No. 2813. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--None.
Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2437: Distinctive motor vehicle license tags; authorize for Wildlife Mississippi.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2437. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2814: Unemployment benefits; allow withholding for state income taxes, corresponding to withholding for federal income taxes.

YEAS AND NAYS On S. B. No. 2814. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2815: Motor vehicles; remove requirement for apportioned vehicles to have decal with expiration month and year on license tag.

YEAS AND NAYS On S. B. No. 2815. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2811: Abandoned manufactured or mobile homes; establish procedure for disposition.

YEAS AND NAYS On S. B. No. 2811. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2833: Motor Vehicle Commission Law; provide obligations of manufacturers, distributors & dealers regarding rates for parts and labor.

YEAS AND NAYS On S. B. No. 2833. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2831: Historic structure income tax credit; authorize sale or transfer.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2831. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Kirby called up the following entitled bill:

S. B. No. 2075: State parks; change name of Natchez State Park to "Bob M. Dearing Natchez State Park."

YEAS AND NAYS On S. B. No. 2075. On motion of Senator Kirby, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senators Barnett, Blackwell, Butler, Chassaniol, Chism, DeBar, Frazier, Hopson, Horhn, Jackson S. (32nd), McMahan, Michel, Simmons D. T. (12th), Simmons S. (13th) and Thomas as co-authors of **S. B. No. 2075**.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 502, S. C. R. No. 503, S. C. R. No. 504, S. C. R. No. 509, S. C. R. No. 510, S. C. R. No. 511, S. C. R. No. 512, S. C. R. No. 513, S. C. R. No. 514, S. C. R. No. 515, S. C. R. No. 516, S. C. R. No. 517, S. C. R. No. 518, S. C. R. No. 519 and S. R. No. 1 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 502: Remember the legacy of former Governor William F. Winter and extend deepest sympathy of the Legislature on his passing.

S. C. R. No. 503: Commend Aysa Branch for winning Miss USA.

S. C. R. No. 504: Ted Booth; commend for receiving the 2020 Legislative Staff Achievement Award from NCSL.

S. C. R. No. 509: Extend deepest sympathy of Legislature on the passing of Mississippi Sports Icon JSU Coach "W.C." Gorden.

S. C. R. No. 510: Mourn the passing of former Senator Tommy Moffatt, Sr., of Gautier, Mississippi, and commend his public and charitable service.

S. C. R. No. 511: Commend Leake Academy "Rebels" Football Team for winning the MAIS Class 5A State Championship.

S. C. R. No. 512: Commend the life of legendary college and NFL football player and Coach Ray Perkins from Petal, Mississippi.

S. C. R. No. 513: Recognize the Bicentennial Celebration of Franklin Academy in Columbus, the first public school in Mississippi.

S. C. R. No. 514: Extend sympathy of the Legislature to the family of the state's longest-serving Mayor, Dock Gabbert, of Derma, Mississippi.

S. C. R. No. 515: Extending condolences of Mississippi Legislature on the passing of Wiggins Mayor Joel Travis Miles and remembering his legacy.

S. C. R. No. 516: Pay tribute to the memory and career of pioneering country music superstar Charley Pride from Sledge, Mississippi.

S. C. R. No. 517: Pay tribute to the memory of former State Senator and Representative Nolan Mettetal.

S. C. R. No. 518: Commend Hillcrest Christian Fast Pitch Softball Team for MAIS State Championship.

S. C. R. No. 519: Commend Brookhaven High School "Panthers" Boys Cross-Country Team for second consecutive state championship.

S. R. No. 1: Commend Andy Ogletree for finishing his first Masters as Low Amateur.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 502, S. C. R. No. 503, S. C. R. No. 504, S. C. R. No. 509, S. C. R. No. 510, S. C. R. No. 511, S. C. R. No. 512, S. C. R. No. 513, S. C. R. No. 514, S. C. R. No. 515, S. C. R. No. 516, S. C. R. No. 517, S. C. R. No. 518, S. C. R. No. 519 and S. R. No. 1. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senators Barnett, Barrett, Blackwell, Blount, Boyd, Butler, Caughman, Chism, Frazier, Hopson, Horhn, Jackson S. (32nd), McLendon, Michel, Norwood, Seymour, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Turner-Ford, Williams and Witherspoon as co-authors of **S. C. R. No. 502**.

Unanimous consent was granted to add Senators Barnett, Barrett, Blackwell, Boyd, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hopson, Horhn, Jackson S. (32nd), McLendon, McMahan, Michel, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thompson, Turner-Ford, Whaley, Williams and Witherspoon as co-authors of **S. C. R. No. 503**.

Unanimous consent was granted to add Senators Barnett, Blackwell, Blount, Boyd, Chism, DeBar, Hopson, Horhn, Jackson S. (32nd), McLendon, Michel, Norwood, Seymour, Simmons D. T. (12th), Simmons S. (13th), Turner-Ford and Williams as co-authors of **S. C. R. No. 504**.

Unanimous consent was granted to add Senators Barnett, Blount, Butler, Caughman, Chism, Hopson, Horhn, Jackson S. (32nd), Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Williams and Witherspoon as co-authors of **S. C. R. No. 509.**

Unanimous consent was granted to add Senators Barnett, Barrett, Blackwell, Boyd, Chism, DeBar, England, Frazier, Hopson, Jackson S. (32nd), McLendon, Michel, Parker, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Whaley and Williams as co-authors of **S. C. R. No. 510.**

Unanimous consent was granted to add Senators Barnett, Chism, Jackson S. (32nd), Simmons D. T. (12th), Simmons S. (13th) and Williams as co-authors of **S. C. R. No. 511.**

Unanimous consent was granted to add Senators Barnett, Caughman, Chism, DeBar, Jackson S. (32nd), Johnson, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks and Williams as co-authors of **S. C. R. No. 512.**

Unanimous consent was granted to add Senators Barnett, Boyd, Chassaniol, Chism, Horhn, Jackson S. (32nd), McMahan, Simmons D. T. (12th), Simmons S. (13th), Turner-Ford and Williams as co-authors of **S. C. R. No. 513.**

Unanimous consent was granted to add Senators Barnett, Barrett, Chism, Jackson S. (32nd), McLendon, McMahan, Simmons D. T. (12th), Simmons S. (13th) and Williams as co-authors of **S. C. R. No. 514.**

Unanimous consent was granted to add Senators Barnett, Chism, DeBar, Jackson S. (32nd), McLendon, Simmons D. T. (12th), Simmons S. (13th), Thompson and Williams as co-authors of **S. C. R. No. 515.**

Unanimous consent was granted to add Senators Barnett, Barrett, Blackwell, Boyd, Chassaniol, Chism, DeBar, England, Frazier, Horhn, Jackson S. (32nd), McLendon, McMahan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Whaley, Williams and Witherspoon as co-authors of **S. C. R. No. 516.**

Unanimous consent was granted to add Senators Barnett, Barrett, Blackwell, Butler, Caughman, Chassaniol, Chism, DeBar, Frazier, Hopson, Jackson S. (32nd), McLendon, McMahan, Michel, Parker, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Whaley, Williams and Witherspoon as co-authors of **S. C. R. No. 517.**

Unanimous consent was granted to add Senators Barnett, Jackson S. (32nd), Simmons D. T. (12th), Simmons S. (13th), Thompson and Williams as co-authors of **S. C. R. No. 518**.

Unanimous consent was granted to add Senators Barnett, Jackson S. (32nd), Simmons D. T. (12th), Simmons S. (13th) and Williams as co-authors of **S. C. R. No. 519**.

Unanimous consent was granted to add Senators Barnett, Barrett, DeBar, Jackson S. (32nd), McLendon, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thompson and Williams as co-authors of **S. R. No. 1**.

Senator Fillingane called up the following entitled bill:

S. B. No. 2106: Off-duty law enforcement officers; authorized to use public vehicles for private security duty.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2106. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Carter, Caughman, Chassaniol, Chism, Fillingane, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Nays--Blackmon, Butler, DeBar, England, Frazier, Hopson, Jordan, Michel, Polk, Simmons D. T. (12th), Thomas, Turner-Ford, Witherspoon. Total--13.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Voting Present--Hill. Total--1.

Unanimous consent was granted to add Senator McMahan as co-author of **S. B. No. 2106**.

Senator Fillingane called up the following entitled bill:

S. B. No. 2270: Autopsies; provide for confidentiality of photographs and recordings of.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

Senator Boyd offered the following AMENDMENT NO. 1.

AMEND on line 25 by adding the following after the word "means":

: (i)

FURTHER, AMEND on line 26 by changing the period to a semicolon and adding the following:

and (ii) a photograph or video or audio recording of the crime scene taken by or used by the coroner or the medical examiner.

FURTHER, AMEND on line 50 by adding the following after the word "A":

coroner or a

Amendment No. 1 to S. B. No. 2270 was adopted.

Senator Tate offered the following AMENDMENT NO. 2.

AMEND on line 16 by adding the following after "41-61-66.":

(1) This section shall be referred to and may be cited as "Christian's Law."

FURTHER, AMEND by renumbering the subsequent subsections.

FURTHER, AMEND the title on line 1 after the word "ACT" the following:

TO ENACT "CHRISTIAN'S LAW";

Amendment No. 2 to S. B. No. 2270 was adopted.

YEAS AND NAYS On S. B. No. 2270. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senators McLendon, England, Sparks, Tate, Williams, Parker, Caughman, McMahan, Chassaniol, Barrett, Wiggins, Whaley, Thompson, Blackwell, Moran, Carter, Seymour, Jackson S. (32nd), Suber, Barnett, Parks, Chism, Younger and Fillingane as co-authors of **S. B. No. 2270**.

Senator Wiggins called up the following entitled bill:

S. B. No. 2020: Tribal identification cards; recognize as legal means of personal identification.

YEAS AND NAYS On S. B. No. 2020. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2068: Voyeurism; revise sentencing.

YEAS AND NAYS On S. B. No. 2068. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2552: Pretrial Intervention Program; prohibit eligibility for persons charged with public embezzlement over a certain amount.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2552. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2561: "Empower Reentry Through Licensing Act"; authorize provisional driver's licenses for eligible inmates.

YEAS AND NAYS On S. B. No. 2561. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senators Blount, Barnett, Horhn, Frazier, Norwood, Turner-Ford, Simmons D. T. (12th), Jordan, Simmons S. (13th), Jackson S. (32nd), Thomas, Butler and Witherspoon as co-authors of **S. B. No. 2561**.

Senator Blackwell called up the following entitled bill:

S. B. No. 2252: Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2252. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Voting Present--Hill, Jordan, McLendon, McMahan, Turner-Ford. Total--5.

Unanimous consent was granted to add Senator Horhn as co-author of **S. B. No. 2252**.

Senator Parker called up the following entitled bill:

S. B. No. 2124: Mississippi Department of Employment Security; revise various provisions regarding authority of.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2124. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2279: Parole and probation; criminalize absconding.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2279. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--Norwood, Simmons D. T. (12th). Total--2.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senators Hill, Fillingane, Carter, McMahan, Younger, Williams and Suber as co-authors of **S. B. No. 2279**.

Senator Fillingane called up the following entitled bill:

S. B. No. 2569: Urine; create the crime of selling or tampering with urine.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND by inserting on line 71 before the period the following:

", and shall stand repealed on June 30, 2021"

Amendment No. 1 to S. B. No. 2569 was adopted.

YEAS AND NAYS On S. B. No. 2569. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Butler, Turner-Ford, Witherspoon. Total--3.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2578: Arrest warrants; authorize electronic signatures.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2578. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1327: AN ACT TO AMEND SECTION 33-15-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS OF "STATE OF EMERGENCY", "LOCAL EMERGENCY" AND "NATURAL EMERGENCY" IN THE MISSISSIPPI EMERGENCY MANAGEMENT LAW TO INCLUDE "AN EPIDEMIC" AND "A PANDEMIC"; TO AMEND SECTION 33-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE A MAXIMUM TIME PERIOD FOR ANY STATE OF EMERGENCY OR DECLARATION OF EMERGENCY

IMPACT AREA; TO PROHIBIT CONTINUATIONS OF SUCH EMERGENCIES EXCEPT BY LEGISLATIVE ENACTMENT; TO CREATE NEW SECTION 41-39-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO RECEIVE AND STORE DEAD HUMAN BODIES WHEN THE GOVERNOR PROCLAIMS A STATE OF EMERGENCY AND INSUFFICIENT FACILITIES EXIST IN COUNTIES AND MUNICIPALITIES TO RECEIVE AND STORE THE BODIES; TO AMEND SECTIONS 41-61-61 AND 41-61-69, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

H. C. R. No. 10: A CONCURRENT RESOLUTION HONORING THE LIFE, LEGACY AND CONTRIBUTIONS OF MR. ARTHUR JAMES "JOBIE" ANDERSON, SR., AND EXPRESSING SINCEREST SYMPATHY UPON HIS PASSING.

H. C. R. No. 11: A CONCURRENT RESOLUTION COMMENDING THE MAGEE HIGH SCHOOL TROJANS FOOTBALL TEAM AND HEAD COACH TEDDY DYESS FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 3A STATE FOOTBALL CHAMPIONSHIP.

H. C. R. No. 20: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE AND OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM PANOLA, REPRESENTATIVE NOLAN METTETAL, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE UPON HIS PASSING.

H. C. R. No. 22: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING

H. C. R. No. 25: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM RANKIN, REPRESENTATIVE NOLAN "RAY" R. ROGERS, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE UPON HIS PASSING.

H. C. R. No. 27: A CONCURRENT RESOLUTION COMMENDING THE GALLANT SERVICE, LIFE AND LEGACY OF MISSISSIPPI HIGHWAY PATROL LIEUTENANT TROY MORRIS AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 30: A CONCURRENT RESOLUTION COMMENDING THE OUTSTANDING ACCOMPLISHMENTS OF AND CONGRATULATING THE SIX STELLAR HIGH SCHOOL ATHLETES WHO WERE NAMED RECIPIENTS OF THE 2020 MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA) MR. FOOTBALL AWARD.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

H. B. No. 109: AN ACT TO AMEND SECTIONS 27-103-125 AND 27-103-139, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY EXCEPTIONS FROM

THE REQUIREMENTS FOR PREPARING THE PROPOSED STATE BUDGET; TO AMEND SECTION 27-103-203, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE REGARDING TRANSFERS FROM THE WORKING CASH-STABILIZATION RESERVE FUND; TO AMEND SECTION 27-103-211, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY EXCEPTIONS TO THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR THE STATE BUDGET; TO AMEND SECTION 27-103-213, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE REGARDING THE DISTRIBUTION OF THE UNENCUMBERED CASH BALANCE IN THE STATE GENERAL FUND AT THE END OF THE FISCAL YEAR; TO AMEND SECTION 27-103-303, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE AUTHORIZING FUNDS IN THE CAPITAL EXPENSE FUND TO BE USED FOR THE EMERGENCY PLUGGING OF ORPHANED WELLS IDENTIFIED BY THE OIL AND GAS BOARD; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER THE FULL BALANCE IN THE MISSISSIPPI DEVELOPMENT AUTHORITY JOB TRAINING GRANT FUND INTO THE CAPITAL EXPENSE FUND; TO REPEAL SECTION 57-1-451, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI DEVELOPMENT AUTHORITY JOB TRAINING GRANT FUND; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND DURING FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

H. B. No. 211: AN ACT TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT OF INSURANCE BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; TO AMEND SECTIONS 83-1-27, 83-2-33, 83-2-35, 83-5-17, 83-5-41, 83-5-45, 83-5-69, 83-5-72, 83-5-73, 83-5-77, 83-9-3, 83-17-71, 83-17-519, 83-19-21, 83-21-1, 83-37-29, 83-39-3 AND 83-73-9, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISIONS OF LAW REQUIRING CERTAIN EXPENSES OF THE DEPARTMENT OF INSURANCE TO BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL FUND; TO PROVIDE THAT ALL UNEXPENDED AMOUNTS REMAINING IN THE INSURANCE DEPARTMENT FUND ABOVE THE SUM OF \$500,000.00 AT THE END OF EACH FISCAL YEAR SHALL LAPSE INTO THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

H. B. No. 212: AN ACT TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE STATE FIRE MARSHAL AND THE STATE FIRE ACADEMY BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; TO AMEND SECTIONS 45-11-3, 45-11-5 AND 45-11-7, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISIONS OF LAW REQUIRING CERTAIN EXPENSES OF THE STATE FIRE MARSHAL AND THE STATE FIRE ACADEMY TO BE DEFRAID BY APPROPRIATION FROM THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

H. B. No. 307: AN ACT TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GRANTS, CONTRACTS, PASS-THROUGH FUNDS, PROJECT FEES OR CHARGES FOR SERVICES BETWEEN THE STATE DEPARTMENT OF HEALTH AND OTHER STATE AGENCIES OR ENTITIES FOR THE OPERATION OF THE STATE'S MEDICAL MARIJUANA PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 750: AN ACT TO CREATE NEW SECTION 7-3-73, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE CREATION OF NOT MORE THAN TWO DEPUTY SECRETARIES OF STATE WHOSE QUALIFICATIONS SHALL BE THE SAME AS THAT OF THE SECRETARY OF STATE; TO AUTHORIZE THE DEPUTY SECRETARIES OF STATE TO PERFORM ANY DUTIES AND POWERS CONFERRED ON THE SECRETARY OF STATE AND TO SERVE IN HIS OR HER PLACE ON ANY NONCONSTITUTIONAL BOARD OR COMMISSION FOR A PARTICULAR MEETING OR SERIES OF CALLED OR REGULAR MEETINGS; AND FOR RELATED PURPOSES.

H. B. No. 1177: AN ACT TO AMEND SECTION 1-5-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE OFFICE OF THE SECRETARY OF STATE SHALL NOT PROVIDE COPIES OF THE GENERAL LAWS, JOURNALS AND LOCAL AND PRIVATE LAWS OF EACH SESSION OF THE LEGISLATURE FOR LEGISLATIVE COMMITTEE MEETING ROOMS IN THE NEW CAPITOL UNLESS SPECIFICALLY REQUESTED IN WRITING BY THE CLERK OF THE HOUSE OR THE SECRETARY OF THE SENATE FOR THE COMMITTEE ROOMS OF THEIR RESPECTIVE HOUSE; TO PROVIDE THAT ANY OTHER RECIPIENT OF THE GENERAL LAWS AND JOURNALS LISTED IN THIS SECTION MAY WAIVE THE RECEIPT OF THE GENERAL LAWS, JOURNALS OR BOTH BY WRITTEN REQUEST TO THE OFFICE OF THE SECRETARY OF STATE; TO DELETE THE AUTHORITY FOR THE LEGISLATIVE SERVICES OFFICES OF THE HOUSE AND SENATE TO RECEIVE ADDITIONAL COPIES OF THE GENERAL LAWS, JOURNALS AND LOCAL AND PRIVATE LAWS; TO PROVIDE THAT COPIES OF THE GENERAL LAWS, JOURNALS AND LOCAL AND PRIVATE LAWS SHALL BE PROVIDED TO THE LEGISLATIVE PEER COMMITTEE; TO CREATE NEW SECTION 23-17-42, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO INSERT INTO THE CONSTITUTION PROPOSED CHANGES, ALTERATIONS OR AMENDMENTS PROPOSED TO THE CONSTITUTION BY INITIATIVE OF THE PEOPLE OR LEGISLATIVE ALTERNATIVE IN THE SAME WAY THAT THE SECRETARY OF STATE INSERTS INTO THE CONSTITUTION PROPOSED CHANGES, ALTERATIONS OR AMENDMENTS PROPOSED TO THE CONSTITUTION THAT ARE PASSED BY THE LEGISLATURE; AND FOR RELATED PURPOSES.

H. B. No. 1251: AN ACT TO AMEND SECTIONS 71-3-73, 71-3-95, 71-3-97 AND 71-3-99, MISSISSIPPI CODE OF 1972, TO RETURN THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION TO A SPECIAL FUND AGENCY; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE COMMISSION BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; TO REPEAL SECTION 71-3-100, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ALL FUNDS RECEIVED BY THE COMMISSION SHALL BE DEPOSITED INTO THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

H. B. No. 1256: AN ACT TO AMEND SECTION 7-7-213, MISSISSIPPI CODE OF 1972, TO INCREASE THE FEE TO BE CHARGED BY THE STATE AUDITOR FOR PERFORMING AUDITS AND OTHER SERVICES; TO AMEND SECTION 7-7-211, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1284: AN ACT TO AMEND SECTIONS 27-19-99 AND 27-19-155, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT OF THE MOTOR VEHICLE REGISTRATION AND TAG FEES RECEIVED BY THE DEPARTMENT OF REVENUE, THE PORTION OF THE RECEIPTS EQUAL TO THE COST OF LICENSE TAGS, DECALS AND ASSOCIATED FREIGHT COSTS SHALL BE DEPOSITED INTO THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND; TO AMEND SECTION 27-19-179, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND MAY BE USED BY THE DEPARTMENT OF REVENUE FOR THE PURPOSE OF PAYING THE COSTS INCURRED FOR PURCHASING LICENSE TAGS AND DECALS AND ASSOCIATED FREIGHT COSTS; TO PROVIDE THAT ALL UNEXPENDED AMOUNTS REMAINING IN THE FUND ABOVE THE SUM OF \$500,000.00 AT THE END OF EACH FISCAL YEAR SHALL LAPSE INTO THE STATE GENERAL FUND; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT THE DEPARTMENT OF REVENUE LICENSE TAG FORMATIONS BE FUNDED BY APPROPRIATION OF THE LEGISLATURE FROM THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

H. B. No. 1290: AN ACT TO AMEND SECTION 7-5-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE PERSONNEL BOARD SHALL EXEMPT ASSISTANT AND SPECIAL ASSISTANT ATTORNEYS GENERAL FROM THE

STATUTORY MAXIMUM COMPENSATION LIMITATION WHEN THE ACQUISITION OF ATTORNEYS WITH THE SAME LEVEL OF EXPERTISE IS PRECLUDED BASED ON THE PREVAILING WAGE IN THE RELEVANT LABOR MARKET; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:50 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

Senator Michel called up the following entitled bill:

S. B. No. 2332: Comprehensive Hurricane Damage Mitigation Program; extend repealer on development and implementation of program.

YEAS AND NAYS On S. B. No. 2332. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Michel called up the following entitled bill:

S. B. No. 2336: MS First Responders Health and Safety Act; delay effective date of.

YEAS AND NAYS On S. B. No. 2336. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Michel called up the following entitled bill:

S. B. No. 2337: Surplus Lines Association; transfer fees collected by the association upon written request by certain officials.

YEAS AND NAYS On S. B. No. 2337. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Parker called up the following entitled bill:

S. B. No. 2521: Mississippi Advantage Jobs Act; revise definition of "new direct job" for incentive applicants from and after July 1, 2010.

YEAS AND NAYS On S. B. No. 2521. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Turner-Ford. Total--1.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senators McLendon and Blackwell as co-authors of **S. B. No. 2521**.

Senator Carter called up the following entitled bill:

S. B. No. 2372: Oil and gas; to extend repeal date on the use of the conservation fund to plug orphan or gas wells.

YEAS AND NAYS On S. B. No. 2372. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn,

Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Carter called up the following entitled bill:

S. B. No. 2373: Motor fuel sales; provide immunity for damages caused by the use of incompatible fuel upon certain conditions.

YEAS AND NAYS On S. B. No. 2373. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Blackmon, Butler, Frazier, Norwood, Simmons D. T. (12th), Witherspoon. Total--6.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Carter called up the following entitled bill:

S. B. No. 2559: Public Service Commission; may contract with federal agencies for the collection of data and mapping of broadband availability.

YEAS AND NAYS On S. B. No. 2559. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Carter called up the following entitled bill:

S. B. No. 2649: Energy efficiency contracts; extend repeal date on use of.

YEAS AND NAYS On S. B. No. 2649. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Carter called up the following entitled bill:

S. B. No. 2798: Broadband services; provide for the participation of investor-owned electric utilities in the expansion of.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2798. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Wiggins called up the following entitled bill:

S. B. No. 2324: Bad Faith Assertions of Patent Infringement; extend repealer on.

YEAS AND NAYS On S. B. No. 2324. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Wiggins called up the following entitled bill:

S. B. No. 2434: Capitol police; transfer to Department of Public Safety.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

Senators Horhn, Blount and Frazier offered the following AMENDMENT NO. 1.

AMEND by deleting subsection (7) on lines 88 through 94.

Amendment No. 1 to S. B. No. 2434 failed.

Senators Horhn, Frazier and Michel offered the following AMENDMENT NO. 2.

AMEND on line 303 by inserting the following language before the period:

", and shall stand repealed on April 30, 2021"

Amendment No. 2 to S. B. No. 2434 failed.

YEAS AND NAYS On S. B. No. 2434. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Barnett, Blackmon, Bryan, Butler, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Michel, Norwood, Simmons D. T. (12th), Simmons S. (13th), Witherspoon. Total--14.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Voting Present--Blount, Turner-Ford. Total--2.

Senator Horhn entered a motion to reconsider the vote whereby **S. B. No. 2434** passed the Senate.

Senator Whaley called up the following entitled bill:

S. B. No. 2035: Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

Senators Blackwell and Whaley offered the following AMENDMENT NO. 1.

AMEND on lines 42 and 43, delete the following:

and game birds

FURTHER, AMEND on line 43, add the following between the words "except" and "turkeys":

game birds,

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2035 was adopted.

YEAS AND NAYS On S. B. No. 2035. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Whaley called up the following entitled bill:

S. B. No. 2787: Water skiing; revise safety requirements.

YEAS AND NAYS On S. B. No. 2787. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--McMahan, Seymour. Total--2.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Bryan moved that the rules be suspended to move to calendar item 182, **S. B. No. 2004**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

S. B. No. 2004: Health Care CON; delete moratorium on child/adolescent psychiatric or chemical dependency beds and Medicaid reimbursement.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2004. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Rev. Benard Nail of Brandon, MS.

Senators Michel and Younger moved that when the Senate adjourns, it adjourn in memory of Nancy Landrum Jacks of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of T. Eddie Guillot, Sr. of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Hugh O. Hunt of Madison, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dennis M. Ford of Oxford, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Cammie Anne Cook of Lucedale, MS.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Major David Charles (Basie) Johnson of Brookhaven, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Kathy Merriett and Chester Hoover of Ferriday, LA.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 4, 2021.

The motion prevailed, and at 3:25 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Rev. Benard Nail, T. Eddie Guillot, Sr., Nancy Landrum Jacks, Hugh O. Hunt, Dennis M. Ford, Cammie Anne Cook, Major David Charles (Basie) Johnson, Kathy Merriett and Chester Hoover.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 3, 2021

S. B. No. 2883: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO DEFRAY EXPENSES OF THE NURSING FORGIVABLE LOAN PROGRAM ADMINISTERED BY THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Butler, Witherspoon

S. B. No. 2884: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES FOR STEM-RELATED PROGRAMS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Butler, Witherspoon

S. B. No. 2885: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE SEVENTH CIRCUIT COURT DISTRICT, HINDS COUNTY, TO DEFRAY EXPENSES FOR ADDITIONAL CONTRACTUAL ASSISTANT DISTRICT ATTORNEYS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Horhn, Butler, Blount, Michel, Norwood

S. B. No. 2886: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF SCOоба TO DEFRAY EXPENSES FOR REPAIR AND RENOVATION OF THE TOWN BASEBALL FIELD FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2887: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HATTIESBURG, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION AND REPAIR OF STORMWATER AND WASTEWATER INFRASTRUCTURE; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2888: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE 3-D SCHOOL FOR CHILDREN WITH DYSLEXIA IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF FACILITIES FOR ITS PINE BELT CAMPUS IN PETAL, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

S. B. No. 2889: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF BROOKHAVEN, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH VARIOUS INFRASTRUCTURE IMPROVEMENTS, INCLUDING WATER, SEWER AND ROAD IMPROVEMENTS, AND THE CONSTRUCTION OF A NEW ANIMAL SHELTER; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2890: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF WEBSTER COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A NEW COMMAND CENTER AND JAIL FACILITY; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2891: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CHOCTAW COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPAIRS TO CHESTER-TOMNOLEN ROAD; AND FOR RELATED PURPOSES.

By Senator(s) Williams

S. B. No. 2892: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH CONSTRUCTION AND IMPROVEMENTS ON BOZEMAN ROAD; AND FOR RELATED PURPOSES.

By Senator(s) Michel, Blackmon, Horhn, Thomas

S. B. No. 2893: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WATER VALLEY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE INSTALLATION OF A SAND TRAP TO PROTECT ITS SEWAGE LAGOON; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2894: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WATER VALLEY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPLACEMENT OF SEWAGE LINES; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2895: Finance

AN ACT TO PROVIDE THE ASSESSMENT RATIO FOR PROPERTY OWNED BY TRANSFORMATIVE ENERGY PROJECTS; TO BRING FORWARD SECTION 27-35-4, MISSISSIPPI CODE OF 1972, WHICH RELATES TO RATES OF ASSESSMENT FOR PROPERTY, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-31-104, MISSISSIPPI CODE OF 1972, WHICH RELATES TO GRANT OF FEE-IN-LIEU OF AD VALOREM TAXES FOR CERTAIN PROJECTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 2896: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE PRECONSTRUCTION, DESIGN, ENGINEERING, LAND ACQUISITION, RIGHT-OF-WAY ACQUISITION, CONSTRUCTION AND DEVELOPMENT OF THE COMMERCE PARK CONNECTOR PROJECT FROM LAKE HARBOUR DRIVE TO HIGHLAND COLONY PARKWAY IN MADISON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Horhn, Michel

S. B. No. 2897: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF FOREST, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PAVING OF STREETS IN AND AROUND THE COURTHOUSE SQUARE AND WITH BRINGING SIDEWALKS INTO COMPLIANCE WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

S. B. No. 2898: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF COMMISSIONERS OF PHILADELPHIA UTILITIES IN PHILADELPHIA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE MAINTENANCE AND REPAIR OF THE LEVEE SYSTEM PROTECTING THE WASTEWATER TREATMENT PLANT; AND FOR RELATED PURPOSES.

By Senator(s) Branning

S. B. No. 2899: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF PEARL, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF A BRIDGE EXTENDING FROM THE INTERSECTION OF THE EXTENSION OF WARE STREET AND RELOCATED ST. AUGUSTINE DRIVE TO PEARSON ROAD IN THE CITY OF PEARL; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

S. B. No. 2900: Finance

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

By Senator(s) Williams

S. R. No. 5: Rules

A RESOLUTION COMMENDING THE JUDICIAL CONTRIBUTIONS AND LEGACY OF THE HONORABLE JUDGE DOROTHY WINSTON COLOM, THE FIRST AFRICAN AMERICAN JUDGE IN MISSISSIPPI'S 14TH CHANCERY DISTRICT, AND EXTENDING THE BEST WISHES OF THE MISSISSIPPI SENATE.

By Senator(s) Turner-Ford

S. R. No. 6: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LUMBERTON HIGH SCHOOL "PANTHERS" FOOTBALL TEAM AND HEAD COACH ZACH JONES FOR WINNING THE MHSAA CLASS 1A FOOTBALL CHAMPIONSHIP.

By Senator(s) Polk

S. R. No. 7: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE OAK GROVE HIGH SCHOOL "WARRIORS" FOOTBALL TEAM AND HEAD COACH DREW CAUSEY FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 6A STATE FOOTBALL CHAMPIONSHIP.

By Senator(s) Polk

S. R. No. 8: Rules

A RESOLUTION PAYING TRIBUTE TO THE 52-YEAR LAW ENFORCEMENT CAREER OF CONSTABLE HOUSTON "HOOT" WEST OF CALEDONIA, MISSISSIPPI, WHO WAS LOST IN THE LINE OF DUTY, AND EXTENDING THE CONDOLENCES OF THE MISSISSIPPI SENATE TO HIS SURVIVING FAMILY.

By Senator(s) Younger

THIRTY-FIRST DAY, THURSDAY, FEBRUARY 4, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Absent--Branning, DeLano, Harkins. Total--3.

The Secretary announced a quorum present.

The invocation was delivered by Senator Whaley, written by Rev. Keith Keeton, Pastor, Senatobia United Methodist Church, Senatobia, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Hopson called up the following entitled bill:

S. B. No. 2725: State Budget; bring forward certain provisions and transfer funds.

YEAS AND NAYS On S. B. No. 2725. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Hopson called up the following entitled bill:

S. B. No. 2834: Mississippi Historic Site Preservation Fund Grant Program; establish within Department of Archives and History.

YEAS AND NAYS On S. B. No. 2834. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senator Butler as co-author of **S. B. No. 2834.**

Senator Johnson called up the following entitled bill:

S. B. No. 2477: Mississippi Home Corporation; remove reverter on statute granting authority to issue negotiable bonds and notes.

YEAS AND NAYS On S. B. No. 2477. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2728: Department of Revenue; allow retiring law enforcement officers to keep one issued sidearm each.

YEAS AND NAYS On S. B. No. 2728. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2832: Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026.

YEAS AND NAYS On S. B. No. 2832. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2850: Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership.

YEAS AND NAYS On S. B. No. 2850. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2816: Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors.

YEAS AND NAYS On S. B. No. 2816. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2828: Alcoholic Beverage Control Division; remove provision that agents and inspectors do not have general police powers.

YEAS AND NAYS On S. B. No. 2828. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Simmons D. T. (12th). Total--1.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2830: New Markets Tax Credit; extend MDA's ability to allocate by one year.

YEAS AND NAYS On S. B. No. 2830. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Johnson called up the following entitled bill:

S. B. No. 2807: Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2807. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Hill, Hopson, Horhn, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--Frazier, Norwood. Total--2.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Voting Present--Jackson S. (32nd). Total--1.

Senator DeBar called up the following entitled bill:

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state and passes background check.

On motion of Senator Hill, the Committee Substitute was adopted for consideration.

Senator Hill offered the following AMENDMENT NO. 1.

AMEND on line 384 by changing "thirty (30) to "fourteen (14)"

FURTHER, AMEND on lines 387 through 391 by deleting the underlined language thereon.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2267 was adopted.

YEAS AND NAYS On S. B. No. 2267. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to Senators Simmons D. T. (12th), Moran, Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon and Younger as co-authors of **S. B. No. 2267**.

Senator Wiggins called up the following entitled bill:

S. B. No. 2263: Cemeteries and burial grounds; make misleading filings unlawful.

Senator Wiggins offered the following AMENDMENT NO. 1.

AMEND on line 12 by changing the word "chapter" to "article"

Amendment No. 1 to S. B. No. 2263 was adopted.

Senator McMahan offered the following AMENDMENT NO. 2.

AMEND by adding the following section after line 53 and renumber subsequent section(s):

SECTION *. Section 75-63-71, Mississippi Code of 1972, is amended as follows:

75-63-71. (1) The information contained in or filed with any registration, statement, application or report may be made available to the public under such rules as the Secretary of State prescribes. Information in the possession of, filed with or obtained by the Secretary of State in connection with any investigation or examination under this article shall be confidential and exempt from the requirements of the Mississippi Public Records Act of 1983. No such information may be disclosed by the Secretary of State, or any of his officers or employees, unless necessary or appropriate in connection with a particular investigation or proceeding under this article or for any law enforcement purpose.

(2) Within thirty (30) days of the determination that a false filing has been made under Section 75-63-83 and upon the request of the person or persons who were the subject of the false filing, the Secretary of State shall release the name of the person or persons who made the false filing and the subject matter of the filing to the person or persons who were the subject of the filing. This subsection shall be retroactive.

FURTHER, AMEND the title to conform.

Senator Wiggins made a substitute motion to moved that **S. B. No. 2263** be recommitted to Judiciary, Division A, and the motion prevailed.

Senator DeBar called up the following entitled bill:

S. B. No. 2307: Dyslexia Awareness Training Program; require teachers to complete two hours of training for.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2307. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senator Younger as co-author of **S. B. No. 2307**.

Senator DeBar called up the following entitled bill:

S. B. No. 2305: William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create.

On motion of Senator Blount, the Committee Substitute was adopted for consideration.

Senator Hopson offered the following AMENDMENT NO. 1.

Amend on line 131 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to S. B. No. 2305 was adopted.

YEAS AND NAYS On S. B. No. 2305. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senators DeBar, Barnett, Barrett, Blackwell, Butler, Caughman, Chassaniol, Frazier, Jackson R. (11th), Jackson S. (32nd), Jordan, McLendon, McMahan, Norwood, Parker, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Williams and Witherspoon as co-authors of **S. B. No. 2305**.

Senator Barnett called up the following entitled bill:

S. B. No. 2553: State offenders in county jail; bring forward sections relating to.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2553. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Voting Present--Hopson, Turner-Ford. Total--2.

Unanimous consent was granted to add Senators Barnett, Butler, Chism, Hill, Jackson R. (11th), Jordan, McCaughn, McLendon, Norwood, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Williams and Younger as co-authors of **S. B. No. 2553**.

Senator Tate called up the following entitled bill:

S. B. No. 2113: Voting equipment; require certification by the United States Election Assistance Commission.

On motion of Senator Blount, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2113. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Whaley. Total--1.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senators Norwood, Jackson S. (32nd), England, Jordan, Butler, Thomas, Blount, Jackson R. (11th), Witherspoon, Barnett, Simmons S. (13th), Simmons D. T. (12th) and Frazier as co-authors of **S. B. No. 2113**.

Senator Jordan called up the following entitled bill:

S. B. No. 2278: Uniform Controlled Substances Act; revise schedules.

YEAS AND NAYS On S. B. No. 2278. On motion of Senator Jordan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Hopson entered a motion to reconsider the vote whereby **S. B. No. 2553** passed the Senate.

S. B. No. 2553: State offenders in county jail; bring forward sections relating to.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **S. B. No. 2373** passed the Senate.

S. B. No. 2373: Motor fuel sales; provide immunity for damages caused by the use of incompatible fuel upon certain conditions.

Senator Johnson entered a motion to reconsider the vote whereby **S. B. No. 2787** passed the Senate.

S. B. No. 2787: Water skiing; revise safety requirements.

Unanimous consent was granted to add Senator Simmons S. (13th) as a co-author of S. B. No. 2270.

S. B. No. 2270: Autopsies; provide for confidentiality of photographs and recordings of.

Senator Turner-Ford entered a motion to reconsider the vote whereby **S. B. No. 2521** passed the Senate.

S. B. No. 2521: Mississippi Advantage Jobs Act; revise definition of "new direct job" for incentive applicants from and after July 1, 2010.

Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:51 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

Senator Wiggins called up the following entitled bill:

S. B. No. 2087: Cemetery owners; authorize to disinter dead human remains for reinterment, reburial or delivery to a carrier for transportation.

YEAS AND NAYS On S. B. No. 2087. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator DeBar called up the following entitled bill:

S. B. No. 2664: Early Learning Collaborative Act of 2013; prescribe standards and benchmarks.

YEAS AND NAYS On S. B. No. 2664. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Voting Present--Hill. Total--1.

Senator DeBar called up the following entitled bill:

S. B. No. 2527: Mississippi Critical Teacher Shortage Act; extend repealer on.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2527. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Moran called up the following entitled bill:

S. B. No. 2392: County port and harbor commission; provide for holdover of appointees.

YEAS AND NAYS On S. B. No. 2392. On motion of Senator Moran, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Bryan called up the following entitled bill:

S. B. No. 2759: Temporary Assistance for Needy Families; increase the monthly amount.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2759. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Frazier, Hopson, Horhn, Jackson R.

(11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Witherspoon, Younger. Total--40.

Nays--Barrett, Chism, Hill, McDaniel, McMahan, Seymour, Sojourner, Tate, Williams. Total--9.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Unanimous consent was granted to add Senators Simmons D. T. (12th), Norwood, Jackson S. (32nd), Butler, Barnett, Blount, Turner-Ford, Frazier, Jordan, Thomas and Simmons S. (13th) as co-authors of **S. B. No. 2759**.

Senator Bryan called up the following entitled bill:

S. B. No. 2762: Department of Human Services; permit use of a simplified reporting system.

Senator McDaniel offered the following AMENDMENT NO. 1.

AMEND by deleting Section 2 on lines 18 and 19 and inserting the following:

"This act shall take effect July 1, 2021, and shall stand repealed on June 30, 2021."

Amendment No. 1 to S. B. No. 2762 was adopted.

YEAS AND NAYS On S. B. No. 2762. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Frazier, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Witherspoon, Younger. Total--44.

Nays--Chism, Hill, McDaniel, Sojourner, Williams. Total--5.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2117: Juvenile offenders; provide alternative sentencing and parole options.

On motion of Senator Thompson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2117. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2121: Intimate visual material; criminalize disclosure of.

On motion of Senator England, the Committee Substitute was adopted for consideration.

Senator Turner-Ford offered the following AMENDMENT NO. 1.

AMEND on line 142 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to S. B. No. 2121 failed.

YEAS AND NAYS On S. B. No. 2121. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Voting Present--Turner-Ford. Total--1.

Senator Fillingane called up the following entitled bill:

S. B. No. 2223: Arrest warrants; authorize issuance for sex offenses against children upon oral testimony.

On motion of Senator Hill, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2223. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2282: Youth detention; raise minimum age for youth commitment to state training school and secure detention.

YEAS AND NAYS On S. B. No. 2282. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Voting Present--Turner-Ford. Total--1.

Senator Fillingane called up the following entitled bill:

S. B. No. 2573: Department of Public Safety; implement uniform reporting standards for jail census data & create & maintain a centralized database.

On motion of Senator Barnett, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2573. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Barrett. Total--1.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Fillingane called up the following entitled bill:

S. B. No. 2283: Freedom of Roadway Act; enact.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2283. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Hill, Hopson, Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Blount, Bryan, Butler, Frazier, Horhn, Jackson R. (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas, Witherspoon. Total--11.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Jordan called up the following entitled bill:

S. B. No. 2119: Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

Senator Fillingane offered the following AMENDMENT NO. 1.

AMEND on lines 35 and 36 by deleting the following:

or any drug pursuant to 21 CFR 1306.26

Amendment No. 1 to S. B. No. 2119 was adopted.

YEAS AND NAYS On S. B. No. 2119. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Bryan, Butler, Caughman, Chassaniol, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon. Total--42.

Nays--Boyd, Chism, Sparks, Suber. Total--4.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Voting Present--Carter, McMahan, Younger. Total--3.

Unanimous consent was granted to add Senators Hill, McDaniel, Jackson R. (11th), Jordan and Sojourner as co-authors of **S. B. No. 2119**.

Senator Michel called up the following entitled bill:

S. B. No. 2603: Salvage or abandoned vehicles; authorize disposition by auction firms on behalf of insurers.

YEAS AND NAYS On S. B. No. 2603. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Michel called up the following entitled nomination:

S. N. No. 25: Elizabeth Ashley (Beth) Harkins, Madison, Mississippi, Mississippi Workers' Compensation Commission as the Commissioner representing the employee interest, six year term effective immediately and ending December 31, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 25 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Caughman called up the following entitled bill:

S. B. No. 2204: Revised LLC Act and MS Registered Agents Act; require listing of registered agent's email address.

YEAS AND NAYS On S. B. No. 2204. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel,

McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Caughman called up the following entitled bill:

S. B. No. 2628: Credit Availability Act; extend repealer on.

YEAS AND NAYS On S. B. No. 2628. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--Frazier, Norwood, Simmons D. T. (12th). Total--3.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Wiggins called up the following entitled bill:

S. B. No. 2483: Electric bicycles; classify as bicycles and not as motor vehicles, and regulate.

YEAS AND NAYS On S. B. No. 2483. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Polk called up the following entitled bill:

S. B. No. 2077: Central Market Board; abolish and transfer functions to the Department of Agriculture and Commerce.

YEAS AND NAYS On S. B. No. 2077. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn,

Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Polk called up the following entitled bill:

S. B. No. 2098: State Board of Funeral Service; extend repealer on.

YEAS AND NAYS On S. B. No. 2098. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Polk called up the following entitled bill:

S. B. No. 2189: Counties and municipalities; authorize to offer Medicare eligible employees supplemental compensation if employees secure Medicare.

Senator Hill offered the following AMENDMENT NO. 1.

AMEND by inserting on line 83 after the period the following:

"Receipt of purchase for the Medicare coverage shall be provided on an annual basis to the employer."

Amendment No. 1 to S. B. No. 2189 was adopted.

YEAS AND NAYS On S. B. No. 2189. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, DeLano, Harkins. Total--3.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Inis Roane, Dennis Hardin, Steve Box and Tina Clanton of Bruce, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Richard Kent Gray of Calhoun City, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Donald Camp of Banner, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Nathaniel Stone of Tupelo, MS.

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

Senators McCaughn and Barnett moved that when the Senate adjourns, it adjourn in memory of Bud Williams of Louin, MS.

Senators McCaughn and Suber moved that when the Senate adjourns, it adjourn in memory of Melvin Ford of Water Valley, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Shirley Moore Chaney, George Langham and Kyle Buckley of Little Rock, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Mark Moore, Marlene Coker and Etta Kate Gaines of Newton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Ralph Chaney and Lindsey Harris of Hickory, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Noah Sessums, Geneva Hurley, W. F. "Dub" Butts and Ms. Walterine Goss of Union, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Kevin W. Comans and John Wesley Patrick of Conehatta, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Malcolm Singleton, James Hugh McMurphy, Regenia Lee Chambers, John Earl Harrison, Herbert W. Windham and Toby Reid of Forest, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Sherry Robbins, Bobby Ray Madison, Tyler Stewart and Ruthie Nell Thomas of Morton, MS.

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

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Rosie Shoemaker of Leesburg, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Lozell Pace of Newton County, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Virgil Homer Harrison of Louin, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Tommy Speir Dennis of Scott County, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Leona Milner of Cash Community, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Patricia Butler of Lake, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Polly Wells Montgomery of Inverness, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Frank Lawrence, Jr. of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Nell W. Robertson of Madison, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Eugene L. Fair of Hattiesburg, MS.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Raymond Bernard English of Vicksburg, MS.

Senators Chism, Michel, Chassaniol and Boyd moved that when the Senate adjourns, it adjourn in memory of Jim Weatherly of Brentwood, TN.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 3: AN ACT TO AMEND SECTION 49-23-9, MISSISSIPPI CODE OF 1972, TO REVISE THE HEIGHT REQUIREMENTS ALLOWABLE FOR OUTDOOR ADVERTISING SIGNS; AND FOR RELATED PURPOSES.

H. B. No. 73: AN ACT TO REENACT SECTIONS 73-6-1 THROUGH 73-6-31, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF CHIROPRACTIC EXAMINERS AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED SECTION 73-6-15, MISSISSIPPI CODE OF 1972, TO MAKE SOME MINOR, NONSUBSTANTIVE CHANGES; TO AMEND SECTION 73-6-33, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 160: AN ACT TO REENACT SECTIONS 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH, AND ESTABLISH AND PRESCRIBE THE POWERS AND DUTIES OF THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED STATUTES; AND FOR RELATED PURPOSES.

H. B. No. 186: AN ACT TO AMEND SECTION 75-24-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CLAIM OR ACTION UNDER THE PROVISIONS OF THE CONSUMER PROTECTION LAWS FILED ON BEHALF OF A VETERAN FOR A FEE MUST INCLUDE CERTAIN ACKNOWLEDGMENTS THAT THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD OFFERS THE SAME SERVICE FREE OF CHARGE; AND FOR RELATED PURPOSES.

H. B. No. 187: AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN QUALIFICATIONS AND REQUIREMENTS FOR COUNTY VETERAN SERVICE OFFICERS AND TO REQUIRE THE COUNTIES TO PROVIDE NECESSARY OFFICE SPACE AND COMMUNICATIONS CONNECTIVITY; AND FOR RELATED PURPOSES.

H. B. No. 189: AN ACT TO AMEND SECTION 35-1-43, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD TO MOVE THE MISSISSIPPI PERSIAN GULF WAR MEMORIAL FROM THE VETERANS MEMORIAL CEMETERY IN NEWTON, MISSISSIPPI, TO ANOTHER APPROPRIATE LOCATION; AND FOR RELATED PURPOSES.

H. B. No. 200: AN ACT TO AMEND SECTION 83-9-353, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT QUALIFYING PATIENTS FOR REMOTE PATIENT MONITORING SERVICES MUST HAVE HAD TWO OR MORE HOSPITALIZATIONS IN THE LAST TWELVE MONTHS; TO DELETE THE

REQUIREMENT THAT A PRIOR AUTHORIZATION REQUEST FORM MUST BE SUBMITTED TO REQUEST TELEMONITORING SERVICES; TO PROVIDE THAT IF PRIOR AUTHORIZATION IS REQUIRED THE REQUEST FORM MUST INCLUDE CERTAIN INFORMATION; AND FOR RELATED PURPOSES.

H. B. No. 202: AN ACT TO BRING FORWARD SECTIONS 57-1-1, 57-1-2, 57-1-3, 57-1-5, 57-1-7, 57-1-10, 57-1-11, 57-1-12, 57-1-12.1, 57-1-12.2, 57-1-13, 57-1-14, 57-1-15, 57-1-16, 57-1-17, 57-1-18, 57-1-19, 57-1-21, 57-1-23, 57-1-25, 57-1-27, 57-1-29, 57-1-31, 57-1-33, 57-1-35, 57-1-37, 57-1-39, 57-1-41, 57-1-43, 57-1-45, 57-1-47, 57-1-49, 57-1-51, 57-1-53, 57-1-54, 57-1-57, 57-1-58, 57-1-59, 57-1-61, 57-1-63, 57-1-64, 57-1-64.1, 57-1-70, 57-1-71, 57-1-73, 57-1-75, 57-1-77, 57-1-79, 57-1-81, 57-1-83, 57-1-101, 57-1-103, 57-1-105, 57-1-107, 57-1-131, 57-1-133, 57-1-135, 57-1-137, 57-1-139, 57-1-141, 57-1-143, 57-1-145, 57-1-171, 57-1-173, 57-1-175, 57-1-177, 57-1-179, 57-1-221, 57-1-253, 57-1-255, 57-1-257, 57-1-259, 57-1-261, 57-1-301, 57-1-303, 57-1-307, 57-1-309, 57-1-311, 57-1-313, 57-1-315, 57-1-317, 57-1-321, 57-1-323, 57-1-325, 57-1-327, 57-1-329, 57-1-331, 57-1-333, 57-1-335, 57-1-357, 57-1-371, 57-1-373, 57-1-401, 57-1-421, 57-1-451, 57-1-471, 57-1-501, 57-1-601, 57-1-701, 57-1-731, 57-3-1, 57-3-3, 57-3-5, 57-3-7, 57-3-11, 57-3-13, 57-3-15, 57-3-17, 57-3-21, 57-3-23, 57-3-25, 57-3-27, 57-3-29, 57-3-31, 57-3-33, 57-4-1, 57-4-5, 57-4-7, 57-4-9, 57-4-11, 57-4-15, 57-4-17, 57-4-19, 57-4-21, 57-4-23, 57-5-1, 57-5-3, 57-5-5, 57-5-7, 57-5-9, 57-5-11, 57-5-13, 57-5-15, 57-5-17, 57-5-19, 57-5-21, 57-5-23, 57-7-1, 57-7-3, 57-7-5, 57-7-7, 57-7-9, 57-7-11, 57-7-13, 57-9-1, 57-9-3, 57-9-5, 57-9-7, 57-9-9, 57-10-1, 57-10-9, 57-10-17, 57-10-19, 57-10-21, 57-10-23, 57-10-25, 57-10-29, 57-10-31, 57-10-35, 57-10-39, 57-10-41, 57-10-101, 57-10-103, 57-10-105, 57-10-109, 57-10-113, 57-10-115, 57-10-117, 57-10-119, 57-10-121, 57-10-123, 57-10-125, 57-10-127, 57-10-129, 57-10-131, 57-10-133, 57-10-135, 57-10-137, 57-10-151, 57-10-153, 57-10-161, 57-10-163, 57-10-167, 57-10-201, 57-10-203, 57-10-207, 57-10-211, 57-10-215, 57-10-217, 57-10-219, 57-10-221, 57-10-223, 57-10-225, 57-10-227, 57-10-229, 57-10-231, 57-10-233, 57-10-235, 57-10-237, 57-10-239, 57-10-241, 57-10-243, 57-10-245, 57-10-247, 57-10-249, 57-10-251, 57-10-253, 57-10-255, 57-10-257, 57-10-259, 57-10-261, 57-10-301, 57-10-303, 57-10-305, 57-10-307, 57-10-309, 57-10-401, 57-10-403, 57-10-405, 57-10-407, 57-10-409, 57-10-411, 57-10-413, 57-10-415, 57-10-417, 57-10-419, 57-10-421, 57-10-423, 57-10-425, 57-10-427, 57-10-429, 57-10-431, 57-10-433, 57-10-435, 57-10-437, 57-10-439, 57-10-441, 57-10-443, 57-10-445, 57-10-447, 57-10-449, 57-10-501, 57-10-503, 57-10-505, 57-10-507, 57-10-513, 57-10-517, 57-10-521, 57-10-523, 57-10-525, 57-10-527, 57-10-529, 57-10-531, 57-10-533, 57-10-601, 57-10-701, 57-10-703, 57-10-705, 57-10-707, 57-10-709, 57-10-711, 57-11-3, 57-11-5, 57-11-15, 57-11-17, 57-11-21, 57-11-31, 57-11-33, 57-11-35, 57-11-37, 57-11-39, 57-11-61, 57-11-63, 57-11-65, 57-11-67, 57-11-69, 57-26-1, 57-26-3, 57-26-5, 57-26-7, 57-27-3, 57-27-5, 57-27-7, 57-27-9, 57-27-11, 57-27-13, 57-27-15, 57-28-1, 57-28-3, 57-28-5, 57-29-1, 57-29-3, 57-30-1, 57-30-3, 57-39-1, 57-39-9, 57-39-11, 57-39-13, 57-39-19, 57-39-21, 57-39-39, 57-39-43, 57-39-45, 57-39-101, 57-39-103, 57-39-109, 57-39-112, 57-40-1, 57-40-3, 57-40-5, 57-40-7, 57-41-1, 57-41-3, 57-41-5, 57-41-7, 57-41-9, 57-41-11, 57-41-13, 57-41-15, 57-41-17, 57-44-1, 57-44-3, 57-44-7, 57-44-11, 57-44-13, 57-44-15, 57-44-17, 57-44-19, 57-44-21, 57-44-25, 57-44-27, 57-44-29, 57-44-31, 57-44-33, 57-44-35, 57-44-37, 57-44-39, 57-46-1, 57-57-1, 57-57-3, 57-57-7, 57-57-9, 57-57-11, 57-57-13, 57-61-1, 57-61-3, 57-61-7, 57-61-9, 57-61-11, 57-61-13, 57-61-14, 57-61-15, 57-61-17, 57-61-19, 57-61-25, 57-61-27, 57-61-29, 57-61-31, 57-61-32, 57-61-34, 57-61-35, 57-61-36, 57-61-37, 57-61-41, 57-61-43, 57-61-44, 57-62-1, 57-62-3, 57-62-5, 57-62-7, 57-62-9, 57-62-11, 57-62-13, 57-62-15, 57-62-17, 57-64-1, 57-64-3, 57-64-5, 57-64-7, 57-64-9, 57-64-11, 57-64-13, 57-64-15, 57-64-17, 57-64-19, 57-64-21, 57-64-23, 57-64-25, 57-64-27, 57-64-29, 57-64-31, 57-67-1, 57-67-3, 57-67-5, 57-67-7, 57-67-9, 57-67-11, 57-67-13, 57-67-21, 57-67-23, 57-67-27, 57-67-29, 57-67-31, 57-67-33, 57-67-35, 57-67-39, 57-69-1, 57-69-5, 57-69-9, 57-71-1, 57-71-5, 57-71-11, 57-71-13, 57-71-25, 57-71-27, 57-71-29, 57-71-31, 57-71-33, 57-71-35, 57-73-21, 57-73-27, 57-75-1, 57-75-3, 57-75-5, 57-75-9, 57-75-11, 57-75-13, 57-75-15, 57-75-17, 57-75-19, 57-75-21, 57-75-22, 57-75-23, 57-75-25, 57-75-27, 57-75-33, 57-75-35, 57-75-37, 57-77-1, 57-77-2, 57-77-3, 57-77-7, 57-77-11, 57-77-13, 57-77-15, 57-77-17, 57-77-19, 57-77-21, 57-77-23, 57-77-25, 57-77-27, 57-77-29, 57-77-31, 57-77-33, 57-77-35, 57-77-37, 57-77-39, 57-79-1, 57-79-3, 57-79-7, 57-80-1, 57-80-3, 57-80-5, 57-80-7, 57-80-9, 57-80-11, 57-85-1, 57-85-3, 57-85-5,

57-89-1, 57-89-3, 57-89-7, 57-91-1, 57-91-3, 57-91-5, 57-91-7, 57-91-9, 57-91-11, 57-93-1, 57-95-1, 57-99-1, 57-99-3, 57-99-5, 57-99-7, 57-99-9, 57-99-21, 57-99-23, 57-99-25, 57-99-27, 57-99-29, 57-100-1, 57-100-3, 57-100-5, 57-100-7, 57-100-9, 57-105-1, 57-111-1, 57-113-1, 57-113-3, 57-113-5, 57-113-7, 57-113-21, 57-113-23, 57-113-25, 57-113-27, 57-115-1, 57-115-3, 57-115-5, 57-115-7, 57-115-9, 57-115-11, 57-117-1, 57-117-5, 57-117-7, 57-117-9, 57-117-11, 57-119-1, 57-119-3, 57-119-5, 57-119-7, 57-119-9, 57-119-11, 57-119-13, 57-119-15 AND 57-119-17, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI DEVELOPMENT AUTHORITY AND TO POWERS AND DUTIES AND PROGRAMS OF THE AUTHORITY, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 25-3-39, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE MAXIMUM COMPENSATION THAT MAY BE PAID TO PUBLIC EMPLOYEES AND OFFICERS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTIONS 57-1-52, 57-1-55, 57-1-56, 57-1-60, 57-1-65, 57-1-66, 57-1-67, 57-1-68, 57-1-69, 57-1-251, 57-1-305, 57-1-319, 57-1-351, 57-1-353, 57-1-355, 57-1-357, 57-1-359, 57-1-363, 57-1-365, 57-1-367, 57-1-369, 57-3-9, 57-3-19, 57-4-13, 57-10-3, 57-10-111, 57-10-155, 57-10-157, 57-10-159, 57-10-165, 57-10-169, 57-10-205, 57-10-209, 57-10-213, 57-10-507, 57-10-509, 57-10-511, 57-10-515, 57-10-519, 57-11-19, 57-13-22, 57-13-23, 57-27-1, 57-44-5, 57-44-9, 57-44-23, 57-57-5, 57-61-5, 57-61-21, 57-61-23, 57-61-33, 57-65-1, 57-67-15, 57-67-17, 57-67-19, 57-67-25, 57-67-37, 57-69-3, 57-69-7, 57-71-3, 57-71-7, 57-71-9, 57-71-15, 57-71-17, 57-71-19, 57-71-21, 57-71-23, 57-73-23, 57-73-29, 57-75-7, 57-75-27, 57-77-5, 57-77-9, 57-79-5, 57-79-9, 57-79-11 AND 57-117-3, MISSISSIPPI CODE OF 1972, TO MAKE SOME MINOR NONSUBSTANTIVE CHANGES; AND FOR RELATED PURPOSES.

H. B. No. 208: AN ACT TO REENACT SECTIONS 73-31-1 THROUGH 73-31-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE LICENSURE OF PSYCHOLOGISTS; TO AMEND REENACTED SECTION 73-31-5, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; TO AMEND REENACTED SECTION 73-31-13, MISSISSIPPI CODE OF 1972, TO REMOVE THE POSTDOCTORAL TRAINING REQUIREMENT FOR LICENSURE; TO AMEND SECTION 73-31-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 294: AN ACT TO AMEND SECTION 41-29-137.1, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE SECTION THAT AUTHORIZES MEDICAL DIRECTORS OF HOSPICES TO PRESCRIBE CONTROLLED SUBSTANCES FOR PATIENTS OF THE HOSPICE FOR TERMINAL DISEASE PAIN WITHOUT HAVING AN IN-PERSON FACE-TO-FACE VISIT WITH A PATIENT BEFORE ISSUING A PRESCRIPTION; TO AMEND SECTION 41-29-137, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

H. B. No. 296: AN ACT TO AMEND SECTION 41-85-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO ISSUE UP TO TWO NEW PEDIATRIC PALLIATIVE CARE HOSPICE LICENSES DURING A CERTAIN PERIOD OF TIME; TO REQUIRE THAT AT LEAST ONE OF THE NEW HOSPICE LICENSES BE ISSUED TO AN APPLICANT THAT IS LOCATED WITHIN THE SECOND UNITED STATES CONGRESSIONAL DISTRICT; TO EXTEND THE DATE OF THE REPEALER ON THE MORATORIUM ON THE ISSUANCE OF NEW HOSPICE LICENSES; AND FOR RELATED PURPOSES.

H. B. No. 312: AN ACT TO AMEND SECTION 69-7-101, MISSISSIPPI CODE OF 1972, TO ABOLISH THE CENTRAL MARKET BOARD AND TRANSFER ITS FUNCTIONS AND RESPONSIBILITIES TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-109, MISSISSIPPI CODE 1972, TO TRANSFER POWERS OR DUTIES OF THE CENTRAL MARKET BOARD TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-113, MISSISSIPPI CODE OF 1972, TO TRANSFER RECORD-KEEPING RESPONSIBILITIES FROM THE STATE MARKET TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-115, MISSISSIPPI

CODE OF 1972, TO TRANSFER AUTHORITY OF THE CENTRAL MARKET BOARD FOR THE ACQUISITION OF FACILITIES TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTION 69-7-121, MISSISSIPPI CODE OF 1972, TO TRANSFER AUTHORITY OVER THE CENTRAL MARKET FUND FROM THE CENTRAL MARKET BOARD TO THE DEPARTMENT OF AGRICULTURE; TO REPEAL SECTIONS 69-7-103, 69-7-105, 69-7-107, 69-7-111, 69-7-117 AND 69-7-119, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 341: AN ACT TO PROHIBIT THE CONSIDERATION OF THE DEPLOYMENT OF MOTOR CARRIER SAFETY IMPROVEMENTS IN DETERMINING AN INDIVIDUAL'S EMPLOYMENT STATUS WITH A MOTOR CARRIER; AND FOR RELATED PURPOSES.

H. B. No. 374: AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI THEATRE ASSOCIATION, INC.; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.

H. B. No. 425: AN ACT TO AMEND SECTION 27-35-143, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A TAX ASSESSOR HAS KNOWLEDGE OF CERTAIN CIRCUMSTANCES OR OCCURRENCES THAT MAY AFFECT AN ASSESSMENT OF PROPERTY FOR AD VALOREM TAX PURPOSES, THE TAX ASSESSOR SHALL MAKE AN APPLICATION ON BEHALF OF THE INTERESTED PARTY WITH THE BOARD OF SUPERVISORS TO CHANGE, CANCEL OR DECREASE THE ASSESSMENT; TO BRING FORWARD SECTIONS 27-35-135, 27-35-145, 27-35-149 AND 27-37-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE CHANGE OF ASSESSMENTS OF PROPERTY FOR AD VALOREM TAX PURPOSES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 499: AN ACT TO AMEND SECTION 57-105-1, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL JANUARY 1, 2024, THE DATE AFTER WHICH THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL NOT ALLOCATE INCOME TAX AND INSURANCE PREMIUM TAX CREDITS FOR TAXPAYERS HOLDING CERTAIN QUALIFIED EQUITY INVESTMENTS; AND FOR RELATED PURPOSES.

H. B. No. 500: AN ACT TO AMEND SECTION 43-33-729, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL JULY 1, 2024, THE PROVISION OF LAW THAT AUTHORIZES THE MISSISSIPPI HOME CORPORATION TO ISSUE BONDS AND NOTES ANNUALLY IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$350,000,000.00; AND FOR RELATED PURPOSES.

H. B. No. 508: AN ACT TO CREATE NEW SECTION 67-1-32, MISSISSIPPI CODE OF 1972, TO ALLOW RETIRING LAW ENFORCEMENT OFFICERS OF THE DEPARTMENT OF REVENUE TO RETAIN SIDEARM ISSUED BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

H. B. No. 509: AN ACT TO AMEND SECTION 71-5-506, MISSISSIPPI CODE OF 1972, TO ALLOW WITHHOLDING FROM UNEMPLOYMENT COMPENSATION FOR STATE INCOME TAXES; AND FOR RELATED PURPOSES.

H. B. No. 510: AN ACT TO AMEND SECTION 63-21-17, MISSISSIPPI CODE OF 1972, TO LIMIT THE PERIOD FOR WHICH THE MISSISSIPPI DEPARTMENT OF REVENUE IS REQUIRED TO RETAIN MOTOR VEHICLE CERTIFICATES OF TITLE TO FIFTEEN YEARS FROM THE DATE OF ISSUANCE; AND FOR RELATED PURPOSES.

H. B. No. 511: AN ACT TO AMEND SECTION 45-49-3, MISSISSIPPI CODE OF 1972, TO CHANGE THE PERIOD FOR ISSUANCE OF AN AMUSEMENT RIDE

OPERATING PERMIT DECAL FROM TWELVE MONTHS TO A CALENDAR YEAR; AND FOR RELATED PURPOSES.

H. B. No. 512: AN ACT TO AMEND SECTION 67-1-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE POWERS AND DUTIES OF THE AGENTS AND INSPECTORS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE, TO DELETE THE PROVISION THAT PROVIDES THAT NOTHING IN THAT SECTION SHALL BE CONSTRUED AS GRANTING AGENTS AND INSPECTORS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE GENERAL POLICE POWERS; AND FOR RELATED PURPOSES.

H. B. No. 516: AN ACT TO AMEND SECTION 27-3-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SAME PAY INCREASES FOR DEPARTMENT OF REVENUE APPRAISERS UPON ATTAINMENT OF CERTAIN STATE CERTIFICATIONS AS AUTHORIZED FOR COUNTY TAX ASSESSORS AND THEIR DEPUTIES AND ASSISTANTS; AND FOR RELATED PURPOSES.

H. B. No. 519: AN ACT TO AMEND SECTION 27-19-31, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT FOR APPORTIONED VEHICLES TO HAVE A DECAL SPECIFYING THE MONTH AND YEAR OF EXPIRATION ATTACHED TO THE LICENSE TAG; AND FOR RELATED PURPOSES.

H. B. No. 520: AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES SPECIAL FUNDS IN THE STATE TREASURY TO BE USED TO PROVIDE FUNDS TO ASSIST MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS AND TO ASSIST COUNTIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS, TO PROVIDE THAT A MUNICIPALITY OR COUNTY MAY USE SUCH FUNDS AS A PLEDGE TO PAY ALL OR A PORTION OF DEBT SERVICE ON DEBT ISSUED BY THE MUNICIPALITY OR COUNTY FOR SUCH PURPOSES; AND FOR RELATED PURPOSES.

H. B. No. 550: AN ACT TO AMEND SECTIONS 45-33-43, 63-1-5, 63-1-9, 63-1-10.1, 63-1-21, 63-1-23, 63-1-35, 63-1-43 AND 63-1-47, MISSISSIPPI CODE OF 1972, TO DELETE ALL REFERENCES TO AN INTERMEDIATE DRIVER'S LICENSE; AND FOR RELATED PURPOSES.

H. B. No. 556: AN ACT TO AMEND SECTION 29-3-45, MISSISSIPPI CODE OF 1972, TO ALLOW LOCAL SCHOOL BOARDS, WHICH APPROVE THE SALES OF TIMBER AND FOREST PRODUCTS GROWN ON SIXTEENTH SECTION LANDS, TO ENTER INTO LONG-TERM PUBLIC OR PRIVATE CONTRACTS FOR THE SALE OF CERTAIN FOREST PRODUCTS; TO AMEND SECTION 29-3-81, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF LOCAL SCHOOL BOARDS TO LEASE SIXTEENTH SECTION OR IN LIEU LANDS CLASSIFIED AS AGRICULTURAL LAND, USING PROVISIONS RELATED TO BEST FARM MANAGEMENT PRACTICES ESTABLISHED BY THE SECRETARY OF STATE IN CONSULTATION WITH FEDERAL AGRICULTURAL AGENCIES AND THE MISSISSIPPI STATE UNIVERSITY EXTENSION SERVICE; AND FOR RELATED PURPOSES.

H. B. No. 572: AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO INCLUDE A CERTAIN AREA WITHIN A MUNICIPALITY, SITUATED SOUTH OF INTERSTATE HIGHWAY 10, TRAVERSED BY U.S. HIGHWAY 90, IS PARTIALLY BORDERED ON ONE (1) SIDE BY THE PASCAGOULA RIVER AND HAVING ITS MOST SOUTHERN BOUNDARY BORDERED BY THE GULF OF MEXICO, WITH A POPULATION GREATER THAN 22,000 ACCORDING TO THE 2010 FEDERAL DECENNIAL CENSUS; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE

RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES IN CERTAIN MIXED-USED PROPERTY DEVELOPMENT IMPROVEMENTS IN A CERTAIN MUNICIPALITY; TO BRING FORWARD SECTION 67-1-37, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 573: AN ACT TO AMEND SECTION 65-21-1, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS OF LAW TO PRESCRIBE THE DESIGN OF BRIDGES AND CULVERTS ON PUBLIC ROADS; AND FOR RELATED PURPOSES.

H. B. No. 579: AN ACT TO UPDATE AND STREAMLINE MOTOR CARRIER REGULATION; TO AMEND SECTION 77-7-45, MISSISSIPPI CODE OF 1972, TO MAKE DISCRETIONARY WITH THE MISSISSIPPI TRANSPORTATION COMMISSION THE HOLDING OF A PUBLIC HEARING ON THE APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; TO AMEND SECTION 77-7-51, MISSISSIPPI CODE OF 1972, TO MAKE DISCRETIONARY WITH THE TRANSPORTATION COMMISSION THE HOLDING OF A HEARING ON THE APPLICATION FOR A PERMIT; TO AMEND SECTION 77-7-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CARRIERS OF HOUSEHOLD GOODS, BOTH COMMON CARRIERS AND CONTRACT CARRIERS, SHALL BE STRICTLY LIABLE FOR THE LOSS OR DAMAGE TO THE HOUSEHOLD GOODS CARRIED; TO AMEND SECTION 77-7-223, MISSISSIPPI CODE OF 1972, TO REMOVE REFERENCES TO CODE SECTIONS REPEALED BY THIS ACT; TO REPEAL SECTION 77-7-211, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS COMMON CARRIERS OF PASSENGERS FROM TRANSPORTING PASSENGERS UNLESS THE CARRIERS HAVE FILED WITH THE COMMISSION TARIFFS SHOWING THEIR RATES, AND UNLESS THOSE RATES HAVE BEEN PUBLISHED; TO REPEAL SECTION 77-7-213, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS COMMON CARRIERS BY MOTOR VEHICLE FROM CHARGING OR RECEIVING COMPENSATION FOR TRANSPORTATION OR RELATED SERVICES THAT DIFFERS FROM THE RATES SPECIFIED IN THEIR TARIFFS; TO REPEAL SECTION 77-7-215, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS A CHANGE IN RATES OR CLASSIFICATIONS, OR IN ANY RELATED REGULATIONS OR PRACTICES, SPECIFIED IN ANY ELECTIVE TARIFF OF A COMMON CARRIER BY MOTOR VEHICLE, UNLESS 30 DAYS' NOTICE OF THE PROPOSED CHANGE HAS BEEN FILED AND POSTED; TO REPEAL SECTION 77-7-217, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COMMISSION TO INVESTIGATE AND HOLD HEARINGS ON THE REASONABLENESS OF COMMON CARRIER RATES AND CLASSIFICATIONS, AND TO DETERMINE LAWFUL RATES AND CLASSIFICATIONS; TO REPEAL SECTION 77-7-219, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COMMISSION TO HOLD HEARINGS ON THE LAWFULNESS OF COMMON CARRIER RATES, REGULATIONS AND PRACTICES CONNECTED WITH A SCHEDULE CONTAINING NEW RATES OR CLASSIFICATIONS, AND TO SUSPEND THE SCHEDULE AND DEFER THE USE OF THE RATES, REGULATIONS OR PRACTICES FOR NO MORE THAN 180 DAYS; TO REPEAL SECTION 77-7-221, MISSISSIPPI CODE OF 1972, WHICH LISTS FACTORS TO BE CONSIDERED AND EXCLUDED BY THE COMMISSION IN DETERMINING JUST AND REASONABLE RATES FOR THE TRANSPORTATION OF PASSENGERS BY COMMON CARRIERS BY MOTOR VEHICLE; TO REPEAL SECTION 77-7-241, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS CONTRACT CARRIERS BY MOTOR VEHICLE FROM TRANSPORTING PASSENGERS IN INTRASTATE COMMERCE UNLESS THE CARRIERS HAVE FILED WITH THE COMMISSION THEIR MINIMUM TRANSPORTATION CHARGES, AND UNLESS THOSE CHARGES HAVE BEEN PUBLISHED, AND WHICH FURTHER PROHIBITS REDUCTIONS IN CHARGES WITHOUT NOTICE; TO REPEAL SECTION 77-7-243, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COMMISSION TO INVESTIGATE AND HOLD HEARINGS ON THE REASONABLENESS OF CONTRACT CARRIER CHARGES, REGULATIONS AND PRACTICES FOR THE TRANSPORTATION OF PASSENGERS IN INTRASTATE

COMMERCE, AND TO DETERMINE MINIMUM RATES AND DESIRABLE REGULATIONS AND PRACTICES UPON CONSIDERATION OF CERTAIN FACTORS AND EXCLUSION OF OTHER FACTORS; TO REPEAL SECTION 77-7-245, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COMMISSION TO HOLD HEARINGS ON THE LAWFULNESS OF CONTRACT CARRIER CHARGES, REGULATIONS AND PRACTICES CONNECTED WITH A SCHEDULE OR CONTRACT CONTAINING REDUCED CHARGES, AND TO SUSPEND THE SCHEDULE OR CONTRACT AND DEFER THE USE OF THE CHARGES, REGULATIONS OR PRACTICES FOR NO MORE THAN 180 DAYS; AND FOR RELATED PURPOSES.

H. B. No. 638: AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO ALLOW THE HOLDER OF A DISTILLERY RETAILER'S PERMIT TO SELL ALCOHOLIC BEVERAGES TO CONSUMERS FOR ON-PREMISES CONSUMPTION; TO ALLOW THE PERMITTEE SELLING FOR ON-PREMISES CONSUMPTION TO ADD OTHER BEVERAGES, ALCOHOLIC OR NOT, TO THE PRODUCT MANUFACTURED BY THE MANUFACTURER AT THE DISTILLERY DESCRIBED IN THE PERMIT, SO LONG AS THE TOTAL VOLUME OF OTHER BEVERAGE COMPONENTS CONTAINING ALCOHOL DOES NOT EXCEED 20%; TO SPECIFY THAT HOURS OF ON-PREMISES SALES SHALL BE THE SAME AS THOSE AUTHORIZED FOR ON-PREMISES PERMITTEES IN THE CITY OR COUNTY IN WHICH THE DISTILLERY RETAILER IS LOCATED; TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE RULES FACILITATING A RETAILER'S ON-SITE PICKUP OF DISTILLED SPIRITS SOLD BY THE DEPARTMENT, SO THAT THOSE SPIRITS MAY BE DELIVERED TO THE RETAILER AT THE DISTILLERY RETAILER INSTEAD OF VIA SHIPMENT FROM THE DEPARTMENT'S WAREHOUSE; TO AMEND SECTION 67-5-11, MISSISSIPPI CODE OF 1972, TO ALLOW DISTILLERY RETAILERS TO HOLD, FOR ONSITE PICKUP, SPIRITS SOLD TO RETAILERS THROUGH THE DEPARTMENT OF REVENUE, INSTEAD OF SHIPPING THEM TO THE DEPARTMENT WAREHOUSE; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO CREATE TWO PRIVILEGE LICENSE TAX TIERS FOR THE MANUFACTURER'S PERMIT, CLASS 1, APPLYING TO DISTILLERS AND RECTIFIERS, BASED ON ANNUAL PRODUCTION VOLUME; AND FOR RELATED PURPOSES.

H. B. No. 667: AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT THE DEPARTMENT OF REVENUE IMMEDIATELY REVOKE THE PERMIT OF A PERMITTEE WHO VIOLATES SUCH SECTION'S PROHIBITIONS AGAINST SELLING ALCOHOLIC BEVERAGES TO CERTAIN PERSONS OR AT CERTAIN TIMES; AND FOR RELATED PURPOSES.

H. B. No. 740: AN ACT TO CREATE A NEW SECTION OF LAW TO REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO ESTABLISH AN ALTERNATIVE STATE IDENTIFICATION CARD THAT DOES NOT REQUIRE PROOF OF DOMICILE, FOR THE PURPOSE OF MAKING A STATE IDENTIFICATION CARD AVAILABLE FOR PERSONS WHO DO NOT HAVE A DOMICILE TO LIST; AND FOR RELATED PURPOSES.

H. B. No. 762: AN ACT TO AMEND SECTION 41, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE TOWN OF WESSON, MISSISSIPPI, IN PAYING CERTAIN COSTS ASSOCIATED WITH THE WESSON OLD SCHOOL VISITOR CENTER, MAY BE USED; AND FOR RELATED PURPOSES.

H. B. No. 849: AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO REVISE APPOINTMENTS TO THE STATE WORKFORCE INVESTMENT BOARD; TO BRING FORWARD SECTIONS 37-153-5, 37-153-11, 37-153-13, 71-5-353, 71-5-453, 37-153-17 AND 37-153-15, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL EDUCATION REFORM (CCATER) ACT"; TO BRING

FORWARD SECTION 37-15-38, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF EDUCATION TO PROVIDE NOTICE TO ALL INCOMING MIDDLE SCHOOL AND JUNIOR HIGH STUDENTS OF THE CAREER AND TECHNICAL EDUCATION PROGRAMS OFFERED BY LOCAL SCHOOL BOARDS; TO REQUIRE ALL STUDENTS TO TAKE THE ACT WORKKEYS ASSESSMENT; TO PROVIDE THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ACT WORKKEYS ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH OR ELEVENTH GRADE; TO REVISE THE CURRICULUM IN THE CAREER AND TECHNICAL EDUCATION PROGRAM; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER LICENSE FROM ONE YEAR TO FIVE YEARS; TO PROVIDE THAT CERTAIN INSTRUCTIONAL STAFF EMPLOYED BY A PUBLIC SCHOOL DISTRICT OR NONPUBLIC SCHOOL ACCREDITED OR APPROVED BY THE STATE FOR A MINIMUM OF FIVE YEARS SHALL BE GRANTED A STANDARD TEACHER LICENSE; TO REQUIRE SUCH TEACHERS TO COMPLY WITH ANY ADDITIONAL REQUIREMENTS FOR EXISTING TEACHERS, INCLUDING PROFESSIONAL DEVELOPMENT TRAINING AND COMPLETION OF THE REQUIRED CONTINUING EDUCATION UNITS; TO AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, WHICH SHALL BE WEIGHTED IN THE SAME PERCENTAGE AS THE STANDARD ACT ASSESSMENT; TO REQUIRE THE STATE BOARD OF EDUCATION, ACTING THROUGH THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT, AND IN CONJUNCTION WITH THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REQUIRE EACH EDUCATOR PREPARATION PROGRAM IN THE STATE TO INCLUDE A PRAXIS CORE ACADEMIC SKILLS FOR EDUCATORS EXAMINATION AND A PRAXIS II EXAMINATION PREPARATORY REVIEW COURSE, AS PART OF ITS CURRICULUM; AND FOR RELATED PURPOSES.

H. B. No. 877: AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

H. B. No. 945: AN ACT TO AMEND SECTION 67-3-7, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF QUALIFIED ELECTORS OF A COUNTY REQUIRED FOR A PETITION TO HAVE AN ELECTION TO PROHIBIT OR AUTHORIZE THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, RECEIPT OR MANUFACTURE OF BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT IN A COUNTY; TO AMEND SECTION 67-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF QUALIFIED ELECTORS OF A MUNICIPALITY REQUIRED FOR A PETITION TO HAVE AN ELECTION TO PROHIBIT OR AUTHORIZE THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, RECEIPT OR MANUFACTURE OF BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT IN CERTAIN MUNICIPALITIES; AND FOR RELATED PURPOSES.

H. B. No. 955: AN ACT TO ESTABLISH A PROCEDURE FOR THE DISPOSITION OF ABANDONED MANUFACTURED OR MOBILE HOMES AND ASSOCIATED PERSONAL PROPERTY; TO PROVIDE DEFINITIONS; TO PROVIDE FOR A COMPLAINT FOR DISPOSITION OF ABANDONED MANUFACTURED OR MOBILE HOMES; TO PROVIDE FOR THE ENTRY OF AN ORDER BY THE COURT NAMING A COMMISSIONER TO HANDLE THE DISPOSITION AND SETTING THE DATE AND TIME OF THE SALE; TO PROVIDE FOR ADVERTISEMENT AND

PROCEDURES FOR THE SALE; TO PROVIDE FOR PAYMENT OF DEBT AND EXERCISE OF POSSESSION; TO PROVIDE FOR DISBURSEMENT OF BID AMOUNT BY THE COMMISSIONER; TO PROVIDE FOR ENTRY OF A FINAL ORDER AND SUBMISSION OF THE BILL OF SALE TO THE MISSISSIPPI DEPARTMENT OF REVENUE; TO PROVIDE THAT THIS PROCEEDING IS A GOOD FAITH DEFENSE OF THE OWNER OF REAL PROPERTY TO CLAIMS OF WRONGFUL SALE; TO AMEND SECTION 19-3-85, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

H. B. No. 1036: AN ACT TO AMEND SECTION 63-1-7, MISSISSIPPI CODE OF 1972, TO EXEMPT THE REQUIREMENTS OF EXAMINATION AND LICENSURE IN THE STATE OF MISSISSIPPI FOR AN ACTIVE DUTY MILITARY MEMBER, THEIR SPOUSE AND THEIR DEPENDENT CHILDREN WHO ARE LICENSED AS A DRIVER UNDER A LAW REQUIRING THE LICENSING OF DRIVERS IN THEIR HOME STATE AND WHO HAVE IN THEIR IMMEDIATE POSSESSION A VALID DRIVER'S LICENSE ISSUED IN THEIR HOME STATE, ALLOWING THEM TO DRIVE A MOTOR VEHICLE IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1135: AN ACT TO CREATE A DELIVERY SERVICE PERMIT TO ALLOW THE HOLDER TO CONTRACT FOR THE DELIVERY OF ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT FROM A LICENSED RETAILER TO A CONSUMER; TO ALLOW A LICENSED RETAILER TO DELIVER ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT TO A CONSUMER IF THE RETAILER ALSO HOLDS A DELIVERY SERVICE PERMIT; TO SPECIFY CONDITIONS OF DELIVERY PURSUANT TO THE PERMIT; TO SET OUT APPLICATION REQUIREMENTS FOR THE PERMIT; TO SPECIFY THE ENFORCEMENT POWERS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO INCLUDE THE DELIVERY SERVICE PERMIT AMONG THE ALCOHOL PERMITS ISSUED BY THE DEPARTMENT OF REVENUE; TO PROVIDE THAT THE HOLDER OF A PACKAGE RETAILER'S PERMIT UNDER SECTION 67-1-51 OR OF A BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT PERMIT UNDER SECTION 67-3-19 IS AUTHORIZED TO APPLY FOR A DELIVERY SERVICE PERMIT AS A PRIVILEGE SEPARATE FROM ITS EXISTING RETAIL PERMIT; TO AMEND SECTIONS 67-1-37, 67-1-83, 67-3-5, 67-3-25 AND 27-71-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

H. B. No. 1137: AN ACT TO AMEND SECTION 27-35-50, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING USE OF AN INCOME CAPITALIZATION APPROACH AS A CRITERIA FOR THE CALCULATION OF TRUE VALUE FOR LAND USED FOR AGRICULTURAL PURPOSES; TO PROVIDE THAT GOVERNMENT PAYMENTS AND CROP INSURANCE INDEMNITIES SHALL NOT BE INCLUDED IN DETERMINING THE TRUE VALUE OF LAND USED FOR AGRICULTURAL PURPOSES AND THAT A CHARGE FOR CROP MANAGEMENT EQUAL TO TWENTY-FIVE PERCENT OF THE SUM OF A CROP'S ESTIMATED VARIABLE COST, MACHINERY OWNERSHIP COST, AND GENERAL FARM OVERHEAD COST, SHALL BE DEDUCTED IN DETERMINING THE TRUE VALUE OF SUCH LAND; TO PROVIDE THAT THE FACT THAT LAND IS LEASED FOR HUNTING OR FISHING PURPOSES SHALL NOT PRECLUDE THE LAND FROM BEING DEEMED TO BE USED FOR AGRICULTURAL PURPOSES; TO PROVIDE THAT INCOME DERIVED FROM A HUNTING OR FISHING LEASE MAY BE USED IN COMBINATION WITH OTHER RELEVANT CRITERIA TO DETERMINE THE TRUE VALUE OF LAND; AND FOR RELATED PURPOSES.

H. B. No. 1182: AN ACT TO AMEND SECTIONS 35-1-7, 35-3-9, 35-3-11, 35-3-13, 35-3-21, 35-7-5, 25-9-301, 25-11-109, 27-19-56.125, 37-103-25 AND 45-9-101, MISSISSIPPI CODE OF 1972; TO PRESCRIBE A UNIFORM DEFINITION OF "VETERAN" FOR PURPOSES OF SUCH STATUTES TO SPECIFICALLY INCLUDE

MEMBERS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION CORPS; AND FOR RELATED PURPOSES.

H. B. No. 1195: AN ACT TO CREATE NEW SECTION 63-3-1315, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REGULATION OF ELECTRIC BICYCLES; TO AMEND SECTIONS 17-17-403, 21-37-3, 27-19-3, 27-51-5, 63-3-103, 63-15-3, 63-17-55, 63-17-155, 63-19-3, 63-21-5, 63-31-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 1230: AN ACT TO AMEND SECTIONS 57-1-16, 57-1-221 AND 57-93-1, MISSISSIPPI CODE OF 1972, TO ALLOW BUSINESSES LOCATED ON TRIBAL LANDS WITHIN THE GEOGRAPHICAL BOUNDARY OF MISSISSIPPI TO BE ELIGIBLE FOR MISSISSIPPI DEVELOPMENT AUTHORITY DISCRETIONARY PROGRAMS THROUGH THE ACE FUND, THE INDUSTRY INCENTIVE FINANCING REVOLVING FUND AND THE EXISTING INDUSTRY PRODUCTIVITY LOAN FUND; AND FOR RELATED PURPOSES.

H. B. No. 1288: AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO CREATE A CHARTER VESSEL OPERATOR'S PERMIT TO AUTHORIZE THE HOLDER THEREOF TO SELL AND SERVE ALCOHOL TO THE PASSENGERS OF A CHARTER VESSEL OPERATOR; TO DEFINE A CHARTER VESSEL OPERATOR AS A COMMON CARRIER THAT IS CERTIFIED TO CARRY AT LEAST 49 PASSENGERS, OPERATES ONLY IN THE WATERS WITHIN THE STATE OF MISSISSIPPI, WHICH LIE SOUTH OF INTERSTATE-10 IN THE THREE (3) MOST SOUTHERN COUNTIES IN THE STATE OF MISSISSIPPI, EXTENDING NOT FURTHER THAN ONE (1) MILE SOUTH OF SUCH COUNTIES, AND PROVIDES VESSEL SERVICES FOR TOURS AND CRUISES IN SUCH WATERS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1296: AN ACT TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR COSTS AND EXPENSES INCURRED FOR THE REHABILITATION OF CERTAIN HISTORIC STRUCTURES, TO REMOVE THE PROVISION THAT EXCLUDES SINGLE-FAMILY DWELLINGS FROM THE DEFINITION OF THE TERM "ELIGIBLE PROPERTY"; TO REVISE THE PROVISIONS UNDER WHICH A TAXPAYER ELIGIBLE FOR A TAX CREDIT MAY CLAIM THE TAX CREDIT IN PHASES; TO AUTHORIZE THE SALE OR TRANSFER OF SUCH INCOME TAX CREDITS; TO PROVIDE THAT CREDIT FOR A PROJECT WITH TOTAL QUALIFIED REHABILITATION COSTS AND EXPENSES OF LESS THAN \$3,000,000.00 SHALL NOT COUNT FOR PURPOSES OF THE PROHIBITION AGAINST THE DEPARTMENT OF ARCHIVES AND HISTORY ISSUING CERTIFICATES EVIDENCING THE ELIGIBLE CREDIT WHICH WILL RESULT IN CREDITS BEING AWARDED IN EXCESS OF \$12,000,000.00 IN ANY ONE STATE CALENDAR YEAR; TO PROVIDE THAT A TAXPAYER SHALL CLAIM THE TAX CREDIT ON THE INCOME TAX RETURN FOR THE TAX YEAR FOR WHICH THE CREDIT IS CERTIFIED AND TO PROVIDE THE ORDER IN WHICH A TAX CREDIT SHALL BE CERTIFIED; AND FOR RELATED PURPOSES.

H. B. No. 1302: AN ACT TO AMEND SECTION 73-19-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF OPTOMETRY SHALL DEFINE THE PRACTICE OF OPTOMETRY; TO AUTHORIZE OPTOMETRISTS WHO HAVE SUFFICIENT EDUCATION AND PROFESSIONAL COMPETENCE AS DEFINED BY THE BOARD TO EXAMINE, DIAGNOSE, MANAGE AND TREAT CONDITIONS AND DISEASES OF THE EYE AND EYELID, AND TO USE LOCAL ANESTHESIA BY INJECTION IN PERFORMING CERTAIN PROCEDURES; TO PROVIDE THAT OPTOMETRISTS PRACTICING UNDER THE AUTHORITY OF THIS SECTION SHALL BE HELD TO THE SAME STANDARD OF CARE AS THAT OF OTHER PHYSICIANS PROVIDING SIMILAR SERVICES; TO AMEND SECTION 73-19-27, MISSISSIPPI CODE OF 1972, TO DELETE PROVISIONS THAT PROHIBIT OPTOMETRISTS FROM

TREATING OR DIAGNOSING DISEASES OF OR INJURIES TO THE HUMAN EYE AND FROM USING DRUGS OR MEDICINES FOR THE TREATMENT OR EXAMINATION OF THE HUMAN EYE; TO AMEND SECTION 73-19-157, MISSISSIPPI CODE OF 1972, TO AUTHORIZE OPTOMETRISTS TO USE AND PRESCRIBE CERTAIN PHARMACEUTICAL MEDICATIONS THAT ARE RATIONAL AND APPROPRIATE FOR THE EXAMINATION, DIAGNOSIS, MANAGEMENT OR TREATMENT OF VISUAL DEFECTS, ABNORMAL CONDITIONS OR DISEASES OF THE EYE AND/OR EYELIDS; TO PROVIDE THAT THE BOARD SHALL ESTABLISH A THREE-YEAR PILOT PROGRAM FOR NO MORE THAN TWENTY OPTOMETRISTS TO PERFORM OPHTHALMIC LASER CAPSULOTOMY PROCEDURES; TO PROVIDE THE QUALIFICATIONS FOR OPTOMETRISTS TO PARTICIPATE IN THE PILOT PROGRAM; TO CREATE NEW SECTION 73-19-161, MISSISSIPPI CODE OF 1972, TO PROVIDE A REPEALER ON ALL OF THE SECTIONS OF LAW APPLICABLE TO THE PRACTICE OF OPTOMETRY; TO BRING FORWARD SECTIONS 73-19-151 THROUGH 73-19-155 AND 73-19-159 THROUGH 73-19-165, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE USE OF THERAPEUTIC PHARMACEUTICAL AGENTS BY CERTIFIED OPTOMETRISTS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1303: AN ACT TO AMEND SECTION 73-15-3, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE STATEMENT OF PURPOSE OF THE MISSISSIPPI NURSING PRACTICE LAW; TO AMEND SECTION 73-15-5, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN DEFINITIONS AND REVISE CERTAIN DEFINITIONS IN THE NURSING PRACTICE LAW REGARDING ADVANCED NURSING PRACTICE; TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT THE COLLABORATIVE/CONSULTATIVE RELATIONSHIP REQUIRED FOR ADVANCED PRACTICE REGISTERED NURSES MAY BE WITH A NURSE PRACTITIONER WHO HAS AT LEAST THREE YEARS' EXPERIENCE; TO PROVIDE THAT AN ADVANCED PRACTICE REGISTERED NURSE SHALL BE EXEMPT FROM THE REQUIREMENT OF ENTERING AND MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN, DENTIST OR NURSE PRACTITIONER AFTER COMPLETING 3,600 TRANSITION TO PRACTICE HOURS; TO AMEND SECTION 73-15-29, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINARY ACTIONS AGAINST NURSES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

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

S. B. No. 2021: Coordinator of Mental Health Accessibility; house position under DFA, exempt contracts from rules of contract review board.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, February 5, 2021.

The motion prevailed, and at 3:57 PM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 95: AN ACT TO AMEND SECTION 73-17-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF NURSING HOME ADMINISTRATORS TO CONDUCT CRIMINAL HISTORY RECORDS CHECKS ON APPLICANTS FOR LICENSURE; TO PROVIDE THAT THE APPLICANT SHALL NOT BE CHARGED ANY OF THE COSTS OF OBTAINING THAT INFORMATION; TO DELETE THE DATE OF THE REPEALER ON THE LICENSURE REQUIREMENTS FOR NURSING HOME ADMINISTRATORS; AND FOR RELATED PURPOSES.

H. B. No. 886: AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO EXEMPT LAW ENFORCEMENT OFFICERS WHO ARE EMPLOYED WITH A LAW ENFORCEMENT AGENCY OF A MUNICIPALITY, COUNTY OR STATE AT THE TIME OF APPLICATION FOR A CONCEALED CARRY PERMIT FROM PERMITTING FEES AND RENEWAL FEES; AND FOR RELATED PURPOSES.

H. B. No. 997: AN ACT TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO REMOVE THE DEPARTMENT OF REVENUE FROM BEING A WHOLESALE DISTRIBUTOR OF ALCOHOLIC BEVERAGES WITHIN THIS STATE; TO CREATE A NEW SECTION TO BE CODIFIED AS 67-1-42, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A HOLDER OF A WHOLESALER'S PERMIT TO DISTRIBUTE ALCOHOLIC BEVERAGES THROUGHOUT THIS STATE TO PROPERLY PERMITTED RETAILERS FOR RESALE SUBJECT TO THE PROVISIONS OF THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO PROVIDE FOR THE ISSUANCE OF A WHOLESALER'S PERMIT; TO REQUIRE THE HOLDER OF A WHOLESALER'S PERMIT TO FILE REPORTS WITH THE DEPARTMENT OF REVENUE COVERING SALES OF ALCOHOLIC BEVERAGES AND KEEP CERTAIN RECORDS; TO PROVIDE FOR THE ANNUAL RENEWAL OF A WHOLESALER'S PERMIT; TO AMEND SECTIONS 67-1-37, 67-1-43, 67-1-45, 67-1-47, 67-1-49 AND 67-1-51, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO LEVY A PRIVILEGE TAX ON HOLDERS OF WHOLESALER'S PERMITS; TO AMEND SECTION 27-71-7, MISSISSIPPI CODE OF 1972, TO LEVY A TAX UPON THE SALE OF ALCOHOLIC BEVERAGES BY A WHOLESALER; TO AMEND SECTIONS 27-71-9, 27-71-11, 27-71-13, 27-71-15, 27-71-17, 27-71-21, 27-71-25, 27-71-29 AND 67-5-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1197: AN ACT TO AMEND SECTION 31-7-13.1, MISSISSIPPI CODE OF 1972, TO REVISE THE DUAL-PHASE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING; TO REMOVE THE REQUIREMENT FOR TWO PHASES OF DESIGN-BUILD CONSTRUCTION CONTRACTING; TO PROVIDE THAT DESIGN-BUILD CONSTRUCTION CONTRACTING MAY BE USED FOR RESIDENTIAL BUILDINGS, RESIDENTIAL-MIXED USED DEVELOPMENTS, PARKING GARAGES AND OTHER PRESCRIPTIVE TYPE FACILITIES; TO PROVIDE THAT THE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING MAY ONLY BE USED WHEN THE DEPARTMENT OF FINANCE AND ADMINISTRATION OR A GOVERNING AUTHORITY HAS DETERMINED THAT USING THE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING SATISFIES THE PUBLIC INTEREST BETTER

THAN TRADITIONAL DESIGN BID OR WHEN THE LEGISLATURE HAS SPECIFICALLY REQUIRED OR AUTHORIZED THE USE OF THIS METHOD IN THE LEGISLATION AUTHORIZING A PROJECT; TO PROVIDE THAT INSTEAD OF THE DUAL-PHASE PROCEDURE FOR AWARDING A CONTRACT, FOR EACH PROPOSED DESIGN-BUILD PROJECT, EITHER A FIXED FIRM PRICE OR GUARANTEED MAXIMUM PRICE CONTRACT MUST BE ADOPTED; TO REVISE WHAT MUST BE INCLUDED IN THE WORK STATEMENT; TO PROVIDE THAT NOTICE SHALL ALSO BE POSTED ON THE MISSISSIPPI PROCUREMENT PORTAL; TO PROVIDE THAT PROPOSALS WHICH INCLUDE CRITERIA OTHER THAN COST ONLY SHALL BE EVALUATED BY AN EVALUATION COMMITTEE ESTABLISHED BY THE PROCURING ENTITY; TO PROVIDE THE MAKEUP OF THE EVALUATION COMMITTEE AND THE SELECTION CRITERIA THAT THE EVALUATION COMMITTEE SHALL CONSIDER WHEN EVALUATING SUBMITTED PROPOSALS; TO PROVIDE THAT AN AGENCY OR GOVERNING AUTHORITY MAY NOT AWARD A STIPULATED FEE TO AN OFFEROR FOR PREPARATION COSTS TO SUBMIT A RESPONSE TO THE REQUEST FOR PROPOSALS; TO AMEND SECTIONS 31-11-3 AND 61-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO REVISE THE REVERSE AUCTION METHOD FOR RECEIVING BIDS TO DIFFERENTIATE BETWEEN AGENCIES AND GOVERNING AUTHORITIES; TO PROVIDE THAT IF AN AGENCY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY, THEN THAT DETERMINATION MUST BE APPROVED BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO PROVIDE THAT IF A GOVERNING AUTHORITY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE GOVERNING AUTHORITY, THEN THAT DETERMINATION MUST BE APPROVED BY THE GOVERNING BOARD OF THE GOVERNING AUTHORITY; TO PROVIDE THAT THE AGENCY AND GOVERNING AUTHORITY MUST SUBMIT AN EXPLANATION AS TO WHY A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY OR GOVERNING AUTHORITY; AND FOR RELATED PURPOSES.

H. B. No. 1263: AN ACT TO AMEND SECTION 73-50-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MISSISSIPPI OCCUPATIONAL LICENSING BOARDS SHALL ISSUE A LICENSE TO AN APPLICANT WHO ESTABLISHES RESIDENCE IN THIS STATE IF THE APPLICANT HOLDS A CURRENT LICENSE IN GOOD STANDING FROM ANOTHER STATE, HAS BEEN LICENSED BY THE OTHER STATE FOR AT LEAST ONE YEAR AND SATISFIES CERTAIN OTHER CONDITIONS; TO PROVIDE THAT THE LICENSE ISSUED TO THE APPLICANT WILL BE IN THE DISCIPLINE APPLIED FOR AND AT THE SAME PRACTICE LEVEL AS DETERMINED BY THE OCCUPATIONAL LICENSING BOARD; TO AMEND SECTIONS 37-3-2, 73-1-21, 73-2-11, 73-4-23, 73-5-21, 73-6-13, 73-7-23, 73-9-24, 73-10-15, 73-11-51, 73-13-35, 73-14-25, 73-15-19, 73-15-21, 73-17-11, 73-19-25, 73-21-87, 73-23-51, 73-23-53, 73-24-21, 73-25-21, 73-27-5, 73-29-19, 73-30-15, 73-31-14, 73-31-15, 73-33-9, 73-34-51, 73-35-7, 73-35-13, 73-36-31, 73-38-23, 73-39-71, 73-53-13, 73-54-23, 73-60-25, 73-63-39, 73-65-7, 73-67-25, 73-69-11, 73-71-21, 73-73-11 and 73-75-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Inis Roane, Dennis Hardin, Kyle Buckley, Mark Moore, Marlene Coker, Etta Kate Gaines, Ralph Chaney, Lindsey Harris, Bud Williams, Melvin Ford, Noah Sessums, Geneva Hurley, Steve Box, W. F. "Dub" Butts, Ms. Walterine Goss, Kevin W. Comans, John Wesley Patrick, Malcolm Singleton, James Hugh McMurphy, Regenia Lee Chambers, John Earl Harrison, Herbert W. Windham, Toby Reid, Tina Clanton, Sherry Robbins, Bobby Ray Madison, Tyler Stewart, Ruthie Nell Thomas, Claire Myers, Rosie

SENATE JOURNAL
THURSDAY, FEBRUARY 4, 2021

Shoemaker, Lozell Pace, Virgil Homer Harrison, Tommy Speir Dennis, Leona Milner, Richard Kent Gray, Patricia Butler, Polly Wells Montgomery, Frank Lawrence, Jr., Nell W. Robertson, Eugene L. Fair, Jim Weatherly, Donald Camp, Nathaniel Stone, Carrie Denney, Raymond Bernard English, Shirley Moore Chaney and George Langham.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 4, 2021

THIRTY-SECOND DAY, FRIDAY, FEBRUARY 5, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Absent--Branning, DeLano, Fillingane, Harkins, Horhn, Parks. Total--6.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Horhn.

The invocation was delivered by Senator McCaughn.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

MESSAGE FROM THE GOVERNOR

February 4, 2021

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

Philip Alan Chamblee, Madison, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective immediately and ending December 31, 2025.

Tate Reeves
GOVERNOR

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

Philip Alan Chamblee, Mississippi Lottery Corporation Board of Directors, five year term effective immediately and ending December 31, 2025, Finance.

Senator Wiggins called up the following entitled bill:

S. B. No. 2205: Birth certificate; adoptee may obtain certified copy of original after 18 years.

YEAS AND NAYS On S. B. No. 2205. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--None.

Absent and those not voting--Branning, DeLano, Fillingane, Harkins, Horhn, Parks. Total--6.

Senator Seymour called up the following entitled bill:

S. B. No. 2293: Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge.

On motion of Senator Seymour, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2293. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S.

(13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--None.

Absent and those not voting--Branning, DeLano, Fillingane, Harkins, Horhn, Parks.
Total--6.

Senator Seymour called up the following entitled bill:

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person.

YEAS AND NAYS On S. B. No. 2294. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--None.

Absent and those not voting--Branning, DeLano, Fillingane, Harkins, Horhn, Parks.
Total--6.

Senator Hill called up the following entitled bill:

S. B. No. 2024: Depositories; revise bid process for selection by counties and municipalities.

YEAS AND NAYS On S. B. No. 2024. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--None.

Absent and those not voting--Branning, DeLano, Fillingane, Harkins, Horhn, Parks.
Total--6.

Unanimous consent was granted to add Senators Turner-Ford, Jackson R. (11th), McLendon, Younger, Jordan, Barnett, Butler, Simmons S. (13th) and Chism as co-authors of **S. B. No. 2024**.

Senator Hill called up the following entitled bill:

S. B. No. 2630: County law library; authorize use of money for technological purposes.

On motion of Senator Hill, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2630. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--None.

Absent and those not voting--Branning, DeLano, Fillingane, Harkins, Horhn, Parks. Total--6.

Senator Whaley called up the following entitled bill:

S. B. No. 2486: State parks; restructure ownership and management arrangements.

On motion of Senator Whaley, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2486. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Boyd, Carter, Caughman, Chism, DeBar, England, Hill, Hopson, Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--32.

Nays--Barnett, Bryan, Butler, Chassaniol, Frazier, Jackson R. (11th), Jordan, Norwood, Simmons S. (13th), Thomas, Turner-Ford. Total--11.

Absent and those not voting--Branning, DeLano, Fillingane, Harkins, Horhn, Parks. Total--6.

Voting Present--Blount. Total--1.

Senator Simmons D. T. (12th), who would have voted nay on S. B. No. 2486, announced a pair with Senator McDaniel, who would have voted yea.

Senator Barnett called up the following entitled bill:

S. B. No. 2574: Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC.

YEAS AND NAYS On S. B. No. 2574. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--None.

Absent and those not voting--Branning, DeLano, Fillingane, Harkins, Horhn, Parks.
Total--6.

Senator Chassaniol called up the following entitled bill:

S. B. No. 2606: Mississippi Native Spirit Law; create.

YEAS AND NAYS On S. B. No. 2606. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--43.

Nays--Norwood. Total--1.

Absent and those not voting--Branning, DeLano, Fillingane, Harkins, Horhn, Parks.
Total--6.

Senator Suber, who would have voted yea on S. B. No. 2606, announced a pair with Senator Tate, who would have voted nay.

Senator Younger called up the following entitled bill:

S. B. No. 2072: Pecan Harvesting Law; revise penalties for violating.

YEAS AND NAYS On S. B. No. 2072. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, England, Frazier, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--Butler, Turner-Ford. Total--2.

Absent and those not voting--Branning, DeLano, Fillingane, Harkins, Horhn, Parks.
Total--6.

Senator Chassaniol entered a motion to reconsider the vote whereby **S. B. No. 2117** passed the Senate.

S. B. No. 2117: Juvenile offenders; provide alternative sentencing and parole options.

On request of Senator Hopson, unanimous consent was granted to add Senator Branning (in her absence) as a co-author of S. B. No. 2062, S. B. No. 2267, S. B. No. 2834 and S. B. No. 2113.

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state and passes background check.

S. B. No. 2834: Mississippi Historic Site Preservation Fund Grant Program; establish within Department of Archives and History.

S. B. No. 2113: Voting equipment; require certification by the United States Election Assistance Commission.

Senator Hopson entered a motion to reconsider the vote whereby **S. B. No. 2392** passed the Senate.

S. B. No. 2392: County port and harbor commission; provide for holdover of appointees.

Unanimous consent was granted to add Senator Simmons D. T. (12th) as a co-author of S. B. No. 2527, S. B. No. 2282, S. B. No. 2573 and S. B. No. 2574.

S. B. No. 2527: Mississippi Critical Teacher Shortage Act; extend repealer on.

S. B. No. 2282: Youth detention; raise minimum age for youth commitment to state training school and secure detention.

S. B. No. 2573: Department of Public Safety; implement uniform reporting standards for jail census data & create & maintain a centralized database.

S. B. No. 2574: Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC.

Unanimous consent was granted to add Senator Jackson R. (11th) as a co-author of S. B. No. 2062, S. B. No. 2267, S. B. No. 2527, S. B. No. 2117, S. B. No. 2282, S. B. No. 2573, S. B. No. 2077, S. B. No. 2098, S. B. No. 2205, S. B. No. 2293, S. B. No. 2294, S. B. No. 2630, S. B. No. 2574 and S. B. No. 2606.

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state and passes background check.

S. B. No. 2527: Mississippi Critical Teacher Shortage Act; extend repealer on.

S. B. No. 2117: Juvenile offenders; provide alternative sentencing and parole options.

S. B. No. 2282: Youth detention; raise minimum age for youth commitment to state training school and secure detention.

S. B. No. 2573: Department of Public Safety; implement uniform reporting standards for jail census data & create & maintain a centralized database.

S. B. No. 2077: Central Market Board; abolish and transfer functions to the Department of Agriculture and Commerce.

S. B. No. 2098: State Board of Funeral Service; extend repealer on.

S. B. No. 2205: Birth certificate; adoptee may obtain certified copy of original after 18 years.

S. B. No. 2293: Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge.

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person.

S. B. No. 2630: County law library; authorize use of money for technological purposes.

S. B. No. 2574: Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC.

S. B. No. 2606: Mississippi Native Spirit Law; create.

Unanimous consent was granted to add Senator Simmons S. (13th) as a co-author of S. B. No. 2527, S. B. No. 2117 and S. B. No. 2574.

S. B. No. 2527: Mississippi Critical Teacher Shortage Act; extend repealer on.

S. B. No. 2117: Juvenile offenders; provide alternative sentencing and parole options.

S. B. No. 2574: Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC.

Unanimous consent was granted to add Senator Sparks as a co-author of S. B. No. 2062 and S. B. No. 2574.

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

S. B. No. 2574: Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC.

Unanimous consent was granted to add Senator Suber as a co-author of S. B. No. 2062 and S. B. No. 2283.

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

S. B. No. 2283: Freedom of Roadway Act; increase penalties for the obstruction of public passageways.

Unanimous consent was granted to add Senator England as a co-author of S. B. No. 2121.

S. B. No. 2121: Intimate visual material; criminalize disclosure of.

Unanimous consent was granted to add Senator Butler as a co-author of S. B. No. 2062, S. B. No. 2294 and S. B. No. 2024.

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person.

S. B. No. 2024: Depositories; revise bid process for selection by counties and municipalities.

Senator Barrett entered a motion to reconsider the vote whereby **S. B. No. 2113** passed the Senate.

S. B. No. 2113: Voting equipment; require certification by the United States Election Assistance Commission.

Senator Turner-Ford entered a motion to reconsider the vote whereby **S. B. No. 2121** passed the Senate.

S. B. No. 2121: Intimate visual material; criminalize disclosure of.

Unanimous consent was granted to add Senator Turner-Ford as a co-author of S. B. No. 2574.

S. B. No. 2574: Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Betty Ann Dement Bailess of Vicksburg, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of James Taylor of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Pat Hobson McGill of Ashland, MS.

Senator Thompson moved that when the Senate adjourns, it adjourn in memory of Andrew Gallagher of Pass Christian, MS.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of James Edward Autman of Marks, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of William "Billy" Alderman of Carrollton, MS.

Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Corey Tyler Walker of Carnes, MS.

Senators Johnson and Polk moved that when the Senate adjourns, it adjourn in memory of Lavour Lux of Poplarville, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Jimmy Simmons of Columbus, MS.

Senators Sparks and McMahan moved that when the Senate adjourns, it adjourn in memory of William Earl Stone of Baldwin, MS.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 6: AN ACT TO REQUIRE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO DEVELOP AND ADOPT A UNIFORM HAZING POLICY FOR ALL POSTSECONDARY EDUCATIONAL INSTITUTIONS; TO REQUIRE POSTSECONDARY EDUCATIONAL INSTITUTIONS TO ADOPT SUCH POLICY; TO AUTHORIZE SUCH INSTITUTIONS TO AMEND SUCH POLICY WITH LIMITATIONS; TO REQUIRE INSTITUTIONS TO PROVIDE INFORMATION RELATIVE TO HAZING AT ORIENTATION; TO REQUIRE CAMPUS ORGANIZATIONS TO PROVIDE INFORMATION RELATIVE TO HAZING; TO DEFINE CERTAIN TERMS; TO AMEND SECTION 37-111-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO BRING FORWARD SECTION 97-3-105, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

H. B. No. 8: AN ACT TO AMEND SECTION 1, CHAPTER 456, LAWS OF 2014, WHICH AUTHORIZED THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER, WITH

THE APPROVAL OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO LEASE A CERTAIN PORTION OF ITS PROPERTY THAT IS LOCATED IN THE CITY OF JACKSON, MISSISSIPPI, FOR A TERM OF NO MORE THAN 40 YEARS, TO REVISE THE LEASING AUTHORITY BY REMOVING THE REQUIREMENTS THAT SUCH REAL PROPERTY SHALL CONSIST OF MIXED-USED DEVELOPMENT IMPROVEMENT AND THE MINIMUM SQUARE FOOTAGE OF DESIGNATED STREET-LEVEL OFFICE SPACE; AND FOR RELATED PURPOSES.

H. B. No. 74: AN ACT TO REENACT SECTIONS 19-5-303, 19-5-313, 19-5-319, 19-5-331, 19-5-333, 19-5-335, 19-5-337, 19-5-339, 19-5-341, 19-5-353, 19-5-357, 19-5-359 AND 19-5-361, MISSISSIPPI CODE OF 1972, WHICH REGULATE 911 AND E911 EMERGENCY TELECOMMUNICATIONS SERVICES AND REQUIRE THE COLLECTION OF SERVICE CHARGES; TO AMEND SECTION 19-5-371, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 82: AN ACT TO AMEND SECTION 31-11-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER UP TO ONE MILLION DOLLARS OF AVAILABLE BOND FUNDS TO COMMUNITY COLLEGES REQUESTING TO BE EXEMPT FROM DEPARTMENT OVERSIGHTS OF CERTAIN REPAIR, RENOVATIONS AND IMPROVEMENTS TO EXISTING FACILITIES OWNED BY COMMUNITY COLLEGES; AND FOR RELATED PURPOSES.

H. B. No. 104: AN ACT TO AMEND SECTION 19-3-49, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE HANCOCK COUNTY BOARD OF SUPERVISORS, RATHER THAN PAYING THE ATTORNEY HIRED TO PROSECUTE CASES REQUIRING THE SERVICES OF A COUNTY PROSECUTING ATTORNEY AN ANNUAL SALARY OF FORTY-FIVE THOUSAND DOLLARS, THE BOARD MAY PAY SUCH ATTORNEY AN ANNUAL SALARY IN AN AMOUNT NOT TO EXCEED SEVENTY-FIVE PERCENT OF THE ANNUAL SALARY OF THE COUNTY COURT JUDGE'S SALARY; AND FOR RELATED PURPOSES.

H. B. No. 119: AN ACT TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON HARPER GRACE'S LAW, WHICH AUTHORIZES RESEARCH AND THE DISPENSING, POSSESSION AND USE OF CANNABIDIOL (CBD OIL) FOR MEDICAL PURPOSES; AND FOR RELATED PURPOSES.

H. B. No. 136: AN ACT TO REQUIRE ANY PUBLIC OFFICER OR EMPLOYEE HANDLING OR HAVING THE CUSTODY OF PUBLIC FUNDS, BY VIRTUE OF HIS OR HER OFFICE OR EMPLOYMENT, TO GIVE BOND IN A CERTAIN AMOUNT; AND FOR RELATED PURPOSES.

H. B. No. 162: AN ACT TO AMEND SECTION 31-7-14, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES CERTAIN ENTITIES TO ENTER INTO PUBLIC CONTRACTS FOR ENERGY EFFICIENCY SERVICES AND EQUIPMENT AND PRESCRIBES CERTAIN REQUIREMENTS RELATING TO SUCH CONTRACTS, TO EXTEND THE DATE OF THE REPEALER ON THE SECTION; AND FOR RELATED PURPOSES.

H. B. No. 213: AN ACT TO AMEND SECTION 31-9-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF ADMINISTRATION, OFFICE OF SURPLUS PROPERTY TO ADMINISTER THE FEDERAL DONATION PROGRAM, AND COLLECT FEES AND ASSESSMENTS FROM ENTITIES RECEIVING SURPLUS PROPERTY FOR THE PURPOSE OF MAINTAINING A REVOLVING FUND IN ACCORDANCE WITH PROCEDURES OUTLINED BY THE UNITED STATES GENERAL SERVICES ADMINISTRATION; AND FOR RELATED PURPOSES.

H. B. No. 219: AN ACT TO PROHIBIT ANY MUNICIPALITY, COUNTY OR ANY OTHER POLITICAL SUBDIVISION FROM ADOPTING AN ORDINANCE, RESOLUTION, RULE OR REGULATION THAT IMPOSES A CIVIL PENALTY OR FINE ON A BUSINESS ENGAGED IN THE SECURITY BUSINESS IF SUCH BUSINESS RECEIVES A FALSE SECURITY ALARM UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 19-3-40 AND 21-17-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 274: AN ACT TO AUTHORIZE LAW ENFORCEMENT OFFICERS WHO ARE EMPLOYED BY A COUNTY OR MUNICIPALITY TO WEAR THE OFFICIAL UNIFORM AND UTILIZE THE OFFICIAL FIREARM, VEHICLES AND EQUIPMENT ISSUED BY THE EMPLOYING JURISDICTION WHILE IN THE PERFORMANCE OF VOLUNTARY DISASTER RELIEF IN THIS STATE OR ANOTHER STATE DURING OFF-DUTY HOURS; AND FOR RELATED PURPOSES.

H. B. No. 320: AN ACT TO AMEND SECTIONS 19-5-105 AND 21-19-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CLEAN PROPERTY OR PARCELS OF LAND OF PERPETUAL CARE CEMETERIES THAT ARE NOT BEING PROPERLY MAINTAINED AND HAVE BECOME DETRIMENTAL TO THE PUBLIC HEALTH AND WELFARE; TO PRESCRIBE NOTICE AND HEARING REQUIREMENTS AND AN ADJUDICATION BY THE COUNTY OR MUNICIPALITY BEFORE IT MAY CLEAN THE PROPERTY; TO AUTHORIZE THE COUNTY OR MUNICIPALITY TO MAKE APPLICATION TO THE SECRETARY OF STATE FOR AN ORDER DIRECTING THE TRUSTEE OF THE PERPETUAL CARE CEMETERY TRUST FUND TO RELEASE ACCRUED INTEREST OR PRINCIPAL OF THE TRUST FUND SUFFICIENT TO REIMBURSE THE COUNTY OR MUNICIPALITY FOR ONLY THE ACTUAL CLEANUP COSTS INCURRED; TO AUTHORIZE THE SECRETARY OF STATE TO ORDER THE TRUSTEE TO RELEASE ACCRUED INTEREST OR PRINCIPAL OF THE TRUST FUND IN AN AMOUNT SUFFICIENT TO REIMBURSE THE COUNTY OR MUNICIPALITY FOR THE ACTUAL COSTS OF CLEANUP PERFORMED IF THE SECRETARY OF STATE MAKE CERTAIN DETERMINATIONS; TO AMEND SECTION 41-43-57, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 350: AN ACT TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A CERTIFICATE OF REHABILITATION FOR ANY PERSON CONVICTED OF A FEDERAL CRIME OR A FELONY OUT OF STATE; AND FOR RELATED PURPOSES.

H. B. No. 357: AN ACT TO AMEND SECTION 31-7-124, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$75,000.00 TO \$100,000.00 THE AMOUNT OF BOND THAT IS REQUIRED FOR COUNTY PURCHASE CLERKS; AND FOR RELATED PURPOSES.

H. B. No. 358: AN ACT TO AMEND SECTION 37-39-21, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$50,000.00 TO \$100,000.00 THE AMOUNT OF BOND THAT IS REQUIRED FOR THE PURCHASING AGENT OF ANY SCHOOL BOARD; AND FOR RELATED PURPOSES.

H. B. No. 453: AN ACT TO CREATE SECTION 17-25-11.1, MISSISSIPPI CODE OF 1972, TO ALLOW A CERTIFIED LAW ENFORCEMENT OFFICER OR CERTIFIED PART-TIME LAW ENFORCEMENT OFFICER, WHO IS EMPLOYED BY A COUNTY OR MUNICIPALITY, TO USE HIS OR HER OFFICIAL UNIFORM, WEAPON AND VEHICLE WHILE PERFORMING VOLUNTEER SERVICES FOR A CHURCH, COMMUNITY CLUB, SOCIAL EVENT OR OTHER COMMUNITY EVENT IN OFF-DUTY HOURS; TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MEMBERS OF CERTAIN LAW ENFORCEMENT AGENCIES TO RETAIN HIS OR HER SIDEARM UPON RETIREMENT; TO BRING FORWARD SECTION 17-25-11, MISSISSIPPI CODE OF 1972, WHICH ALLOWS A CERTIFIED LAW ENFORCEMENT

OFFICER OR CERTIFIED PART-TIME LAW ENFORCEMENT OFFICER, WHO IS EMPLOYED BY A COUNTY OR MUNICIPALITY, TO USE HIS OR HER OFFICIAL UNIFORM AND WEAPON WHILE PERFORMING PRIVATE SECURITY SERVICES IN OFF-DUTY HOURS; AND FOR RELATED PURPOSES.

H. B. No. 464: AN ACT TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BEFORE AN OFFENDER IS RELEASED ON PAROLE BY THE PAROLE BOARD, THE BOARD SHALL PROVIDE NOTICE OF A PERIOD OF TIME THAT SHALL NOT EXCEED 15 DAYS, RATHER THAN AN AT LEAST 15 DAYS NOTICE, TO AN OFFENDER'S VICTIM OR THE VICTIM'S FAMILY WHEN AN OFFENDER IS TO BE RELEASED BY THE BOARD; TO AMEND SECTION 47-5-177, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO PROVIDE NOTICE OF A PERIOD OF TIME THAT SHALL NOT EXCEED 15 DAYS, RATHER THAN AN AT LEAST 15 DAYS NOTICE, TO CERTAIN LOCAL LAW ENFORCEMENT WHEN AN OFFENDER IS SCHEDULED FOR RELEASE; TO AMEND SECTIONS 47-5-157 AND 47-5-173, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MEMBERS OF THE STATE PAROLE BOARD TO RECEIVE COMPENSATION OR PER DIEM IN ADDITION TO THEIR SALARY; TO AMEND SECTION 25-3-38, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTIONS 47-7-3, 47-7-3.1 THROUGH 47-7-6, 47-7-13 THROUGH 47-7-19 AND 47-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE POWERS AND DUTIES OF THE STATE PAROLE BOARD, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 479: AN ACT TO AUTHORIZE PHARMACIES TO SELL AND PERSONS TO PURCHASE, WITHOUT A PRESCRIPTION, PRODUCTS THAT CONTAIN CERTAIN QUANTITIES OF PSEUDOEPHEDRINE OR EPHEDRINE; TO REQUIRE PHARMACIES SELLING PRODUCTS AUTHORIZED UNDER THIS ACT TO USE THE NPLEX SYSTEM BEFORE SELLING THOSE PRODUCTS; TO REQUIRE PHARMACIES TO MAINTAIN AN ELECTRONIC LOG OF REQUIRED INFORMATION FOR EACH TRANSACTION; TO REQUIRE THE PURCHASER OF THE PACKAGE TO BE AT LEAST EIGHTEEN YEARS OF AGE, AS SHOWN BY VALID IDENTIFICATION, AND TO SIGN A RECORD OF EACH TRANSACTION; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTION 41-29-117, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 557: AN ACT TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SUCCESSFUL COMPLETION OF WORKFORCE TRAINING AT A COMMUNITY COLLEGE OR WORKFORCE DEVELOPMENT CENTER OR A SIMILAR TRAINING OR DIVERSION PROGRAM ADMINISTERED BY A NONPROFIT OR OTHER ENTITY AS A CONDITION OF THE COURT'S AUTHORITY TO WITHHOLD ACCEPTANCE OF A PERSON'S PLEA AND SENTENCE UNDER THE NONADJUDICATION PROVISIONS OF THIS SECTION; TO AMEND SECTION 99-15-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SUCCESSFUL COMPLETION OF WORKFORCE TRAINING AT A COMMUNITY COLLEGE OR WORKFORCE DEVELOPMENT CENTER AS A TERM OF THE PRETRIAL INTERVENTION PROGRAM UNDER THIS SECTION; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER FROM THE BUDGET OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO THE MISSISSIPPI COMMUNITY COLLEGE BOARD THE SUM OF \$2,000.00 FOR EACH PERSON WHO SUCCESSFULLY COMPLETES WORKFORCE TRAINING AT A COMMUNITY COLLEGE OR WORKFORCE DEVELOPMENT CENTER AS A CONDITION OF THE COURT WITHHOLDING ACCEPTANCE OF THE PERSON'S PLEA AND SENTENCE UNDER SECTION 99-15-26 OR AS A TERM OF THE PRETRIAL INTERVENTION PROGRAM UNDER SECTION 99-15-117, WHICH SHALL BE DISBURSED TO THE COMMUNITY COLLEGE AT WHICH THE PERSON RECEIVED THE WORKFORCE TRAINING OR THE COMMUNITY COLLEGE AFFILIATED WITH THE WORKFORCE DEVELOPMENT

CENTER AT WHICH THE PERSON RECEIVED THE WORKFORCE TRAINING; AND FOR RELATED PURPOSES.

H. B. No. 594: AN ACT TO AMEND SECTION 49-27-5, MISSISSIPPI CODE OF 1972, TO AMEND THE COASTAL WETLANDS PROTECTION ACT TO DEFINE "ORDINARY HIGH WATER MARK" TO MEAN A MARK ON THE SHORE DETERMINED BY THE DEPARTMENT STAFF, ESTABLISHED BY FLUCTUATIONS IN WATER LEVEL AND INDICATED BY PHYSICAL AND BIOLOGICAL CHARACTERISTICS INCLUDING, BUT NOT LIMITED TO, WATER STAINS, CHANGES IN THE CHARACTER OF THE SOIL, SCOUR LINES, PRESENCE OF DEBRIS LINES, CHANGES IN PLANT COMMUNITIES AND OTHER APPROPRIATE MEANS THAT CONSIDER THE CHARACTERISTICS OF THE SURROUNDING AREA; TO REVISE THE DEFINITION OF "COASTAL WETLANDS" TO MEAN ALL PUBLICLY OWNED LANDS SUBJECT TO THE EBB AND FLOW OF THE TIDE; WHICH ARE BELOW THE ORDINARY HIGH WATER MARK; ALL PUBLICLY OWNED ACCRETIONS ABOVE THE ORDINARY HIGH WATER MARK AND ALL PUBLICLY OWNED SUBMERGED WATER BOTTOMS BELOW THE ORDINARY HIGH WATER MARK AND INCLUDES THE FLORA AND FAUNA ON THE WETLANDS AND IN THE WETLANDS; AND FOR RELATED PURPOSES.

H. B. No. 609: AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROCUREMENT OF AIRCRAFT, AIRCRAFT MAINTENANCE, PARTS, EQUIPMENT AND SERVICES BY STATE INSTITUTIONS OF HIGHER LEARNING WHICH OFFER UNDERGRADUATE AND GRADUATE DEGREE PROGRAMS IN AVIATION SHALL BE EXEMPT FROM THE PUBLIC PURCHASING LAW REQUIREMENTS; TO AUTHORIZE THE DEPARTMENT CHAIR TO ESTABLISH PURCHASING PROCEDURES IN COMPLIANCE WITH THE EXEMPTION, WHICH SHALL BE APPROVED BY THE IHL BOARD; AND FOR RELATED PURPOSES.

H. B. No. 632: AN ACT TO ESTABLISH THE "ALL FUELS ACT OF 2021"; TO PROVIDE THAT NO POLITICAL SUBDIVISION MAY PROHIBIT THE EXPANSION, CONNECTION OR RECONNECTION OF A SERVICE BASED UPON THE TYPE OR SOURCE OF ENERGY PROVIDED TO A CUSTOMER; AND FOR RELATED PURPOSES.

H. B. No. 718: AN ACT TO AMEND SECTION 23-15-805, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL CAMPAIGN FINANCE STATEMENTS, REPORTS OF CONTRIBUTIONS AND EXPENDITURES, AND OTHER REPORTS REQUIRED TO BE FILED SHALL BE POSTED ONLINE BY THE SECRETARY OF STATE WITHIN ONE DAY OF RECEIPT OF SUCH REPORTS FROM THE CANDIDATE, CIRCUIT CLERK OR MUNICIPAL CLERK; TO AMEND SECTION 23-15-815, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 1034: AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE ISOTONITAZENE, FLUALPRAZOLAM, FLUBROMAZEPAM, FLUBROMAZOLAM AND CLONAZOLAM TO SCHEDULE I BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972, TO REVISE THE CHEMICAL NAME OF THIAFENTANIL; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE BREXANOLONE AND SOLRIAMFETOL AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THE FEDERAL DRUG ADMINISTRATION RECENTLY APPROVED THESE DRUGS FOR MEDICAL USE; AND FOR RELATED PURPOSES.

H. B. No. 1037: AN ACT TO ENACT THE MISSISSIPPI GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE ACT; TO AMEND SECTIONS 53-11-3, 53-11-5, 53-11-7 AND 53-11-23, MISSISSIPPI CODE OF 1972, TO REPLACE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY AND THE MISSISSIPPI ENVIRONMENTAL PERMIT BOARD WITH THE STATE OIL AND GAS BOARD FOR

JURISDICTION AND AUTHORITY OVER ALL PERSONS AND PROPERTY NECESSARY TO ENFORCE EFFECTIVELY THE PROVISIONS OF THIS CHAPTER RELATING TO THE GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE STREAMS AND SUBSEQUENT WITHDRAWAL OF STORED CARBON DIOXIDE STREAMS; AND FOR RELATED PURPOSES.

H. B. No. 1174: AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO PROVIDE FOR HOSPICE CARE SERVICES FOR INMATES WHO ARE CONFINED IN FACILITIES UNDER THE JURISDICTION OF THE DEPARTMENT AND WHO ARE TERMINALLY ILL; TO AUTHORIZE THE DEPARTMENT TO HAVE THOSE HOSPICE CARE SERVICES PROVIDED BY PROPERLY QUALIFIED EMPLOYEES OF THE DEPARTMENT OR TO CONTRACT FOR THE PROVIDING OF THE HOSPICE CARE SERVICES; TO PROVIDE THAT IF THE DEPARTMENT PROVIDES THE HOSPICE CARE SERVICES WITH DEPARTMENT EMPLOYEES, THE DEPARTMENT IS NOT REQUIRED TO HAVE A LICENSE UNDER THE MISSISSIPPI HOSPICE LAW; TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1211: AN ACT TO AMEND SECTION 49-15-401, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF MARINE RESOURCES, INSTEAD OF THE COMMISSION ON MARINE RESOURCES, SHALL ENFORCE THE RULES AND REGULATIONS, ADMINISTRATIVE CODE AND OTHER STATUTES WITHIN THE JURISDICTION OF THE DEPARTMENT OF MARINE RESOURCES; TO AMEND SECTIONS 49-15-403 AND 49-15-405, MISSISSIPPI CODE OF 1972, TO REVISE HOW ADMINISTRATIVE HEARING PROCESS IS CONDUCTED; TO PROVIDE THAT THE COMMISSION ON MARINE RESOURCES SHALL MAKE A RECOMMENDATION REGARDING WHETHER A VIOLATION HAS BEEN MADE TO THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF MARINE RESOURCES; TO PROVIDE THAT THE EXECUTIVE DIRECTOR SHALL TAKE INTO CONSIDERATION THE COMMISSION'S RECOMMENDATION AND MAKE THE FINAL DECISION REGARDING THE PENALTY, IF ANY, TO BE ISSUED; TO AMEND SECTION 49-15-407, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ALLEGED VIOLATOR'S FAILURE TO RESPOND TO COMPLAINT WITHIN 20, NOT 30, DAYS OR PRESENT EVIDENCE OR COMMENTS AT A REGULAR COMMISSION MEETING SHALL CONSTITUTE A WAIVER OF THE RIGHT TO A HEARING; TO AMEND SECTION 49-15-409, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF MARINE RESOURCES, NOT THE COMMISSION ON MARINE RESOURCES, SHALL HAVE JURISDICTION OVER ALL PERSONS AND PROPERTY NECESSARY TO ADMINISTER AND ENFORCE THE ADMINISTRATIVE HEARING PROCEDURES FOR THE DEPARTMENT; TO AMEND SECTION 49-15-411, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INDIVIDUAL AGGRIEVED BY A FINAL DECISION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF MARINE RESOURCES SHALL BE ENTITLED TO JUDICIAL REVIEW; TO AMEND SECTIONS 49-15-413, 49-15-415 AND 49-15-323, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 49-15-63, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1213: AN ACT TO AMEND SECTION 25-9-127, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH STATE AGENCY THAT IS GRANTED AN EXEMPTION FROM THE STATE PERSONNEL BOARD RULES, REGULATIONS AND PROCEDURES TO SUBMIT A COPY OF ITS ANNUAL REPORT TO THE STATE PERSONNEL BOARD, PEER COMMITTEE AND LEGISLATIVE BUDGET OFFICE; TO REQUIRE THE REPORT TO INCLUDE QUANTIFIABLE MEASURES SHOWING THAT THE EXEMPTION HAS HELPED THE AGENCY PERFORM MORE EFFICIENTLY OR EFFECTIVELY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 8, 2021.

The motion prevailed, and at 10:51 AM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 9: AN ACT TO RENAME THE MISSISSIPPI LAW ENFORCEMENT OFFICERS' TRAINING ACADEMY FIRING RANGE IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "LIEUTENANT COLONEL PAT CRONIN FIRING RANGE"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY, TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE MISSISSIPPI LAW ENFORCEMENT OFFICERS' TRAINING ACADEMY FIRING RANGE DISPLAYING THE OFFICIAL NAME AS THE "LIEUTENANT COLONEL PAT CRONIN FIRING RANGE"; AND FOR RELATED PURPOSES.

H. B. No. 113: AN ACT TO AMEND SECTION 37-29-65, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REVISED COMPOSITION OF THE BOARDS OF TRUSTEES FOR THE NORTHEAST MISSISSIPPI COMMUNITY COLLEGE DISTRICT AND THE COAHOMA COMMUNITY COLLEGE DISTRICT TO REPRESENT THE BOARDS' MAKE UP AS IT EXISTED BEFORE JULY 1, 2019; AND FOR RELATED PURPOSES.

H. B. No. 319: AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO WAIVE THE RESIDENCY REQUIREMENT FOR SPOUSES OF ACTIVE MILITARY PERSONNEL FOR GUN PERMITS; TO AMEND SECTION 63-11-25, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE PETITION TO REVIEW A FORFEITURE, SUSPENSION OR DENIAL OF THE ISSUANCE OF A DRIVER'S LICENSE BE SERVED UPON THE COMMISSIONER OF PUBLIC SAFETY; AND FOR RELATED PURPOSES.

H. B. No. 615: AN ACT TO AMEND SECTIONS 63-11-23 AND 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE THE JUDGE SIGNS THE ORDER FOR SUSPENSION; TO BRING FORWARD SECTION 63-11-31, MISSISSIPPI CODE OF 1972, WHICH REGULATES IGNITION INTERLOCK FOR DUI VIOLATIONS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 928: AN ACT TO BRING FORWARD SECTION 47-5-24, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE QUALIFICATIONS OF THE COMMISSIONER OF CORRECTIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO DESIGNATE AN EXECUTIVE DEPUTY COMMISSIONER; TO BRING FORWARD SECTION 47-5-28, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CERTAIN POWERS OF THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DEPUTY COMMISSIONER

SHALL BE DIRECTLY RESPONSIBLE TO THE COMMISSIONER OF CORRECTIONS; TO BRING FORWARD SECTIONS 47-5-1001, 47-5-1003, 47-5-1005, 47-5-1007, 47-5-1009, 47-5-1011, 47-5-1013, 47-5-1014 AND 47-5-1015, WHICH RELATE TO THE INTENSIVE SUPERVISION PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-4, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE SUPERVISION OF THOSE PLACED ON CONDITIONAL MEDICAL RELEASE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-5, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE STATE PAROLE BOARD AND THE SUPERVISION OF THOSE PLACED ON PAROLE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-9, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE GENERAL POWERS AND DUTIES OF PERSONNEL OF THE DIVISION OF COMMUNITY CORRECTIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATES TO RETURNING A VIOLATOR OF PAROLE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-34, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE POST-RELEASE SUPERVISION PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-35, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE TERMS AND CONDITIONS OF PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE PERIOD OF PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-38, MISSISSIPPI CODE OF 1972, WHICH RELATES TO GRADUATED SANCTIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-40, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE EARNED DISCHARGE PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-41, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE DISCHARGE FROM PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-47, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE EARNED PROBATION PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-49, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE CREATION OF THE COMMUNITY SERVICES REVOLVING FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-51, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE CORRECTIONAL TRAINING REVOLVING FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO EXPAND AUTHORIZATION FOR CERTIFICATES OF REHABILITATION FOR PERSONS CONVICTED OF CRIMES UNDER FEDERAL LAW, IN STATE MILITARY COURT OR IN OTHER STATES; AND FOR RELATED PURPOSES.

H. B. No. 1245: AN ACT TO AMEND SECTION 65-1-75, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO MAINTAIN GRASS MOWING OF RIGHTS-OF-WAY FOR ANY STATE HIGHWAYS LOCATED WITHIN THE MUNICIPAL LIMITS OF ANY MUNICIPALITY IN THE STATE WITH A POPULATION OF TEN THOUSAND (10,000) OR LESS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2021: AN ACT TO AMEND SECTION 41-20-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COORDINATOR OF MENTAL HEALTH ACCESSIBILITY SHALL BE HOUSED WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT ALL EXPENSES OF THE COORDINATOR SHALL BE PAID OUT OF FUNDS APPROPRIATED TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 41-20-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COORDINATOR MAY HIRE STAFF SUBJECT TO THE APPROVAL OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXEMPT ANY PERSONAL SERVICE CONTRACTS ENTERED INTO BY THE COORDINATOR OF MENTAL HEALTH ACCESSIBILITY THROUGH JUNE 30, 2022, FROM THE RULES AND REGULATIONS OF THE PERSONAL SERVICE CONTRACT REVIEW BOARD; AND FOR RELATED PURPOSES.

Derrick T. Simmons, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Betty Ann Dement Bailess, James Taylor, Pat Hobson McGill, Andrew Gallagher, James Edward Autman, William "Billy" Alderman, Corey Tyler Walker, Lavaur Lux, Jimmy Simmons and William Earl Stone.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR FRIDAY, FEBRUARY 5, 2021

THIRTY-FIFTH DAY, MONDAY, FEBRUARY 8, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Absent--DeLano, Parks. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Senator Younger.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Harkins called up the following entitled bill:

S. B. No. 2805: Alcoholic beverages; remove provision requiring DOR to immediately revoke permit for certain unlawful sales.

YEAS AND NAYS On S. B. No. 2805. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Harkins, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--42.

Nays--Branning, Chism, Frazier, Hill, Jordan, Norwood, Parker, Tate. Total--8.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Harkins called up the following entitled bill:

S. B. No. 2507: Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs.

YEAS AND NAYS On S. B. No. 2507. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Harkins called up the following entitled bill:

S. B. No. 2868: Qualified resort areas; include a municipality through which run Mississippi Highway 27 and Mississippi Highway 28.

On motion of Senator Barrett, the Committee Substitute was adopted for consideration.

Senator Barrett offered the following AMENDMENT NO. 1.

AMEND on line 376 by striking the period and inserting in lieu thereof the following:

; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities offering alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities offering alcoholic beverages for sale may be located.

AMEND on line 378 by striking "25" and inserting in lieu thereof "35"

FURTHER, AMEND the title to conform by striking lines 2 through 6 and inserting in lieu thereof the following:

ADD A MUNICIPALITY THROUGH WHICH RUN MISSISSIPPI HIGHWAY 27 AND MISSISSIPPI HIGHWAY 28 TO THE DEFINITION OF "QUALIFIED RESORT AREA" NOT REQUIRING A DECLARATION BY THE DEPARTMENT OF REVENUE; TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE MUNICIPALITY TO SET CERTAIN LIMITATIONS BY ORDINANCE; TO ADD A MUNICIPALITY THROUGH WHICH RUN MISSISSIPPI HIGHWAY 16 AND MISSISSIPPI HIGHWAY 35 TO THE DEFINITION OF "QUALIFIED RESORT AREA" NOT REQUIRING A DECLARATION BY THE DEPARTMENT OF REVENUE; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2868 was adopted.

Senator McCaughn offered the following AMENDMENT NO. 2.

AMEND by inserting the following below line 378:

26. A municipality through which run Mississippi Highway 35 and Interstate 20.

FURTHER, AMEND the title to conform.

Amendment No. 2 to S. B. No. 2868 was adopted.

YEAS AND NAYS On S. B. No. 2868. On motion of Senator Barrett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--Branning, Chism, Frazier, Hill, Norwood, Parker. Total--6.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Harkins called up the following entitled bill:

S. B. No. 2435: Alcoholic beverages; revise various provisions relating to distilleries.

YEAS AND NAYS On S. B. No. 2435. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--Branning, Chism, Frazier, Norwood, Parker, Tate. Total--6.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Caughman called up the following entitled bill:

S. B. No. 2626: MS Business Corporation Act; amend to allow corporations to hold annual or special shareholder meetings remotely.

YEAS AND NAYS On S. B. No. 2626. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Wiggins called up the following entitled bill:

S. B. No. 2253: Concealed carry weapons permit; combine with driver's license or identification card.

YEAS AND NAYS On S. B. No. 2253. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Polk called up the following entitled bill:

S. B. No. 2809: Public records; delete repealer on provision requiring public access to records.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2809. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Carter called up the following entitled bill:

S. B. No. 2018: Mississippi Telephone Solicitation Act; extend repealer on provision requiring deposit of fees to State General Fund.

YEAS AND NAYS On S. B. No. 2018. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Bryan called up the following entitled bill:

S. B. No. 2420: Temporary license for social workers; authorize to practice in nonprofit facilities.

YEAS AND NAYS On S. B. No. 2420. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Harkins moved that the rules be suspended to move to calendar item 6, **S. N. No. 19**, and the motion prevailed.

Senator Harkins called up the following entitled nomination:

S. N. No. 19: Dr. William Alonzo (Billy) Morehead, Madison, Mississippi, Public Procurement Review Board, four year term effective immediately and ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 19 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--DeLano, Parks. Total--2.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Chandra James of Batesville, MS.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of William Redmon of Lambert, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Charles H. Williams, Jr. of Madison, MS.

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

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of H. N. "Hanks" Shows of Coldwater, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Curtis R. Tartt, Billy Alvin Williamson, Dr. Archie Patrick (Pat) Sprabery and Willirene Brame Stockdill of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Donna Kay Miller, Ellen Diane Temple, Gary Newton Evans and Naomi Wray Richardson of Meridian, MS.

MESSAGE FROM THE GOVERNOR
February 8, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2021: Coordinator of Mental Health Accessibility; house position under DFA, exempt contracts from rules of contract review board. (February 8, 2021, 2:46 PM)

Respectfully submitted,
Debbie Carney, Legislative Aide

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 9, 2021.

The motion prevailed, and at 4:50 PM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 70: AN ACT TO CREATE CHRISTIAN'S LAW; TO AMEND SECTION 41-61-61, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE CONFIDENTIALITY OF PHOTOGRAPHS AND VIDEO AND AUDIO RECORDINGS OF AN AUTOPSY HELD BY A MEDICAL EXAMINER; TO PROVIDE EXCEPTIONS FOR THE DECEASED'S SURVIVING RELATIVES AND EXCEPTIONS FOR CRIMINAL OR ADMINISTRATIVE PROCEEDINGS; TO PROVIDE THAT A COURT MAY ORDER ANY PERSON TO VIEW

SUCH RECORDS FOR GOOD CAUSE AND TO PROVIDE CRIMINAL PENALTIES FOR VIOLATING A COURT ORDER; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Chandra James, Charles H. Williams, Jr., Ellen Diane Temple, Gary Newton Evans, Naomi Wray Richardson, Monty Chotard, William Redmon, H. N. "Hanks" Shows, Curtis R. Tartt, Billy Alvin Williamson, Dr. Archie Patrick (Pat) Sprabery, Willirene Brame Stockdill and Donna Kay Miller.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, FEBRUARY 8, 2021

THIRTY-SIXTH DAY, TUESDAY, FEBRUARY 9, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--DeLano. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Jordan.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Hopson called up the following entitled bill:

S. B. No. 2879: Appropriations; additional appropriations for Institutions of Higher Learning (IHL).

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND by inserting the following new section after line 112 and renumbering any succeeding sections:

SECTION *. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred by the department as required by the Rose Isabel Williams Mental Health Reform Act of 2020, for the fiscal year beginning July 1, 2020, and ending June 30, 2021
\$ 230,000.00.

The funds provided under the provision of this section shall be expended by the department to hire the Coordinator of Mental Health Accessibility under the occupational title of DFA-Deputy Director. The department shall also expend the funds provided under this section to hire the Coordinator's contractual staff.

FURTHER, AMEND the title on line 8 after the semicolon by inserting the following:

THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021;

Amendment No. 1 to S. B. No. 2879 was adopted.

YEAS AND NAYS On S. B. No. 2879. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

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

EXPLANATION

SB 2879 --Senator Thomas

I was mistakenly recorded as voting "aye" when I should have been recorded as voting "present". I did not realize the error in time and senate rules prevented me from changing my vote once the final vote on the bill had been announced by the presiding officer.

Senator Harkins called up the following entitled bill:

S. B. No. 2806: Department of Revenue; bring forward code sections relating to ABC Division and authority to contract for services.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 392 by striking "its passage" and inserting in lieu thereof the following:

July 1, 2021, and shall stand repealed on June 30, 2021

Amendment No. 1 to S. B. No. 2806 was adopted.

YEAS AND NAYS On S. B. No. 2806. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--Norwood. Total--1.

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

Voting Present--Branning, Chism, Hill. Total--3.

Senator Harkins called up the following entitled bill:

S. B. No. 2839: SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate.

YEAS AND NAYS On S. B. No. 2839. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Harkins called up the following entitled bill:

S. B. No. 2872: Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area.

YEAS AND NAYS On S. B. No. 2872. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Frazier. Total--1.

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

Voting Present--Branning, Hill. Total--2.

Senator Harkins called up the following entitled bill:

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit.

YEAS AND NAYS On S. B. No. 2874. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Kirby, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--41.

Nays--Barrett, Branning, Chism, Hill, Johnson, McCaughn, McDaniel, Sojourner, Suber, Tate. Total--10.

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

Unanimous consent was granted to add Senator McMahan as co-author of **S. B. No. 2874.**

Senator Harkins called up the following entitled bill:

S. B. No. 2829: Department of Revenue; allow to use tag revenue to cover tag program expenses, with surplus lapsing into General Fund.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2829. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Turner-Ford called up the following entitled bill:

S. B. No. 2081: University of Mississippi Medical Center property; revise leasing authority by removing provision requiring mixed-use development.

YEAS AND NAYS On S. B. No. 2081. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Unanimous consent was granted to add Senators Parker and Turner-Ford as co-authors of **S. B. No. 2081**.

Senator Turner-Ford called up the following entitled bill:

S. B. No. 2651: Surplus property; clarify current policy to conform with federal regulations for the Department of Finance and Administration.

YEAS AND NAYS On S. B. No. 2651. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Parker called up the following entitled bill:

S. B. No. 2296: Office of Workforce Development; exempt executive director from certain salary and compensation requirements.

Senator Bryan offered the following AMENDMENT NO. 1.

AMEND on line 71 by striking the following:

, including state retirement benefits,

FURTHER, AMEND on line 73 by adding after the period the following:

This position shall remain in the Public Employees' Retirement System.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2296 failed.

YEAS AND NAYS On S. B. No. 2296. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Butler, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Parker, Parks, Seymour, Sojourner, Sparks, Suber, Thompson, Wiggins, Williams, Younger. Total--32.

Nays--Blount, Bryan, Frazier, Hill, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Tate, Thomas, Turner-Ford, Witherspoon. Total--14.

Absent and those not voting--DeLano, Moran, Whaley. Total--3.

Voting Present--Polk. Total--1.

Senator Horhn, who would have voted nay on S. B. No. 2296, announced a pair with Senator Carter, who would have voted yea.

Senator Bryan entered a motion to reconsider the vote whereby **S. B. No. 2296** passed the Senate.

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

EXPLANATION

February 9, 2021

I was out dealing with a constituent at the time of the vote on SB 2296. If I had been there, I would have voted "Yes".

Senator Philip Moran

Senator DeBar called up the following entitled nomination:

S. N. No. 6: Kimberly Kay Remak, Olive Branch, Mississippi, Mississippi Charter School Authorizer Board, term effective December 8, 2020 and ending August 30, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 6 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator DeBar called up the following entitled nomination:

S. N. No. 7: Dr. Ronnie Lynn McGehee, Madison, Mississippi, State Board of Education, term effective immediately and ending June 30, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 7 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator DeBar called up the following entitled nomination:

S. N. No. 20: Glen Vernon East, Gulfport, Mississippi, State Board of Education as the School Administrator, term effective immediately and ending June 30, 2023, vice Buddy Bailey.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 20 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Hill. Total--1.

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

Senator DeBar called up the following entitled nomination:

S. N. No. 21: Angela Sade Wheeler Bass, Ph.D., Jackson, Mississippi, State Board of Education, term effective immediately and ending June 30, 2025, representing the First Supreme Court District, vice Johnny Franklin.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 21 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Hill. Total--1.

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

Senator Branning called up the following entitled bill:

S. B. No. 2481: Memorial highways; revise MS 42 designation for U.S. Marshal Jake Green & County Deputy Lawrence Dunnam in Greene County.

On motion of Senator Suber, the Committee Substitute was adopted for consideration.

Senators Barnett, Fillingane, Johnson and Polk offered the following AMENDMENT NO. 1.

AMEND by adding the following after line 26, and renumber the section(s) accordingly:

SECTION *. (1) The segment of U.S. Highway 49 in Forrest County beginning at its intersection with Hardy Street in Hattiesburg and extending one (1) mile north is designated as the "Clyde Kennard Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2481 was adopted.

Senator Branning offered the following AMENDMENT NO. 2.

AMEND on line 28 by striking "its passage" and inserting in lieu thereof the following:

July 1, 2021, and shall stand repealed on June 30, 2021

Amendment No. 2 to S. B. No. 2481 was adopted.

YEAS AND NAYS On S. B. No. 2481. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Unanimous consent was granted to add Senators McCaughn, Suber and Jordan as co-authors of **S. B. No. 2481**.

Senator Horhn called up the following entitled bill:

S. B. No. 2019: Ban the Box Act; enact.

YEAS AND NAYS On S. B. No. 2019. On motion of Senator Horhn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Bryan, Butler, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Moran, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Turner-Ford, Whaley, Wiggins, Witherspoon. Total--20.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Parker, Parks, Polk, Seymour, Sojourner, Suber, Tate, Thompson, Williams, Younger. Total--31.

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

Senator Horhn entered a motion to reconsider the vote whereby **S. B. No. 2019** failed to pass the Senate.

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

February 9, 2021

Item 41, S. B. No. 2019: Ban the Box Act; enact

At the time item 41, S. B. No. 2019, Ban the Box Act; enact was taken up, I was unable to vote due to stepping out to attend a family issue. I was recorded as voting "Yea" by use of the morning roll call; I would have voted 'Nay' on this bill.

Senator Neil Whaley

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

EXPLANATION

February 9, 2021

Item 41, S. B. No. 2019: Ban the Box Act; enact

When SB 2019 was taken up, I was unable to be there because I was taking care of a constituent. I was recorded as voting "Yes" by use of the morning roll call; I would have voted "No".

Senator Philip Moran

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

MESSAGE FROM THE HOUSE

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

H. B. No. 122: AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO REMOVE THE FIRST OFFENDER RESTRICTIONS FOR MISDEMEANOR EXPUNGEMENT; TO AUTHORIZE EXPUNGEMENT FOR UP TO THREE FELONY CONVICTIONS IF 15 YEARS OR MORE HAVE PASSED SINCE A PERSON'S LAST FELONY CONVICTION; TO PROVIDE RESTRICTIONS FOR SUCH EXPUNGEMENT; AND FOR RELATED PURPOSES.

H. B. No. 1063: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY QUALIFYING COUNTY TO DESIGNATE PROJECTS AS TRANSFORMATIVE RENEWABLE ENERGY PROJECTS; TO PROVIDE THE ASSESSMENT RATIO FOR PROPERTY OWNED BY TRANSFORMATIVE ENERGY PROJECTS; TO AMEND SECTION 27-35-4, MISSISSIPPI CODE OF 1972, WHICH RELATES TO RATES OF ASSESSMENT FOR PROPERTY, TO CONFORM; TO BRING FORWARD SECTION 27-31-104, MISSISSIPPI CODE OF 1972, WHICH RELATES TO GRANT OF FEE-IN-LIEU OF TAXES FOR CERTAIN PROJECTS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1315: AN ACT TO REPEAL SECTIONS 73-65-1 THROUGH 73-65-17, MISSISSIPPI CODE OF 1972, WHICH CREATE THE PROFESSIONAL ART THERAPISTS ADVISORY COUNCIL AND PROVIDE THE LICENSING REQUIREMENTS FOR PROFESSIONAL ART THERAPISTS; TO REPEAL SECTIONS 73-4-1 THROUGH 73-4-51, MISSISSIPPI CODE OF 1972, WHICH ESTABLISH THE MISSISSIPPI AUCTIONEERS LICENSE ACT, CREATE THE MISSISSIPPI AUCTIONEER COMMISSION AND PROVIDE THE LICENSING REQUIREMENTS FOR AUCTIONEERS; TO AMEND SECTION 75-27-215, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT NO AUCTIONEER SHALL BE PERMITTED TO BUY CATTLE IN HIS NAME DURING THE PERIOD WHILE ACTUALLY ENGAGED IN

AUCTIONEERING, TO CONFORM TO THE PRECEDING SECTION; TO REPEAL SECTIONS 73-73-1 THROUGH 73-73-35, MISSISSIPPI CODE OF 1972, WHICH ESTABLISH THE MISSISSIPPI CERTIFIED INTERIOR DESIGN ACT, CREATE THE INTERIOR DESIGN ADVISORY COMMITTEE AND PROVIDE THE LICENSING REQUIREMENTS FOR MISSISSIPPI CERTIFIED INTERIOR DESIGNERS; TO AMEND SECTIONS 73-7-2, 73-7-7, 73-7-13 AND 73-7-29, MISSISSIPPI CODE OF 1972, TO REMOVE ANY LICENSING REQUIREMENT OR REGULATION FOR A WIGOLOGIST OR WIG SPECIALIST WITHIN THE COSMETOLOGIST LICENSING LAW; TO BRING FORWARD SECTION 73-22-1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES DEFINITIONS IN THE ORTHOTICS AND PROSTHETICS LICENSING LAW, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO REPEAL SECTIONS 73-67-1 THROUGH 73-67-39, MISSISSIPPI CODE OF 1972, WHICH CREATE THE MISSISSIPPI PROFESSIONAL MASSAGE THERAPY ACT AND THE STATE BOARD OF MASSAGE THERAPY; TO AMEND SECTION 73-55-15, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE SCOPE OF THE MISSISSIPPI ATHLETIC TRAINERS LICENSURE ACT, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 75-60-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDES EXEMPTIONS TO THE COMMISSION ON PROPRIETARY SCHOOL AND COLLEGE REGISTRATION, TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:58 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

Senator Barnett called up the following entitled bill:

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact.

On motion of Senator Barnett, the Committee Substitute was adopted for consideration.

Senator Barnett offered the following AMENDMENT NO. 1.

AMEND on line 564 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to S. B. No. 2795 was adopted.

YEAS AND NAYS On S. B. No. 2795. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Frazier, Harkins, Hopson, Horhn,

Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--Branning, Chism, Hill, Tate. Total--4.

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

Voting Present--McLendon, McMahan, Suber. Total--3.

Unanimous consent was granted to add Senator Simmons S. (13th) as co-author of **S. B. No. 2795**.

Senator Michel called up the following entitled bill:

S. B. No. 2623: Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act.

On motion of Senator McLendon, the Committee Substitute was adopted for consideration.

Senator McLendon offered the following AMENDMENT NO. 1.

AMEND on line 155 by changing "reenacted" to "amended"

AMEND by inserting the following sentence after the period on line 198:

Monies in the Highway Patrol Trooper School Fund are not subject to annual appropriation by the Legislature and may be expended solely at the direction of the Commissioner of Public Safety.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2623 failed.

YEAS AND NAYS On S. B. No. 2623. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Michel called up the following entitled bill:

S. B. No. 2631: Mandated coverage under health insurance plans; revise definition of "telemedicine."

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

Senator Boyd offered the following AMENDMENT NO. 1.

AMEND by deleting the underlined language on lines 68 through 72 and inserting in lieu thereof the following:

Health insurance and employee benefit plans shall reimburse providers for telemedicine services using the proper medical codes. Reimbursement of expenses for covered health care services provided during a telemedicine encounter must be established through negotiations conducted by the health insurance entity with the provider in the same manner as the health insurance entity establishes reimbursement of expenses for covered health care services that are delivered by in-person means.

FURTHER, AMEND on lines 76 through 79 by deleting the following sentence:

Telemedicine consultations between a patient and a provider are to be covered to the same extent as the services would be covered if provided through in-person consultations.

FURTHER, AMEND on line 83 by deleting the following:

, and shall stand repealed on June 30, 2021

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2631 was adopted.

YEAS AND NAYS On S. B. No. 2631. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

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

Voting Present--Chism, Hill, McDaniel, Sojourner. Total--4.

Senator Parks called up the following entitled bill:

S. B. No. 2313: Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness.

YEAS AND NAYS On S. B. No. 2313. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby,

McCaughn, McDaniel, McLendon, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon. Total--45.

Nays--None.

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

Voting Present--Hill, McMahan, Michel, Suber, Turner-Ford, Younger. Total--6.

Unanimous consent was granted to add Senators Carter, Simmons D. T. (12th) and Norwood as co-authors of **S. B. No. 2313**.

Senator Wiggins called up the following entitled bill:

S. B. No. 2621: Task Force; establish to study domestic law matters.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

Senators McCaughn and Simmons D. T. (12th) offered the following AMENDMENT NO. 1.

AMEND on line 21 by changing "Three (3)" to "Two (2)"

FURTHER AMEND on line 23 by changing "Mississippi Supreme Court Districts" to "federal judicial districts"

FURTHER, AMEND after line 24 by adding the following paragraph and renumber subsequent paragraphs accordingly:

(e) One (1) practicing attorney who is a general practitioner with expertise in the area of domestic relations and who practices in a firm with five (5) or fewer licensed attorneys to be named by the Mississippi Bar Association;

Amendment No. 1 to S. B. No. 2621 was adopted.

Senator Wiggins offered the following AMENDMENT NO. 2.

AMEND on line 13 by adding the following after the word "legislation":

and rule changes

Amendment No. 2 to S. B. No. 2621 was adopted.

YEAS AND NAYS On S. B. No. 2621. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks,

Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--None.
Absent and those not voting--DeLano. Total--1.
Voting Present--Horn, Turner-Ford. Total--2.

Unanimous consent was granted to add Senators McCaughn, Branning, Suber, Parker and England as co-authors of **S. B. No. 2621**.

Senator Polk called up the following entitled bill:

S. B. No. 2188: State agencies; revise reporting requirements when personnel actions are exempted from State Personnel Board procedures.

YEAS AND NAYS On S. B. No. 2188. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.
Nays--None.
Absent and those not voting--DeLano. Total--1.

Unanimous consent was granted to add Senators Turner-Ford and Younger as co-authors of **S. B. No. 2188**.

Senator Polk called up the following entitled bill:

S. B. No. 2544: University of Mississippi Medical Center; create joint committee to study the organization of.

On motion of Senator Thompson, the Committee Substitute was adopted for consideration.

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

AMEND on line 31 by inserting the following after the semicolon and renumbering the subsequent paragraphs:

(*) The Chairman of the Senate Public Health and Welfare Committee;

(*) The Chairman of the House Public Health and Welfare Committee;

FURTHER, AMEND on lines 22 and 23 by changing "sixteen (16)" to "eighteen (18)"

Amendment No. 1 to S. B. No. 2544 was adopted.

YEAS AND NAYS On S. B. No. 2544. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Jackson S. (32nd), Johnson, Kirby, McDaniel, McMahan, Moran, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--29.

Nays--Blackmon, Blount, Boyd, Branning, Butler, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jordan, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--22.

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

Senator Polk called up the following entitled bill:

S. B. No. 2689: State Auditor; increase fee which may be charged for performing audits and other services.

YEAS AND NAYS On S. B. No. 2689. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Carter, Caughman, Chism, England, Fillingane, Harkins, Hill, Hopson, Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--34.

Nays--Barnett, Blackmon, Bryan, Butler, DeBar, Frazier, Horhn, Jackson R. (11th), Jordan, Norwood, Simmons D. T. (12th), Sojourner, Thomas, Turner-Ford, Witherspoon. Total--15.

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

Voting Present--Chassaniol, McDaniel. Total--2.

Unanimous consent was granted to add Senator Younger as co-author of **S. B. No. 2689.**

Senator Polk called up the following entitled bill:

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature.

YEAS AND NAYS On S. B. No. 2824. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby,

McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Horhn. Total--1.

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

Senator Wiggins called up the following entitled bill:

S. B. No. 2638: Electronic documents; provide recording procedure for counties without electronic-recording capability.

YEAS AND NAYS On S. B. No. 2638. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Hill called up the following entitled bill:

S. B. No. 2643: Service of tax sale notices; revise to allow service by a constable.

Senator Hill offered the following AMENDMENT NO. 1.

AMEND on line 15 by inserting after the word "sheriff" the following:

"or constable"

FURTHER, AMEND on lines 79 and 84 by deleting "Thirty-five Dollars (\$35.00)" and inserting in lieu thereof the words "Forty-five Dollars (\$45.00)"

Amendment No. 1 to S. B. No. 2643 was adopted.

YEAS AND NAYS On S. B. No. 2643. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Blackwell called up the following entitled bill:

S. B. No. 2799: Mississippi Medicaid Program; make technical amendments to reimbursements and administration.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

Senators Simmons D. T. (12th), Blount, Bryan, Horhn, Witherspoon, Simmons S. (13th), Turner-Ford, Frazier, Jackson R. (11th), Blackmon, Jordan, Barnett, Butler, Jackson S. (32nd), Norwood and Thomas offered the following AMENDMENT NO. 1.

AMEND by inserting the following after the enacting clause and renumbering subsequent sections:

SECTION 1. Section 43-13-115, Mississippi Code of 1972, is amended as follows:

43-13-115. Recipients of Medicaid shall be the following persons only:

(1) Those who are qualified for public assistance grants under provisions of Title IV-A and E of the federal Social Security Act, as amended, including those statutorily deemed to be IV-A and low-income families and children under Section 1931 of the federal Social Security Act. For the purposes of this paragraph (1) and paragraphs (8), (17) and (18) of this section, any reference to Title IV-A or to Part A of Title IV of the federal Social Security Act, as amended, or the state plan under Title IV-A or Part A of Title IV, shall be considered as a reference to Title IV-A of the federal Social Security Act, as amended, and the state plan under Title IV-A, including the income and resource standards and methodologies under Title IV-A and the state plan, as they existed on July 16, 1996. The Department of Human Services shall determine Medicaid eligibility for children receiving public assistance grants under Title IV-E. The division shall determine eligibility for low-income families under Section 1931 of the federal Social Security Act and shall redetermine eligibility for those continuing under Title IV-A grants.

(2) Those qualified for Supplemental Security Income (SSI) benefits under Title XVI of the federal Social Security Act, as amended, and those who are deemed SSI eligible as contained in federal statute. The eligibility of individuals covered in this paragraph shall be determined by the Social Security Administration and certified to the Division of Medicaid.

(3) Qualified pregnant women who would be eligible for Medicaid as a low-income family member under Section 1931 of the federal Social Security Act if her child were born. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(4) [Deleted]

(5) A child born on or after October 1, 1984, to a woman eligible for and receiving Medicaid under the state plan on the date of the child's birth shall be deemed to have applied for Medicaid and to have been found eligible for Medicaid under the plan on the date of that birth, and will remain eligible for Medicaid for a period of one (1) year so long as the child is a member of the woman's household and the woman remains eligible for Medicaid or would be eligible for Medicaid if pregnant. The eligibility of individuals covered in this paragraph shall be determined by the Division of Medicaid.

(6) Children certified by the State Department of Human Services to the Division of Medicaid of whom the state and county departments of human services have custody and financial responsibility, and children who are in adoptions subsidized in full or part by the Department of Human Services, including special needs children in non-Title IV-E adoption assistance, who are approvable under Title XIX of the Medicaid program. The eligibility of the children covered under this paragraph shall be determined by the State Department of Human Services.

(7) Persons certified by the Division of Medicaid who are patients in a medical facility (nursing home, hospital, tuberculosis sanatorium or institution for treatment of mental diseases), and who, except for the fact that they are patients in that medical facility, would qualify for grants under Title IV, Supplementary Security Income (SSI) benefits under Title XVI or state supplements, and those aged, blind and disabled persons who would not be eligible for Supplemental Security Income (SSI) benefits under Title XVI or state supplements if they were not institutionalized in a medical facility but whose income is below the maximum standard set by the Division of Medicaid, which standard shall not exceed that prescribed by federal regulation.

(8) Children under eighteen (18) years of age and pregnant women (including those in intact families) who meet the financial standards of the state plan approved under Title IV-A of the federal Social Security Act, as amended. The eligibility of children covered under this paragraph shall be determined by the Division of Medicaid.

(9) Individuals who are:

(a) Children born after September 30, 1983, who have not attained the age of nineteen (19), with family income that does not exceed one hundred percent (100%) of the nonfarm official poverty level;

(b) Pregnant women, infants and children who have not attained the age of six (6), with family income that does not exceed one hundred thirty-three percent (133%) of the federal poverty level; and

(c) Pregnant women and infants who have not attained the age of one (1), with family income that does not exceed one hundred eighty-five percent (185%) of the federal poverty level.

The eligibility of individuals covered in (a), (b) and (c) of this paragraph shall be determined by the division.

(10) Certain disabled children age eighteen (18) or under who are living at home, who would be eligible, if in a medical institution, for SSI or a state supplemental payment under Title XVI of the federal Social Security Act, as amended, and therefore for Medicaid under the plan, and for whom the state has made a determination as required under Section 1902(e)(3)(b) of the federal Social Security Act, as amended. The eligibility of individuals under this paragraph shall be determined by the Division of Medicaid.

(11) Until the end of the day on December 31, 2005, individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid. After December 31, 2005, only those individuals covered under the 1115(c) Healthier Mississippi waiver will be covered under this category.

Any individual who applied for Medicaid during the period from July 1, 2004, through March 31, 2005, who otherwise would have been eligible for coverage under this

paragraph (11) if it had been in effect at the time the individual submitted his or her application and is still eligible for coverage under this paragraph (11) on March 31, 2005, shall be eligible for Medicaid coverage under this paragraph (11) from March 31, 2005, through December 31, 2005. The division shall give priority in processing the applications for those individuals to determine their eligibility under this paragraph (11).

(12) Individuals who are qualified Medicare beneficiaries (QMB) entitled to Part A Medicare as defined under Section 301, Public Law 100-360, known as the Medicare Catastrophic Coverage Act of 1988, and whose income does not exceed one hundred percent (100%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid, and those individuals determined eligible shall receive Medicare cost-sharing expenses only as more fully defined by the Medicare Catastrophic Coverage Act of 1988 and the Balanced Budget Act of 1997.

(13) (a) Individuals who are entitled to Medicare Part A as defined in Section 4501 of the Omnibus Budget Reconciliation Act of 1990, and whose income does not exceed one hundred twenty percent (120%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums.

(b) Individuals entitled to Part A of Medicare, with income above one hundred twenty percent (120%), but less than one hundred thirty-five percent (135%) of the federal poverty level, and not otherwise eligible for Medicaid. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums. The number of eligible individuals is limited by the availability of the federal capped allocation at one hundred percent (100%) of federal matching funds, as more fully defined in the Balanced Budget Act of 1997.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(14) [Deleted]

(15) Disabled workers who are eligible to enroll in Part A Medicare as required by Public Law 101-239, known as the Omnibus Budget Reconciliation Act of 1989, and whose income does not exceed two hundred percent (200%) of the federal poverty level as determined in accordance with the Supplemental Security Income (SSI) program. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid and those individuals shall be entitled to buy-in coverage of Medicare Part A premiums only under the provisions of this paragraph (15).

(16) In accordance with the terms and conditions of approved Title XIX waiver from the United States Department of Health and Human Services, persons provided home- and community-based services who are physically disabled and certified by the Division of Medicaid as eligible due to applying the income and deeming requirements as if they were institutionalized.

(17) In accordance with the terms of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, because of increased income from or hours of employment of the caretaker relative or because of the expiration of the applicable earned income disregards, who were eligible for Medicaid for at least three (3) of the six (6) months preceding the month in which the ineligibility begins, shall be eligible for Medicaid for up to twelve (12) months. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(18) Persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, as a result, in whole or in part, of the collection or increased collection of child or spousal support under Title IV-D of the federal Social Security Act, as amended, who were eligible for Medicaid for at least three (3) of the six (6) months immediately preceding the month in which the ineligibility begins, shall be eligible for Medicaid for an additional four (4) months beginning with the month in which the ineligibility begins. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(19) Disabled workers, whose incomes are above the Medicaid eligibility limits, but below two hundred fifty percent (250%) of the federal poverty level, shall be allowed to purchase Medicaid coverage on a sliding fee scale developed by the Division of Medicaid.

(20) Medicaid eligible children under age eighteen (18) shall remain eligible for Medicaid benefits until the end of a period of twelve (12) months following an eligibility determination, or until such time that the individual exceeds age eighteen (18).

(21) Women of childbearing age whose family income does not exceed one hundred eighty-five percent (185%) of the federal poverty level. The eligibility of individuals covered under this paragraph (21) shall be determined by the Division of Medicaid, and those individuals determined eligible shall only receive family planning services covered under Section 43-13-117(13) and not any other services covered under Medicaid. However, any individual eligible under this paragraph (21) who is also eligible under any other provision of this section shall receive the benefits to which he or she is entitled under that other provision, in addition to family planning services covered under Section 43-13-117(13).

The Division of Medicaid shall apply to the United States Secretary of Health and Human Services for a federal waiver of the applicable provisions of Title XIX of the federal Social Security Act, as amended, and any other applicable provisions of federal law as necessary to allow for the implementation of this paragraph (21). The provisions of this paragraph (21) shall be implemented from and after the date that the Division of Medicaid receives the federal waiver.

(22) Persons who are workers with a potentially severe disability, as determined by the division, shall be allowed to purchase Medicaid coverage. The term "worker with a potentially severe disability" means a person who is at least sixteen (16) years of age but under sixty-five (65) years of age, who has a physical or mental impairment that is reasonably expected to cause the person to become blind or disabled as defined under Section 1614(a) of the federal Social Security Act, as amended, if the person does not receive items and services provided under Medicaid.

The eligibility of persons under this paragraph (22) shall be conducted as a demonstration project that is consistent with Section 204 of the Ticket to Work and Work Incentives Improvement Act of 1999, Public Law 106-170, for a certain number of persons as specified by the division. The eligibility of individuals covered under this paragraph (22) shall be determined by the Division of Medicaid.

(23) Children certified by the Mississippi Department of Human Services for whom the state and county departments of human services have custody and financial responsibility who are in foster care on their eighteenth birthday as reported by the Mississippi Department of Human Services shall be certified Medicaid eligible by the Division of Medicaid until their twenty-first birthday.

(24) Individuals who have not attained age sixty-five (65), are not otherwise covered by creditable coverage as defined in the Public Health Services Act, and have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention Breast and Cervical Cancer Early Detection Program established under Title

XV of the Public Health Service Act in accordance with the requirements of that act and who need treatment for breast or cervical cancer. Eligibility of individuals under this paragraph (24) shall be determined by the Division of Medicaid.

(25) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid, and who are not otherwise covered by Medicare. Nothing contained in this paragraph (25) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(26) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, who are end-stage renal disease patients on dialysis, cancer patients on chemotherapy or organ transplant recipients on antirejection drugs, whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the division. Nothing contained in this paragraph (26) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(27) Individuals who are entitled to Medicare Part D and whose income does not exceed one hundred fifty percent (150%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for payment of the Medicare Part D subsidy under this paragraph shall be determined by the division.

(28) Individuals who are at least nineteen (19) years of age but under sixty-five (65) years of age and whose income does not exceed one hundred thirty-eight percent (138%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually and who satisfy the criteria of a waiver approved by the Centers for Medicare and Medicaid Services (CMS) to receive specific benefits, including care coordination services provided by a provider-sponsored health plan as defined by Mississippi law and whose benefits are provided at no less than a ninety percent (90%) federal medical assistance percentage with the remainder of needed funds contributed by the individual and through hospital taxes as described in Section 43-13-145.

The division shall redetermine eligibility for all categories of recipients described in each paragraph of this section not less frequently than required by federal law.

FURTHER, AMEND the title after the semicolon on line 1 by inserting the following:

TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO PROVIDE MEDICAID COVERAGE FOR INDIVIDUALS WHO ARE AT LEAST 19 YEARS OF AGE BUT UNDER 65 YEARS OF AGE AND WHOSE INCOME DOES NOT EXCEED 138% OF THE FEDERAL POVERTY LEVEL, WHO SATISFY THE CRITERIA OF A WAIVER APPROVED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES TO RECEIVE SPECIFIC BENEFITS INCLUDING CARE COORDINATION SERVICES PROVIDED BY A PROVIDER SPONSORED HEALTH PLAN AS DEFINED BY MISSISSIPPI LAW AND WHOSE BENEFITS ARE PROVIDED AT NO LESS THAN A 90% FEDERAL MEDICAL ASSISTANCE PERCENTAGE WITH THE REMAINDER OF

NEEDED FUNDS CONTRIBUTED BY THE INDIVIDUAL AND THROUGH HOSPITAL TAXES;

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to S. B. No. 2799 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Bryan, Butler, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--16.

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

Absent and those not voting--DeLano, Polk. Total--2.

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

AMEND by inserting the following after the enacting clause and renumber subsequent sections accordingly:

SECTION 1. Section 43-13-115, Mississippi Code of 1972, is amended as follows:

43-13-115. Recipients of Medicaid shall be the following persons only:

(1) Those who are qualified for public assistance grants under provisions of Title IV-A and E of the federal Social Security Act, as amended, including those statutorily deemed to be IV-A and low-income families and children under Section 1931 of the federal Social Security Act. For the purposes of this paragraph (1) and paragraphs (8), (17) and (18) of this section, any reference to Title IV-A or to Part A of Title IV of the federal Social Security Act, as amended, or the state plan under Title IV-A or Part A of Title IV, shall be considered as a reference to Title IV-A of the federal Social Security Act, as amended, and the state plan under Title IV-A, including the income and resource standards and methodologies under Title IV-A and the state plan, as they existed on July 16, 1996. The Department of Human Services shall determine Medicaid eligibility for children receiving public assistance grants under Title IV-E. The division shall determine eligibility for low-income families under Section 1931 of the federal Social Security Act and shall redetermine eligibility for those continuing under Title IV-A grants.

(2) Those qualified for Supplemental Security Income (SSI) benefits under Title XVI of the federal Social Security Act, as amended, and those who are deemed SSI eligible as contained in federal statute. The eligibility of individuals covered in this paragraph shall be determined by the Social Security Administration and certified to the Division of Medicaid.

(3) Qualified pregnant women who would be eligible for Medicaid as a low-income family member under Section 1931 of the federal Social Security Act if her child were born. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(4) [Deleted]

(5) A child born on or after October 1, 1984, to a woman eligible for and receiving Medicaid under the state plan on the date of the child's birth shall be deemed to have applied for Medicaid and to have been found eligible for Medicaid under the plan on the date of that birth, and will remain eligible for Medicaid for a period of one (1) year so long as the child is a member of the woman's household and the woman remains eligible

for Medicaid or would be eligible for Medicaid if pregnant. The eligibility of individuals covered in this paragraph shall be determined by the Division of Medicaid.

(6) Children certified by the State Department of Human Services to the Division of Medicaid of whom the state and county departments of human services have custody and financial responsibility, and children who are in adoptions subsidized in full or part by the Department of Human Services, including special needs children in non-Title IV-E adoption assistance, who are approvable under Title XIX of the Medicaid program. The eligibility of the children covered under this paragraph shall be determined by the State Department of Human Services.

(7) Persons certified by the Division of Medicaid who are patients in a medical facility (nursing home, hospital, tuberculosis sanatorium or institution for treatment of mental diseases), and who, except for the fact that they are patients in that medical facility, would qualify for grants under Title IV, Supplementary Security Income (SSI) benefits under Title XVI or state supplements, and those aged, blind and disabled persons who would not be eligible for Supplemental Security Income (SSI) benefits under Title XVI or state supplements if they were not institutionalized in a medical facility but whose income is below the maximum standard set by the Division of Medicaid, which standard shall not exceed that prescribed by federal regulation.

(8) Children under eighteen (18) years of age and pregnant women (including those in intact families) who meet the financial standards of the state plan approved under Title IV-A of the federal Social Security Act, as amended. The eligibility of children covered under this paragraph shall be determined by the Division of Medicaid.

(9) Individuals who are:

(a) Children born after September 30, 1983, who have not attained the age of nineteen (19), with family income that does not exceed one hundred percent (100%) of the nonfarm official poverty level;

(b) Pregnant women, infants and children who have not attained the age of six (6), with family income that does not exceed one hundred thirty-three percent (133%) of the federal poverty level; and

(c) Pregnant women and infants who have not attained the age of one (1), with family income that does not exceed one hundred eighty-five percent (185%) of the federal poverty level.

The eligibility of individuals covered in (a), (b) and (c) of this paragraph shall be determined by the division.

(10) Certain disabled children age eighteen (18) or under who are living at home, who would be eligible, if in a medical institution, for SSI or a state supplemental payment under Title XVI of the federal Social Security Act, as amended, and therefore for Medicaid under the plan, and for whom the state has made a determination as required under Section 1902(e)(3)(b) of the federal Social Security Act, as amended. The eligibility of individuals under this paragraph shall be determined by the Division of Medicaid.

(11) Until the end of the day on December 31, 2005, individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid. After December 31, 2005, only those individuals covered under the 1115(c) Healthier Mississippi waiver will be covered under this category.

Any individual who applied for Medicaid during the period from July 1, 2004, through March 31, 2005, who otherwise would have been eligible for coverage under this paragraph (11) if it had been in effect at the time the individual submitted his or her application and is still eligible for coverage under this paragraph (11) on March 31, 2005, shall be eligible for Medicaid coverage under this paragraph (11) from March 31, 2005, through December 31, 2005. The division shall give priority in processing the applications for those individuals to determine their eligibility under this paragraph (11).

(12) Individuals who are qualified Medicare beneficiaries (QMB) entitled to Part A Medicare as defined under Section 301, Public Law 100-360, known as the Medicare Catastrophic Coverage Act of 1988, and whose income does not exceed one hundred percent (100%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid, and those individuals determined eligible shall receive Medicare cost-sharing expenses only as more fully defined by the Medicare Catastrophic Coverage Act of 1988 and the Balanced Budget Act of 1997.

(13) (a) Individuals who are entitled to Medicare Part A as defined in Section 4501 of the Omnibus Budget Reconciliation Act of 1990, and whose income does not exceed one hundred twenty percent (120%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums.

(b) Individuals entitled to Part A of Medicare, with income above one hundred twenty percent (120%), but less than one hundred thirty-five percent (135%) of the federal poverty level, and not otherwise eligible for Medicaid. Eligibility for Medicaid benefits is limited to full payment of Medicare Part B premiums. The number of eligible individuals is limited by the availability of the federal capped allocation at one hundred percent (100%) of federal matching funds, as more fully defined in the Balanced Budget Act of 1997.

The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(14) [Deleted]

(15) Disabled workers who are eligible to enroll in Part A Medicare as required by Public Law 101-239, known as the Omnibus Budget Reconciliation Act of 1989, and whose income does not exceed two hundred percent (200%) of the federal poverty level as determined in accordance with the Supplemental Security Income (SSI) program. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid and those individuals shall be entitled to buy-in coverage of Medicare Part A premiums only under the provisions of this paragraph (15).

(16) In accordance with the terms and conditions of approved Title XIX waiver from the United States Department of Health and Human Services, persons provided home- and community-based services who are physically disabled and certified by the Division of Medicaid as eligible due to applying the income and deeming requirements as if they were institutionalized.

(17) In accordance with the terms of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, because of increased income from or hours of employment of the caretaker relative or because of the expiration of the applicable earned income disregards, who were eligible for Medicaid for at least three (3) of the six (6) months preceding the month in which the

ineligibility begins, shall be eligible for Medicaid for up to twelve (12) months. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(18) Persons who become ineligible for assistance under Title IV-A of the federal Social Security Act, as amended, as a result, in whole or in part, of the collection or increased collection of child or spousal support under Title IV-D of the federal Social Security Act, as amended, who were eligible for Medicaid for at least three (3) of the six (6) months immediately preceding the month in which the ineligibility begins, shall be eligible for Medicaid for an additional four (4) months beginning with the month in which the ineligibility begins. The eligibility of the individuals covered under this paragraph shall be determined by the division.

(19) Disabled workers, whose incomes are above the Medicaid eligibility limits, but below two hundred fifty percent (250%) of the federal poverty level, shall be allowed to purchase Medicaid coverage on a sliding fee scale developed by the Division of Medicaid.

(20) Medicaid eligible children under age eighteen (18) shall remain eligible for Medicaid benefits until the end of a period of twelve (12) months following an eligibility determination, or until such time that the individual exceeds age eighteen (18).

(21) Women of childbearing age whose family income does not exceed one hundred eighty-five percent (185%) of the federal poverty level. The eligibility of individuals covered under this paragraph (21) shall be determined by the Division of Medicaid, and those individuals determined eligible shall only receive family planning services covered under Section 43-13-117(13) and not any other services covered under Medicaid. However, any individual eligible under this paragraph (21) who is also eligible under any other provision of this section shall receive the benefits to which he or she is entitled under that other provision, in addition to family planning services covered under Section 43-13-117(13).

The Division of Medicaid shall apply to the United States Secretary of Health and Human Services for a federal waiver of the applicable provisions of Title XIX of the federal Social Security Act, as amended, and any other applicable provisions of federal law as necessary to allow for the implementation of this paragraph (21). The provisions of this paragraph (21) shall be implemented from and after the date that the Division of Medicaid receives the federal waiver.

(22) Persons who are workers with a potentially severe disability, as determined by the division, shall be allowed to purchase Medicaid coverage. The term "worker with a potentially severe disability" means a person who is at least sixteen (16) years of age but under sixty-five (65) years of age, who has a physical or mental impairment that is reasonably expected to cause the person to become blind or disabled as defined under Section 1614(a) of the federal Social Security Act, as amended, if the person does not receive items and services provided under Medicaid.

The eligibility of persons under this paragraph (22) shall be conducted as a demonstration project that is consistent with Section 204 of the Ticket to Work and Work Incentives Improvement Act of 1999, Public Law 106-170, for a certain number of persons as specified by the division. The eligibility of individuals covered under this paragraph (22) shall be determined by the Division of Medicaid.

(23) Children certified by the Mississippi Department of Human Services for whom the state and county departments of human services have custody and financial responsibility who are in foster care on their eighteenth birthday as reported by the Mississippi Department of Human Services shall be certified Medicaid eligible by the Division of Medicaid until their twenty-first birthday.

(24) Individuals who have not attained age sixty-five (65), are not otherwise covered by creditable coverage as defined in the Public Health Services Act, and have been screened for breast and cervical cancer under the Centers for Disease Control and Prevention Breast and Cervical Cancer Early Detection Program established under Title XV of the Public Health Service Act in accordance with the requirements of that act and who need treatment for breast or cervical cancer. Eligibility of individuals under this paragraph (24) shall be determined by the Division of Medicaid.

(25) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, and whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the Division of Medicaid, and who are not otherwise covered by Medicare. Nothing contained in this paragraph (25) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(26) The division shall apply to the Centers for Medicare and Medicaid Services (CMS) for any necessary waivers to provide services to individuals who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, who are end-stage renal disease patients on dialysis, cancer patients on chemotherapy or organ transplant recipients on antirejection drugs, whose income does not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually, and whose resources do not exceed those established by the division. Nothing contained in this paragraph (26) shall entitle an individual to benefits. The eligibility of individuals covered under this paragraph shall be determined by the Division of Medicaid.

(27) Individuals who are entitled to Medicare Part D and whose income does not exceed one hundred fifty percent (150%) of the nonfarm official poverty level as defined by the Office of Management and Budget and revised annually. Eligibility for payment of the Medicare Part D subsidy under this paragraph shall be determined by the division.

(28) Under the federal Patient Protection and Affordable Care Act of 2010 and as amended, beginning July 1, 2021, individuals who are under sixty-five (65) years of age, not pregnant, not entitled to nor enrolled for benefits in Part A of Title XVIII of the federal Social Security Act or enrolled for benefits in Part B of Title XVIII of the federal Social Security Act, are not described in any other part of this section, and whose income does not exceed one hundred thirty-three percent (133%) of the Federal Poverty Level applicable to a family of the size involved. The eligibility of individuals covered under this paragraph (28) shall be determined by the Division of Medicaid, and those individuals determined eligible shall only receive essential health benefits as described in the federal Patient Protection and Affordable Care Act of 2010 as amended. This paragraph (28) shall stand repealed on December 31, 2023.

The division shall redetermine eligibility for all categories of recipients described in each paragraph of this section not less frequently than required by federal law.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 2 to S. B. No. 2799 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Bryan, Butler, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--16.

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

Absent and those not voting--DeLano, Polk. Total--2.

YEAS AND NAYS On S. B. No. 2799. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--Chism, Hill, McDaniel, Sojourner. Total--4.

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

Senator Fillingane called up the following entitled bill:

S. B. No. 2107: Firearms; prohibit local governments and state agencies from restricting possession.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

Senators DeBar, Seymour, Hill, McDaniel, Sojourner and Chism offered the following AMENDMENT NO. 1.

AMEND on line 69 by deleting "(a)":

FURTHER, AMEND by deleting lines 74 through 97 in their entirety.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2107 was adopted.

YEAS AND NAYS On S. B. No. 2107. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Nays--Barnett, Blackmon, Blount, Bryan, Butler, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--16.

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

Unanimous consent was granted to add Senators Blackwell, Branning, Carter, Caughman, Chassaniol, Fillingane, Harkins, Hill, McCaughn, McMahan, Michel, Parks, Seymour, Sparks, Suber, Tate, Whaley, Williams, Younger and McLendon as co-authors of **S. B. No. 2107**.

Senator Fillingane called up the following entitled bill:

S. B. No. 2572: DUI law; revise fourth offense of and require all expunctions to be confidentially registered.

On motion of Senator Fillingane, the Committee Substitute was offered for consideration and the motion lost.

YEAS AND NAYS On S. B. No. 2572. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Michel called up the following entitled bill:

S. B. No. 2602: Nonadmitted insurer policy fee; divert certain amount to fund fire trucks and fire apparatus/protection grants.

YEAS AND NAYS On S. B. No. 2602. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chassaniol, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Williams, Witherspoon, Younger. Total--42.

Nays--Carter, Chism, England, Moran, Thompson, Wiggins. Total--6.

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

Voting Present--DeBar, Hill, Seymour. Total--3.

Unanimous consent was granted to add Senators Sparks, Boyd, Parker, Williams, McLendon, Caughman, McMahan, Whaley, Blackwell, Younger, Harkins, Branning, Chassaniol, Fillingane, Turner-Ford, Witherspoon, Thomas, Simmons D. T. (12th),

Jackson S. (32nd), Barnett, Simmons S. (13th), Jackson R. (11th), Jordan, Suber, Tate, Barrett and McCaughn as co-authors of **S. B. No. 2602**.

Senator Blackmon called up the following entitled bill:

S. B. No. 2389: Domestic violence shelters; revise eligibility for funds.

YEAS AND NAYS On S. B. No. 2389. On motion of Senator Blackmon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Unanimous consent was granted to add Senators Jackson S. (32nd), Simmons S. (13th), Thomas, Barnett, Simmons D. T. (12th), Jordan, Norwood, Jackson R. (11th), Butler, Blount, Turner-Ford and Frazier as co-authors of **S. B. No. 2389**.

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

Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Dr. Sylvia Y. Stewart and Mrs. Juanita Starks of Jackson, MS.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Mrs. Nellie Bailey and Camellus "Woody" Wigley of Pattison, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Andrea Ferguson Howell of Bruce, MS.

Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Mary Wilson (The Supremes) of Greenville, MS.

Senator Blackwell moved that the Senate adjourn until 10:00 AM, Wednesday, February 10, 2021.

The motion prevailed, and at 6:17 PM, the Senate stood adjourned in memory of Jane Beach, Dr. Sylvia Y. Stewart, Mrs. Nellie Bailey, Camellus "Woody" Wigley, Mrs. Juanita Starks, Andrea Ferguson Howell and Mary Wilson.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, FEBRUARY 9, 2021

S. R. No. 9: Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO MUSICIAN'S MUSICIAN RAPHAEL SEMMES AS THE RECIPIENT OF THE 2021 GOVERNOR'S ARTS AWARD AS MISSISSIPPI CULTURAL AMBASSADOR. By Senator(s) Horhn, Blount, Michel, Norwood, Frazier, Chassaniol, Fillingane, Jackson (32nd)

S. R. No. 10: Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO CINEMATOGRAPHER AND STUDIO INNOVATOR ARTHUR JAJA AS THE RECIPIENT OF THE 2021 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN MEDIA ARTS.

By Senator(s) Horhn, Jackson (11th), McMahan, Simmons (12th), Fillingane, Jackson (32nd)

S. R. No. 11: Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO MISSISSIPPI TRADITIONAL ARTISANS THE TUTWILER QUILTERS AS THE RECIPIENT OF THE 2021 GOVERNOR'S ARTS AWARD FOR ARTS IN THE COMMUNITY.

By Senator(s) Horhn, Simmons (13th), Chassaniol, Jackson (32nd)

S. R. No. 12: Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO NOVELIST JESMYN WARD AS THE RECIPIENT OF THE 2021 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN LITERATURE.

By Senator(s) Horhn, Moran, Thompson, Jackson (32nd)

S. R. No. 13: Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO GRAMMY AWARD-WINNING SONGWRITER, PRODUCER AND ARRANGER BENJAMIN WRIGHT AS THE RECIPIENT OF THE 2021 GOVERNOR'S ARTS AWARD FOR LIFE ACHIEVEMENT.

By Senator(s) Horhn, Simmons (12th), Chassaniol, Jackson (32nd)

THIRTY-SEVENTH DAY, WEDNESDAY, FEBRUARY 10, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.
Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator England, written by Rev. Brandon Conner, Senior Pastor, Mosaic Church, Ocean Springs, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Hopson called up the following entitled bill:

S. B. No. 2863: MDH; revise appropriation for FY2021 to allow purchase of accumulated compensatory time incurred before June 30, 2021.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2863. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson called up the following entitled bill:

S. B. No. 2854: Department of Public Safety; revise salaries of officers.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2854. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 2804: Alcoholic beverage; create delivery service permit.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2804. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--Branning, Chism, Frazier, Norwood, Parker, Tate. Total--6.

Absent and those not voting----None.

Senator Tate called up the following entitled bill:

S. B. No. 2587: Absentee ballots; revise certain procedures.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2587. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Tate called up the following entitled bill:

S. B. No. 2588: Statewide Elections Management System; remove electors who fail to respond to notice.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

Senator Blount offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 23-15-152, Mississippi Code of 1972:

23-15-152. (1) For the purposes of this section:

(a) "Confirmation notice" means a notice sent by the election commissioners, by forwardable mail, with return postage prepaid, on a form prescribed by the Secretary of State, to a registered elector to confirm the registered elector's current address. The notice shall comply with all applicable requirements of the National Voter Registration Act of 1993.

(b) An elector "fails to respond to the confirmation notice" if the elector, during a period of four (4) consecutive years beginning from the date of the delivery of the confirmation notice, fails to:

(i) Respond to the confirmation notice;

(ii) Update the elector's registration information; or

(iii) Vote at least once in any election in the elector's registered county or municipality during the period of four (4) consecutive years beginning from the date of the delivery of the confirmation notice.

(2) (a) Within six (6) months of the effective date of this act, the election commissioners shall send each registered elector who has failed to vote at least once in the previous two (2) years a confirmation notice. The period of two (2) years under this paragraph (a) shall include two (2) general statewide elections.

(b) Once within each calendar year thereafter, the election commissioners shall send each registered elector who has failed to vote at least once in the previous four (4) years a confirmation notice.

(c) For electors who fail to respond to the confirmation notice as defined in paragraph (b) of subsection (1) of this section, the county registrar or county election commission shall request verification from the Department of Health that the voter has died and request verification from the Secretary of State, the registrar of another county, or appropriate official in another state that the voter has registered elsewhere. The Secretary of State shall publish a list of all electors identified by the Department of Health as presumed to have died and a list of all electors presumed to have moved their registration to another jurisdiction. Ninety (90) days after publication and having received such verification and finding it to be accurate beyond a reasonable doubt, the county election commission shall remove the elector from the Statewide Elections Management System. If after one hundred twenty (120) days after publication the commission has failed to act, the Secretary of State may remove from the Statewide Elections Management System those electors who fail to respond to the confirmation notice as defined by subsection (2) of this section.

(3) An elector who is removed from the Statewide Elections Management System under this section may cast an affidavit ballot in an election held within twelve (12) months

and such ballot will be counted and the elector shall be returned to the Statewide Elections Management System as a duly registered voter.

(4) No voter registration records shall be removed during the ninety (90) days immediately preceding a federal primary or general election.

(5) The county registrar shall retain removed voter registration records after they are removed for a period that includes at least two (2) federal general elections and shall record the reason for the removal.

SECTION 2. Section 23-15-125, Mississippi Code of 1972, is amended as follows:

23-15-125. The pollbook of each voting precinct shall designate the voting precinct for which it is to be used, and shall be ruled in appropriate columns, with printed or written headings, as follows: date of registration; voter registration number; name of electors; date of birth; and a number of blank columns for the dates of elections. All qualified applicants who register with the registrar shall be entered in the Statewide Elections Management System. Only the names of those qualified applicants who register within thirty (30) days before an election shall appear on the pollbooks of the election; however, if the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. When county election commissioners determine that any elector is disqualified from voting, by reason of death, conviction of a disenfranchising crime, removal from the jurisdiction, failure to respond to the confirmation notice sent pursuant to Section 23-15-152, or other legal cause, that fact shall be noted in the Statewide Elections Management System and the voter's name shall be removed from the Statewide Elections Management System, the state's voter roll and the county's pollbooks. Nothing in this section shall preclude the use of electronic pollbooks.

SECTION 3. Section 23-15-153, Mississippi Code of 1972, is amended as follows:

23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar or the office of the election commissioners to carefully revise the county voter roll as electronically maintained by the Statewide Elections Management System and remove from the roll the names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been convicted of a disenfranchising crime, failed to respond to the confirmation notice sent pursuant to Section 23-15-152, or otherwise become disqualified as electors for any cause, and shall register the names of all persons who have duly applied to be registered but have been illegally denied registration:

(a) On the Tuesday after the second Monday in January 1987 and every following year;

(b) On the first Tuesday in the month immediately preceding the first primary election for members of Congress in the years when members of Congress are elected;

(c) On the first Monday in the month immediately preceding the first primary election for state, state district legislative, county and county district offices in the years in which those offices are elected; * * *

(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted * * *; and

(e) As provided in Section 23-15-152.

Except for the names of those voters who are duly qualified to vote in the election, no name shall be permitted to remain in the Statewide Elections Management System; however, no name shall be purged from the Statewide Elections Management System based on a change in the residence of an elector except in accordance with procedures provided for by the National Voter Registration Act of 1993. Except as otherwise provided by Section 23-15-573, no person shall vote at any election whose name is not in the county voter roll electronically maintained by the Statewide Elections Management System.

(2) Except as provided in this section, and subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than fifty (50) days per year, with no more than fifteen (15) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than seventy-five (75) days per year, with no more than twenty-five (25) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than one hundred (100) days per year, with no more than thirty-five (35) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than one hundred ninety (190) days per year, with no more than seventy-five (75) additional days

allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty thousand (250,000) residents according to the latest federal decennial census, not more than two hundred fifteen (215) days per year, with no more than eighty-five (85) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census, not more than two hundred thirty (230) days per year, with no more than ninety-five (95) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than two hundred forty (240) days per year, with no more than one hundred five (105) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year.

(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the election commissioners to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section, not to exceed five (5) days.

(4) (a) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System before any special election. For purposes of this paragraph, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this paragraph.

(b) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Fifty Dollars (\$150.00), to be paid from the county general fund, for the performance of their duties on the day of any primary, runoff, general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.

(c) The board of supervisors may, in its discretion, pay the election commissioners an additional amount not to exceed Fifty Dollars (\$50.00) for the performance of their duties at any election occurring from July 1, 2020, through December 31, 2020, which shall be considered additional pandemic pay. Such compensation shall be payable out of the county general fund, and may be payable from federal funds available for such purpose, or a combination of both funding sources.

(5) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, not to exceed fourteen (14) days for every day or period of no less than five (5) hours

accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System and in the conduct of a runoff election following either a general or special election.

(6) The election commissioners shall be entitled to receive only one (1) per diem payment for those days when the election commissioners discharge more than one (1) duty or responsibility on the same day.

(7) In preparation for a municipal primary, runoff, general or special election, the county registrar shall generate and distribute the master voter roll and pollbooks from the Statewide Elections Management System for the municipality located within the county. The municipality shall pay the county registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its own pollbooks using this information.

(8) County election commissioners who perform the duties of an executive committee with regard to the conduct of a primary election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.

(9) In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.

(10) Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

The certification form shall be as follows:

COUNTY ELECTION COMMISSIONER

PER DIEM CLAIM FORM

NAME: _____ COUNTY: _____

ADDRESS: _____ DISTRICT: _____

CITY: _____ ZIP: _____

PURPOSE APPLICABLE ACTUAL PER DIEM

DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

TOTAL NUMBER OF PER DIEM DAYS EARNED

EXCLUDING ELECTION DAYS _____

PER DIEM RATE PER DAY EARNED X \$100.00

TOTAL NUMBER PER DIEM DAYS EARNED

FOR ELECTION DAYS _____

PER DIEM RATE PER DAY EARNED X \$150.00

TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

I understand that I am signing this document under my oath as an election commissioner and under penalties of perjury.

I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the ____ day of _____, ____.

Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the commission, the clerk of the board of supervisors or the board of supervisors, as the case may be.

Any contestor who successfully contests any certification will be awarded all expenses incident to his or her contest, together with reasonable attorney's fees, which will be awarded upon petition to the chancery court of the involved county upon final disposition of the contest before the election commission, board of supervisors, clerk of the board of supervisors, or, in case of an appeal, final disposition by the court. The commissioner against whom the contest is decided shall be liable for the payment of the expenses and attorney's fees, and the county shall be jointly and severally liable for same.

(11) Any election commissioner who has not received a certificate issued by the Secretary of State pursuant to Section 23-15-211 indicating that the election commissioner has received the required elections seminar instruction and that the election commissioner is fully qualified to conduct an election, shall not receive any compensation authorized by this section or Section 23-15-239.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COUNTY REGISTRAR OR COUNTY ELECTION COMMISSION SHALL REMOVE FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM THOSE ELECTORS WHO FAIL TO RESPOND TO A CONFIRMATION NOTICE FOR A PERIOD OF CONSECUTIVE YEARS; TO DEFINE THE TERMS "CONFIRMATION NOTICE" AND "FAIL TO RESPOND TO THE CONFIRMATION NOTICE"; TO REQUIRE ELECTION COMMISSIONERS TO SEND REGISTERED ELECTORS WHO DO NOT VOTE FOR A CERTAIN PERIOD A CONFIRMATION NOTICE; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2588 failed.

Senator Turner-Ford requested that S. B. No. 2588 be read.

POINT OF ORDER

A point of order was raised by Senator Bryan that a bill should be read prior to the final vote of the bill, not during the debate of the bill.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken. Section 59 of the Mississippi Constitution requires reading of the bill immediately before the vote on its final passage.

Before the vote on its final passage, Senator Turner-Ford requested that S. B. No. 2588 be read.

POINT OF ORDER

A point of order was raised by Senator Bryan that the reading program is not reading S. B. No. 2588 properly because it was not reading statute citations on certain lines of the bill.

RULING OF THE CHAIR

The Chair, President Pro Tempore Kirby presiding, ruled the point of order well-taken.

YEAS AND NAYS On S. B. No. 2588. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barnett, Blackmon, Blount, Bryan, Butler, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--16.

Absent and those not voting----None.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **S. B. No. 2588** passed the Senate.

Unanimous consent was granted to add Senator England as co-author of **S. B. No. 2588**.

Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 12:15 PM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

Senator DeBar called up the following entitled bill:

S. B. No. 2678: Mandatory K-12 computer science curriculum; authorize the State Department of Education to implement.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

Senator Hill offered the following AMENDMENT NO. 1.

AMEND by inserting the following after line 137 and renumbering subsequent sections accordingly:

(1) Interscholastic or intramural athletic teams or sports that are sponsored by a public primary or secondary school or any school that is a member of the Mississippi High School Activities Association or public institution of higher education or any higher education institution that is a member of the NCAA, NAIA or NJCCA shall be expressly designated as one of the following based on biological sex:

- (a) "Males," "men" or "boys";
- (b) "Females," "women" or "girls"; or
- (c) "Coed" or "mixed."

(2) Athletic teams or sports designated for "females," "women" or "girls" shall not be open to students of the male sex.

(3) Any student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a violation of this act shall have a private cause of action for injunctive relief, damages and any other relief available under law against the primary or secondary school or institution of higher education.

FURTHER, AMEND the title to conform.

POINT OF ORDER

A point of order was raised by Senator DeBar that Amendment No. 1 is not germane.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken. The amendment expanded the purpose and subject matter of the original bill.

YEAS AND NAYS On S. B. No. 2678. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Younger, Jackson S. (32nd), Simmons S. (13th), Boyd, Jackson R. (11th), Sparks, McCaughn and McLendon as co-authors of **S. B. No. 2678**.

Senator Branning called up the following entitled bill:

S. B. No. 2788: Radar speed detection; revise provisions concerning use by Highway Patrol and municipal law enforcement in certain cities.

YEAS AND NAYS On S. B. No. 2788. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senator Jackson R. (11th) as co-author of **S. B. No. 2788**.

Senator Branning called up the following entitled bill:

S. B. No. 2785: Driver's license requirements; exempt active duty military members, spouses and dependent children under certain conditions.

Senators Branning and DeBar offered the following AMENDMENT NO. 1.

AMEND on lines 38 through 41 by striking the language beginning with "Any person" on line 38 through "United States" on line 41, and inserting in lieu thereof the following:

A member of any active or reserve component branch of the United States of America Armed Forces, or a spouse or a dependent child not less than sixteen (16) years of age of a member of any active or reserve component branch of the United States of America Armed Forces

FURTHER, amend the title to conform by inserting the following on line 3 after "ACTIVE":

OR RESERVE

Amendment No. 1 to S. B. No. 2785 was adopted.

YEAS AND NAYS On S. B. No. 2785. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Unanimous consent was granted to add Senators Butler, Jackson S. (32nd), England, Boyd and Jackson R. (11th) as co-authors of **S. B. No. 2785**.

Senator Fillingane called up the following entitled bill:

S. B. No. 2598: Department of Public Safety; revise licensing.

On motion of Senator Branning, the Committee Substitute was adopted for consideration.

Senators Branning and DeBar offered the following AMENDMENT NO. 1.

AMEND on line 42 by striking "active military personnel" and inserting in lieu thereof the following:

a member of any active component branch of the United States of America Armed Forces

AMEND on lines 43 and 44 by striking the underlined language in its entirety and inserting in lieu thereof the following:

is the spouse of a member of any active component branch of the United States of America Armed Forces stationed in Mississippi,

FURTHER, AMEND the title to conform on lines 3 and 4 by striking "SPOUSES OF ACTIVE MILITARY PERSONNEL STATIONED IN MISSISSIPPI" and inserting in lieu thereof the following:

A MEMBER OF AN ACTIVE COMPONENT BRANCH OF THE UNITED STATES OF AMERICA ARMED FORCES STATIONED IN MISSISSIPPI, OR THE SPOUSE OF THE SAME,

Amendment No. 1 to S. B. No. 2598 was adopted.

Senators Fillingane and Branning offered the following AMENDMENT NO. 2.

AMEND by deleting the language after the semicolon on line 10 through the semicolon on line 12.

FURTHER, AMEND by inserting after the semicolon on line 18 the following:

TO AMEND SECTION 63-11-23, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR NONSUBSTANTIVE CHANGE;

Amendment No. 2 to S. B. No. 2598 was adopted.

YEAS AND NAYS On S. B. No. 2598. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--41.

Nays--Barnett, Blackmon, Butler, Frazier, Jackson R. (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas, Turner-Ford, Witherspoon. Total--11.

Absent and those not voting---None.

Senator DeLano called up the following entitled bill:

S. B. No. 2394: Public officers and employees; revise policy regulating personal use of state-owned wireless communication devices.

YEAS AND NAYS On S. B. No. 2394. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Caughman called up the following entitled bill:

S. B. No. 2627: Home inspector license; require applicants to undergo certain background checks.

YEAS AND NAYS On S. B. No. 2627. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2086: Child advocacy centers; immunity from civil liability.

YEAS AND NAYS On S. B. No. 2086. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Simmons D. T. (12th), Turner-Ford. Total--2.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Branning, Younger and Parker as co-authors of **S. B. No. 2086**.

Senator Polk called up the following entitled bill:

S. B. No. 2827: Public purchases; specify prequalification process for construction manager at risk soliciting bids for projects.

YEAS AND NAYS On S. B. No. 2827. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Polk called up the following entitled bill:

S. B. No. 2797: Department of Public Safety; revise authority, adjust trooper salaries, make technical amendments.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

Senator Polk offered the following AMENDMENT NO. 1.

AMEND on line 1294 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to S. B. No. 2797 was adopted.

YEAS AND NAYS On S. B. No. 2797. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Simmons D. T. (12th) called up the following entitled bill:

S. B. No. 2605: Golf carts and low-speed vehicles; authorize municipalities to permit operation on municipal streets.

YEAS AND NAYS On S. B. No. 2605. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--Hill. Total--1.

Absent and those not voting---None.

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

Unanimous consent was granted to add Senators Jordan and Simmons S. (13th) as co-authors of **S. B. No. 2605**.

Senator Wiggins called up the following entitled bill:

S. B. No. 2260: Public official corruption; authorize prosecution by Attorney General upon request of the State Auditor.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2260. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--Blackmon, Bryan, Butler, Frazier, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--13.

Absent and those not voting---None.

Unanimous consent was granted to add Senators England and McCaughn as co-authors of **S. B. No. 2260**.

Senator Wiggins called up the following entitled bill:

S. B. No. 2022: Justice courts; required to accept electronic filing.

YEAS AND NAYS On S. B. No. 2022. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Bryan, McMahan, Turner-Ford, Witherspoon. Total--4.

Absent and those not voting----None.

Senator Bryan entered a motion to reconsider the vote whereby **S. B. No. 2022** passed the Senate.

Senator Polk called up the following entitled bill:

S. B. No. 2727: Department of Archives & History; bring forward provisions establishing the department and its board of directors.

Senator Thompson offered the following AMENDMENT NO. 1.

AMEND by deleting all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 39-5-3, Mississippi Code of 1972, is amended as follows:

39-5-3. The Department of Archives and History shall be under the control of a board of nine (9) trustees. Beginning on the effective date of this act, the board *** may recommend individuals to fill *** vacancies occurring *** thereon, whether by expiration of term of service or by death or resignation. *** The board shall communicate the names of all *** proposed members *** to the Governor and the Lieutenant Governor who shall alternate as the appointing authority to fill vacancies on the board. The Governor and the Lieutenant Governor may appoint the board's recommended individual or may appoint an individual of their own choosing. The Governor shall make the first appointment to any vacancy occurring on or after the effective date of this act, and the Lieutenant Governor shall make the second appointment. This process of appointment shall continue on an alternating basis for all trustee appointments. Each appointed member shall be submitted to the next ensuing session of the State Senate for confirmation, and *** if it shall reject any of the *** appointed trustees, *** the appointing official shall proceed *** to fill the vacancy *** by *** another appointment. All trustees chosen to succeed the present members or their successors shall serve for a term of six (6) years. The board of trustees shall hold at the State Capitol at least one (1) regular meeting during the year, and as many special meetings as may be necessary, and at said meetings five (5) members shall constitute a quorum. The Director of the Department of Archives and History *** shall be the secretary of the board. The trustees shall receive no compensation for their services other than the amount of their necessary expenses actually paid out while in attendance on the meetings of the board or the business of the department. The board is empowered to adopt rules for its own government and for the government of the department, to elect and fix the compensation of a director not to exceed the maximum set by the Legislature, and other officials or employees, and to do and perform such other acts and things as may be necessary to carry out the true intent and purposes of this chapter.

SECTION 2. This act shall take effect and be in force from and after its passage.

FURTHER, AMEND THE TITLE BY DELETING LINES 1-5 AND INSERTING IN LIEU THEREOF THE FOLLOWING:

AN ACT TO AMEND SECTION 39-5-3, MISSISSIPPI CODE OF 1972, TO REVISE THE APPOINTING AUTHORITY FOR MEMBERS OF THE BOARD OF TRUSTEES OF THE DEPARTMENT OF ARCHIVES AND HISTORY; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2727 was adopted.

YEAS AND NAYS On S. B. No. 2727. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Barnett, Blackmon, Bryan, Butler, Frazier, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--14.

Absent and those not voting--Harkins, Hopson, Horhn. Total--3.

Voting Present--Blount. Total--1.

Senator Moran called up the following entitled bill:

S. B. No. 2653: Public Trust Tidelands; provide a procedure for the removal of submerged logs.

YEAS AND NAYS On S. B. No. 2653. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

S. B. No. 2547: Scholarship eligibility requirements; increase minimum ACT scores for MTAG, HELP and MESH.

On motion of Senator Parks, the Committee Substitute was adopted for consideration.

Senators Parks and Hopson offered the following AMENDMENT NO. 1.

AMEND on lines 18 and 19 by changing the phrase "possesses a grade point average of 3.5 or higher" to "has obtained a minimum cumulative grade point average of 3.5 calculated on a 4.0 scale"

FURTHER, AMEND on line 215 by changing "twenty-nine (29)" to "thirty (30)"

FURTHER, AMEND by deleting lines 430 through 431 and inserting in lieu thereof the following:

SECTION 5. Sections 1 and 4 of this act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021. Sections 2 and 3 of this act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

Amendment No. 1 to S. B. No. 2547 was adopted.

Senator Blount offered the following AMENDMENT NO. 2.

AMEND by deleting lines 23 through 188 and inserting in lieu thereof the following:

SECTION *. Section 37-106-29, Mississippi Code of 1972, which provides for the Mississippi Resident Tuition Assistant Grant Program, is repealed.

FURTHER, AMEND after line 240 by inserting the following:

(g) Is found to be from a family who has an annual adjusted gross income of less than two hundred percent (200%) of the medium household income of the state.

FURTHER, AMEND on line 416 by inserting the following sentence before the word "The":

An applicant who has a family with an annual adjusted gross income of Thirty-seven Thousand Five Hundred Dollars (\$37,500.00) but less than Forty-seven Thousand Five Hundred Dollars (\$47,500.00) shall be limited to receiving fifty percent (50%) of the grant amount from this program.

FURTHER, AMEND the title to conform.

Amendment No. 2 to S. B. No. 2547 failed.

YEAS AND NAYS On S. B. No. 2547. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2355: Age of majority; revise.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2355. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson S. (32nd), Johnson, Kirby, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--Hill, Jackson R. (11th), Jordan, Thomas. Total--4.

Absent and those not voting---None.

Voting Present--McCaughn, Simmons D. T. (12th), Suber, Turner-Ford. Total--4.

Senator Blackmon called up the following entitled bill:

S. B. No. 2411: Services to individuals who are homeless or at risk of experiencing homelessness; DHS pilot project.

YEAS AND NAYS On S. B. No. 2411. On motion of Senator Blackmon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Bryan, Butler, Fillingane, Frazier, Harkins, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Kirby, Michel, Norwood, Polk, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--21.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeLano, England, Hill, Hopson, Johnson, McCaughn, McDaniel, McLendon, McMahan, Moran, Parker, Parks, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--30.

Absent and those not voting---None.

Voting Present--DeBar. Total--1.

Senator Blackmon entered a motion to reconsider the vote whereby **S. B. No. 2411** failed to pass the Senate.

Senator Younger called up the following entitled bill:

S. B. No. 2076: Mississippi Fair Commission; remove repealer providing for the abolishment of.

On motion of Senator Younger, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2076. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Butler, Simmons S. (13th) and Witherspoon as co-authors of **S. B. No. 2076**.

Senator Branning called up the following entitled bill:

S. B. No. 2478: Motor carrier safety improvements; prohibit consideration of use in evaluation of employment status.

YEAS AND NAYS On S. B. No. 2478. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Turner-Ford. Total--1.

Absent and those not voting----None.

Unanimous consent was granted to add Senator England as co-author of **S. B. No. 2478**.

Senator Seymour called up the following entitled bill:

S. B. No. 2165: Veterans Service Officers; revise certain qualifications and requirements.

YEAS AND NAYS On S. B. No. 2165. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Jackson R. (11th) and England as co-authors of **S. B. No. 2165**.

Senator Carter called up the following entitled bill:

S. B. No. 2648: MS Geologic Sequestration of Carbon Dioxide Act; Oil and Gas Board shall have jurisdiction to enforce provisions of.

YEAS AND NAYS On S. B. No. 2648. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following entitled bill:

S. B. No. 2187: Universal Recognition of Occupational Licenses Act; enact.

On motion of Senator Hill, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2187. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Blackwell, Blount, Bryan, Carter, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Kirby, McDaniel, Moran, Parks, Polk, Seymour, Sojourner, Sparks, Tate, Thompson, Whaley, Wiggins, Younger. Total--24.

Nays--Barnett, Barrett, Blackmon, Boyd, Branning, Butler, Chassaniol, Chism, Frazier, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, McCaughn, McLendon, Michel, Norwood, Parker, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Turner-Ford, Williams, Witherspoon. Total--26.

Absent and those not voting----None.

Senator Caughman, who would have voted yea on S. B. No. 2187, announced a pair with Senator McMahan, who would have voted nay.

Senator Sparks entered a motion to reconsider the vote whereby **S. B. No. 2187** failed to pass the Senate.

Senator Barnett moved that the rules be suspended to move to calendar item 12, **S. B. No. 2553**, and the motion prevailed.

Senator Barnett called up the motion to reconsider the vote whereby **S. B. No. 2553** passed the Senate and moved that it be reconsidered:

S. B. No. 2553: State offenders in county jail; bring forward sections relating to.

The foregoing motion prevailed.

Senator Sparks offered the following AMENDMENT NO. 1.

AMEND on line 373 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to S. B. No. 2553 was adopted.

YEAS AND NAYS On S. B. No. 2553. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Unanimous consent was granted to add Senators Jackson S. (32nd) and England as co-authors of **S. B. No. 2553**.

Senator Parker moved that the rules be suspended to move to calendar item 15, **S. B. No. 2521**, and the motion prevailed.

Senator Parker called up the motion to reconsider the vote whereby **S. B. No. 2521** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2521: Mississippi Advantage Jobs Act; revise definition of "new direct job" for incentive applicants from and after July 1, 2010.

The foregoing motion prevailed.

Senator Hopson moved that the rules be suspended to move to calendar item 17, **S. B. No. 2392**, and the motion prevailed.

Senator Hopson called up the motion to reconsider the vote whereby **S. B. No. 2392** passed the Senate and moved that it be reconsidered:

S. B. No. 2392: County port and harbor commission; provide for holdover of appointees..

The foregoing motion prevailed.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND by inserting the following new section after line 29 and renumbering subsequent sections:

SECTION 2. Unless otherwise provide by law, any appointed member of a board, commission or authority established by state statute shall hold that appointment until such time as their successor shall be appointed, qualified and installed in office.

FURTHER, AMEND on line 31 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2392 was adopted.

YEAS AND NAYS On S. B. No. 2392. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Carter moved that the rules be suspended to move to calendar item 13, **S. B. No. 2373**, and the motion prevailed.

Senator Carter called up the motion to reconsider the vote whereby **S. B. No. 2373** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2373: Motor fuel sales; provide immunity for damages caused by the use of incompatible fuel upon certain conditions..

The foregoing motion prevailed.

Unanimous consent was granted to add Senator Norwood as a co-author of S. B. No. 2188.

S. B. No. 2188: State agencies; revise reporting requirements when personnel actions are exempted from State Personnel Board procedures.

Senator Hopson entered a motion to reconsider the vote whereby **S. B. No. 2824** passed the Senate.

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 5: AN ACT TO CLARIFY THE DEFINITION OF HAZING; TO PROVIDE PENALTIES FOR ORGANIZATIONS THAT FAIL TO REPORT HAZING; TO PROVIDE GUIDELINES FOR INVESTIGATIONS OF HAZING; TO AMEND SECTION 97-3-105, MISSISSIPPI CODE OF 1972, TO ADD PENALTIES FOR HAZING THAT INCLUDES FORCED CONSUMPTION OF ALCOHOL; AND FOR RELATED PURPOSES.

H. B. No. 87: AN ACT TO AMEND SECTION 43-1-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MISSISSIPPI DEPARTMENT OF HUMAN SERVICES FRAUD INVESTIGATORS HAVE LAW ENFORCEMENT AUTHORITY; AND FOR RELATED PURPOSES.

H. B. No. 188: AN ACT TO AMEND SECTION 47-5-124, MISSISSIPPI CODE OF 1972, TO EXEMPT OFFENDERS ENROLLED IN THE MISSISSIPPI STATEWIDE INCARCERATED VETERANS PROGRAM FROM CERTAIN REQUIRED UNIFORM DESIGNATIONS AND OTHER RESTRICTIONS; AND FOR RELATED PURPOSES.

H. B. No. 196: AN ACT TO CREATE THE "DIGNITY FOR INCARCERATED WOMEN ACT"; TO DEFINE CERTAIN TERMS AS USED UNDER THE ACT; TO PROVIDE THAT WHEN AN INCARCERATED INMATE IS GIVING BIRTH, THE USE OF RESTRAINTS SHALL BE LIMITED; TO REQUIRE CERTAIN CARE AND TREATMENT FOR WOMEN RELATED TO PREGNANCY AND CHILDBIRTH; TO REQUIRE CERTAIN CARE DURING INMATE POSTPARTUM RECOVERY; TO URGE THE DEPARTMENT OF CORRECTIONS TO PLACE MOTHERS WHO ARE PARENTS OF A MINOR CHILD WITHIN A CERTAIN DISTANCE FROM THE MOTHER'S PERMANENT ADDRESS; TO PROVIDE CERTAIN STANDARDS WHERE A FEMALE IS IN THE STATE OF UNDRRESS; TO PROVIDE THAT INCARCERATED WOMEN SHALL HAVE ACCESS TO FEMININE HYGIENE PRODUCTS AND TO PROVIDE SUCH PRODUCTS AT NO COST IF AN INMATE IS DETERMINED TO BE INDIGENT; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO DEVELOP AND PROVIDE TO ITS CORRECTION STAFF TRAINING RELATED TO THE PHYSICAL AND MENTAL HEALTH OF PREGNANT INMATES IF SUCH STAFF HAVE CONTACT WITH PREGNANT INMATES; AND FOR RELATED PURPOSES.

H. B. No. 277: AN ACT TO CREATE NEW SECTION 1-3-42, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS DESCRIBING PHOTO IDENTIFICATION THAT ARE LEGAL IN THIS STATE; TO CREATE NEW SECTION 97-7-77, MISSISSIPPI CODE OF 1972, TO CREATE THE CRIME OF COUNTERFEITING, FRAUD OR MISREPRESENTATION IN RELATION TO A TRIBAL IDENTIFICATION CARD; TO AMEND SECTION 27-115-73, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF AGE TO BUY A LOTTERY TICKET; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY FOR A CONCEALED CARRY

LICENSE; TO AMEND SECTION 49-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY TO OBTAIN A HUNTING OR FISHING LICENSE; TO AMEND SECTION 63-21-39, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY REQUIRED FOR SCRAP SALES; TO AMEND SECTION 67-3-69, MISSISSIPPI CODE OF 1972, TO REVISE PROOF OF IDENTITY FOR PURCHASE OF ALCOHOL; TO AMEND SECTION 75-9-503, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY IN UCC FILING STATEMENTS; TO AMEND SECTION 75-24-29, MISSISSIPPI CODE OF 1972, TO CONFORM THE PERSONALLY IDENTIFYING INFORMATION THAT CAN BE COMPROMISED IN A SECURITY BREACH; TO AMEND SECTION 75-67-305, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY FOR PAWNSHOP TRANSACTIONS; TO AMEND SECTION 75-95-5, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY REQUIRED FOR PRECIOUS ITEM RESALE; TO AMEND SECTION 93-1-5, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF AGE REQUIRED TO OBTAIN A MARRIAGE LICENSE; TO AMEND SECTION 93-29-13, MISSISSIPPI CODE OF 1972, TO CONFORM FACTORS TO DETERMINE RISK OF ABDUCTION; TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY REQUIRED FOR SCRAP SALES; TO AMEND SECTION 97-45-1, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF PERSONAL INFORMATION IN THE CONTEXT OF CERTAIN COMPUTER CRIMES; TO AMEND SECTION 45-35-13, MISSISSIPPI CODE OF 1972, DEALING WITH FRAUDULENT NONDRIVER IDENTIFICATION CARDS, TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; AND FOR RELATED PURPOSES.

H. B. No. 286: AN ACT TO AUTHORIZE CEMETERY OWNERS TO DISINTER DEAD HUMAN REMAINS FOR REINTERMENT OR FOR TRANSPORTATION FROM THE CEMETERY PURSUANT TO WRITTEN INSTRUCTIONS OF THE NEXT OF KIN, OR PURSUANT TO A FINAL ORDER OF THE CHANCERY COURT IN THE COUNTY IN WHICH THE CEMETERY IS LOCATED, OR IN ORDER TO CORRECT AN ERROR MADE IN THE ORIGINAL INTERMENT OF THE REMAINS UPON NOTICE; TO PROVIDE IMMUNITY FROM LIABILITY FOR OWNERS OF CEMETERIES AND FUNERAL ESTABLISHMENTS AND THEIR EMPLOYEES, OFFICERS AND DIRECTORS FOR CLAIMS ARISING FROM THE DISINTERMENT AND REINTERMENT OR DELIVERY OF DEAD HUMAN REMAINS MADE IN ACCORDANCE WITH THIS ACT; TO AMEND SECTIONS 41-37-25 AND 41-39-117, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS.

H. B. No. 290: AN ACT TO AMEND SECTION 99-15-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS CHARGED WITH PUBLIC EMBEZZLEMENT OVER A CERTAIN AMOUNT SHALL NOT BE ELIGIBLE FOR PRE-TRIAL INTERVENTION; AND FOR RELATED PURPOSES.

H. B. No. 299: AN ACT TO PROVIDE THAT WHEN A PERSON CONVEYS AN INTEREST IN PROPERTY TO TWO INDIVIDUALS WHO ARE MARRIED TO EACH OTHER, AND SUCH PROPERTY IS THE PRIMARY RESIDENCE OF THAT MARRIED COUPLE, THE DEED CONVEYING SUCH INTEREST SHALL CREATE A REBUTTABLE PRESUMPTION THAT THE PROPERTY IS THE PRIMARY RESIDENCE OF THE MARRIED INDIVIDUALS; TO PROVIDE THAT THE PROPERTY INTEREST IS CONSIDERED TO BE JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP, UNLESS THERE ARE SPECIFIC PROVISIONS PROVIDED FOR IN THE DEED TO THE CONTRARY; AND FOR RELATED PURPOSES.

H. B. No. 352: AN ACT TO CREATE NEW SECTION 73-60-47, MISSISSIPPI CODE OF 1972, TO REQUIRE APPLICANTS FOR LICENSURE AS A HOME INSPECTOR TO UNDERGO CERTAIN BACKGROUND CHECKS; TO AMEND SECTIONS 73-60-11 AND 73-60-31, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 505: AN ACT TO CREATE THE MISSISSIPPI BROADBAND ACCESSIBILITY ACT; TO PROVIDE LEGISLATIVE FINDINGS; TO PROVIDE DEFINITIONS FOR THE ACT; TO REQUIRE THE DIRECTOR OF MISSISSIPPI PUBLIC UTILITIES STAFF TO ESTABLISH AND ADMINISTER THE BROADBAND ACCESSIBILITY GRANT PROGRAM FOR THE PURPOSE OF PROMOTING THE DEPLOYMENT AND ADOPTION OF BROADBAND INTERNET ACCESS SERVICES TO UNSERVED AREAS; TO PROVIDE THAT THE PROGRAM SHALL BE ADMINISTERED PURSUANT TO POLICIES DEVELOPED BY THE PUBLIC UTILITIES STAFF, SUBJECT TO THE REQUIREMENTS OF THE ACT, WHICH SHALL PROVIDE FOR THE AWARDING OF GRANTS TO NON-GOVERNMENTAL ENTITIES THAT ARE COOPERATIVES, CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, OR OTHER PRIVATE BUSINESS ENTITIES THAT PROVIDE BROADBAND SERVICES; AND FOR RELATED PURPOSES.

H. B. No. 525: AN ACT TO BRING FORWARD SECTION 47-7-3, MISSISSIPPI CODE OF 1972, WHICH RELATES TO PAROLE ELIGIBILITY FOR INMATES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CASE PLANS FOR INMATES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-5, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE CREATION OF THE STATE PAROLE BOARD, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-13, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE VOTING REQUIREMENTS OF THE PAROLE BOARD, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-15, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE OFFICIAL SEAL OF THE PAROLE BOARD; TO BRING FORWARD SECTION 47-7-17, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE EXAMINATION OF INMATES RECORDS BY THE PAROLE BOARD, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-18, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CONDITIONS FOR PAROLE-ELIGIBLE INMATES WITHOUT A HEARING, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-33.1, MISSISSIPPI CODE OF 1972, REGARDING DEPARTMENT DISCHARGE PLANS FOR RELEASED INMATES; TO BRING FORWARD SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE MINIMUM TIME INMATES CONVICTED OF A CRIME OF VIOLENCE MUST SERVE BEFORE RELEASE AS WELL AS A MINIMUM PERCENTAGE OF OTHER SENTENCES OTHER INMATES MUST SERVE BEFORE RELEASE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-28, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE ADDITIONAL POWERS AND DUTIES OF THE COMMISSIONER OF CORRECTIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 47-5-931, 47-5-933 AND 47-5-938, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE INCARCERATION OF STATE INMATES IN CERTAIN FACILITIES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-4, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CONDITIONAL MEDICAL RELEASE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE RETURN OF A VIOLATOR OF PAROLE OR EARNED RELEASE SUPERVISION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-33, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE POWER OF THE COURT TO PLACE DEFENDANTS ON PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-34, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE POST-RELEASE SUPERVISION PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-35, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE TERMS AND CONDITIONS OF PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-36, MISSISSIPPI CODE OF 1972, WHICH RELATES TO PERSONS WHO SUPERVISE THOSE ON PROBATION OR PAROLE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE PERIOD OF PROBATION THAT IS SET BY A COURT,

FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37.1, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE REVOCATION OF PROBATION OR POST-RELEASE SUPERVISION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-49, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE COMMUNITY SERVICE REVOLVING FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-1-3, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE RULE MAKING POWER OF THE COMMISSIONER OF PUBLIC SAFETY, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-23-11, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE UNIFORM CERTIFICATION PROCESS FOR INTERVENTION AND CERTAIN OTHER COURTS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 99-39-5 AND 99-39-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO CERTAIN POST-CONVICTION PROCEEDINGS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 41-29-153 THROUGH 41-29-157, MISSISSIPPI CODE OF 1972, WHICH RELATE TO CERTAIN FORFEITURE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 99-15-105 THROUGH 99-15-127, MISSISSIPPI CODE OF 1972, WHICH RELATE TO PRETRIAL-INTERVENTION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 9-23-5 THROUGH 9-23-23, MISSISSIPPI CODE OF 1972, WHICH RELATE TO INTERVENTION COURTS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 695: AN ACT TO AMEND SECTION 93-21-107, MISSISSIPPI CODE OF 1972, TO REMOVE THE MATCHING FUNDS REQUIREMENT FOR THE STATE DOMESTIC VIOLENCE FUND; AND FOR RELATED PURPOSES.

H. B. No. 746: AN ACT TO AMEND SECTION 63-17-55, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS FOR THE MISSISSIPPI MOTOR VEHICLE COMMISSION LAW; TO AMEND SECTION 63-17-85, MISSISSIPPI CODE OF 1972, TO REVISE THE REASONS FOR WHICH THE MOTOR VEHICLE COMMISSION MAY REJECT OR ACCEPT A LICENSE; TO CREATE NEW SECTION 63-17-86, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE OBLIGATIONS OF MANUFACTURERS, DISTRIBUTORS AND MOTOR VEHICLE DEALERS; AND FOR RELATED PURPOSES.

H. B. No. 932: AN ACT TO AMEND SECTION 93-11-103, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS REGULATING CHILD SUPPORT WITHHOLDING ORDERS FOR THE PURPOSE OF COMPLYING WITH THE FEDERAL CONSUMER CREDIT PROTECTION ACT; AND FOR RELATED PURPOSES.

H. B. No. 942: AN ACT TO AMEND SECTION 77-3-2, MISSISSIPPI CODE OF 1972, TO DECLARE THAT IT IS THE POLICY OF THE STATE OF MISSISSIPPI TO SUPPORT DEPLOYMENT OF EXISTING AND EMERGING TECHNOLOGIES TO FOSTER RELIABLE AND RESILIENT SERVICE AND CUSTOMER ACCESS TO ENHANCED SERVICES; TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION IS AUTHORIZED AND EMPOWERED TO ENTER INTO CONTRACTS WITH FEDERAL AGENCIES, INCLUDING, BUT NOT LIMITED TO, THE UNITED STATES DEPARTMENT OF COMMERCE, THE FEDERAL COMMUNICATIONS COMMISSION AND THE NATIONAL TELECOMMUNICATIONS INFORMATION AGENCY, OR STATE AGENCIES, FOR THE PURPOSES ONLY OF PROVIDING SERVICES FOR THE COLLECTION OF DATA FOR MAPPING OF BROADBAND AVAILABILITY; TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO INCLUDE DEFINITIONS OF "BROADBAND SERVICE PROVIDER," "BROADBAND OPERATOR," "ELECTRIC DELIVERY SYSTEM" AND "ENHANCED GRID INVESTMENTS"; TO AMEND SECTION 77-3-44, MISSISSIPPI CODE OF 1972, TO INCLUDE FIBER-OPTIC INFRASTRUCTURE AND ENHANCED GRID INVESTMENTS AS AN ECONOMIC DEVELOPMENT ACTIVITY, TO ALLOW RATE-REGULATED ELECTRIC UTILITIES TO PERMIT BROADBAND PROVIDERS USE OF THE ELECTRIC DELIVERY SYSTEM TO PROVIDE BROADBAND SERVICES, TO REGULATE EASEMENTS, TO ALLOW

CERTAIN ENTITIES TO CONSTRUCT FIBER-OPTIC INFRASTRUCTURE ON PUBLIC UTILITIES' EXISTING RIGHTS-OF-WAY; AND FOR RELATED PURPOSES.

H. B. No. 1012: AN ACT TO AMEND SECTION 79-11-501, MISSISSIPPI CODE OF 1972, TO REMOVE CONDUCT OF RELIGIOUS INSTITUTIONS AND GROUPS OR CORPORATIONS WHICH FORM AN INTEGRAL PART OF RELIGIOUS INSTITUTIONS THAT IS PRIMARILY SUPPORTED BY PREVIOUS DONORS FROM WHAT THE TERM "CHARITABLE ORGANIZATION" DOES NOT INCLUDE; TO AMEND SECTION 79-11-511, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CHARITABLE ORGANIZATION, PERSON, PROFESSIONAL FUND RAISER, FUND RAISING COUNSEL OR PROFESSIONAL SOLICITOR, THAT SOLICITS CONTRIBUTIONS IN THE STATE OF MISSISSIPPI, SHALL BE SUBJECT TO NOTICE OR DEMAND AS PROVIDED IN SECTION 79-35-13, AND SHALL BE SUBJECT TO SERVICE OF PROCESS AS PROVIDED BY THE MISSISSIPPI RULES OF CIVIL PROCEDURE; AND FOR RELATED PURPOSES.

H. B. No. 1078: AN ACT TO CREATE NEW SECTION 41-43-59, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IT IS UNLAWFUL TO MAKE A FALSE OR MISLEADING STATEMENT IN A MATERIAL RESPECT IN A RECORD THAT IS USED IN AN ACTION OR PROCEEDING OR FILED UNDER THE CEMETERY LAW; TO AMEND SECTIONS 41-43-31 AND 41-43-53, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; TO CREATE NEW SECTION 75-63-83, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IT IS UNLAWFUL TO MAKE A FALSE OR MISLEADING STATEMENT IN A MATERIAL RESPECT IN A RECORD THAT IS USED IN AN ACTION OR PROCEEDING OR FILED UNDER THE PRENEED CEMETERY AND FUNERAL REGISTRATION ACT; AND FOR RELATED PURPOSES.

H. B. No. 1181: AN ACT TO AMEND SECTIONS 79-35-5, 79-35-6, 79-35-9, 79-35-10 AND 79-29-215, MISSISSIPPI CODE OF 1972, TO INCLUDE EMAIL ADDRESSES IN THE PROVISIONS OF LAW THAT REGULATE THE MISSISSIPPI REGISTERED AGENTS ACT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate adjourn until 10:00 AM, Thursday, February 11, 2021.

The motion prevailed, and at 5:34 PM, the Senate stood adjourned.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 10, 2021

THIRTY-EIGHTH DAY, THURSDAY, FEBRUARY 11, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Simmons D. T. (12th).

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON RULES

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

S. C. R. No. 521: Recognize the induction of Grammy Award-Winning Country Music Artist Marty Stuart into the Country Music Hall of Fame. Title Sufficient. Do Be Adopted.

S. C. R. No. 527: Congratulate Coach Lane Kiffin and Ole Miss "Rebels" Football Team for impressive victory in Outback Bowl and for 2020 season. Title Sufficient. Do Be Adopted.

S. R. No. 3: Congratulate Magee Trojans Football Team for winning 3A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 4: Recognize Noah Harris of Natchez/Hattiesburg as Harvard's first African American male student body President. Title Sufficient. Do Be Adopted.

S. R. No. 5: Commend judicial contributions and legacy of former 14th Chancery District Judge Dorothy Colom. Title Sufficient. Do Be Adopted.

S. R. No. 6: Congratulate Lumberton High School "Panthers" Football Team for MHSAA Class 1A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 7: Congratulating Oak Grove High School "Warriors" Football Team for winning Class 6A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 8: Paying tribute to 52-year law enforcement career of Constable Houston "Hoot" West of Caledonia, MS, and extending condolences. Title Sufficient. Do Be Adopted.

S. R. No. 9: Recognize Raphael Semmes as the recipient of the 2021 Governor's Arts Award as Mississippi Cultural Ambassador. Title Sufficient. Do Be Adopted.

S. R. No. 10: Recognize Arthur Jafa as the recipient of the 2021 Governor's Arts Award for Excellence in Media Arts. Title Sufficient. Do Be Adopted.

S. R. No. 11: Recognize the Tutwiler Quilters as the recipient of the 2021 Governor's Arts Award for Arts in the Community. Title Sufficient. Do Be Adopted.

S. R. No. 12: Recognize Jesmyn Ward as the recipient of the 2021 Governor's Arts Award for Excellence in Literature. Title Sufficient. Do Be Adopted.

S. R. No. 13: Recognize Benjamin Wright as the recipient of the 2021 Governor's Arts Award for Lifetime Achievement. Title Sufficient. Do Be Adopted.

H. C. R. No. 1: Bobby Paschal Martin; commend life and legacy upon his passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 2: Former Representative Gary V. Staples; commend legislative career and mourn loss upon his passing. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON RULES

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 17: Amanda Frusha, Jackson, Mississippi, Mississippi Commission on the Status of Women, term effective January 11, 2021 and ending January 11, 2025. Do Advise and Consent.

S. N. No. 18: Vivian Walker Dailey, Gautier, Mississippi, Mississippi Commission on the Status of Women, term is effective January 12, 2021 and ending January 12, 2025. Do Advise and Consent.

KIRBY, Chairman

Senator Hopson called up the following entitled bill:

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2062. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Sparks, Boyd and Chism as co-authors of **S. B. No. 2062**.

Senator Hopson called up the following entitled bill:

S. B. No. 2474: Department of Health; allow charges between agencies for services provided under the medical marijuana program.

YEAS AND NAYS On S. B. No. 2474. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 2843: Tax; remove requirement that taxpayers with average liability of at least \$50,000 remit 75% of June liability by June 25.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2843. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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

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

The Senate resumed business at 11:21 AM, pursuant to recess, with President Hosemann presiding.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 300: AN ACT TO BRING FORWARD SECTIONS 21-23-8, 99-5-9, AND 99-5-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDE BAIL PROCEDURES FOR MUNICIPAL, COUNTY AND JUSTICE COURTS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 551: AN ACT TO AMEND SECTION 63-1-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO PROMULGATE RULES THAT ALLOW AN OFFICIAL IDENTIFYING DOCUMENT ISSUED BY THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO SERVE AS AN IDENTIFYING DOCUMENT UNDER THIS SECTION IN LIEU OF A BIRTH CERTIFICATE OR SOCIAL SECURITY CARD FOR ANY PERSON RELEASED FROM THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS IN THE LAST TWELVE MONTHS; AND FOR RELATED PURPOSES.

H. B. No. 631: AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972, TO ALLOW A CERTIFIED LAW ENFORCEMENT OFFICER OR CERTIFIED PART-TIME LAW ENFORCEMENT OFFICER, WHO IS EMPLOYED BY A COUNTY OR MUNICIPALITY, TO USE HIS OR HER OFFICIAL VEHICLE WHILE PERFORMING PRIVATE SECURITY SERVICES IN OFF-DUTY HOURS; TO PROHIBIT AN EMPLOYING JURISDICTION FROM APPROVING THE USE OF ANY OFFICIAL UNIFORM, WEAPON OR VEHICLE BY PART-TIME LAW ENFORCEMENT OFFICERS IF THE ENTITY FOR WHOM THE OFFICER IS PERFORMING OFF-DUTY SERVICES FAILS TO IDENTIFY OR HOLD HARMLESS THE EMPLOYING JURISDICTION; TO AMEND SECTION 21-19-49, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 747: AN ACT TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS, ANY COURT OR SHERIFF TO ASSIGN A NONVIOLENT CONVICTED OFFENDER TO A WORK RELEASE PROGRAM, IF THE OFFENDER IS CONFINED IN JAIL, STATE OR REGIONAL CORRECTIONAL FACILITY; TO PROVIDE THAT THE OFFENDER ASSIGNED TO THE PROGRAM SHALL BE UNDER THE SUPERVISION OF MISSISSIPPI DEPARTMENT OF CORRECTIONS, MISSISSIPPI PRISON INDUSTRIES CORPORATION, THE SHERIFF OR A PROGRAM DESIGNATED BY THE COURT; TO PROVIDE THAT THE OFFENDER MAY BE REMOVED FROM THE PROGRAM IF RULES ARE VIOLATED; TO PROVIDE THAT WAGES EARNED BY THE OFFENDER MAY, UPON ORDER OF THE COURT, BE PAID TO THE DIRECTOR OR ADMINISTRATOR OF THE PROGRAM AFTER STANDARD

PAYROLL DEDUCTIONS ARE PAID; TO PROVIDE THAT THE OFFENDER, IF APPROVED, MAY MAINTAIN A BANK ACCOUNT AS LONG AS A PHYSICAL ACCOUNTING IS PROVIDED TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS, SHERIFF, ADMINISTRATOR OR THE COURT; TO PROVIDE THAT THE OFFENDER'S WAGES MAY BE DISTRIBUTED TO PAY CERTAIN TRAVEL EXPENSES RELATED TO HIS OR HER EMPLOYMENT, TO PAY CHILD SUPPORT, FINES, RESTITUTION OR COSTS, INCLUDING FEES FOR OBTAINING A DRIVER'S LICENSE UPON RELEASE; AND FOR RELATED PURPOSES.

H. B. No. 1140: AN ACT TO AMEND SECTION 97-3-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FIRST-DEGREE MURDER SHALL BE APPLIED WHEN THE UNLAWFUL DISTRIBUTION OF ANY SUBSTANCE OR MIXTURE OF ANY SUBSTANCE DESCRIBED IN SECTION 41-29-113, 41-29-115, 41-29-117, 41-29-119 OR 41-29-121 IS PROVEN TO BE THE PROXIMATE CAUSE OF DEATH OF A DECEASED PERSON WITH CERTAIN EXCEPTIONS; TO BRING FORWARD SECTION 97-3-21, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTIONS 41-29-139, 41-29-141, 41-29-142, 41-29-143, 41-29-144 AND 41-29-145, MISSISSIPPI CODE OF 1972, WHICH PROVIDE PENALTIES FOR VIOLATION OF THE CONTROLLED SUBSTANCES LAW; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:22 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1360: AN ACT MAKING AN ADDITIONAL APPROPRIATION OF SPECIAL FUNDS FOR THE DEPARTMENT OF MARINE RESOURCES FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

H. C. R. No. 33: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MRS. RUBY KATE WOOLRIDGE BOWLES.

H. C. R. No. 34: A CONCURRENT RESOLUTION COMMENDING THE LIFE AND LEGACY OF MR. JAMES "DAVID" ALFORD, SR., AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

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

S. C. R. No. 503: Commend Aysa Branch for winning Miss USA.

S. C. R. No. 504: Ted Booth; commend for receiving the 2020 Legislative Staff Achievement Award from NCSL.

S. C. R. No. 509: Extend deepest sympathy of Legislature on the passing of Mississippi Sports Icon JSU Coach "W.C." Gorden.

S. C. R. No. 510: Mourn the passing of former Senator Tommy Moffatt, Sr., of Gautier, Mississippi, and commend his public and charitable service.

S. C. R. No. 511: Commend Leake Academy "Rebels" Football Team for winning the MAIS Class 5A State Championship.

S. C. R. No. 512: Commend the life of legendary college and NFL football player and Coach Ray Perkins from Petal, Mississippi.

S. C. R. No. 513: Recognize the Bicentennial Celebration of Franklin Academy in Columbus, the first public school in Mississippi.

S. C. R. No. 514: Extend sympathy of the Legislature to the family of the state's longest-serving Mayor, Dock Gabbert, of Derma, Mississippi.

S. C. R. No. 515: Extending condolences of Mississippi Legislature on the passing of Wiggins Mayor Joel Travis Miles and remembering his legacy.

S. C. R. No. 516: Pay tribute to the memory and career of pioneering country music superstar Charley Pride from Sledge, Mississippi.

S. C. R. No. 518: Commend Hillcrest Christian Fast Pitch Softball Team for MAIS State Championship.

S. C. R. No. 519: Commend Brookhaven High School "Panthers" Boys Cross-Country Team for second consecutive state championship.

Andrew Ketchings, Clerk of the House of Representatives

Senator Harkins declined to call up items 4-6, S. B. No. 2764, S. B. No. 2765 and S. B. No. 2877, thereby remanding bills to the heel of the calendar.

S. B. No. 2764: Mississippi Medical Marijuana Program; create and provide fines, administration requirements, and fees related to the program.

S. B. No. 2765: Mississippi Medical Cannabis Act; create.

S. B. No. 2877: Net lottery proceeds; allocate to counties and municipalities for road and bridge repairs, instead of to State Highway Fund.

Senator DeBar called up the following entitled bill:

S. B. No. 2149: MAEP; Department of Education required to hold harmless school district from calculating 2020-2021 average daily attendance.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2149. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Unanimous consent was granted to add Senators Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Butler, Carter, Caughman, Chism, DeLano, Fillingane, Frazier, Harkins, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Kirby, McCaughn, McLendon, McMahan, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Williams and Younger as co-authors of **S. B. No. 2149**.

Senator Horhn called up the following entitled bill:

S. B. No. 2248: Law enforcement officers; entitled to certain follow-up drug testing before loss of certification.

YEAS AND NAYS On S. B. No. 2248. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--Carter, Turner-Ford. Total--2.

Unanimous consent was granted to add Senator Boyd as co-author of **S. B. No. 2248**.

Senator Bryan called up the following entitled bill:

S. B. No. 2419: State Medical Examiner fees; extend repealer on.

YEAS AND NAYS On S. B. No. 2419. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

S. B. No. 2751: Mississippi Professional Massage Therapy Act; provide new requirements and delete the repealer thereon.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2751. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--Blackmon, Hill, McDaniel, Sojourner, Turner-Ford. Total--5.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

S. B. No. 2456: Open Meetings Law; allow executive sessions for certain discussions by public hospital boards.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

Senator Wiggins offered the following AMENDMENT NO. 1.

AMEND by deleting the new language on lines 21 through 23.

FURTHER, AMEND on line 30 by restoring the deleted language as follows:

The reason for holding an executive session shall be stated in an open meeting before the executive session is held, and the reason so stated shall be recorded in the minutes of the meeting.

FURTHER, AMEND on line 88 by inserting "," after "hospitals" and deleting "or" and inserting after "thereof" the following:

, and/or its governing entity,

Amendment No. 1 to S. B. No. 2456 was adopted.

YEAS AND NAYS On S. B. No. 2456. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Polk. Total--1.

Absent and those not voting----None.

Senator Horhn called up the following entitled bill:

S. B. No. 2792: Fresh Start Act of 2019; expand.

YEAS AND NAYS On S. B. No. 2792. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Tate declined to call up item 31, S. B. No. 2589, thereby remanding it to the heel of the calendar.

S. B. No. 2589: Municipal executive committees; require county executive committee to appoint.

Senator Simmons D. T. (12th) called up the following entitled bill:

S. B. No. 2261: Perpetual cemetery law; revise notice and maintenance provisions for counties and municipalities.

On motion of Senator England, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2261. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Seymour, Wiggins, Butler, Simmons S. (13th), Simmons D. T. (12th), Jackson R. (11th), Jackson S. (32nd), Jordan and Norwood as co-authors of **S. B. No. 2261**.

Senator Polk declined to call up item 42, S. B. No. 2820, thereby remanding it to the heel of the calendar.

S. B. No. 2820: Department of Tourism; create.

Senator Bryan called up the following entitled bill:

S. B. No. 2426: Department of Human Services; establish a grant program for regional food banks.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2426. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Caughman, Chassaniol, DeLano, England, Fillingane, Frazier, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Kirby, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Wiggins, Witherspoon, Younger. Total--36.

Nays--Branning, Carter, Chism, DeBar, Harkins, Hill, Johnson, McCaughn, McDaniel, Michel, Seymour, Sojourner, Suber, Tate, Whaley, Williams. Total--16.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Turner-Ford, Barnett, Boyd, Thomas, Parker, Jackson S. (32nd), Simmons D. T. (12th), Frazier, Norwood, Simmons S. (13th), Jordan, Witherspoon and Horhn as co-authors of **S. B. No. 2426**.

Senator Bryan declined to call up item 44, S. B. No. 2221, thereby remanding it to the heel of the calendar.

S. B. No. 2221: Mississippi Dementia Care Program; create pilot program for assistance to caregivers for those with Alzheimer's or Dementia.

Senator Bryan called up the following entitled bill:

S. B. No. 2746: Hudson's Law; require healthcare providers to provide information to parents who receive a postnatal diagnosis of down syndrome.

YEAS AND NAYS On S. B. No. 2746. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Jordan, Tate, Seymour, Williams, Younger, Sparks, Caughman, Thompson, Frazier, Branning, Jackson S. (32nd), Simmons S. (13th), McCaughn, Jackson R. (11th), Boyd, Parker, McLendon, Suber, Thomas and Carter as co-authors of **S. B. No. 2746**.

Senator Bryan called up the following entitled bill:

S. B. No. 2750: Pharmacists; authorize to test for and treat certain minor, nonchronic health conditions subject to certain requirements.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2750. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blackmon, Simmons D. T. (12th), Turner-Ford, Witherspoon. Total--4.

Absent and those not voting----None.

Senator Caughman called up the following entitled bill:

S. B. No. 2624: MS Real Estate Commission; appeal from adverse ruling of commission shall act as a supersedeas.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2624. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, England, Fillingane, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Williams, Witherspoon, Younger. Total--43.

Nays--Chassaniol, Frazier, Michel, Wiggins. Total--4.

Absent and those not voting---None.

Voting Present--Carter, DeLano, Harkins, Hill, Hopson. Total--5.

Unanimous consent was granted to add Senator Sparks as co-author of **S. B. No. 2624.**

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

The motion prevailed, and at 3:37 PM, the Senate stood in recess.

The Senate resumed business at 6:28 PM, pursuant to recess, with President Hosemann presiding.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 72: AN ACT TO AMEND SECTION 73-25-38, MISSISSIPPI CODE OF 1972, TO INCLUDE DENTISTS IN THE STATUTE THAT PROVIDES IMMUNITY FROM LIABILITY FOR CERTAIN HEALTH CARE PROVIDERS WHO PROVIDE CHARITABLE HEALTH SERVICES OR PROVIDE HEALTH SERVICES WITHOUT CHARGE WHILE ASSISTING WITH EMERGENCY MANAGEMENT OR OPERATIONS IN AN EMERGENCY; AND FOR RELATED PURPOSES.

H. B. No. 91: AN ACT TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE MISSISSIPPI PUBLIC SERVICE COMMISSION BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; TO AMEND SECTIONS 77-1-6, 77-1-15, 77-1-29, 77-1-53, 77-3-8, 77-3-87, 77-3-89, 77-3-503, 77-3-507, 77-3-509, 77-7-127, 77-7-333, 77-7-337, 77-7-339, 77-9-489 AND 77-11-201, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISIONS OF LAW

REQUIRING CERTAIN EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION TO BE DEFRAYED BY APPROPRIATION FROM THE STATE GENERAL FUND; TO AMEND SECTION 77-3-721, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION REQUIRING USER FEES AND CHARGES COLLECTED UNDER THE MISSISSIPPI TELEPHONE SOLICITATION ACT TO BE DEPOSITED INTO THE STATE GENERAL FUND; TO EXTEND THE DATE OF THE REPEALER ON THIS SECTION; AND FOR RELATED PURPOSES.

H. B. No. 108: AN ACT TO AMEND SECTION 25-53-171, MISSISSIPPI CODE OF 1972, TO REMOVE THE DEPARTMENT OF INFORMATION TECHNOLOGY'S CONTROL OVER THE WIRELESS COMMUNICATION COMMISSION; AND FOR RELATED PURPOSES.

H. B. No. 135: AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND REENACTED SECTIONS 37-159-1 AND 37-159-7, MISSISSIPPI CODE OF 1972, TO MAKE NONSUBSTANTIVE REVISIONS TO OUTDATED STATUTORY LANGUAGE; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; AND FOR RELATED PURPOSES.

H. B. No. 302: N ACT TO AMEND SECTIONS 37-179-1 AND 37-179-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPROVE THE CREATION OF DISTRICTS OF INNOVATION; TO DEFINE CERTAIN TERMS RELATED TO "DISTRICTS OF INNOVATION"; TO LIMIT THE INITIAL APPROVAL AND SUBSEQUENT RENEWALS OF DISTRICTS OF INNOVATION TO FIVE-YEAR PERIODS; TO DIRECT THE BOARD TO PROMULGATE ADMINISTRATIVE RULES AND REGULATIONS TO PRESCRIBE THE CONDITIONS AND PROCEDURES TO BE USED BY LOCAL SCHOOL BOARDS TO BE APPROVED AS A DISTRICT OF INNOVATION; TO SPECIFY THE CRITERIA TO BE ADDRESSED BY THE ADMINISTRATIVE REGULATIONS; TO PRESCRIBE THE REQUIREMENTS FOR A DISTRICT TO BE A DISTRICT OF INNOVATION APPLICANT; TO PRESCRIBE THE STATUTORY REQUIREMENTS WITH WHICH SCHOOLS OF INNOVATION WITHIN DISTRICTS OF INNOVATION MUST COMPLY; TO IDENTIFY AREAS IN WHICH DISTRICTS OF INNOVATION MAY REQUEST APPROVAL OF PRACTICES THAT ARE DIFFERENT THAN CURRENT STATUTORY REQUIREMENTS; AND FOR RELATED PURPOSES.

H. B. No. 354: AN ACT TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A MUNICIPAL JUDGE SHALL HAVE THE POWER TO ORDER A DEFENDANT TO REMEDY A REAL PROPERTY MUNICIPAL ORDINANCE VIOLATION WITHIN A REASONABLE TIME PERIOD PRESCRIBED BY THE JUDGE; TO PROVIDE THAT A MUNICIPAL JUDGE MAY AUTHORIZE THE MUNICIPALITY, UPON ITS REQUEST, TO REMEDY THE VIOLATION THROUGH THE USE OF MUNICIPAL EMPLOYEES OR CONTRACTORS IF SUCH DEFENDANT FAILS TO REMEDY THE VIOLATION; TO PROVIDE THAT IF A MUNICIPALITY REMEDIES A VIOLATION DUE TO A DEFENDANT'S FAILURE TO DO SO, THE MUNICIPALITY MAY PETITION THE COURT TO ASSESS CERTAIN CLEANUP COSTS TO THE DEFENDANT AND AFTER A HEARING CONCERNING THE ASSESSMENT OF SUCH COSTS, THE COURT MAY ASSESS THE COSTS TO THE DEFENDANT AS A JUDGEMENT; AND FOR RELATED PURPOSES.

H. B. No. 356: AN ACT TO AMEND SECTION 43-21-355, MISSISSIPPI CODE OF 1972, TO EXPAND THE IMMUNITY FOR MAKING GOOD FAITH REPORTS OF

CHILD ABUSE OR NEGLECT TO INCLUDE PERSONS WHO PARTICIPATE IN AN INVESTIGATION, EVALUATION OR JUDICIAL PROCEEDING RESULTING FROM THE REPORT; AND FOR RELATED PURPOSES.

H. B. No. 370: AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE PUBLIC PURCHASING LAWS TO EXEMPT THE PURCHASES OF NON-ADOPTED AND ADOPTED TEXTBOOKS BY THE STATE DEPARTMENT OF EDUCATION FOR STATE-ACCREDITED NONPUBLIC SCHOOLS; AND FOR RELATED PURPOSES.

H. B. No. 487: AN ACT TO REPEAL SECTIONS 37-55-1, 37-55-3 AND 37-55-5, MISSISSIPPI CODE OF 1972, WHICH RESPECTIVELY ESTABLISH COUNTY LIBRARY COMMISSIONS AND THE REQUIRED ANNUAL LIBRARY REPORT TO BE INCLUDED WITH THE ANNUAL COUNTY SCHOOL REPORT, PROVIDES FOR GRANTS OF AID TO SCHOOL LIBRARIES FROM SCHOOL FUNDS AND AUTHORIZES COUNTY BOARDS OF SUPERVISORS TO APPROPRIATE AMOUNTS NOT TO EXCEED \$300.00 PER YEAR TO THE SUPPORT OF PUBLIC LIBRARIES; AND FOR RELATED PURPOSES.

H. B. No. 488: AN ACT TO AMEND SECTION 39-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PUBLIC LIBRARIES TO ACCEPT CREDIT CARDS, DEBIT CARDS AND OTHER FORMS OF ELECTRONIC PAYMENT; TO BRING FORWARD SECTION 39-3-369, MISSISSIPPI CODE OF 1972, WHICH RELATES TO DISCLOSING INFORMATION AND COLLECTING FINES FOR OVERDUE ITEMS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 493: AN ACT TO AMEND SECTION 25-15-103, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY COUNTY OR MUNICIPALITY TO OFFER ANY MEDICARE ELIGIBLE COUNTY EMPLOYEE OR MUNICIPAL EMPLOYEE, AS THE CASE MAY BE, CERTAIN BENEFITS IF THE EMPLOYEE SECURES MEDICARE COVERAGE IN LIEU OF PARTICIPATING IN ANY COUNTY OR MUNICIPAL MEDICAL OR HEALTH INSURANCE PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 504: AN ACT TO AMEND SECTION 37-17-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THE COMPOSITION OF THE COMMISSION ON SCHOOL ACCREDITATION TO REFLECT THE FOUR CONGRESSIONAL DISTRICTS AND APPOINTMENT OF THREE MEMBERS FROM THE STATE AT LARGE; AND FOR RELATED PURPOSES.

H. B. No. 576: AN ACT TO AMEND SECTION 65-37-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BRIDGES MUST BE DEFICIENT AS DETERMINED BY THE NATIONAL BRIDGE INSPECTION STANDARDS TO BE ELIGIBLE UNDER THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION PROGRAM; TO AMEND SECTION 65-37-3, MISSISSIPPI CODE OF 1972, TO REVISE AND CREATE CERTAIN DEFINITIONS RELATED TO THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION PROGRAM; TO REVISE THE ALLOCATION FORMULA FOR THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND; TO AMEND SECTIONS 65-37-7, 65-37-11 AND 65-37-15, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 581: AN ACT TO CREATE THE "SEXUAL ASSAULT RESPONSE FOR COLLEGE STUDENTS ACT"; TO PROVIDE CERTAIN DEFINITIONS FOR THE ACT; TO REQUIRE ALL HIGHER EDUCATION INSTITUTIONS TO ADOPT A COMPREHENSIVE POLICY THAT IS CONSISTENT WITH FEDERAL AND STATE LAW REGARDING THE INSTITUTION'S RESPONSE TO ALLEGATIONS OF SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL EXPLOITATION AND STALKING; TO LIST THE MINIMUM REQUIREMENTS TO BE INCLUDED IN SUCH POLICY; TO REQUIRE EACH HIGHER EDUCATION INSTITUTION TO PROMINENTLY PUBLISH, TIMELY UPDATE, AND HAVE EASILY ACCESSIBLE ON

ITS OFFICIAL SCHOOL WEBSITE SUCH POLICY; TO REQUIRE EACH HIGHER EDUCATION INSTITUTION TO HAVE ACCESS TO AN ON-CAMPUS CONFIDENTIAL ADVISOR TO PROVIDE COUNSELING, MENTAL HEALTH SUPPORT AND PHYSICAL HEALTH SUPPORT TO COMPLAINANTS, RESPONDENTS, AND SURVIVORS; TO REQUIRE THE HIGHER EDUCATION INSTITUTION TO TRAIN ALL EMPLOYEES, STUDENT EMPLOYEES AND PERSONS WITH SUPERVISING AUTHORITY REGARDING STANDARDS TO ASSIST ANY STUDENT WHO ALLEGES A VIOLATION OF THE COMPREHENSIVE POLICY DESCRIBED BY THIS ACT; TO REQUIRE ALL HIGHER EDUCATION INSTITUTIONS TO ADOPT PROCEDURES TO RESOLVE COMPLAINTS OF ALLEGED VIOLATIONS OF SUCH POLICY; AND FOR RELATED PURPOSES.

H. B. No. 586: AN ACT TO PROVIDE THAT THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM SHALL BE COMPARED TO THE IDENTIFICATION DATABASES TO ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE; TO PROVIDE THE NOTIFICATION REQUIRED WHEN A NON-UNITED STATES CITIZEN IS FOUND TO BE REGISTERED TO VOTE; TO PROVIDE THE DOCUMENTATION THAT MUST BE SUBMITTED AS PROOF OF CITIZENSHIP; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO REPEAL SECTION 23-15-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE DOCUMENTATION THAT A NATURALIZED CITIZEN MUST PRESENT IN ORDER TO REGISTER TO VOTE OR TO VOTE; AND FOR RELATED PURPOSES.

H. B. No. 754: AN ACT TO CREATE NEW SECTION 37-173-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THE STEPS SCHOOLS MUST TAKE FOR THE EDUCATION AND CARE OF STUDENTS WITH DYSLEXIA AND OTHER RELATED DISORDERS; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL REQUIRE SCHOOL DISTRICTS TO CONDUCT TWO HOURS OF AWARENESS TRAINING FOR DYSLEXIA AND OTHER RELATED DISORDERS TO ALL LICENSED EDUCATORS AND PARAPROFESSIONALS RESPONSIBLE FOR INSTRUCTION; TO AMEND SECTION 37-173-9, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN PROVISIONS RELATING TO SCHOOL'S DETERMINATION OF STUDENTS WITH DYSLEXIA; AND FOR RELATED PURPOSES.

H. B. No. 796: AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO PROVIDE A TIME PERIOD FOR QUALIFICATION OF CERTAIN HABITUAL OFFENDERS; TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS THAT REGULATE HABITUAL OFFENDERS; TO REMOVE RESTRICTIONS FOR REDUCTION OF PAROLE; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING CHANGES; AND FOR RELATED PURPOSES.

H. B. No. 853: AN ACT TO AMEND SECTION 37-28-13, MISSISSIPPI CODE OF 1972, TO REVISE THE DEADLINE BY WHICH THE MISSISSIPPI CHARTER SCHOOL AUTHORIZER BOARD IS REQUIRED TO PUBLISH A PAMPHLET OF STATUTORY AND REGULATORY UPDATES TO CHARTER SCHOOLS FROM JULY 1 TO OCTOBER 1; TO AMEND SECTION 37-28-15, MISSISSIPPI CODE OF 1972, TO REVISE THE DATE BY WHICH THE AUTHORIZER BOARD IS REQUIRED TO PUBLICIZE REQUESTS FOR PROPOSALS BY A SPECIFIED DATE, TO SIMPLY REQUIRE AN ANNUAL PUBLICATION FOR SUCH REQUESTS; TO AMEND SECTION 37-28-37, MISSISSIPPI CODE OF 1972, TO REVISE THE DEADLINE BY WHICH THE AUTHORIZER BOARD MUST SUBMIT ITS ANNUAL LEGISLATIVE REPORT FROM OCTOBER 1 TO DECEMBER 1; TO REVISE THE TIMELINE THAT PEER IS REQUIRED TO SUBMIT AN EVALUATIVE REPORT FROM ANNUALLY TO EVEN-NUMBERED YEARS; TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN ITS INITIAL YEAR OF OPERATION A CHARTER SCHOOL SHALL RECEIVE ONE GIFTED TEACHER UNIT AND ONE SPECIAL EDUCATION TEACHER UNIT; AND FOR RELATED PURPOSES.

H. B. No. 883: AN ACT TO PROHIBIT ANY STATE OR LOCAL AGENCY THAT EMPLOYS PEACE OFFICERS OR PARKING ENFORCEMENT EMPLOYEES FROM ESTABLISHING ANY POLICY REQUIRING ANY SUCH OFFICERS OR EMPLOYEES TO MEET AN ARREST QUOTA CONCERNING TRAFFIC VIOLATIONS; TO PROHIBIT THE NUMBER OF ARRESTS OR CITATIONS ISSUED BY A PEACE OFFICER OR PARKING ENFORCEMENT EMPLOYEE AS THE SOLE CRITERION FOR EARNING ANY BENEFIT PROVIDED BY A STATE OR LOCAL AGENCY; TO PROVIDE CERTAIN DEFINITIONS; AND FOR RELATED PURPOSES.

H. B. No. 925: AN ACT TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT RULES AND REGULATIONS REQUIRING NEWLY CONSTRUCTED PUBLIC SCHOOLS OR CERTAIN EXISTING SCHOOLS UNDERGOING RENOVATIONS TO HAVE A MINIMUM NUMBER OF WATER BOTTLE FILLING STATIONS; TO PRESCRIBE REQUIREMENTS FOR SCHOOL WATER BOTTLE FILLING STATIONS AND DRINKING WATER FOUNTAINS; TO ALLOW STUDENTS AND STAFF TO CARRY REFILLABLE WATER BOTTLES WHILE IN SCHOOL FACILITIES AND SCHOOL PREMISES; TO SPECIFY THAT THE NEW REQUIREMENTS ARE APPLICABLE TO NEW SCHOOL CONSTRUCTION AND CERTAIN RENOVATION PROJECTS COMMENCED AFTER JANUARY 1, 2022; AND FOR RELATED PURPOSES.

H. B. No. 940: AN ACT TO AUTHORIZE A SIGN OR SIGNS TO BE ERECTED ON MISSISSIPPI HIGHWAY 25 IN RANKIN COUNTY, MISSISSIPPI, TO HONOR OLYMPIC GOLD MEDALIST TORI BOWIE; AND FOR RELATED PURPOSES.

H. B. No. 1019: AN ACT TO CREATE NEW SECTION 23-15-808, MISSISSIPPI CODE OF 1972, TO REQUIRE THE GOVERNOR-ELECT TO FORM AN INAUGURAL COMMITTEE, APPOINT AN INAUGURAL TREASURER AND CREATE A SEPARATE INAUGURAL FUND FOR RECEIVING ANY CONTRIBUTION OR MAKING ANY EXPENDITURE FOR A GUBERNATORIAL INAUGURATION; TO PROVIDE THAT BEFORE RECEIVING ANY CONTRIBUTION TO OR MAKING ANY EXPENDITURE FROM THE INAUGURAL FUND, THE GOVERNOR-ELECT SHALL APPOINT AN INAUGURAL TREASURER, WHO SHALL MANAGE THE INAUGURAL FUNDS OF THE INAUGURAL COMMITTEE; TO PROVIDE THAT ALL CONTRIBUTIONS TO AN INAUGURAL FUND AND ALL EXPENDITURES FROM THE INAUGURAL FUND IN EXCESS OF TWO HUNDRED DOLLARS SHALL BE REPORTED TO THE OFFICE OF THE SECRETARY OF STATE; TO PROVIDE THE DATES FOR FILING SUCH REPORTS; TO PROVIDE THE PENALTIES FOR FAILURE TO FILE THE REPORTS; TO AMEND SECTION 23-15-801, MISSISSIPPI CODE OF 1972, TO DEFINE "CONTRIBUTIONS" AND "EXPENDITURES" AS THOSE TERMS RELATE TO THE INAUGURAL FUND; TO AMEND SECTIONS 23-15-805 AND 23-15-811, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTIONS 23-15-813 AND 23-15-817, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1029: AN ACT TO CREATE NEW SECTION 37-101-433, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STATE INSTITUTIONS OF HIGHER LEARNING TO ENTER INTO INCOME SHARE AGREEMENTS WITH ELIGIBLE STUDENTS OF THE INSTITUTIONS; TO REQUIRE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO ADOPT POLICIES AND BYLAWS FOR THE PROPER ADMINISTRATION OF INCOME SHARE AGREEMENTS; TO DEFINE THE TERM "INCOME SHARE AGREEMENT"; AND FOR RELATED PURPOSES.

H. B. No. 1048: AN ACT TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFYING DEADLINE FROM MARCH 1 TO FEBRUARY 1 FOR GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, SECRETARY OF STATE, STATE TREASURER, AUDITOR OF PUBLIC ACCOUNTS, COMMISSIONER OF INSURANCE, COMMISSIONER OF AGRICULTURE AND

COMMERCE, STATE HIGHWAY COMMISSIONER, STATE PUBLIC SERVICE COMMISSIONER, DISTRICT ATTORNEY, STATE SENATOR, STATE REPRESENTATIVE, SHERIFF, CHANCERY CLERK, CIRCUIT CLERK, TAX ASSESSOR, TAX COLLECTOR, COUNTY ATTORNEY, BOARD OF SUPERVISORS, COUNTY SURVEYOR, COUNTY CORONER, JUSTICE COURT JUDGE AND CONSTABLE; TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFYING DEADLINE FOR ELECTION COMMISSIONERS FROM THE FIRST MONDAY IN JUNE TO FEBRUARY 1; TO BRING FORWARD SECTIONS 23-15-309, 23-15-977 AND 37-5-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1062: AN ACT TO PROVIDE THAT DAYLIGHT SAVING TIME SHALL BE THE YEAR-ROUND STANDARD TIME OF THE STATE OF MISSISSIPPI IF FEDERAL LAW IS AMENDED TO AUTHORIZE STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR-ROUND; AND FOR RELATED PURPOSES.

H. B. No. 1075: AN ACT TO REENACT SECTIONS 75-67-601 THROUGH 75-67-637, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI CREDIT AVAILABILITY ACT; TO REENACT SECTION 75-67-403, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS USED UNDER THE MISSISSIPPI TITLE PLEDGE ACT; TO REENACT SECTION 75-67-505, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES LICENSING REQUIREMENTS FOR CHECK CASHERS UNDER THE MISSISSIPPI CHECK CASHERS ACT; TO AMEND SECTION 75-67-639, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CREDIT AVAILABILITY ACT TO 2026; TO REMOVE THE REPEALER ON THOSE REENACTED SECTIONS UNDER THE MISSISSIPPI TITLE PLEDGE ACT AND THE MISSISSIPPI CHECK CASHERS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1077: AN ACT TO AMEND SECTION 11-53-81, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "OPEN ACCOUNT"; TO REQUIRE AN OPEN ACCOUNT CREDITOR TO SEND A DEMAND TO THE CURRENT ADDRESS OF AN ACCOUNT DEBTOR THROUGH CERTAIN MEANS; TO PROVIDE THAT THE ACCOUNT DEBTOR SHALL BE LIABLE FOR EXPENSES AND COSTS IN ADDITION TO ATTORNEY'S FEES; TO BRING FORWARD SECTION 11-53-67, MISSISSIPPI CODE OF 1972, WHICH RELATES TO PRODUCING A BILL FOR FEE PAYMENT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1123: AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, UNDER THE EARLY LEARNING COLLABORATIVE ACT; TO PRESCRIBE MINIMUM FUNDING LEVELS FOR PREKINDERGARTEN PROGRAMS; TO AUTHORIZE TECHNICAL TEACHER AND TEACHER ASSISTANT SUPPORT SERVICES; TO REQUIRE INDIVIDUALIZED PROFESSIONAL DEVELOPMENT PLANS AND APPROVED CURRICULUM; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE THE GOVERNOR AND THE LEGISLATURE WITH AN EVALUATION OF PROGRAM EFFECTIVENESS; TO REQUIRE THE PEER COMMITTEE TO REVIEW THE DEPARTMENT OF EDUCATION'S EVALUATIONS AND ANNUAL REPORTS AND SUBMIT A SUMMARY OF ITS FINDINGS TO THE LEGISLATURE; TO STATE THE INTENT OF THE LEGISLATURE TO INCREASE APPROPRIATED FUNDS ANNUALLY; AND FOR RELATED PURPOSES.

H. B. No. 1154: AN ACT TO CREATE A SPECIAL FUND IN THE STATE TREASURY, DESIGNATED AS THE "MISSISSIPPI OUTDOORS AND NATURAL RESOURCES FUND"; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS AND THAT THE DEPARTMENT IS AUTHORIZED TO SOLICIT AND ACCEPT DONATIONS, GIFTS AND GRANTS OF FUNDS FROM PRIVATE SOURCES FOR DEPOSIT INTO THE FUND; TO PROVIDE THAT MONIES IN THE SPECIAL FUND MAY BE USED BY THE DEPARTMENT, UPON APPROPRIATION BY THE LEGISLATURE, FOR THE

PURPOSE OF MAKING GRANTS TO PRIVATE ENTITIES FOR THE PURPOSE OF ASSISTING WITH THE PROMOTION, SUPPORT AND ENHANCEMENT OF STATE AND PRIVATE PARKS AND TRAILS AND RELATED PROPERTIES AND FACILITIES, OUTDOOR RECREATION AND SPORTING PROGRAMS AND ACTIVITIES, WILDLIFE AND NATURAL RESOURCE CONSERVATION AND PRESERVATION PROGRAMS, ACTIVITIES, AND PROJECTS AND OUTDOOR AND RECREATIONAL RELATED TOURISM AND RELATED ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

H. B. No. 1156: AN ACT TO AMEND CHAPTER 442, LAWS OF 1944, AS AMENDED BY CHAPTER 394, LAWS OF 1990, TO PROVIDE THAT A PARCEL OF LAND OF THE CITY OF JACKSON AS CONVEYED FROM THE STATE OF MISSISSIPPI IN 1944 SHALL ONLY BE USED BY THE CITY OF JACKSON FOR PARK AND RECREATIONAL PURPOSES INCLUDING A HOTEL AND A CONFERENCE CENTER AS INCIDENTAL TO AND NECESSARY FOR RECREATIONAL USE OF THE PROPERTY, AND SHALL REVERT TO THE STATE OF MISSISSIPPI WHEN IT CEASES TO BE USED FOR THOSE PURPOSES; AND FOR RELATED PURPOSES.

H. B. No. 1157: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF MUNICIPALITIES TO ALLOW THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE MUNICIPALITY; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE OR TEMPORARY DRIVER'S PERMIT AND PROOF OF FINANCIAL RESPONSIBILITY; TO REQUIRE CERTAIN REGISTRATION OF GOLF CARTS AND LOW-SPEED VEHICLES; TO AMEND SECTIONS 27-19-3, 27-51-5 AND 63-17-155, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 1160: AN ACT TO CREATE THE DUAL CREDIT COMMUNITY COLLEGE SCHOLARSHIP PROGRAM, WHICH SHALL CONSIST OF THE ACADEMIC DUAL CREDIT COMMUNITY COLLEGE SCHOLARSHIP PROGRAM AND THE CAREER AND TECHNICAL COMMUNITY COLLEGE SCHOLARSHIP PROGRAM; TO REQUIRE THE MISSISSIPPI COMMUNITY COLLEGE BOARD TO ADMINISTER THE SCHOLARSHIP PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 1179: AN ACT TO CODIFY NEW SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO CREATE THE "WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM" TO BE ADMINISTERED BY THE STATE FINANCIAL AID BOARD; TO PROVIDE FOR THE QUALIFICATIONS FOR APPLICANTS UNDER THE LOAN PROGRAM; TO ESTABLISH THE WILLIAM F. WINTER AND JACK REED, SR., LOAN REPAYMENT PROGRAM FUND; TO REPEAL SECTION 37-106-35, MISSISSIPPI CODE OF 1972, WHICH CREATES THE ASSISTANT TEACHER FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-37, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION SCHOLARS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-57, MISSISSIPPI CODE OF 1972, WHICH CREATES THE WILLIAM F. WINTER TEACHER FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-77, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TEACHING FELLOWS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-79, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION ALTERNATE ROUTE CERTIFICATION PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 1237: AN ACT TO AMEND SECTION 43-26-1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE PEER COMMITTEE TO REVIEW THE OPERATIONS OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES AND REPORT ITS FINDINGS TO THE LEGISLATURE BY DECEMBER 1, 2021; AND FOR RELATED PURPOSES.

H. B. No. 1246: AN ACT TO AMEND SECTION 29-5-201, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "IMPROVEMENT PROJECTS" TO ALLOW FOR THE DEMOLITION OF SLUM AND BLIGHTED PROPERTIES LOCATED WITHIN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; AND FOR RELATED PURPOSES.

H. B. No. 1312: AN ACT TO REENACT SECTIONS 73-7-1 THROUGH 73-7-37, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF COSMETOLOGY AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED SECTION 73-7-12, MISSISSIPPI CODE OF 1972, TO DELETE THE DUPLICATE REPEALER ON THE STATUTE REQUIRING THE STATE BOARD OF COSMETOLOGY TO CONDUCT STUDENT EXAMINATIONS INSTEAD OF CONTRACTING WITH A TESTING SERVICE; TO AMEND SECTION 73-7-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 1313: AN ACT TO AMEND SECTION 73-11-33, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE SECTIONS OF LAW WHICH CREATE THE STATE BOARD OF FUNERAL SERVICE AND PRESCRIBE ITS DUTIES AND POWERS; TO REENACT SECTIONS 73-11-41 THROUGH 73-11-73, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF FUNERAL SERVICE AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED SECTION 73-11-69, MISSISSIPPI CODE OF 1972, TO MAKE A NONSUBSTANTIVE MINOR SPELLING CORRECTION; AND FOR RELATED PURPOSES.

H. B. No. 1323: AN ACT TO AMEND SECTION 25-41-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY PUBLIC BODY TO ENTER INTO EXECUTIVE SESSION FOR STRATEGIC DEVELOPMENT OF PLANS TO COMBAT, ELIMINATE, REDUCE OR RESPOND TO HUMAN TRAFFICKING OR COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN; TO BRING FORWARD SECTION 25-41-3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES DEFINITIONS FOR THE PROVISIONS OF LAW THAT REGULATE OPEN MEETINGS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1326: AN ACT TO AMEND SECTION 3-7-1, MISSISSIPPI CODE OF 1972, RELATING TO THE COMPACT FOR A BALANCED BUDGET TO REVISE THE MEMBERSHIP OF DELEGATES TO THE CONVENTION TO DECIDE ISSUES ON BEHALF OF THIS MEMBER STATE AND TO EXTEND THE SUNSET PROVISION OF THE COMPACT; AND FOR RELATED PURPOSES.

H. B. No. 1328: AN ACT TO CREATE THE MISSISSIPPI WARRANTS TASK FORCE; TO PROVIDE THE PURPOSE OF THE TASK FORCE; TO PROVIDE DUTIES FOR THE TASK FORCE; TO REQUIRE A REPORT OF RECOMMENDATIONS FROM THE TASK FORCE TO THE SPEAKER OF THE MISSISSIPPI HOUSE OF REPRESENTATIVES AND THE LIEUTENANT GOVERNOR BY A CERTAIN DATE; TO PROVIDE HOW MEMBERS OF THE COMMITTEE ARE COMPENSATED; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE GOVERNOR
February 11, 2021

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

Carl EuGene (Gene) Delcomyn, Brandon, Mississippi, Mississippi Home Corporation representing the First Supreme Court District, six year term effective immediately and ending April 23, 2026.

Larry Wayne Clark, Amory, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective immediately and runs concurrently with the Governor's term of office.

Jillian James Foster, Pharm.D., Olive Branch, Mississippi, State Board of Pharmacy representing the First Congressional District as it existed in 1983, designated as Post 1, five year term beginning July 2, 2021 and ending July 1, 2026.

Tate Reeves
GOVERNOR

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

Carl EuGene (Gene) Delcomyn, Mississippi Home Corporation, six year term effective immediately and ending April 23, 2026, Finance.

Larry Wayne Clark, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective immediately and runs concurrently with the Governor's term of office, Highways and Transportation.

Jillian James Foster, Pharm.D., State Board of Pharmacy, five year term beginning July 2, 2021 and ending July 1, 2026, Public Health and Welfare.

Senator Branning declined to call up item 51, S. B. No. 2825, thereby remanding it to the heel of the calendar.

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create.

Senator Fillingane declined to call up item 52, S. B. No. 2757, thereby remanding it to the heel of the calendar.

S. B. No. 2757: Hospital Cooperation Act of 2021; allow hospitals to enter into cooperative agreements.

Senator Parks declined to call up item 53, S. B. No. 2536, thereby remanding it to the heel of the calendar.

S. B. No. 2536: Athletics; enact the "Mississippi Fairness Act."

Senator Harkins declined to call up item 54, S. B. No. 2764, thereby remanding it to the heel of the calendar.

S. B. No. 2764: Mississippi Medical Marijuana Program; create and provide fines, administration requirements, and fees related to the program.

Senator Harkins called up the following entitled bill:

S. B. No. 2765: Mississippi Medical Cannabis Act; create.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

Senator Blackwell offered the following AMENDMENT NO. 1.

AMEND on lines 809 and 810 by striking "One Hundred Thousand Dollars" ("(\$100,000.00)") and inserting in lieu thereof the following:

Fifteen Thousand Dollars (\$15,000.00)

FURTHER, AMEND on lines 811 and 812 by striking "Twenty Thousand Dollars" ("(\$20,000.00)") and inserting in lieu thereof the following:

Five Thousand Dollars (\$5,000.00)

FURTHER, AMEND on lines 813 and 814 by striking "One Hundred Thousand Dollars" ("(\$100,000.00)") and inserting in lieu thereof the following:

Eight Thousand Dollars (\$8,000.00)

FURTHER, AMEND on lines 815 and 816 by striking "Ten Thousand Dollars" ("(\$10,000.00)") and inserting in lieu thereof the following:

Two Thousand Five Hundred Dollars (\$2,500.00)

FURTHER, AMEND by striking lines 893 through 899 and renumbering subsequent subparagraphs accordingly.

FURTHER, AMEND on line 931 by striking "Fifteen Thousand Dollars" ("(\$15,000.00)") and inserting in lieu thereof the following:

Five Thousand Dollars (\$5,000.00)

FURTHER, AMEND on line 932 by striking "Five Thousand Dollars" ("(\$5,000.00)") and inserting in lieu thereof the following:

Three Thousand Dollars (\$3,000.00)

FURTHER, AMEND on line 939 by adding the following after the period:

The research facility at the University of Mississippi shall be exempt from all fees imposed under this subsection.

FURTHER, AMEND on lines 949 and 950 by striking "two thousand (2,000)" and inserting in lieu thereof the following:

one thousand five hundred (1,500)

FURTHER, AMEND on line 980 by striking "a special privilege" and inserting "an excise" in lieu thereof.

FURTHER, AMEND on lines 980 and 982 by striking "from the gross receipts or gross proceeds derived from each sale" and inserting "of the list price" in lieu thereof.

FURTHER, AMEND on line 983 by striking "special privilege" and inserting "sales" in lieu thereof.

FURTHER, AMEND on lines 984, 1356 and 1372 by striking "ten percent (10%)" and inserting "seven percent (7%)" in lieu thereof.

FURTHER, AMEND on line 1072 by inserting after the word "each" the following:

, where relevant to the role of that particular agency,

FURTHER, AMEND by inserting the following language below line 1189 and renumbering subsequent sections accordingly:

SECTION *. Public registry. (1) MDAC and the Department of Revenue shall jointly create and maintain a public registry of medical cannabis establishments, which shall include, but shall not be limited to, the following information:

- (a) The name of the establishment;
- (b) The owner and, if applicable, the beneficial owner of the establishment;
- (c) The physical address, including city and zip code, of the establishment;
- (d) The mailing address, including city and zip code, of the establishment;
- (e) The county in which the establishment is domiciled;
- (f) The phone number of the establishment;
- (g) The electronic mail address of the establishment;
- (h) The license number of the establishment;
- (i) The issuance date of the establishment's license;
- (j) The expiration date of the establishment's license;
- (k) The NAICS code of the establishment;
- (l) Any changes to the license holder's status; and
- (m) Any other information determined necessary by

MDAC and the Department of Revenue.

(2) The public registry shall not include personal information of an owner of a medical cannabis establishment.

(3) The registry shall be maintained electronically and shall be easily accessible to the public.

FURTHER, AMEND by inserting the following language below line 1347 and renumbering subsequent sections accordingly:

SECTION *. Banks to be held harmless. A bank may provide any services to any person or establishment licensed in this state to engage in the business of medical cannabis, or with any person or establishment engaging in business dealings with such licensee, provided the bank may otherwise provide those services to any other business.

FURTHER, AMEND by inserting the following language below line 1403 and renumbering subsequent sections accordingly:

SECTION *. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) * * *, 27-65-21 and 27-65-28, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the

provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 * * *, 27-65-24 and 27-65-28, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) * * *, 27-65-21 and 27-65-28, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county borders on the Mississippi Sound and the State of Alabama;
2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;
3. Any debt service for the indebtedness incurred is outstanding; and
4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue

shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-17(2) and 27-65-28, shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-17(2) and 27-65-28, shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19) and Section 27-65-28, be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales

tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the

maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

FURTHER, AMEND on lines 1480, 1528, 1595, 1670 and 2060 by inserting the following after the period:

This subsection shall stand repealed three (3) years after the effective date of this act.

FURTHER, AMEND on line 2092 by inserting a designation of subsection "(6)", and on line 2094 by inserting the following after the period:

This subsection shall stand repealed three (3) years after the effective date of this act.

FURTHER, AMEND on line 2120 by inserting a designation of subsection "(5)", and on line 2122 by inserting the following after the period:

This subsection shall stand repealed three (3) years after the effective date of this act.

FURTHER, AMEND by inserting the following below line 2122:

SECTION *. This act shall stand repealed three (3) years after its effective date.

AMEND on line 2124 by striking "July 1, 2021, and shall stand repealed on June 30, 2021" and inserting in lieu thereof, before the period, the following:

the date, if any, that the provisions of Initiative Measure Number 65 of 2020 are enjoined or otherwise ruled of no legal force and effect, and shall stand repealed on January 1, 2021

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2765 was adopted.

Senator Blackwell offered the following AMENDMENT NO. 2.

AMEND by striking lines 888 through 892.

FURTHER, AMEND the title to conform.

Amendment No. 2 to S. B. No. 2765 was adopted.

YEAS AND NAYS On S. B. No. 2765. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote, a three-fifths vote being required:

Yeas--Barnett, Barrett, Blackwell, Boyd, Bryan, Carter, Caughman, Chassaniol, DeBar, DeLano, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McLendon, Michel, Moran, Parks, Polk, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--30.

Nays--Blackmon, Blount, Branning, Butler, Chism, England, Frazier, Jackson R. (11th), Jackson S. (32nd), Jordan, McDaniel, McMahan, Norwood, Parker, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Thomas, Turner-Ford, Witherspoon. Total--21.

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

Senator Blackwell entered a motion to reconsider the vote whereby **S. B. No. 2765** failed to pass the Senate.

Senator Harkins called up the following entitled bill:

S. B. No. 2877: Net lottery proceeds; allocate to counties and municipalities for road and bridge repairs, instead of to State Highway Fund.

On motion of Senator Sojourner, the Committee Substitute was adopted for consideration.

Senators Harkins and Sojourner offered the following AMENDMENT NO. 1.

AMEND on line 251 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to S. B. No. 2877 was adopted.

YEAS AND NAYS On S. B. No. 2877. On motion of Senator Sojourner, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Branning, Caughman, Chism, England, Fillingane, McDaniel, Parker, Sojourner, Whaley, Williams. Total--10.

Nays--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Chassaniol, DeBar, DeLano, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Witherspoon, Younger. Total--40.

Absent and those not voting--Harkins, Johnson. Total--2.

Unanimous consent was granted to add Senator McDaniel as co-author of **S. B. No. 2877**.

Senator Tate called up the following entitled bill:

S. B. No. 2589: Municipal executive committees; require county executive committee to appoint.

Senator Sparks offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-171, Mississippi Code of 1972, is amended as follows:

23-15-171. (1) Municipal primary elections shall be held on the first Tuesday in April preceding the general municipal election and, in the event a second primary shall be necessary, such second primary shall be held on the fourth Tuesday in April preceding such general municipal election. The candidate receiving a majority of the votes cast in the election shall be the party nominee. If no candidate shall receive a majority vote at the election, the two (2) candidates receiving the highest number of votes shall have their names placed on the ballot for the second primary election. The candidate receiving the most votes cast in the second primary election shall be the party nominee. However, if no candidate shall receive a majority vote at the first primary, and there is a tie in the election of those receiving the next highest vote, those candidates receiving the next highest vote and the candidate receiving the highest vote shall have their names placed on the ballot for the second primary election, and whoever receives the most votes cast in the second primary election shall be the party nominee. At the primary election the municipal executive committee shall perform the same duties as are specified by law and performed by members of the county executive committee with regard to state and county primary elections. * * *

(2) The provisions of this section shall govern all municipal primary elections as far as applicable, but the officers to prepare the ballots and the poll managers and other officials of the primary election shall be appointed by the municipal executive committee of the party holding the primary, and the returns of such election shall be made to such municipal executive committee. Vacancies in the executive committee shall be filled by it.

(* * *3) * * * Notwithstanding any provision of law in this section to the contrary, in municipalities operating under a special or private charter which fixes a time for holding elections, other than the time fixed by Chapter 491, Laws of 1950, the first primary election shall be held on the first Tuesday, two (2) months before the time for holding the general election, as fixed by the charter, and the second primary election, where necessary, shall be held three (3) weeks after the first primary election, unless the charter of any such municipality provides otherwise, in which event the provisions of the special or private charter shall prevail as to the time of holding such primary elections.

(* * *4) All primary elections in municipalities shall be held and conducted in the same manner as is provided by law for state and county primary elections.

SECTION 2. The following shall be codified as Section 23-15-172, Mississippi Code of 1972:

23-15-172. (1) The members of the municipal executive committee of each political party may be elected in the primary elections held for the nomination of candidates for municipal offices.

(2) Members of the municipal executive committee may be appointed by the respective county executive committee with appointments to be made no later than one hundred fifty (150) days prior to the municipal primary election. Notification must be provided by the county executive committee to the municipal clerk and to the state executive committee of the party of the individuals appointed to the municipal executive committee. If the municipal clerk and the state executive committee have not received notification of the appointments by one hundred twenty (120) days prior to the first primary election, the state executive committee shall immediately appoint the members of the municipal executive committee and notify the municipal clerk.

(3) The number of members of the municipal executive committee shall be determined as follows:

(a) For the governing authorities of municipalities having a population of less than twenty thousand (20,000) inhabitants, three (3) members;

(b) For the governing authorities of municipalities having a population of twenty thousand (20,000) inhabitants or more and less than one hundred thousand (100,000) inhabitants, five (5) members; and

(c) For the governing authorities of municipalities having a population of more than one hundred thousand (100,000) inhabitants, seven (7) members.

The number of inhabitants under this subsection (3) shall be determined according to the last federal decennial census.

(4) (a) The temporary municipal executive committee authorized under Section 23-15-313 shall determine if future municipal executive committees of the municipality shall be elected under subsection (1) of this section or shall be appointed under subsection (2) of this section.

(b) After January 1, 2022, a municipal executive committee elected in 2021 shall determine if future municipal executive committees of the municipality shall be elected under subsection (1) of this section or shall be appointed under subsection (2) of this section.

SECTION 3. Section 23-15-153, Mississippi Code of 1972, is amended as follows:

23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar or the office of the election commissioners to carefully revise the county voter roll as electronically maintained by the Statewide Elections Management System and remove from the roll the names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been convicted of a disenfranchising crime, or otherwise become disqualified as electors for any cause, and shall register the names of all persons who have duly applied to be registered but have been illegally denied registration:

(a) On the Tuesday after the second Monday in January 1987 and every following year;

(b) On the first Tuesday in the month immediately preceding the first primary election for members of Congress in the years when members of Congress are elected;

(c) On the first Monday in the month immediately preceding the first primary election for state, state district legislative, county and county district offices in the years in which those offices are elected; and

(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

Except for the names of those voters who are duly qualified to vote in the election, no name shall be permitted to remain in the Statewide Elections Management System; however, no name shall be purged from the Statewide Elections Management System based on a change in the residence of an elector except in accordance with procedures provided for by the National Voter Registration Act of 1993. Except as otherwise provided by Section 23-15-573, no person shall vote at any election whose name is not in the county voter roll electronically maintained by the Statewide Elections Management System.

(2) Except as provided in this section, and subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the

amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than fifty (50) days per year, with no more than fifteen (15) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than seventy-five (75) days per year, with no more than twenty-five (25) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than one hundred (100) days per year, with no more than thirty-five (35) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than one hundred ninety (190) days per year, with no more than seventy-five (75) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty thousand (250,000) residents according to the latest federal decennial census, not more than two hundred fifteen (215) days per year, with no more than eighty-five (85) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five

thousand (275,000) residents according to the latest federal decennial census, not more than two hundred thirty (230) days per year, with no more than ninety-five (95) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than two hundred forty (240) days per year, with no more than one hundred five (105) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year.

(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the election commissioners to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section, not to exceed five (5) days.

(4) (a) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System before any special election. For purposes of this paragraph, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this paragraph.

(b) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Fifty Dollars (\$150.00), to be paid from the county general fund, for the performance of their duties on the day of any primary, runoff, general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.

(c) The board of supervisors may, in its discretion, pay the election commissioners an additional amount not to exceed Fifty Dollars (\$50.00) for the performance of their duties at any election occurring from July 1, 2020, through December 31, *** 2021, which shall be considered additional pandemic pay. Such compensation shall be payable out of the county general fund, and may be payable from federal funds available for such purpose, or a combination of both funding sources.

(5) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, not to exceed fourteen (14) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System and in the conduct of a runoff election following either a general or special election.

(6) The election commissioners shall be entitled to receive only one (1) per diem payment for those days when the election commissioners discharge more than one (1) duty or responsibility on the same day.

(7) In preparation for a municipal primary, runoff, general or special election, the county registrar shall generate and distribute the master voter roll and pollbooks from the Statewide Elections Management System for the municipality located within the county.

The municipality shall pay the county registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its own pollbooks using this information.

(8) County election commissioners who perform the duties of an executive committee with regard to the conduct of a primary election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.

(9) In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.

(10) Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

The certification form shall be as follows:

COUNTY ELECTION COMMISSIONER

PER DIEM CLAIM FORM

NAME: _____ COUNTY: _____

ADDRESS: _____ DISTRICT: _____

CITY: _____ ZIP: _____

PURPOSE APPLICABLE ACTUAL PER DIEM

DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

TOTAL NUMBER OF PER DIEM DAYS EARNED

EXCLUDING ELECTION DAYS _____

PER DIEM RATE PER DAY EARNED X \$100.00

TOTAL NUMBER PER DIEM DAYS EARNED

FOR ELECTION DAYS _____

PER DIEM RATE PER DAY EARNED X \$150.00

TOTAL AMOUNT OF PER DIEM CLAIMED \$ _____

I understand that I am signing this document under my oath as an election commissioner and under penalties of perjury.

I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the _____ day of _____, ____.

Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the commission, the clerk of the board of supervisors or the board of supervisors, as the case may be.

Any contestor who successfully contests any certification will be awarded all expenses incident to his or her contest, together with reasonable attorney's fees, which will be awarded upon petition to the chancery court of the involved county upon final disposition of the contest before the election commission, board of supervisors, clerk of the board of supervisors, or, in case of an appeal, final disposition by the court. The commissioner against whom the contest is decided shall be liable for the payment of the expenses and attorney's fees, and the county shall be jointly and severally liable for same.

(11) Any election commissioner who has not received a certificate issued by the Secretary of State pursuant to Section 23-15-211 indicating that the election commissioner has received the required elections seminar instruction and that the election commissioner is fully qualified to conduct an election, shall not receive any compensation authorized by this section or Section 23-15-239.

SECTION 4. Section 23-15-227, Mississippi Code of 1972, is amended as follows:

23-15-227. (1) The poll managers shall be each entitled to Seventy-five Dollars (\$75.00) for each election; however, the board of supervisors may, in its discretion, pay the poll managers an additional amount not to exceed Fifty Dollars (\$50.00) per election.

(2) The board of supervisors may, in its discretion, pay the poll managers an additional amount not to exceed Fifty Dollars (\$50.00) per any election occurring from July 1, 2020, through December 31, * * * 2021, which shall be considered additional pandemic pay.

(3) The poll manager who shall carry to the place of voting, away from the courthouse, the official ballots, ballot boxes, pollbooks and other necessities, shall be

allowed Ten Dollars (\$10.00) for each voting precinct for so doing. The poll manager who acts as returning officer shall be allowed Ten Dollars (\$10.00) for each voting precinct for that service. If a person who performs the duties described in this subsection uses a privately owned motor vehicle to perform them, he or she shall receive for each mile actually and necessarily traveled in excess of ten (10) miles, the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel.

(4) The compensation authorized in this section shall be allowed by the board of supervisors, and shall be payable out of the county treasury; provided, however, that any compensation for additional pandemic pay due to a public health emergency may be payable from federal funds available for such purpose, or a combination of both county and federal funding sources.

(5) The compensation provided in this section shall constitute payment in full for the services rendered by the persons named for any election, whether there be one (1) election or issue voted upon, or more than one (1) election or issue voted upon at the same time.

(6) The Secretary of State shall promulgate rules and regulations as are necessary to ensure the safety of poll managers, election commissioners, electors and their families at the voting precincts during a COVID-19 public health risk or other public health risk declared by the Governor where the appearance of such persons may result in exposure to such risk or the exposure of other persons to such risk.

SECTION 5. Section 23-15-229, Mississippi Code of 1972, is amended as follows:

23-15-229. The compensation for poll managers and other workers in the polling places of a municipality shall be the same as the compensation paid by the county for those services; provided, however, that the governing authorities of a municipality shall not be required to pay any additional compensation authorized by the board of supervisors. The governing authorities of a municipality may, in their discretion, pay clerks and poll managers in the polling places of the municipality an additional amount of compensation not to exceed Fifty Dollars (\$50.00) per election and may pay clerks and poll managers in the polling places of the municipality an additional amount of compensation not to exceed Fifty Dollars (\$50.00) per any election which occurs from July 1, 2020, through December 31, * * * 2021, which shall be considered additional pandemic pay. Such compensation shall be payable out of the county general fund, and may be payable from federal funds available for such purpose, or a combination of both funding sources.

SECTION 6. Section 23-15-849, Mississippi Code of 1972, is amended as follows:

23-15-849. (1) Vacancies in the office of circuit judge or chancellor shall be filled for the unexpired term by the qualified electors at the next regular special election occurring more than nine (9) months after the vacancy to be filled occurred, and the term of office of the person elected to fill a vacancy shall commence on the first Monday in January following the election. Upon the occurrence of a vacancy, the Governor shall appoint a qualified person from the district in which the vacancy exists to hold the office and discharge the duties thereof until the vacancy is filled by election as provided in this subsection.

(2) (a) If half or more than half of the term remains, vacancies in the office of justice of the Supreme Court or judge of the Court of Appeals shall be filled for the unexpired term by the qualified electors at the next regular election for state officers or for representatives in Congress occurring more than nine (9) months after the vacancy to be filled occurred, and the term of office of the person elected to fill a vacancy shall commence on the first Monday in January following the election. If less than half of the term remains, vacancies in the office of justice of the Supreme Court or judge of the Court

of Appeals shall be filled for the remaining unexpired term solely by appointment as provided in this subsection.

(b) Upon occurrence of a vacancy, the Governor shall appoint a qualified person from the district in which the vacancy exists to hold the office and discharge the duties thereof as follows:

(i) If less than half of the term remains, the appointee shall serve until expiration of the term;

(ii) If half or more than half of the term remains, the appointee shall serve until the vacancy is filled by election as provided in subsection (1) of this section for judges of the circuit and chancery courts. Elections to fill vacancies in the office of justice of the Supreme Court or judge of the Court of Appeals shall be held, conducted, returned and the persons elected commissioned in accordance with the law governing regular elections for justices of the Supreme Court or judges of the Court of Appeals to the extent applicable.

(3) (a) An office under this section shall be considered a "judicial office" as defined in Section 23-15-975.

(b) Candidates for judicial office under this section shall file their intent to be a candidate pursuant to Section 23-15-977.

SECTION 7. Section 23-15-977, Mississippi Code of 1972, is amended as follows:

23-15-977. (1) Except as otherwise provided in this section, all candidates for judicial office as defined in Section 23-15-975 of this subarticle shall file their intent to be a candidate with the proper officials and pay the proper assessment by not later than 5:00 p.m. on March 1 of the year in which the general election or regular special election for the judicial office is held. If March 1 occurs on a Saturday, Sunday or legal holiday, candidates shall file their intent to be a candidate and pay the proper assessment by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday. Candidates shall pay to the proper officials the following amounts:

(a) Candidates for Supreme Court judge and Court of Appeals, the sum of Two Hundred Dollars (\$200.00).

(b) Candidates for circuit judge and chancellor, the sum of One Hundred Dollars (\$100.00).

(c) Candidates for county judge and family court judge, the sum of Fifteen Dollars (\$15.00).

Candidates for judicial office may not file their intent to be a candidate and pay the proper assessment before January 1 of the year in which the election for the judicial office is held.

(2) Candidates for judicial offices listed in paragraphs (a) and (b) of subsection (1) of this section shall file their intent to be a candidate with, and pay the proper assessment made pursuant to subsection (1) of this section to, the State Board of Election Commissioners.

(3) Candidates for judicial offices listed in paragraph (c) of subsection (1) of this section shall file their intent to be a candidate with, and pay the proper assessment made pursuant to subsection (1) of this section to, the circuit clerk of the proper county. The circuit clerk shall notify the county election commissioners of all persons who have filed their intent to be a candidate with, and paid the proper assessment to, such clerk. The

notification shall occur within two (2) business days and shall contain all necessary information.

(4) If only one (1) person files his or her intent to be a candidate for a judicial office and that person later dies, resigns or is otherwise disqualified from holding the judicial office after the deadline provided for in subsection (1) of this section but more than seventy (70) days before the date of the general election or regular special election, the Governor, upon notification of the death, resignation or disqualification of the person, shall issue a proclamation authorizing candidates to file their intent to be a candidate for that judicial office for a period of not less than seven (7) nor more than ten (10) days from the date of the proclamation.

(5) If only one (1) person qualifies as a candidate for a judicial office and that person later dies, resigns or is otherwise disqualified from holding the judicial office within seventy (70) days before the date of the general election or regular special election, the judicial office shall be considered vacant for the new term and the vacancy shall be filled as provided in by law.

(6) (a) Notwithstanding any provision of law to the contrary, candidates for judicial office to be elected at a regular special election in the year 2021 shall file their intent to be a candidate with the proper officials and pay the proper assessment by no later than sixty (60) days after the effective date of this act at 5:00 p.m. If that date occurs on a Saturday, Sunday or legal holiday, candidates under this subsection (6) shall file their intent to be a candidate and pay the proper assessment by 5:00 p.m. on the business day immediately following the Saturday, Sunday or legal holiday.

(b) This subsection (6) shall stand repealed on January 1, 2022.

SECTION 8. This act shall take effect and be in force from and after its passage.

FURTHER AMEND the title to conform

POINT OF ORDER

A point of order was raised by Senator Blackmon that Amendment No. 1 is not germane.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken. The amendment expands the fundamental scope and purpose of the original bill.

Senator Tate moved that **S. B. No. 2589** be recommitted to Elections, and the motion prevailed.

Senator Polk called up the following entitled bill:

S. B. No. 2820: Department of Tourism; create.

On motion of Senator Thompson, the Committee Substitute was adopted for consideration.

Senator Thompson offered the following AMENDMENT NO. 1.

AMEND by deleting on lines 165 and 166 the phrase "internet advertising and other promotional information and materials" and inserting in lieu thereof the following:

advertising, marketing, promotional information and materials, and other services

Amendment No. 1 to S. B. No. 2820 was adopted.

YEAS AND NAYS On S. B. No. 2820. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blount, Boyd, Bryan, Butler, Carter, Caughman, DeBar, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon. Total--43.

Nays--Barnett, Branning, Chassaniol, Chism, McDaniel, Sojourner, Younger. Total--7.

Absent and those not voting---None.

Voting Present--Blackwell, DeLano. Total--2.

Unanimous consent was granted to add Senators Jackson S. (32nd), Jordan and Simmons S. (13th) as co-authors of **S. B. No. 2820**.

Senator Bryan entered a motion to reconsider the vote whereby **S. B. No. 2727** passed the Senate.

S. B. No. 2727: Department of Archives & History; bring forward provisions establishing the department and its board of directors.

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

The motion prevailed, and at 8:09 PM, the Senate stood in recess.

The Senate resumed business at 8:43 PM, pursuant to recess, with President Hosemann presiding.

Senator Bryan called up the following entitled bill:

S. B. No. 2221: Mississippi Dementia Care Program; create pilot program for assistance to caregivers for those with Alzheimer's or Dementia.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND on line 110 by inserting before the period the following:

, and shall stand repealed on December 31, 2021

Amendment No. 1 to S. B. No. 2221 was adopted.

YEAS AND NAYS On S. B. No. 2221. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting---None.

Voting Present--Chism, Hill, McDaniel, Sojourner, Turner-Ford. Total--5.

Unanimous consent was granted to add Senators Barnett, Barrett, Blackwell, Branning, Butler, Carter, Caughman, Chassaniol, DeLano, England, Fillingane, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, McCaughn, McLendon, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Williams and Younger as co-authors of **S. B. No. 2221**.

Senator Branning called up the following entitled bill:

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create.

On motion of Senator Branning, the Committee Substitute was adopted for consideration.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND by inserting the following language below line 99 and renumbering subsequent sections accordingly:

SECTION *. There is hereby created a special fund in the State Treasury, to be known as the "DPS Motor Carrier Enforcement Fund." The fund shall consist of monies appropriated by act of the Legislature and monies transferred from the Mississippi Department of Transportation. Money in the fund shall only be utilized by the Department of Public Safety's Commercial Transportation Enforcement Division to defray expenses for officers' salaries and other costs to implement and enforce the provisions of this act. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

FURTHER, AMEND on lines 173 and 174 by striking "Motor Carrier Division of the Mississippi Highway Safety Patrol" and inserting in lieu thereof the following:

Commercial Transportation Enforcement Division

FURTHER, AMEND on line 583 by inserting the following language before "to enforce":

Upon request of the Commercial Transportation Enforcement Division within the Department of Public Safety, and when so instructed by the commissioner,

FURTHER, AMEND by striking lines 717 through 1190 and renumbering subsequent sections accordingly.

FURTHER, AMEND by inserting the following language below line 1729 and renumbering subsequent sections accordingly:

SECTION *. Section 19-11-27, Mississippi Code of 1972, is amended as follows:

19-11-27. No board of supervisors of any county shall expend from, or contract an obligation against, the budget estimates for road and bridge construction, maintenance and equipment, made and published by it during the last year of the term of office of such board, between the first day of October and the first day of the following January, a sum exceeding one-fourth (1/4) of such item of the budget made and published by it, except in cases of emergency. The clerk of any county is prohibited from issuing any warrant contrary to the provisions of this section. No board of supervisors nor any member thereof shall buy any machinery or equipment in the last six (6) months of their or his term unless or until he has been elected at the general election of that year. The provisions of this section shall not apply to (i) until January 1, 2020, projects of any type that receive monies from the Local System Bridge Replacement and Rehabilitation Program, the Emergency Road and Bridge Repair Fund, the 2018 Transportation and Infrastructure Improvement Fund or the Gulf Coast Restoration Fund and (ii) to expenditures during calendar year 2019 on deficient bridges in the State Aid Road System or the Local System Road Program that have a sufficiency rating of less than fifty (50) or to a contract, lease or lease-purchase contract executed pursuant to the bidding requirements in Section 31-7-13 and approved by a unanimous vote of the board. Such unanimous vote shall include a statement indicating the board's proclamation that the award of the contract is essential to the efficiency and economy of the operation of the county government. On and after July 1, 2021, through June 30, 2024, the provisions of this section shall not apply to projects of any type that receive monies from the Emergency Road and Bridge Repair Fund.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2825 was adopted.

Senator Branning offered the following AMENDMENT NO. 2.

AMEND on line 2039 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

FURTHER, AMEND on line 2041 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 2 to S. B. No. 2825 was adopted.

Senator Hopson offered the following AMENDMENT NO. 3.

AMEND by striking Sections 23 and 24 on lines 1506 through 1729 in their entirety and renumbering subsequent sections accordingly.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 3 to S. B. No. 2825 failed by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Bryan, Butler, Carter, DeLano, Frazier, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Kirby, Michel, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Wiggins. Total--22.

Nays--Barrett, Boyd, Branning, Caughman, Chassaniol, Chism, England, Fillingane, Johnson, McCaughn, McDaniel, McLendon, McMahan, Moran, Parker, Parks, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Williams, Younger. Total--25.

Absent and those not voting--DeBar, Harkins, Hill, Polk, Witherspoon. Total--5.

PARLIAMENTARY INQUIRY

Senator Branning raised a point of inquiry that the bill is not a 3/5 vote, but a simple majority based on amendment.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the inquiry well-taken, because Amendment No. 1 removed the revenue feature from the bill.

POINT OF ORDER

A point of order was raised by Senator Blackmon that the bill requires a 3/5 vote because of the highway privilege tax mentioned on lines 1121 to 1128.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken because the highway privilege tax is current law and is not changed by the bill.

YEAS AND NAYS On S. B. No. 2825. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Hill, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--32.

Nays--Barnett, Blackmon, Blackwell, Blount, Bryan, Butler, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--15.

Absent and those not voting--Harkins, Hopson, Polk, Turner-Ford, Witherspoon. Total--5.

Unanimous consent was granted to add Senator Sojourner as co-author of **S. B. No. 2825**.

Senator Bryan called up the following entitled bill:

S. B. No. 2757: Hospital Cooperation Act of 2021; allow hospitals to enter into cooperative agreements.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

Senator Fillingane offered the following AMENDMENT NO. 1.

AMEND on line 98 by adding the following after the period:

Provided, however, that this state action immunity from liability under the federal and state antitrust laws shall be limited to consolidations, collaborative activities and other activities and transactions contemplated in this section and in Section 7 of this act that involve the regional health care authority and a hospital or hospitals and related facilities, health care services, assets, rights and interests in Forrest and/or Lamar Counties.

FURTHER, AMEND by deleting lines 357 through 360 in their entirety and inserting in lieu thereof the following:

(k) To operate and provide health care and all other services, and to perform all other activities which the regional health care authority is authorized to perform, in the following counties: Forrest, Lamar, Jones, Marion, Covington, Jefferson Davis, Walthall, Perry, Pearl River, Stone, Lawrence, Wayne, Greene, Jasper, Smith, George, Simpson, Pike and Hancock Counties.

FURTHER, AMEND on line 364 by inserting the following after "immunity"

, for Forrest and/or Lamar Counties exclusively,

FURTHER, AMEND by inserting the following after line 294:

(e) Notwithstanding anything contained in this act to the contrary, neither the Board nor any other governing body of the authority shall have the right or power to expand:

(i) The geographic limits of the authority as stated in Section 7 of this act; and/or

(ii) State action immunity from liability under the federal and state antitrust laws as stated in Section 2 and Section 7 of this act. Such immunity is extended to Forrest and/or Lamar Counties exclusively.

Amendment No. 1 to S. B. No. 2757 was adopted.

YEAS AND NAYS On S. B. No. 2757. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Parks called up the following entitled bill:

S. B. No. 2536: Athletics; enact the "Mississippi Fairness Act."

On motion of Senator Hill, the Committee Substitute was adopted for consideration.

Senators Parks and Hill offered the following AMENDMENT NO. 1.

AMEND by deleting SECTION 1 in its entirety on lines 10 and 11 and renumbering subsequent sections accordingly.

FURTHER, AMEND by deleting lines 25 through 32.

FURTHER, AMEND on line 43 by inserting a period after the word "action" and deleting the remainder of the sentence through line 45.

FURTHER, AMEND by deleting "(1)" on line 40.

FURTHER, AMEND by deleting lines 46 through 70.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2536 was adopted.

YEAS AND NAYS On S. B. No. 2536. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Blackmon, Butler, Frazier, Jackson R. (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas, Turner-Ford. Total--9.

Absent and those not voting--Blount, Bryan, Chassaniol, Harkins, Witherspoon. Total--5.

Voting Present--Barnett, Horhn, Jackson S. (32nd), Simmons S. (13th). Total--4.

Unanimous consent was granted to add Senators Tate, McDaniel, England, Suber, Seymour, McCaughn, DeLano, Wiggins, Sojourner, Sparks, Williams, McMahan, Fillingane, Caughman, Parks, Branning, Barrett, Carter, Chism, McLendon, Thompson and Whaley as co-authors of **S. B. No. 2536**.

Senator Blackwell moved that the Senate stand in recess until 11:45 PM.

The motion prevailed, and at 10:03 PM, the Senate stood in recess.

The Senate resumed business at 11:45 PM, pursuant to recess, with President Hosemann presiding.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Willington Cox and Jeremiah Hudson of Yazoo City, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dennis Edmond "Eddie" Lingenfelder, Jr. of Ridgeland, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Linda Ward of Tupelo, MS.

Senator Blackwell moved that the Senate adjourn until 12:01 AM, Friday, February 12, 2021.

The motion prevailed, and at 11:47 PM, the Senate stood adjourned in memory of Willington Cox, Jeremiah Hudson, Dennis Edmond "Eddie" Lingenfelder, Jr. and Linda Ward.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, FEBRUARY 11, 2021

S. B. No. 2901: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PONTOTOC COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE CHANCERY COURT BUILDING AND YOUTH COURT FACILITY; AND FOR RELATED PURPOSES.

By Senator(s) Chism, Suber

S. B. No. 2902: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PONTOTOC COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, FURNISHING AND

EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE W.A. GRIST BUILDING; AND FOR RELATED PURPOSES.

By Senator(s) Chism, Suber

S. B. No. 2903: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF SUMRALL, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PHASE II CONSTRUCTION OF THE SUMRALL SPORTSPLEX, INCLUDING, BUT NOT LIMITED TO, TENNIS COURTS AND A SECOND SOCCER FIELD, TOGETHER WITH THE ASSOCIATED PARKING, LIGHTING, RESTROOMS AND STORAGE FACILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

S. R. No. 14: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE FLORENCE HIGH SCHOOL "LADY EAGLES" GIRLS SOCCER TEAM AND COACH BILL HOOD FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 4A STATE CHAMPIONSHIP.

By Senator(s) Caughman

S. R. No. 15: Rules

A RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY OF JIM WEATHERLY, PONTOTOC NATIVE AND HALL OF FAME SONGWRITER WHO LED THE OLE MISS REBELS FOOTBALL TEAM TO THE 1962 CONSENSUS NATIONAL TITLE, AND COMMENDING HIS CAREER.

By Senator(s) Chism, Chassaniol, Michel, Boyd, Fillingane, Blackwell, Younger, Whaley, Hill, England, McLendon, Barrett, Tate, Suber, McMahan, Turner-Ford

S. R. No. 16: Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO VERSATILE MUSICIAN NELLIE MCINNIS AS THE RECIPIENT OF THE 2021 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN MUSIC.

By Senator(s) Horhn, Blount, Michel, Norwood, Frazier, Chassaniol

THIRTY-NINTH DAY, FRIDAY, FEBRUARY 12, 2021

The Senate met at 12:01 AM pursuant to adjournment, President Hosemann presiding.

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Absent--Branning, Chassaniol, Witherspoon. Total--3.

The Secretary announced a quorum present.

The invocation was delivered by Senator Hopson.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Wiggins called up the motion to reconsider the vote whereby **S. B. No. 2434** passed the Senate and moved that it be reconsidered:
S. B. No. 2434: Capitol police; transfer to Department of Public Safety.

The foregoing motion prevailed.

Senators Blount and Horhn offered the following AMENDMENT NO. 3.

AMEND on line 89 by deleting the words "either Madison or Rankin" and inserting the word "any" in lieu thereof.

FURTHER, AMEND by deleting the language on lines 91 through 94 beginning after the period on line 91.

Amendment No. 3 to S. B. No. 2434 was adopted.

YEAS AND NAYS On S. B. No. 2434. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, Chassaniol, Witherspoon. Total--3.

Unanimous consent was granted to add Senator Hill as co-author of **S. B. No. 2434**.

Senator Whaley called up the motion to reconsider the vote whereby **S. B. No. 2787** passed the Senate and moved that it be reconsidered:
S. B. No. 2787: Water skiing; revise safety requirements.

The foregoing motion prevailed.

Senator Johnson offered the following AMENDMENT NO. 1.

AMEND on line 11 by inserting the following after the period:

This prohibition shall not apply to wake surfing, when the person being towed is on an aquaplane or similar device following the boat at a distance no greater than twelve (12) feet, and the boat is operating its lights and traveling at a speed no greater than ten (10) miles per hour.

FURTHER, AMEND the title by inserting the following on line 3 after the semicolon:

TO PROHIBIT THE OPERATION OF A MOTORBOAT ON WATERS OF THIS STATE WHILE TOWING A PERSON ON WATER SKIS, OR ON AN AQUAPLANE OR SIMILAR DEVICE; TO EXEMPT WAKE BOARDING FROM THIS PROHIBITION;

Amendment No. 1 to S. B. No. 2787 was adopted.

YEAS AND NAYS On S. B. No. 2787. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--McMahan. Total--1.

Absent and those not voting--Branning, Chassaniol, Witherspoon. Total--3.

Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2117** passed the Senate and moved that it be reconsidered:

S. B. No. 2117: Juvenile offenders; provide alternative sentencing and parole options..

The foregoing motion prevailed.

Senator Fillingane offered the following AMENDMENT NO. 1.

AMEND by deleting SECTION 3 in its entirety and renumber subsequent sections accordingly.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2117 was adopted.

YEAS AND NAYS On S. B. No. 2117. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Simmons D. T. (12th). Total--1.

Absent and those not voting--Branning, Chassaniol, Witherspoon. Total--3.

Voting Present--Hill. Total--1.

Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2121** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2121: Intimate visual material; criminalize disclosure of.

The foregoing motion prevailed.

Senator Parker called up the motion to reconsider the vote whereby **S. B. No. 2296** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2296: Office of Workforce Development; exempt executive director from certain salary and compensation requirements..

The foregoing motion prevailed.

Senator Wiggins called up the motion to reconsider the vote whereby **S. B. No. 2022** passed the Senate and moved that it be reconsidered:

S. B. No. 2022: Justice courts; required to accept electronic filing.

The foregoing motion prevailed.

Senator Bryan offered the following AMENDMENT NO. 1.

AMEND on line 12 by deleting the word "require" and inserting "allow" in lieu thereof.

FURTHER, AMEND on lines 14-15 by deleting "July 1, 2021" and inserting "January 1, 2022" in lieu thereof.

FURTHER, AMEND on line 15 by inserting after the period the following language:

A party's participation in electronic filing under this subsection shall be voluntary.

Amendment No. 1 to S. B. No. 2022 was adopted.

YEAS AND NAYS On S. B. No. 2022. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Branning, Chassaniol, Witherspoon. Total--3.

Senator Polk called up the motion to reconsider the vote whereby **S. B. No. 2824** passed the Senate and moved that it be reconsidered:

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature.

The foregoing motion prevailed.

Senator Bryan offered the following AMENDMENT NO. 1.

Amend on line 66 by deleting the word "or"

Further, amend on line 69 by inserting the following after the period:

; or

(e) In accordance with an appropriations act of the Legislature that specifically provides an exemption from the provisions of this section.

(7) Unless a recipient entity is required to comply with Section 31-7-1 et seq. because it is an agency or public body, the fact that it is a recipient entity does not create such an obligation.

Amendment No. 1 to S. B. No. 2824 was adopted.

YEAS AND NAYS On S. B. No. 2824. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Horhn. Total--1.

Absent and those not voting--Branning, Chassaniol, Witherspoon. Total--3.

Senator Harkins called up the motion to reconsider the vote whereby **S. B. No. 2765** failed to pass the Senate and moved that it be reconsidered:

S. B. No. 2765: Mississippi Medical Cannabis Act; create..

The foregoing motion prevailed.

YEAS AND NAYS On S. B. No. 2765. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Boyd, Bryan, Carter, Caughman, DeBar, DeLano, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McLendon, Michel, Moran, Parks, Polk, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--30.

Nays--Blackmon, Blount, Butler, Chism, England, Frazier, Jackson R. (11th), Jackson S. (32nd), Jordan, McDaniel, McMahan, Norwood, Parker, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Thomas, Turner-Ford. Total--19.

Absent and those not voting--Branning, Chassaniol, Witherspoon. Total--3.

Senator Blackwell moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 15, 2021.

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

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

MESSAGE FROM THE HOUSE

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

H. B. No. 100: AN ACT TO AMEND SECTION 77-3-721, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATUTE THAT REQUIRES ALL USER FEES AND CHARGES COLLECTED UNDER THE MISSISSIPPI TELEPHONE SOLICITATION ACT TO BE DEPOSITED INTO THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

H. B. No. 111: AN ACT TO AMEND SECTION 37-103-25, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARDS OF TRUSTEES OF COMMUNITY AND JUNIOR COLLEGE DISTRICTS TO APPROVE INSTITUTION SPECIFIC POLICIES PERMITTING THE WAIVER OF OUT-OF-STATE TUITION; AND FOR RELATED PURPOSES.

H. B. No. 148: AN ACT TO AMEND SECTION 57-1-64, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF MONIES IN THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM ADVERTISING FUND SHALL BE USED FOR ADVERTISING AND PROMOTIONAL INFORMATION AND MATERIALS RELATED TO MISSISSIPPI STATE PARKS; AND FOR RELATED PURPOSES.

H. B. No. 327: AN ACT TO AMEND SECTION 83-1-191, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM WITHIN THE DEPARTMENT OF INSURANCE; AND FOR RELATED PURPOSES.

H. B. No. 328: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO CONTRACT WITH THE MISSISSIPPI TRANSPORTATION COMMISSION TO PERFORM MAINTENANCE ON THE STATE HIGHWAYS AND

INTERSTATE HIGHWAYS IN THAT COUNTY AND ANY RIGHTS-OF-WAY TO SUCH HIGHWAYS; TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI TRANSPORTATION COMMISSION TO ENTER INTO SUCH A CONTRACT; AND FOR RELATED PURPOSES.

H. B. No. 331: AN ACT TO PROVIDE FOR THE RECOGNITION AND REGISTRATION OF PROFESSIONAL EMPLOYER ORGANIZATIONS OPERATING IN THE STATE OF MISSISSIPPI; TO PROVIDE DEFINITIONS FOR THE ACT; TO CLARIFY WHAT THE ACT DOES NOT DO; TO PROVIDE THE PROCEDURES FOR REGISTRATION WITH THE MISSISSIPPI INSURANCE DEPARTMENT UNDER THIS ACT; TO PROVIDE REGISTRATION FEES; TO PROVIDE FOR CERTAIN VIOLATIONS UNDER THIS ACT AND PENALTIES THAT MAY BE IMPOSED BY THE COMMISSIONER OF INSURANCE FOR SUCH VIOLATIONS; AND FOR RELATED PURPOSES.

H. B. No. 382: AN ACT TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO REQUIRE CHRONIC WASTING DISEASE TESTING OF A SAMPLE OF WHITE-TAILED DEER HARVESTED OR DYING FROM CAUSES OTHER THAN BEING HARVESTED BY HUNTING WITHIN ANY ENCLOSURE; TO IMPOSE CERTAIN FINES FOR FIRST AND SUBSEQUENT VIOLATIONS; TO AMEND SECTIONS 49-1-29, 49-7-58.1 AND 49-7-58.2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO REPEAL SECTION 49-7-58.5, MISSISSIPPI CODE OF 1972, WHICH REQUIRED THE CHRONIC WASTING DISEASE TESTING OF WHITE-TAIL DEER HARVESTED WITHIN ANY ENCLOSURE, AND IMPOSED CLASS II AND CLASS I VIOLATION PENALTIES FOR FIRST AND SUBSEQUENT VIOLATIONS; AND FOR RELATED PURPOSES.

H. B. No. 413: AN ACT TO ESTABLISH A MISSISSIPPI GOSPEL MUSIC COMMISSION TO DEVELOP A PLAN TO PROMOTE AUTHENTIC MISSISSIPPI "GOSPEL" MUSIC AND "GOSPEL MUSIC CULTURE" FOR PURPOSES OF ECONOMIC DEVELOPMENT; TO PRESCRIBE THE FUNCTIONS AND DUTIES OF THE COMMISSION; TO EMPOWER THE COMMISSION TO ACCEPT AND EXPEND GRANT FUNDS; TO PROVIDE FOR INTERDEPARTMENTAL COOPERATION; TO AUTHORIZE AND DIRECT THE DIVISION OF TOURISM OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TO ESTABLISH A STATEWIDE MISSISSIPPI "GOSPEL MUSIC TRAIL" INFRASTRUCTURE TO OFFER TO TOURISTS AND TARGETED GROUPS A STRUCTURED TOUR OF MISSISSIPPI GOSPEL MUSIC HISTORICAL SITES AND PERFORMANCE VENUES; TO AUTHORIZE THE DIVISION TO DESIGNATE AND ERECT APPROPRIATE "MISSISSIPPI GOSPEL MUSIC TRAIL" HISTORICAL MARKERS; AND FOR RELATED PURPOSES.

H. B. No. 466: AN ACT TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CERTAIN AMOUNT OF ANY UNEXPENDED AMOUNTS REMAINING IN THE INMATE WELFARE FUND AT THE END OF EACH FISCAL YEAR SHALL BE UTILIZED BY THE DEPARTMENT OF CORRECTIONS FOR TRANSITIONAL HOUSING CENTERS AND FOR OTHER REENTRY PURPOSES; TO BRING FORWARD SECTIONS 47-5-109 AND 47-5-109.1, MISSISSIPPI CODE OF 1972, WHICH PERTAIN TO INMATE CANTEEN FACILITIES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 518: AN ACT TO ESTABLISH THE WHOLESALE TO RETAIL ACCOUNTABILITY PROGRAM ("WRAP"); TO STANDARDIZE THE REPORTING OF WHOLESALE SALES FOR RESALE PURPOSES MADE WITHIN THIS STATE ON WHICH SALES OR USE TAX WAS NOT COLLECTED; TO PROVIDE FOR ELECTRONIC FILING OF REQUIRED INFORMATION REPORTS; TO PROVIDE PENALTIES FOR NONCOMPLIANCE; AND FOR RELATED PURPOSES.

H. B. No. 633: AN ACT TO CREATE THE MISSISSIPPI COMPUTER SCIENCE AND CYBER EDUCATION EQUALITY ACT; TO AUTHORIZE AND DIRECT THE STATE

DEPARTMENT OF EDUCATION TO IMPLEMENT A MANDATORY K-12 COMPUTER SCIENCE CURRICULUM BASED ON THE MISSISSIPPI COLLEGE AND CAREER-READINESS STANDARDS FOR COMPUTER SCIENCE, WHICH INCLUDES INSTRUCTION IN, BUT NOT LIMITED TO, COMPUTATIONAL THINKING, CYBER-RELATED, PROGRAMMING, CYBER SECURITY, DATA SCIENCE, ROBOTICS AND OTHER COMPUTER SCIENCE AND CYBER-RELATED CONTENT; TO PRESCRIBE MINIMUM COMPONENTS OF THE CURRICULUM AT EACH GRADE LEVEL; AND TO PROVIDE FOR TEACHER TRAINING AS NEEDED AT ALL GRADE LEVELS.

H. B. No. 634: AN ACT TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO PROHIBIT STATE AGENCIES FROM RESTRICTING THE POSSESSION OF FIREARMS; TO AMEND SECTION 45-9-53, MISSISSIPPI CODE OF 1972, TO PROHIBIT CITIES AND COUNTIES FROM USING A NOTICE OR BAN TO RESTRICT A LICENSED CONCEALED FIREARM HOLDER FROM ENTERING CERTAIN LOCATIONS; TO AUTHORIZE THE ATTORNEY GENERAL TO PROSECUTE VIOLATIONS OF THIS PROVISION USING STATE CORRUPTION PROVISIONS; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 7-5-59, MISSISSIPPI CODE OF 1972, TO ADD TO THE LIST OF CORRUPTION CRIMES VIOLATIONS OF SECTION 45-9-53; TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INVESTIGATIVE AND REGULATORY EMPLOYEES OF THE SECRETARY OF STATE'S OFFICE TO CARRY WEAPONS; AND FOR RELATED PURPOSES.

H. B. No. 761: AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE STATE VETERANS BOARD IN RELATION TO OPERATING THE STATE VETERANS HOMES; TO AUTHORIZE THE BOARD TO ESTABLISH PROGRAMS RELATING TO EMPLOYEE HIRING AND INCENTIVES AND PROPERTY DISPOSAL; TO AMEND SECTION 29-9-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 814: AN ACT TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CONTRACT ENTERED INTO BY THE OFFICE OF THE ATTORNEY GENERAL FOR EXPERTS RETAINED FOR ACTUAL OR PROSPECTIVE LITIGATION SHALL BE EXEMPT FROM THE OVERSIGHT OF THE PUBLIC PROCUREMENT REVIEW BOARD; AND FOR RELATED PURPOSES.

H. B. No. 842: AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE REVERSE AUCTION METHOD FOR RECEIVING BIDS TO DIFFERENTIATE BETWEEN AGENCIES AND GOVERNING AUTHORITIES; TO PROVIDE THAT IF AN AGENCY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY, THEN THAT DETERMINATION MUST BE APPROVED BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO PROVIDE THAT IF A GOVERNING AUTHORITY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE GOVERNING AUTHORITY, THEN THAT DETERMINATION MUST BE APPROVED BY THE GOVERNING BOARD OF THE GOVERNING AUTHORITY; TO PROVIDE THAT THE AGENCY AND GOVERNING AUTHORITY MUST SUBMIT AN EXPLANATION AS TO WHY A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY OR GOVERNING AUTHORITY; AND FOR RELATED PURPOSES.

H. B. No. 852: AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM ANNUAL SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES.

H. B. No. 872: AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 61 LOCATED IN JEFFERSON COUNTY, MISSISSIPPI, AS THE "HIGHWAY

PATROL LIEUTENANT TROY MORRIS MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 874: AN ACT TO AMEND SECTION 97-32-51, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF ALTERNATIVE NICOTINE IN THE PROVISIONS OF LAW REGULATING TOBACCO, BY ADDING THE WORDS "AEROSOLIZING" AND "VAPORIZING"; TO CLARIFY THE REQUIREMENT FOR GOVERNMENT-ISSUED PHOTOGRAPHIC IDENTIFICATION AS PROOF BEFORE SALE OF TOBACCO PRODUCTS; TO AMEND SECTIONS 97-32-5, 97-32-7, 97-32-11, 97-32-15, 97-32-17 AND 97-32-19 TO INCREASE THE AGE OF SALE AND USE OF TOBACCO TO TWENTY-ONE YEARS OF AGE; TO REQUIRE GOVERNMENT ISSUED PHOTOGRAPHIC IDENTIFICATION AS PROOF OF AGE; TO BRING FORWARD SECTIONS 97-32-9 AND 97-32-13, MISSISSIPPI CODE OF 1972, WHICH REGULATE TOBACCO PRODUCTS, FOR PURPOSES OF AMENDMENT; TO REQUIRE THE OFFICE OF THE ATTORNEY GENERAL TO DEVELOP A VAPOR PRODUCT DIRECTORY ON OR BEFORE SEPTEMBER 15, 2021, AND INCLUDE SUCH ON ITS WEBSITE; TO DEFINE TERMINOLOGY; TO REQUIRE EVERY MANUFACTURER OF A VAPOR PRODUCT SOLD OR INTENDED TO BE SOLD IN THIS STATE TO EXECUTE AN ATTESTATION TO THE ATTORNEY GENERAL, UNDER PENALTY OF PERJURY, THAT ITS PRODUCTS ARE IN COMPLIANCE BY CERTIFYING THE PRODUCTS WERE AVAILABLE ON THE MARKET AS OF AUGUST 16, 2016; TO PROHIBIT THE MANUFACTURE, DISTRIBUTION OR SALE OF VAPOR PRODUCTS NOT LISTED IN THE DIRECTORY; AMEND SECTION 97-32-21, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 887: AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 82 LOCATED IN WEBSTER COUNTY, MISSISSIPPI, AS THE "CORPORAL WILLIAM JUSTIN COOPER MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 953: AN ACT TO REGULATE MANAGING AGENTS OF HOMEOWNERS' ASSOCIATIONS REGARDING THEIR DEPOSIT AND MANAGEMENT OF ASSOCIATION FUNDS; TO PROVIDE CERTAIN DEFINITIONS FOR THE ACT; TO REQUIRE TRANSFERS OF FUNDS ABOVE A CERTAIN AMOUNT TO BE AUTHORIZED BY PRIOR WRITTEN BOARD APPROVAL; TO PROHIBIT THE MANAGING AGENT FROM COMMINGLING THE FUNDS OF THE ASSOCIATION WITH THE MANAGING AGENTS OWN MONEY OR WITH THE MONEY OF OTHERS THAT THE MANAGING AGENT RECEIVES OR ACCEPTS; TO PROVIDE THAT CURRENTLY COMMINGLED FUNDS SHALL BE SEPARATED BY A CERTAIN DATE; TO REQUIRE THE MANAGING AGENT TO PROVIDE TO THE HOMEOWNERS' ASSOCIATION CERTAIN FINANCIAL INFORMATION RELATING TO THE FUNDS OF THE ASSOCIATION BEFORE EVERY REGULAR MEETING AND UPON REQUEST OF THE ASSOCIATION; TO PROVIDE THE BOARD OF A HOMEOWNERS' ASSOCIATION TO CONDUCT CERTAIN PERIODIC FINANCIAL REVIEWS; TO AUTHORIZE SPECIAL OR REGULARLY SCHEDULED MEETINGS TO BE HELD BY ELECTRONIC TRANSMISSION OR BY OTHER MEANS OF REMOTE COMMUNICATION; TO REQUIRE HOMEOWNERS' ASSOCIATIONS TO MAINTAIN FIDELITY BOND COVERAGE FOR ITS DIRECTORS AND OFFICERS; TO PROVIDE THAT IF THE ASSOCIATION USES A MANAGING AGENT OR MANAGEMENT COMPANY, THE ASSOCIATION'S FIDELITY BOND COVERAGE SHALL ADDITIONALLY INCLUDE DISHONEST ACTS BY THAT PERSON OR ENTITY AND ITS EMPLOYEES; TO PROVIDE THAT THE BOND REQUIREMENT SHALL NOT APPLY IF A MAJORITY OF THE MEMBERS OF THE ASSOCIATION VOTE NOT TO HAVE IT; AND FOR RELATED PURPOSES.

H. B. No. 974: AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS OF THE COMMISSIONER OF PUBLIC SAFETY; TO AMEND SECTION 45-1-6, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING MISSISSIPPI BUREAU OF INVESTIGATION CONTRACT AGENTS; TO AMEND SECTION 41-29-112, MISSISSIPPI CODE OF 1972, TO REVISE

CERTAIN PROVISIONS REGARDING MISSISSIPPI BUREAU OF NARCOTICS CONTRACT AGENTS; TO AMEND SECTION 45-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS OF MISSISSIPPI BUREAU OF NARCOTICS AGENTS; TO BRING FORWARD SECTION 7-1-19, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO REPEAL SECTION 29-5-77, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR JURISDICTION FOR THE ENFORCEMENT OF THE LAWS OF THE STATE OF MISSISSIPPI ON VARIOUS STATE PROPERTIES INCLUDING THE CAPITOL COMPLEX; TO AMEND SECTION 45-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS FOR THE MISSISSIPPI HIGHWAY SAFETY PATROL; TO AMEND SECTION 45-3-45, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION REQUIRING A MINIMUM OF 80 HOURS FOR THE TRAINING SCHOOL FOR MISSISSIPPI HIGHWAY SAFETY PATROL; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXEMPT ANY CONTRACT FOR FORENSIC PATHOLOGY SERVICES FROM REVIEW BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 41-61-53, MISSISSIPPI CODE OF 1972, TO DEFINE "STATE MEDICAL EXAMINER INVESTIGATOR" TO MEAN A NONPHYSICIAN TRAINED AND APPOINTED BY THE STATE MEDICAL EXAMINER TO INVESTIGATE AND CERTIFY DEATHS AFFECTING THE PUBLIC INTEREST; TO AMEND SECTION 41-61-63, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 41-61-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSIONER OF PUBLIC SAFETY MAY APPOINT AND DISCHARGE THE STATE MEDICAL EXAMINER WITHOUT THE APPROVAL OF A MAJORITY OF THE DEAN OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER SCHOOL OF MEDICINE, THE DEAN OF THE UNIVERSITY OF MISSISSIPPI SCHOOL OF LAW AND THE STATE HEALTH OFFICER; TO AMEND SECTION 41-61-65, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE MEDICAL EXAMINER TO DESIGNATE A STATE MEDICAL EXAMINER INVESTIGATOR TO PERFORM CERTAIN AUTOPSIES; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE DEPUTY STATE MEDICAL EXAMINER BE LICENSED TO PRACTICE MEDICINE IN MISSISSIPPI; TO AMEND SECTION 63-11-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL SUSPEND THE DRIVER'S LICENSE AND PRIVILEGES OF A PERSON AFTER HE OR SHE IS CONVICTED OF DRIVING UNDER THE INFLUENCE UNLESS THE PERSON OBTAINS AN INTERLOCK-RESTRICTED LICENSE OR THE COURT ORDERS THE PERSON TO EXERCISE THE PRIVILEGE TO OPERATE A MOTOR VEHICLE ONLY UNDER AN INTERLOCK-RESTRICTED LICENSE; TO BRING FORWARD SECTIONS 41-61-59, 41-61-61 AND 41-61-75, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE THE MISSISSIPPI UNMANNED AIRCRAFT SYSTEMS PROTECTION ACT OF 2021; TO PROVIDE CERTAIN DEFINITIONS; TO PROVIDE THAT A PERSON COMMITS THE OFFENSE OF UNLAWFUL USE OF AN UNMANNED AIRCRAFT SYSTEM, ALSO KNOWN AS A DRONE, WHEN COLLECTING CERTAIN INFORMATION WITHOUT RECEIVING WRITTEN CONSENT FROM A CORRECTIONAL FACILITY OR CRITICAL INFRASTRUCTURE SITE OR WHEN DELIVERING CONTRABAND USING A DRONE TO INTRODUCE CONTRABAND INTO A CORRECTIONAL FACILITY; TO PROVIDE CERTAIN PENALTIES FOR INDIVIDUALS CONVICTED OF SUCH OFFENSE; AND FOR RELATED PURPOSES.

H. B. No. 992: AN ACT TO AMEND SECTION 59-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE COUNTY PORT AND HARBOR COMMISSION SHALL HOLD THEIR APPOINTMENTS UNTIL THEIR SUCCESSOR HAS BEEN APPOINTED AND INSTALLED AS A COMMISSIONER AFTER TAKING THE OATH OF OFFICE; AND FOR RELATED PURPOSES.

H. B. No. 995: AN ACT TO DESIGNATE A SEGMENT OF INTERSTATE HIGHWAY 269 LOCATED IN MARSHALL COUNTY, MISSISSIPPI, AS THE "REPRESENTATIVE TOMMY WOODS MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1008: AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO MAKE VARIOUS TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID SERVICES AND MANAGED CARE PROVISIONS; TO EXTEND THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO MAKE SEVERAL TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID ASSESSMENT PROVISIONS; TO DELETE THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTIONS 43-13-107 AND 43-13-117.1, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, TO MAKE SOME MINOR, NONSUBSTANTIVE CHANGES; TO BRING FORWARD SECTIONS 43-13-103, 43-13-105, 43-13-109, 43-13-113, 43-13-116, 43-13-120, 43-13-121, 43-13-123, 43-13-125 AND 43-13-139, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1018: AN ACT TO NAME THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY'S GULF COAST REGIONAL FORENSICS LABORATORY, LOCATED IN BILOXI, HARRISON COUNTY, MISSISSIPPI, THE "GARY T. HARGROVE MEMORIAL FORENSICS LABORATORY"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDING DISPLAYING THE OFFICIAL NAME AS THE "GARY T. HARGROVE MEMORIAL FORENSICS LABORATORY"; AND FOR RELATED PURPOSES.

H. B. No. 1047: AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOL DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; TO PROVIDE FURTHER CLARIFICATION ON THE ELIGIBILITY OF LICENSED NATIONAL BOARD CERTIFIED PROFESSIONALS TO RECEIVE THE ANNUAL SALARY SUPPLEMENT WHILE EMPLOYED IN A PUBLIC SCHOOL DISTRICT OR PUBLIC SPECIAL PURPOSE SCHOOL; AND FOR RELATED PURPOSES.

H. B. No. 1076: AN ACT TO CREATE THE RETAILER TAX FAIRNESS ACT; TO DEFINE CERTAIN TERMS RELATING TO ELECTRONIC PAYMENT TRANSACTIONS; TO PROVIDE THAT THE AMOUNT OF ANY STATE AND LOCAL TAXES THAT ARE CALCULATED AS A PERCENTAGE OF AN ELECTRONIC PAYMENT TRANSACTION AMOUNT AND LISTED SEPARATELY ON THE PAYMENT INVOICE OR OTHER DEMAND FOR PAYMENT MUST BE EXCLUDED FROM THE AMOUNT ON WHICH AN INTERCHANGE FEE IS CHARGED FOR THAT ELECTRONIC PAYMENT TRANSACTION; TO PROVIDE CERTAIN REQUIREMENTS FOR PAYMENT CARD NETWORKS; TO PROVIDE THAT A PAYMENT CARD NETWORK IN VIOLATION OF THIS ACT IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN ONE THOUSAND DOLLARS PER VIOLATION, PAYABLE TO THE PLAINTIFF;

H. B. No. 1091: AN ACT TO AMEND SECTION 27-71-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "RETAILER" AND TO DEFINE THE TERM "MICROBREWERY" FOR PURPOSES OF THE LAWS THAT RELATE TO LICENSE AND EXCISE TAXES ON LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER; TO AMEND SECTION 27-71-303, MISSISSIPPI CODE OF 1972, TO IMPOSE A PRIVILEGE TAX ON HOLDERS OF MICROBREWERY PERMITS; TO AMEND SECTION 27-71-307, MISSISSIPPI CODE OF 1972, TO IMPOSE AN EXCISE TAX ON LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PROVIDED BY MICROBREWERIES; TO AMEND SECTION 27-71-509, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT FOR LIGHT WINE, LIGHT SPIRIT

PRODUCT AND BEER THAT MAY BE MANUFACTURED, DISTRIBUTED AND SOLD; TO AMEND SECTION 67-3-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "MICROBREWERY" FOR PURPOSES OF THE LAWS REGULATING THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER; TO AMEND SECTION 67-3-48, MISSISSIPPI CODE OF 1972, TO REVISE THE AMOUNT OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PRODUCED AT A SMALL CRAFT BREWERY THAT THE BREWERY MAY SELL AT RETAIL; TO LIMIT THE AMOUNT OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PRODUCED AT A MICROBREWERY THAT THE MICROBREWERY MAY SELL AT RETAIL; TO AMEND SECTION 67-3-49, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT FOR LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER THAT MAY BE LAWFULLY MANUFACTURED AND DISTRIBUTED; TO AMEND SECTION 67-3-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROHIBITIONS RELATING TO THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER SHALL NOT APPLY TO LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER SOLD ON THE PREMISES OF A MICROBREWERY; TO BRING FORWARD SECTIONS 67-3-9, 67-3-17, 67-3-28, 67-3-47, 67-3-48.1 AND 67-3-53, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF LAW REGULATING THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SMALL CRAFT BREWERIES AND MICROBREWERIES TO OBTAIN ON-PREMISES RETAILER'S PERMITS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO BRING FORWARD SECTION 67-1-5, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1139: AN ACT TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES EMPLOYERS WITH AN AVERAGE MONTHLY WITHHOLDING TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE WITHHOLDING TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF THEIR JUNE WITHHOLDING TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; TO AMEND SECTION 27-65-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES TAXPAYERS WHO ARE REQUIRED TO COLLECT SALES TAX AND WHO HAVE AN AVERAGE MONTHLY SALES TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE SALES TAX LIABILITY FOR THE CURRENT CALENDAR YEAR OR AT LEAST 75% OF THEIR JUNE SALES TAX LIABILITY FOR THE PRECEDING CALENDAR YEAR; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES TAXPAYERS WHO ARE REQUIRED TO COLLECT USE TAX AND WHO HAVE AN AVERAGE MONTHLY USE TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE USE TAX LIABILITY FOR THE CURRENT CALENDAR YEAR OR AT LEAST 75% OF THEIR JUNE USE TAX LIABILITY FOR THE PRECEDING CALENDAR YEAR; AND FOR RELATED PURPOSES.

H. B. No. 1205: AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "TELEMEDICINE" FOR PROVISIONS OF LAW REGARDING COVERAGE OF TELEMEDICINE SERVICES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED

FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

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

H. B. No. 951: AN ACT TO AMEND SECTION 43-19-48, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES TO USE ADDITIONAL METHODS OF COMMUNICATION TO SEND NOTICES RELATING TO ENCUMBRANCES OF ASSETS FOR CHILD SUPPORT TO FINANCIAL INSTITUTIONS IF ALLOWED BY THE FINANCIAL INSTITUTIONS; TO REVISE THE DEFINITION OF THE TERM "ACCOUNT" AS USED IN PROVISIONS RELATING TO THE ENCUMBERING OF ASSETS HELD BY A FINANCIAL INSTITUTION FOR PAST-DUE CHILD SUPPORT; AND FOR RELATED PURPOSES.

H. B. No. 1231: AN ACT TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE USED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION, BASED UPON THE RECOMMENDATION OF THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO PROVIDE ASSISTANCE TO COUNTIES, MUNICIPALITIES, STATE AGENCIES AND NONGOVERNMENTAL ENTITIES FOR THE SUPPORT OF WILDLIFE, NATURE AND OTHER OUTDOOR ACTIVITY CONSERVATION AND PROMOTION PURPOSES; TO CREATE THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE FOR THE COMPOSITION OF THE BOARD OF TRUSTEES; TO PROVIDE THAT THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND SHALL REVIEW APPLICATIONS FOR ASSISTANCE UNDER THIS ACT AND MAKE RECOMMENDATIONS FOR ASSISTANCE TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE STATE SALES TAX REVENUE DERIVED FROM SALES OF BUSINESSES WITH A CERTAIN NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM CODE SHALL BE DEPOSITED INTO THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND, AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE GOVERNOR
February 9, 2021

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

Donald Everett (Don) Hinton, Jr., Hattiesburg, Mississippi, Mississippi Charter School Authorizer Board representing the Second Supreme Court District, term effective immediately and ending June 30, 2023.

Mark Charles Baker, Sr., Brandon, Mississippi, Mississippi Charter School Authorizer Board representing the First Supreme Court District, term effective immediately and ending June 30, 2023.

Tate Reeves
GOVERNOR

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

Donald Everett (Don) Hinton, Jr., Mississippi Charter School Authorizer Board, term effective immediately and ending June 30, 2023, Education.

Mark Charles Baker, Sr., Mississippi Charter School Authorizer Board, term effective immediately and ending June 30, 2023, Education.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 195: AN ACT TO AMEND SECTION 23-15-859, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY MUNICIPALITY WITH A POPULATION OF 2,500 RESIDENTS OR LESS TO CONDUCT A SPECIAL ELECTION FOR ANY ISSUE OR CANDIDATE AT ONE CENTRALIZED POLLING PLACE; TO AMEND SECTION 23-15-557, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 23-15-300, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INDIVIDUAL HAVING MET THE TWO-YEAR RESIDENCY REQUIREMENT FOR MUNICIPAL OR COUNTY OFFICE, SHALL ONLY RESIDE IN THE WARD OF DISTRICT OF REPRESENTATION AT THE TIME OF QUALIFYING FOR SUCH OFFICE; AND FOR RELATED PURPOSES.

H. B. No. 287: AN ACT TO AMEND SECTIONS 9-23-1 AND 9-23-3, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO DRUG INTERVENTION COURTS; TO AMEND SECTION 9-23-5, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS RELATING TO VARIOUS TYPES OF INTERVENTION COURTS; TO BRING FORWARD SECTION 9-23-9, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 9-23-11, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COLLECTION OF DATA BY THE ADMINISTRATIVE OFFICE OF COURTS ON PARTICIPANTS IN INTERVENTION PROGRAMS; TO AMEND SECTIONS 9-23-13 AND 9-23-15, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO DRUG INTERVENTION COURTS; TO AMEND SECTION 9-23-17, MISSISSIPPI CODE OF 1972, TO PROVIDE EVALUATION STANDARDS; TO AMEND SECTIONS 9-23-19, 9-23-21, 9-23-23, 9-23-51, 9-25-1, 9-27-1, 9-27-3, 9-27-5, 9-27-7, 9-27-9 AND 9-27-11, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO VARIOUS TYPES OF INTERVENTION COURTS; TO AMEND SECTIONS 9-27-15, 9-27-17 AND 9-27-19, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO MENTAL HEALTH INTERVENTION COURTS; TO BRING FORWARD SECTIONS 9-7-5, 9-7-7, 9-7-45, 9-7-46, 9-5-13, 25-31-5 AND 25-31-10, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 330: AN ACT TO AMEND SECTION 83-11-101, MISSISSIPPI CODE OF 1972, TO REVISE THE UNINSURED MOTORIST COVERAGE LAW TO PROVIDE THAT AN INSURANCE POLICY COVERING A POLITICAL SUBDIVISION SHALL BE PROHIBITED FROM PAYING FOR ANY ELEMENT OF LOSS IF THE INDIVIDUAL IS ENTITLED TO RECEIVE PAYMENT FOR THE SAME ELEMENT OF LOSS ARISING FROM THE SAME OCCURRENCE THROUGH ANOTHER INSURANCE POLICY

PURCHASED BY THE SAME POLITICAL SUBDIVISION; AND FOR RELATED PURPOSES.

H. B. No. 359: AN ACT TO AUTHORIZE MUNICIPALLY-OWNED UTILITIES AND CERTAIN OTHER ENTITIES THAT ARE LOCATED WITHIN A MUNICIPALITY HAVING A POPULATION OF ONE HUNDRED FIFTY THOUSAND OR MORE TO ADOPT RULES AND PROCEDURES AUTHORIZING ACCOUNTING SYSTEM ACCOMMODATION OF CERTAIN UNCOLLECTIBLE INDEBTEDNESS OWED BY A CUSTOMER FOR UTILITY SERVICES; TO AMEND SECTIONS 31-19-27, 31-19-29 AND 21-27-27, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO SPECIFICALLY AUTHORIZE RATE STRUCTURES BASED ON CERTAIN FACTORS; TO ALLOW SUCH MUNICIPALLY-OWNED UTILITIES AND CERTAIN OTHER ENTITIES TO CREATE ASSISTANCE PROGRAMS FOR LOW-INCOME CUSTOMERS; AND FOR RELATED PURPOSES.

H. B. No. 424: AN ACT TO DESIGNATE A SEGMENT OF HIGHWAY 44 LOCATED IN MARION COUNTY, MISSISSIPPI, AS THE "T.L. WALLACE MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 603 LOCATED IN HANCOCK COUNTY, MISSISSIPPI, AS THE "LIEUTENANT DEPUTY MICHAEL ANTHONY BOUTTE, SR., MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 63 LOCATED IN JACKSON COUNTY, MISSISSIPPI, AS THE "DEPUTY U.S. MARSHAL JOSIE LAMAR WELLS MEMORIAL HIGHWAY"; TO AMEND SECTION 65-3-71.320, MISSISSIPPI CODE OF 1972, TO REVISE THE NAMING OF A MEMORIAL HIGHWAY SEGMENT OF MISSISSIPPI HIGHWAY 42 IN GREENE COUNTY, MISSISSIPPI, AS THE "DEPUTY U.S. MARSHAL JAKE GREEN AND GREENE COUNTY DEPUTY LAWRENCE DUNNAM MEMORIAL HIGHWAY, EOW APRIL 1, 1921"; AND FOR RELATED PURPOSES.

H. B. No. 429: AN ACT TO AMEND SECTION 93-19-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PERSONS EIGHTEEN YEARS OF AGE OR OLDER TO ENTER INTO BINDING CONTRACTUAL RELATIONSHIPS FOR THE PURPOSE OF INVESTING IN MUTUAL FUNDS; TO BRING FORWARD SECTION 1-3-27, MISSISSIPPI CODE OF 1972, WHICH DEFINES THE TERM "MINOR", FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 1-3-41, MISSISSIPPI CODE OF 1972, WHICH DEFINES THE TERM "PERSONAL PROPERTY", FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 536: AN ACT TO AMEND SECTION 71-5-11, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "UNEMPLOYMENT" TO EXCLUDE INDIVIDUALS RECEIVING VOLUNTARY PAYMENTS FROM EMPLOYERS IF THOSE PAYMENTS EQUAL THEIR REGULAR SALARY AND INDIVIDUALS ON ADMINISTRATIVE LEAVE; TO AMEND THE DEFINITION OF "WAGES" TO INCLUDE PAYMENTS FROM EMPLOYERS THAT ARE IN LIEU OF THE EMPLOYEE'S REGULAR WAGES; TO AMEND SECTION 71-5-365, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT SECURITY TO DESIGNATE A DEPARTMENT EMPLOYEE TO DETERMINE WHETHER AN EMPLOYER REPORT ON CONTRIBUTIONS DUE IS INCORRECT OR SUFFICIENT, MAKE AN ASSESSMENT ON BEST INFORMATION AVAILABLE, ASSESS THE CONTRIBUTIONS DUE, AND ASSESS A PENALTY IF ONE IS NEEDED FOR NONCOMPLIANT EMPLOYERS; TO AMEND SECTION 71-5-363, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT SECURITY TO ABATE INTEREST ACCRUED ON PAST DUE CONTRIBUTIONS OR OVERPAYMENTS WHEN NEGOTIATING THE SETTLEMENTS OF SUCH PAST DUE AMOUNTS; TO AMEND SECTION 71-5-389, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT TAX OFFSETS ARE FROM BOTH THE MISSISSIPPI DEPARTMENT OF REVENUE AND THE UNITED STATES DEPARTMENT OF TREASURY; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A PERSON WHO ACQUIRES A BUSINESS SOLELY TO OBTAIN A LOWER RATE OF UNEMPLOYMENT INSURANCE CONTRIBUTIONS

SHALL HAVE A TWO PERCENT INCREASE IN THE TAX RATE; TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL EDUCATION REFORM (CCATER) ACT"; TO BRING FORWARD SECTION 37-15-38, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF EDUCATION TO PROVIDE NOTICE TO ALL INCOMING MIDDLE SCHOOL AND JUNIOR HIGH STUDENTS OF THE CAREER AND TECHNICAL EDUCATION PROGRAMS OFFERED BY LOCAL SCHOOL BOARDS; TO REQUIRE ALL STUDENTS TO TAKE THE ACT WORKKEYS ASSESSMENT; TO PROVIDE THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ACT WORKKEYS ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH OR ELEVENTH GRADE; TO REVISE THE CURRICULUM IN THE CAREER AND TECHNICAL EDUCATION PROGRAM; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER LICENSE FROM ONE YEAR TO FIVE YEARS; TO PROVIDE THAT CERTAIN INSTRUCTIONAL STAFF EMPLOYED BY A PUBLIC SCHOOL DISTRICT OR NONPUBLIC SCHOOL ACCREDITED OR APPROVED BY THE STATE FOR A MINIMUM OF FIVE YEARS SHALL BE GRANTED A STANDARD TEACHER LICENSE; TO REQUIRE SUCH TEACHERS TO COMPLY WITH ANY ADDITIONAL REQUIREMENTS FOR EXISTING TEACHERS, INCLUDING PROFESSIONAL DEVELOPMENT TRAINING AND COMPLETION OF THE REQUIRED CONTINUING EDUCATION UNITS; TO AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, WHICH SHALL BE WEIGHTED IN THE SAME PERCENTAGE AS THE STANDARD ACT ASSESSMENT; TO REQUIRE THE STATE BOARD OF EDUCATION, ACTING THROUGH THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT, AND IN CONJUNCTION WITH THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REQUIRE EACH EDUCATOR PREPARATION PROGRAM IN THE STATE TO INCLUDE A PRAXIS CORE ACADEMIC SKILLS FOR EDUCATORS EXAMINATION AND A PRAXIS II EXAMINATION PREPARATORY REVIEW COURSE, AS PART OF ITS CURRICULUM; AND FOR RELATED PURPOSES.

H. B. No. 929: AN ACT TO BRING FORWARD SECTIONS 47-5-533 THROUGH 47-5-575, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI PRISON INDUSTRIES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO CREATE A PILOT REENTRY COURT; TO ESTABLISH A REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AUTHORIZE THE JUDGE PRESIDING OVER THE PILOT REENTRY COURT AT THE TIME OF INITIAL SENTENCING OF ANY OFFENDER TO RECOMMEND THE OFFENDER BE PLACED IN THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM FOR A PERIOD OF NO MORE THAN THREE YEARS AFTER THE INITIAL SENTENCING; TO RECONSIDER THE SENTENCE AND PLACE THE OFFENDER ON POST-RELEASE SUPERVISION; AND FOR RELATED PURPOSES.

H. B. No. 949: AN ACT TO AMEND SECTION 17-17-227, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO SOLID WASTE MANAGEMENT PLAN SHALL INCLUDE ANY PROPOSED NEW NONHAZARDOUS SOLID WASTE SANITARY LANDFILL IF THE NEW LANDFILL IS LOCATED WITHIN A COUNTY HAVING TWO OR MORE EXISTING PERMITTED NONHAZARDOUS SOLID WASTE SANITARY LANDFILLS THAT ARE ACTIVELY RECEIVING HOUSEHOLD WASTE, UNLESS A REFERENDUM ELECTION HAS BEEN CONDUCTED AND APPROVED; TO AMEND SECTION 17-17-229, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FACILITY

PERMIT GRANT OR LOAN MAY NOT BE ISSUED BY ANY AGENCY OF THE STATE FOR ANY NEW NONHAZARDOUS SOLID WASTE SANITARY LANDFILL IF THE NEW LANDFILL IS LOCATED WITHIN A COUNTY HAVING TWO OR MORE EXISTING PERMITTED NONHAZARDOUS SOLID WASTE SANITARY LANDFILLS THAT ARE ACTIVELY RECEIVING HOUSEHOLD WASTE, UNLESS A REFERENDUM HAS BEEN CONDUCTED AND APPROVED; TO CREATE NEW SECTION 17-17-237, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REFERENDUM PROCESS; AND FOR RELATED PURPOSES.

H. B. No. 1013: AN ACT TO AMEND SECTION 43-13-107, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI MEDICAID COMMISSION TO ADMINISTER THE MEDICAID PROGRAM; TO PROVIDE FOR THE MEMBERSHIP AND APPOINTMENT OF THE COMMISSION; TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE COMMISSION SHALL BE APPOINTED BY THE COMMISSION; TO ABOLISH THE DIVISION OF MEDICAID AND TRANSFER THE POWERS, DUTIES, PROPERTY AND EMPLOYEES OF THE DIVISION TO THE MEDICAID COMMISSION; TO AMEND SECTIONS 43-13-103, 43-13-105, 43-13-109, 43-13-113, 43-13-116, 43-13-117, 43-13-120, 43-13-121, 43-13-123, 43-13-125, 43-13-139 AND 43-13-145, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

H. B. No. 1142: AN ACT TO AMEND SECTION 27-65-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COST OF UNIMPROVED LAND AND THE COSTS OF SALE OF IMPROVED PROPERTY SHALL NOT BE INCLUDED IN THE TOTAL CONTRACT PRICE OR COMPENSATION RECEIVED FOR PURPOSES OF THE CONTRACTOR'S TAX; TO DELETE THE PROVISION OF LAW THAT EXCLUDES RESIDENTIAL CONSTRUCTION FROM THE CONTRACT PRICE OR COMPENSATION RECEIVED FOR PURPOSES OF THE CONTRACTOR'S TAX; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF STATE SALES TAX REVENUE DERIVED FROM THE CONTRACTOR'S TAX SHALL BE DEPOSITED INTO A SPECIAL FUND CREATED BY THIS ACT IN THE STATE TREASURY AND DISTRIBUTED TO MUNICIPALITIES; TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT TO THE EXTENT THAT A COUNTY OR MUNICIPALITY HAS ADOPTED CERTAIN CONSTRUCTION CODES WHICH REQUIRE PERMITTING AS A CONDITION TO CONSTRUCTION, THEN SUCH PERMITS SHALL CONTAIN ON THEIR FACE THE PRIME CONTRACTOR'S MATERIAL PURCHASE CERTIFICATE NUMBER FURNISHED BY THE DEPARTMENT OF REVENUE AND A COPY OF THE MATERIAL PURCHASE CERTIFICATE SHALL BE REQUIRED TO BE PROVIDED TO THE COUNTY OR MUNICIPALITY AS PART OF THE PRIME CONTRACTOR'S APPLICATION FOR SUCH PERMIT, PRIOR TO THE ISSUANCE OF A PERMIT; AND FOR RELATED PURPOSES.

H. B. No. 1253: AN ACT TO AMEND SECTION 31-7-13.2, MISSISSIPPI CODE OF 1972, TO REVISE THE CONSTRUCTION MANAGEMENT AT RISK METHOD OF PROJECT DELIVERY; TO PROVIDE THAT FOR THE PURPOSES OF A QUALIFICATIONS-BASED SELECTION PROCEDURE, A CONTRACT FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES SHALL BE TREATED THE SAME AS A CONTRACT FOR ARCHITECTURAL, ENGINEERING AND LAND SURVEYING SERVICES; TO PROVIDE THAT THE CONSTRUCTION MANAGER SELECTED BY AN AGENCY OR GOVERNING AUTHORITY TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES SHALL SOLICIT BIDS FOR CONSTRUCTION ON THE PROJECT AS PROVIDED IN THE PUBLIC PURCHASING LAW; TO PROVIDE THAT THE CONSTRUCTION MANAGER MAY PREQUALIFY VENDORS AND CONTRACTORS WITH CERTAIN QUALIFICATIONS BEFORE SOLICITING ANY BIDS OR ENTERING INTO ANY CONTRACTS; TO PROVIDE THAT A BIDDER'S CONFIDENTIAL AND PROPRIETARY INFORMATION SHALL NOT BE DISCLOSED TO ANYONE OUTSIDE OF THE AGENCY, GOVERNING AUTHORITY OR CONSTRUCTION MANAGER WITHOUT THE BIDDER'S PRIOR WRITTEN CONSENT;

TO BRING FORWARD SECTION 25-61-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL EDUCATION REFORM (CCATER) ACT"; TO BRING FORWARD SECTION 37-15-38, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF EDUCATION TO PROVIDE NOTICE TO ALL INCOMING MIDDLE SCHOOL AND JUNIOR HIGH STUDENTS OF THE CAREER AND TECHNICAL EDUCATION PROGRAMS OFFERED BY LOCAL SCHOOL BOARDS; TO REQUIRE ALL STUDENTS TO TAKE THE ACT WORKKEYS ASSESSMENT; TO PROVIDE THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ACT WORKKEYS ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH OR ELEVENTH GRADE; TO REVISE THE CURRICULUM IN THE CAREER AND TECHNICAL EDUCATION PROGRAM; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER LICENSE FROM ONE YEAR TO FIVE YEARS; TO PROVIDE THAT CERTAIN INSTRUCTIONAL STAFF EMPLOYED BY A PUBLIC SCHOOL DISTRICT OR NONPUBLIC SCHOOL ACCREDITED OR APPROVED BY THE STATE FOR A MINIMUM OF FIVE YEARS SHALL BE GRANTED A STANDARD TEACHER LICENSE; TO REQUIRE SUCH TEACHERS TO COMPLY WITH ANY ADDITIONAL REQUIREMENTS FOR EXISTING TEACHERS, INCLUDING PROFESSIONAL DEVELOPMENT TRAINING AND COMPLETION OF THE REQUIRED CONTINUING EDUCATION UNITS; TO AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, WHICH SHALL BE WEIGHTED IN THE SAME PERCENTAGE AS THE STANDARD ACT ASSESSMENT; TO REQUIRE THE STATE BOARD OF EDUCATION, ACTING THROUGH THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT, AND IN CONJUNCTION WITH THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REQUIRE EACH EDUCATOR PREPARATION PROGRAM IN THE STATE TO INCLUDE A PRAXIS CORE ACADEMIC SKILLS FOR EDUCATORS EXAMINATION AND A PRAXIS II EXAMINATION PREPARATORY REVIEW COURSE, AS PART OF ITS CURRICULUM; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1136: AN ACT TO CREATE THE MISSISSIPPI EDUCATIONAL TALENT RECRUITMENT ACT; TO ESTABLISH A PROGRAM TO PROVIDE FUNDS TO ASSIST MISSISSIPPI BUSINESSES IN PAYING COSTS ASSOCIATED WITH USING EMPLOYMENT RECRUITING SERVICES FOR THE PURPOSE OF RECRUITING AND EMPLOYING COLLEGE OR UNIVERSITY GRADUATES LIVING AND EMPLOYED OUTSIDE THE STATE OF MISSISSIPPI; TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL ADMINISTER THE PROGRAM; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATIONS BONDS TO PROVIDE FUNDS

FOR THE PROGRAM; TO AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS WHO ARE RESIDENTS OF MISSISSIPPI AND TELEWORKER EMPLOYEES OF EMPLOYERS LOCATED OUTSIDE MISSISSIPPI, FOR COSTS INCURRED FOR BROADBAND OR OTHER COMMUNICATIONS SERVICES NECESSARY TO TELEWORK AS AN EMPLOYEE OF THE EMPLOYER; TO PROVIDE FOR THE AMOUNT OF THE TAX CREDIT; TO AMEND SECTION 27-7-18, MISSISSIPPI CODE OF 1972, TO PROVIDE A DEDUCTION FROM GROSS INCOME FOR TAXPAYERS WHO ARE RESIDENTS OF MISSISSIPPI AND TELEWORKER EMPLOYEES OF EMPLOYERS LOCATED OUTSIDE MISSISSIPPI, FOR COSTS INCURRED FOR BROADBAND OR OTHER COMMUNICATIONS SERVICES NECESSARY TO TELEWORK AS AN EMPLOYEE OF THE EMPLOYER; TO ESTABLISH A HOME GRANT PROGRAM FOR COLLEGE OR UNIVERSITY GRADUATES WHO PURCHASE A HOUSE AND RESIDE IN MISSISSIPPI; TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL ADMINISTER THE GRANT PROGRAM; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATIONS BONDS TO PROVIDE FUNDS FOR THE GRANT PROGRAM; TO AMEND SECTION 25-11-109, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO RECEIVE NOT MORE THAN FIVE YEARS OF CREDITABLE SERVICE FOR SERVICE RENDERED AS AN EMPLOYEE OF ANY PUBLIC OR PRIVATE EMPLOYER IN THIS STATE THAT DOES NOT PARTICIPATE IN THE RETIREMENT SYSTEM; TO PROVIDE THAT IN ORDER TO BE ABLE TO RECEIVE THAT SERVICE, THE MEMBER CANNOT BE RECEIVING A RETIREMENT ALLOWANCE THAT INCLUDES THAT SERVICE FROM ANY PUBLIC OR PRIVATE RETIREMENT SYSTEM OR PLAN SPONSORED BY THE EMPLOYER, AND THE MEMBER MUST PAY TO THE RETIREMENT SYSTEM BEFORE THE DATE OF RETIREMENT THE ACTUARIAL COST AS DETERMINED BY THE ACTUARY FOR EACH YEAR, OR PORTION THEREOF, OF CREDITABLE SERVICE; AND FOR RELATED PURPOSES.

H. B. No. 1301: AN ACT TO CREATE THE "COMPREHENSIVE CAREER AND TECHNICAL EDUCATION REFORM (CCATER) ACT"; TO BRING FORWARD SECTION 37-15-38, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 37-16-17, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE BOARD OF EDUCATION TO PROVIDE NOTICE TO ALL INCOMING MIDDLE SCHOOL AND JUNIOR HIGH STUDENTS OF THE CAREER AND TECHNICAL EDUCATION PROGRAMS OFFERED BY LOCAL SCHOOL BOARDS; TO REQUIRE CERTAIN STUDENTS TO TAKE THE ACT WORKKEYS ASSESSMENT; TO PROVIDE THAT EACH INDIVIDUAL SCHOOL DISTRICT SHALL DETERMINE WHETHER THE ACT WORKKEYS ASSESSMENT IS ADMINISTERED IN THE NINTH, TENTH OR ELEVENTH GRADE; TO PROVIDE THE CURRICULUM THAT MAY BE INCLUDED IN CAREER TECHNICAL EDUCATION PATHWAYS; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LOCAL BUSINESS OR OTHER PROFESSIONAL PERSONNEL SHALL NOT BE REQUIRED TO HOLD AN ASSOCIATE OR BACHELOR'S DEGREE IN ORDER TO BE GRANTED AN EXPERT CITIZEN-TEACHER LICENSE; TO EXPAND THE EXPERT CITIZEN-TEACHER LICENSE FROM ONE YEAR TO FIVE YEARS; TO AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO AMEND SECTION 37-17-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACCREDITATION SYSTEM SHALL INCLUDE STUDENT PERFORMANCE ON THE ADMINISTRATION OF THE ACT WORKKEYS ASSESSMENT, WHICH SHALL BE WEIGHTED IN THE SAME PERCENTAGE AS THE STANDARD ACT ASSESSMENT; TO REQUIRE THE STATE BOARD OF EDUCATION, ACTING THROUGH THE COMMISSION ON TEACHER AND ADMINISTRATOR EDUCATION, CERTIFICATION AND LICENSURE AND DEVELOPMENT, AND IN CONJUNCTION WITH THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REQUIRE EACH EDUCATOR PREPARATION PROGRAM IN THE STATE TO INCLUDE A PRAXIS CORE ACADEMIC SKILLS FOR EDUCATORS EXAMINATION AND A PRAXIS II EXAMINATION PREPARATORY REVIEW COURSE, AS PART OF ITS CURRICULUM; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR FRIDAY, FEBRUARY 12, 2021

FORTY-SECOND DAY, MONDAY, FEBRUARY 15, 2021

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

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

Present--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Carter, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams. Total--37.

Absent--Blackmon, Branning, Butler, Caughman, Chassaniol, Chism, Jordan, McDaniel, McMahan, Parks, Simmons S. (13th), Sojourner, Turner-Ford, Witherspoon, Younger. Total--15.

The Secretary announced a quorum present.

Leave of absence was granted to Senator McMahan.

The invocation was delivered by Senator Sparks.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. N. No. 17 and S. N. No. 18 and the motion prevailed.

Senator Kirby called up the following entitled nominations:

S. N. No. 17: Amanda Frusha, Jackson, Mississippi, Mississippi Commission on the Status of Women, term effective January 11, 2021 and ending January 11, 2025.

S. N. No. 18: Vivian Walker Dailey, Gautier, Mississippi, Mississippi Commission on the Status of Women, term is effective January 12, 2021 and ending January 12, 2025.

YEAS AND NAYS on consideration en bloc of S. N. No. 17 and S. N. No. 18. On motion of Senator Kirby, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Carter, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams. Total--37.

Nays--None.

Absent and those not voting--Blackmon, Branning, Butler, Caughman, Chassaniol, Chism, Jordan, McDaniel, McMahan, Parks, Simmons S. (13th), Sojourner, Turner-Ford, Witherspoon, Younger. Total--15.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 521, S. C. R. No. 527, S. R. No. 3, S. R. No. 4, S. R. No. 5, S. R. No. 6, S. R. No. 7, S. R. No. 8, S. R. No. 9, S. R. No. 10, S. R. No. 11, S. R. No. 12, S. R. No. 13, H. C. R. No. 1 and H. C. R. No. 2 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 521: Recognize the induction of Grammy Award-Winning Country Music Artist Marty Stuart into the Country Music Hall of Fame.

S. C. R. No. 527: Congratulate Coach Lane Kiffin and Ole Miss "Rebels" Football Team for impressive victory in Outback Bowl and for 2020 season.

S. R. No. 3: Congratulate Magee Trojans Football Team for winning 3A State Championship.

S. R. No. 4: Recognize Noah Harris of Natchez/Hattiesburg as Harvard's first African American male student body President.

S. R. No. 5: Commend judicial contributions and legacy of former 14th Chancery District Judge Dorothy Colom.

S. R. No. 6: Congratulate Lumberton High School "Panthers" Football Team for MHSAA Class 1A State Championship.

S. R. No. 7: Congratulating Oak Grove High School "Warriors" Football Team for winning Class 6A State Championship.

S. R. No. 8: Paying tribute to 52-year law enforcement career of Constable Houston "Hoot" West of Caledonia, MS, and extending condolences.

S. R. No. 9: Recognize Raphael Semmes as the recipient of the 2021 Governor's Arts Award as Mississippi Cultural Ambassador.

S. R. No. 10: Recognize Arthur Jafa as the recipient of the 2021 Governor's Arts Award for Excellence in Media Arts.

S. R. No. 11: Recognize the Tutwiler Quilters as the recipient of the 2021 Governor's Arts Award for Arts in the Community.

S. R. No. 12: Recognize Jesmyn Ward as the recipient of the 2021 Governor's Arts Award for Excellence in Literature.

S. R. No. 13: Recognize Benjamin Wright as the recipient of the 2021 Governor's Arts Award for Lifetime Achievement.

H. C. R. No. 1: Bobby Paschal Martin; commend life and legacy upon his passing.

H. C. R. No. 2: Former Representative Gary V. Staples; commend legislative career and mourn loss upon his passing.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 521, S. C. R. No. 527, S. R. No. 3, S. R. No. 4, S. R. No. 5, S. R. No. 6, S. R. No. 7, S. R. No. 8, S. R. No. 9, S. R. No. 10, S. R. No. 11, S. R. No. 12, S. R. No. 13, H. C. R. No. 1 and H. C. R. No. 2. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Carter, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams. Total--37.

Nays--None.

Absent and those not voting--Blackmon, Branning, Butler, Caughman, Chassaniol, Chism, Jordan, McDaniel, McMahan, Parks, Simmons S. (13th), Sojourner, Turner-Ford, Witherspoon, Younger. Total--15.

Unanimous consent was granted to add Senators Blackwell, DeLano, England, Fillingane, Jackson S. (32nd), McCaughn, Seymour, Sparks and Suber as co-authors of **S. C. R. No. 521**.

Unanimous consent was granted to add Senators Blackwell, DeLano, Fillingane, Jackson S. (32nd), McCaughn, Sparks and Suber as co-authors of **S. C. R. No. 527**.

Unanimous consent was granted to add Senators Fillingane and Jackson S. (32nd) as co-authors of **S. R. No. 3**.

Unanimous consent was granted to add Senators Blackwell, Fillingane and Jackson S. (32nd) as co-authors of **S. R. No. 4**.

Unanimous consent was granted to add Senators Fillingane and Jackson S. (32nd) as co-authors of **S. R. No. 5**.

Unanimous consent was granted to add Senators Fillingane, Jackson S. (32nd) and Seymour as co-authors of **S. R. No. 6**.

Unanimous consent was granted to add Senators Fillingane and Jackson S. (32nd) as co-authors of **S. R. No. 7**.

Unanimous consent was granted to add Senators Fillingane and Jackson S. (32nd) as co-authors of **S. R. No. 8**.

Unanimous consent was granted to add Senators Fillingane and Jackson S. (32nd) as co-authors of **S. R. No. 9**.

Unanimous consent was granted to add Senators Fillingane and Jackson S. (32nd) as co-authors of **S. R. No. 10**.

Unanimous consent was granted to add Senator Jackson S. (32nd) as co-author of **S. R. No. 11**.

Unanimous consent was granted to add Senators Thompson and Jackson S. (32nd) as co-authors of **S. R. No. 12**.

Unanimous consent was granted to add Senator Jackson S. (32nd) as co-author of **S. R. No. 13**.

Senator Tate called up the motion to reconsider the vote whereby **S. B. No. 2588** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2588: Statewide Elections Management System; remove electors who fail to respond to notice.

The foregoing motion prevailed.

Senator Polk called up the motion to reconsider the vote whereby **S. B. No. 2727** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2727: Department of Archives & History; bring forward provisions establishing the department and its board of directors.

The foregoing motion prevailed.

Senators Fillingane, Barnett, Barrett, McDaniel (in his absence) and Caughman (in his absence) moved that when the Senate adjourns, it adjourn in memory of Judge Eddie H. Bowen of Raleigh, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Troy L. "T. L." Rouse of Agricola, MS.

Senators Blount and Boyd moved that when the Senate adjourns, it adjourn in memory of Ron Fender of Jackson, MS.

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Curtis Morgan and Veon Gilmore of Heidelberg, MS.

Senator Blackwell moved that the Senate adjourn until 2:00 PM, Tuesday, February 16, 2021.

The motion prevailed, and at 4:33 PM, the Senate stood adjourned in memory of Judge Eddie H. Bowen, Troy L. "T. L." Rouse, Ron Fender, Curtis Morgan and Veon Gilmore.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, FEBRUARY 15, 2021

FORTY-THIRD DAY, TUESDAY, FEBRUARY 16, 2021

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

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

Present--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams. Total--36.

Absent--Blackmon, Branning, Butler, Carter, Caughman, Chassaniol, Hill, Hopson, Jordan, McDaniel, Parks, Simmons S. (13th), Sojourner, Turner-Ford, Witherspoon, Younger. Total--16.

The Secretary announced a quorum present.

The invocation was delivered by Senator Wiggins.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Kenya McDaniel of Arlington, TX.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of T. C. Randle of Belzoni, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Betty Seymour and Ann Grace Newman of St. Martin Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of George Maxey Waddell of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Patricia Mae Brickerd of Perkinston Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Cleo Awrey of Poplarville, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ed Nybo of Magnolia Community, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Wilma Doris Stewart of Wiggins, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Dr. William P. Thompson, MD of Yazoo County, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Donald Steele Bell of Bruce, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 17, 2021.

The motion prevailed, and at 2:07 PM, the Senate stood in recess.

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

H. B. No. 6: University and colleges anti-hazing policy; require Board of Trustees of IHL to develop policy against hazing and prescribe penalties. Universities and Colleges; Judiciary, Division B.

H. B. No. 82: Community or junior colleges; authorize to administer construction contracts of \$1,000,000.00 or less, and exempt certain oversight. Finance.

H. B. No. 111: Community and junior colleges; authorize boards of trustees to approve policies permitting waiver of out-of-state tuition. Universities and Colleges; Appropriations.

H. B. No. 135: MS Critical Teacher Shortage Act of 1998; extend repealer on. Education.

H. B. No. 370: Public purchasing laws; exempt purchase of nonadopted and adopted textbooks by MDE for nonpublic schools. Education; Accountability, Efficiency, Transparency.

H. B. No. 633: Computer science curriculum; require State Department of Education to implement in K-12 public schools. Education.

H. B. No. 754: Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan. Education.

H. B. No. 852: Teachers' and teacher's assistants' salaries; provide increase to minimum salary. Education; Appropriations.

H. B. No. 925: School buildings; require new construction and certain renovations to include refillable water bottle stations. Education; Accountability, Efficiency, Transparency.

H. B. No. 1029: Income share agreements; authorize IHLs to enter into with eligible students. Universities and Colleges; Accountability, Efficiency, Transparency.

H. B. No. 1047: Nationally certified licensed school employees; delete caps on nurses and speech pathologists and add athletic trainers for salary supplements. Education; Appropriations.

H. B. No. 1123: Early Learning Collaborative Act of 2013; revise funding and specify teaching standards. Education; Appropriations.

H. B. No. 1160: Dual Credit Community College Scholarship Program; create. Universities and Colleges; Appropriations.

H. B. No. 1179: William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create. Education; Appropriations.

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

H. B. No. 8: UMMC property; revise leasing authority by removing certain minimum requirements of improvements to development. Public Property.

H. B. No. 9: MS Law Enforcement Officers' Training Academy; name firing range as the "Lieutenant Colonel Pat Cronin Firing Range." Public Property.

H. B. No. 213: DFA; authorize Office of Surplus Property to administer the Federal Donation Program. Public Property.

H. B. No. 487: County and public libraries; repeal certain provisions related to. Education.

H. B. No. 499: Qualified equity investment tax credits; extend authority of Mississippi Development Authority to allocate. Finance.

H. B. No. 955: Abandoned mobile homes; establish a procedure to dispose of. Finance.

H. B. No. 1018: State buildings; name DPS Gulf Coast Regional Forensics Laboratory as the "Gary T. Hargrove Memorial Forensic Laboratory." Public Property.

H. B. No. 1156: Public property; authorize certain state property conveyed to Jackson to be used for park and recreational purposes. Public Property; Accountability, Efficiency, Transparency.

H. B. No. 1237: PEER committee; require to review the operations of Child Protection Services. Accountability, Efficiency, Transparency.

H. B. No. 1246: Capitol Complex Improvement District; authorize demolition of slum and blighted properties located within. Accountability, Efficiency, Transparency.

H. B. No. 1312: State Board of Cosmetology; extend repealer on. Public Health and Welfare.

H. B. No. 1313: State Board of Funeral Service; extend repealer on. Accountability, Efficiency, Transparency.

H. B. No. 1360: Appropriation; additional for the Department of Marine Resources for Fiscal Year 2021. Appropriations.

H. C. R. No. 33: Ruby Kate Bowles; commend her life upon her passing. Rules.

H. C. R. No. 34: James "David" Alford, Sr.; commend life and legacy upon his passing. Rules.

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

H. B. No. 72: Dentists; provide immunity for providing charitable and emergency services. Judiciary, Division A.

H. B. No. 73: Chiropractors; extend repealer on licensure law. Public Health and Welfare.

H. B. No. 95: Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks. Public Health and Welfare.

H. B. No. 160: State Department of Health and State Board of Health; extend repealer on. Public Health and Welfare.

H. B. No. 200: Remote patient monitoring services; delete requirement of 2 recent hospitalizations to qualify for. Public Health and Welfare.

H. B. No. 208: Psychologists; extend repealer on licensure law and remove postdoctoral training requirements for licensure. Public Health and Welfare.

H. B. No. 294: Hospices; delete repealer on authority for prescribing certain drugs without in-person visit with a patient. Public Health and Welfare.

H. B. No. 296: Hospice licensure; extend moratorium on and authorize issuance of 2 pediatric palliative care licenses. Public Health and Welfare; Accountability, Efficiency, Transparency.

H. B. No. 1302: Optometry; Board shall define practice of, and authorize to perform certain procedures and use and prescribe certain drugs. Public Health and Welfare.

H. B. No. 1303: Advanced practice registered nurses; revise certain provisions relating to, including collaboration requirement. Public Health and Welfare.

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

H. B. No. 100: MS Telephone Solicitation Act; extend repealer on requirement that fees be deposited into State General Fund. Accountability, Efficiency, Transparency.

H. B. No. 136: Individual bond; require for public officers and employees handling or having the custody of public funds. Finance.

H. B. No. 219: Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. County Affairs.

H. B. No. 274: Law enforcement officers; allow certain use of uniform, weapon, vehicle and equipment for disaster relief when off-duty. Municipalities.

H. B. No. 307: Health department; authorize certain charges for services with other agencies for operation of medical marijuana program. Appropriations.

H. B. No. 357: Bonding requirement for county purchase clerk; increase. County Affairs.

H. B. No. 358: Bonding requirement for school purchasing agents; increase. Education.

H. B. No. 425: Ad valorem tax; revise certain provisions regarding when an application for change of property assessment may be made. Finance.

H. B. No. 453: Law enforcement officers; allow off-duty use of official vehicles while performing certain volunteer services in off-duty hours. Judiciary, Division B.

H. B. No. 500: Mississippi Home Corporation; extend reverter on authority to issue a certain amount of bonds. Finance.

H. B. No. 508: Department of Revenue; allow retiring law enforcement officer of to retain issued sidearm. Finance.

H. B. No. 509: Unemployment compensation; allow withholding of state income tax. Finance.

H. B. No. 510: Motor vehicle certificate of title; limit period for which Department of Revenue must retain. Finance.

H. B. No. 511: Amusement ride operating permit decal; revise period for issuance. Finance.

H. B. No. 512: ABC agents/inspectors; revise certain provisions regarding powers of. Finance.

H. B. No. 516: Department of Revenue; allow department appraisers to receive certain pay increases upon completing certain training. Finance.

H. B. No. 518: Department of Revenue; authorize to create wholesale to retail accountability program. Finance.

H. B. No. 519: Motor vehicle license tags; remove requirement for apportioned vehicles to have decal with expiration month/year on tag. Finance.

H. B. No. 520: Use tax; revise certain provisions regarding funds distributed to municipalities/counties for road improvements. Finance.

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Finance.

H. B. No. 609: Public purchasing law; exempt procurement of certain aircraft by state institutions of higher learning from. Universities and Colleges; Accountability, Efficiency, Transparency.

H. B. No. 638: Alcoholic beverages; revise various provisions relating to distilleries. Finance.

H. B. No. 667: Alcoholic beverages; delete requirement for immediate permit revocation for certain prohibited sales. Finance.

H. B. No. 718: Campaign finance reports; require those filed by all candidates to be available online. Elections; Accountability, Efficiency, Transparency.

H. B. No. 750: Deputy Secretaries of State; authorize creation of. Accountability, Efficiency, Transparency.

H. B. No. 762: Bonds; revise purposes for which bonds authorized for Town of Wesson may be used. Finance.

H. B. No. 814: Public Procurement Review Board; exempt certain contracts entered into by Attorney General's office from oversight of. Accountability, Efficiency, Transparency; Appropriations.

H. B. No. 877: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Finance.

H. B. No. 886: Law enforcement officers; exempt from concealed firearms permit fees and renewal fees. Judiciary, Division B.

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

H. B. No. 945: Light wine, beer and light spirit product; revise number of qualified electors required to petition for election to prohibit or authorize. Finance.

H. B. No. 1076: Retailer Tax Fairness Act; create. Finance.

H. B. No. 1135: Alcoholic beverages; create delivery service permit. Finance.

H. B. No. 1137: Ad valorem tax; revise certain provisions regarding the determination of true value of land used for agricultural purposes. Finance; Agriculture.

H. B. No. 1139: Income, sales and use taxes; remove requirement that certain taxpayers pay June tax liability on or before June 25. Finance.

H. B. No. 1213: State Personnel Board; require exempted agencies' reports to include quantifiable data and to be sent to SPB, PEER and LBO. Accountability, Efficiency, Transparency.

H. B. No. 1230: Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs. Finance.

H. B. No. 1288: Charter vessel operator's permit; create to authorize the sale of alcoholic beverages by the holder of. Ports and Marine Resources.

H. B. No. 1296: Historic property income tax credit; revise certain provisions regarding. Finance.

H. B. No. 1326: Compact for a Balanced Budget; revise delegate membership and extend sunset provision. Rules.

H. B. No. 1327: State of emergency; provide a maximum time period for and authorize Department of Health to store dead bodies if necessary. Public Health and Welfare.

H. C. R. No. 10: Arthur James Anderson, Sr.; commend the life, legacy and contributions upon his passing. Rules.

H. C. R. No. 11: Magee High School Football Team; commend upon winning MHSAA Class 3A State Championship. Rules.

H. C. R. No. 20: Former Representative Nolan Mettetal; mourn loss and commemorate laudable legislative career upon his passing. Rules.

H. C. R. No. 22: Barabbas Leasy; commend contributions throughout many years of service in education. Rules.

H. C. R. No. 25: Former Representative Nolan "Ray" R. Rogers; mourn loss and commemorate laudable legislative career upon his passing. Rules.

H. C. R. No. 27: Mississippi Highway Patrol Lt. Troy Morris; commend life and legacy upon his passing. Rules.

H. C. R. No. 30: 2020 MHSAA Mr. Football Award recipients; commend and congratulate. Rules.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Kenya McDaniel, T. C. Randle, Donald Steele Bell, Betty Seymour, Ann Grace Newman, George Maxey Waddell, Patricia Mae Brickerd, Cleo Awrey, Ed Nybo, Wilma Doris Stewart and Dr. William P. Thompson, MD.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, FEBRUARY 16, 2021

S. B. No. 2957: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING FUNDS TO THE MAGNET COMMUNITY HEALTH DISPARITY PROGRAM TO BE USED TO ADDRESS THE DISPROPORTIONATE IMPACT ON THE MINORITY COMMUNITY OF CORONAVIRUS INFECTIONS AND DEATHS FROM COVID-19, FOR THE FISCAL YEAR 2022.

By Senator(s) Jackson (11th), Jordan, Butler, Simmons (13th), Barnett, Thomas, Turner-Ford, Jackson (32nd), Witherspoon, Frazier, Norwood, Horhn, Blackmon

S. B. No. 2958: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE KIPLING WATER ASSOCIATION TO DEFRAY EXPENSES FOR A RUNNING WATER LINE FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

S. B. No. 2959: Finance

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY QUALIFYING COUNTY TO DESIGNATE PROJECTS AS TRANSFORMATIVE RENEWABLE ENERGY PROJECTS; TO PROVIDE THE ASSESSMENT RATIO FOR PROPERTY OWNED BY TRANSFORMATIVE RENEWABLE ENERGY PROJECTS; TO AMEND SECTION 27-35-4, MISSISSIPPI CODE OF 1972, WHICH RELATES TO RATES OF ASSESSMENT FOR PROPERTY, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2960: Finance

AN ACT TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO ADJUST THE INCOME TAX RATES FOR NATURAL PERSONS; TO PROVIDE THAT, FROM AND AFTER JANUARY 1, 2022, NO TAX SHALL BE LEVIED, AUTHORIZED OR OTHERWISE PERMITTED UPON THE FIRST \$10,000.00 OF WAGES OR PERSONAL INCOME OF NATURAL PERSONS; TO SET THE TAX RATE ON ALL WAGES OR PERSONAL INCOME OF NATURAL PERSONS IN EXCESS OF \$10,000.00 AT 4.5%, TO DECREASE BY .50% EACH YEAR THEREAFTER UNTIL THE TAX RATE IS 0%; TO PROVIDE THAT, FROM AND AFTER JANUARY 1, 2031, NO TAX SHALL BE LEVIED, AUTHORIZED OR OTHERWISE PERMITTED UPON THE WAGES OR

PERSONAL INCOME OF NATURAL PERSONS, NOR SHALL ANY STATE OR LOCAL TAX MEASURED BY PAYROLL, WAGES OR PERSONAL INCOME BE LEVIED, AUTHORIZED OR OTHERWISE PERMITTED; TO SPECIFY THAT THESE ADJUSTMENTS SHALL NOT BE CONSTRUED AS PROHIBITING ANY OTHER TAXING AUTHORITY SET FORTH IN THE CONSTITUTION AND IN EFFECT ON JULY 1, 2021, OR ADJUSTMENT OF THE RATE OF SUCH TAX; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

S. B. No. 2961: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF PURVIS, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPLACEMENT OF THE TRAFFIC SIGNAL SYSTEM AT THE INTERSECTION OF U.S. HIGHWAY 11 AND MISSISSIPPI HIGHWAY 589; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2962: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF PURVIS, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A NEW CITY HALL; AND FOR RELATED PURPOSES.

By Senator(s) Polk

S. B. No. 2963: Finance

AN ACT TO AMEND SECTION 55, CHAPTER 454, LAWS OF 2019, TO INCREASE FROM \$1,000,000.00 TO \$2,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED TO PROVIDE FUNDS TO ASSIST ADAMS COUNTY, MISSISSIPPI, IN PAYING THE COSTS RELATED TO THE COMPLETION OF THE BELWOOD LEVEE IN ADAMS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

S. B. No. 2964: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF TUNICA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE HISTORIC COUNTY COURTHOUSE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2965: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF TUNICA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION AND IMPROVEMENT OF CERTAIN LOCAL ROADS AND HIGHWAYS USED PRIMARILY BY CUSTOMERS OF THE CASINOS OF TUNICA COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 2966: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF LAWRENCE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PAVEMENT MAINTENANCE FOR THE N.A. SANDIFER HIGHWAY; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

S. B. No. 2967: Finance; Economic and Workforce Development

AN ACT TO AMEND SECTION 57-73-23, MISSISSIPPI CODE OF 1972, TO RAISE, FROM 50% TO 75%, THE INCOME TAX CREDIT AUTHORIZED FOR AN EMPLOYER PROVIDING DEPENDENT CARE FOR EMPLOYEES DURING WORK HOURS; TO AMEND SECTION 27-7-22.3, MISSISSIPPI CODE OF 1972, TO CHANGE THE MAXIMUM AMOUNT OF THE ECONOMIC DEVELOPMENT INCOME TAX CREDIT TO THE AMOUNT OF INTEREST EXPENSE PAID UNDER A FINANCING AGREEMENT, NOT TO EXCEED 80% OF THE AMOUNT OF TAXES DUE BEFORE THE APPLICATION OF THE CREDIT; TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO REMOVE THE SALES TAX EXEMPTIONS FOR SALES OF COMPONENT BUILDING MATERIALS AND EQUIPMENT FOR INITIAL CONSTRUCTION OR EXPANSION OF CERTAIN FACILITIES, FOR SALES AND LEASES OF MACHINERY AND EQUIPMENT ACQUIRED IN THE INITIAL CONSTRUCTION TO ESTABLISH CERTAIN FACILITIES, AND FOR SALES OF COMPONENT MATERIALS USED IN THE CONSTRUCTION OF A BUILDING, OR ANY ADDITION OR IMPROVEMENT THEREON, AND SALES OR LEASES OF MACHINERY AND EQUIPMENT NOT LATER THAN THREE MONTHS AFTER THE COMPLETION OF THE CONSTRUCTION OF THE FACILITY, TO BE USED IN THE FACILITY, TO CERTAIN PERMANENT BUSINESS ENTERPRISES OPERATING A FACILITY PRODUCING RENEWABLE CRUDE OIL FROM BIOMASS HARVESTED OR PRODUCED, IN WHOLE OR IN PART, IN MISSISSIPPI; TO LIMIT THE SALES TAX EXEMPTION FOR SALES OF EQUIPMENT TO TELECOMMUNICATIONS ENTERPRISES TO EQUIPMENT INSTALLED IN AREAS DETERMINED BY THE PUBLIC SERVICE COMMISSION TO BE UNSERVED; TO AMEND SECTION 57-10-439, MISSISSIPPI CODE OF 1972, TO EXCLUDE SALES TAX AND USE TAX FROM THE TAX EXEMPTIONS AUTHORIZED FOR BOND FINANCING OF CERTAIN BUSINESS AND ECONOMIC DEVELOPMENT PROJECTS; TO AMEND SECTION 57-73-21, MISSISSIPPI CODE OF 1972, TO REPEAL THE SUBSECTIONS AUTHORIZING TAX CREDITS FOR PERMANENT BUSINESS ENTERPRISES IN COUNTIES DESIGNATED BY THE DEPARTMENT OF REVENUE AS TIER ONE, TIER TWO AND TIER THREE AREAS, FOR NEW FULL-TIME EMPLOYEES IN JOBS REQUIRING RESEARCH AND DEVELOPMENT SKILLS, AND FOR COMPANIES RELOCATING THEIR NATIONAL OR REGIONAL HEADQUARTERS TO MISSISSIPPI; TO PROVIDE THAT ANY TAXPAYER WHO IS ELIGIBLE, BEFORE JULY 1, 2021, FOR THE CREDIT AUTHORIZED IN A REPEALED SUBSECTION SHALL REMAIN ELIGIBLE AND SHALL BE ALLOWED TO CARRY FORWARD THE CREDIT AFTER JULY 1, 2021, NOTWITHSTANDING THE REPEAL OF THE SUBSECTION; TO REPEAL SECTIONS 57-113-1, 57-113-3, 57-113-5 AND 57-113-7, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE ARTICLE AUTHORIZING TAX EXEMPTIONS FOR CLEAN ENERGY GENERATION AND AEROSPACE INDUSTRY ENTERPRISES; TO AMEND SECTIONS 27-3-4, 27-7-21, 27-7-22.28, 27-7-312, 27-13-5, 27-13-7 AND 57-99-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; TO BRING FORWARD SECTIONS 27-7-22.7, 27-7-22.23, 27-7-22.25, 27-7-22.35, 27-65-75, 57-1-451, 57-10-409, 57-28-1, 57-28-3 AND 57-28-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Parker

S. C. R. No. 528: Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING OLE MISS AND PGA TOUR GOLF ICON RANDY WATKINS UPON HIS INDUCTION INTO THE MISSISSIPPI SPORTS HALL OF FAME.

By Senator(s) Michel, Boyd, McCaughn, Hopson, Parks, Sparks

S. C. R. No. 529: Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING OLE MISS LINEMAN TERRENCE METCALF UPON HIS INDUCTION INTO THE 2021 CLASS OF THE MISSISSIPPI SPORTS HALL OF FAME.

By Senator(s) Boyd, Michel, Hopson, McCaughn, Parks, Jackson (11th), Sparks, Simmons (12th)

S. C. R. No. 530: Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING OLE MISS AND ASSOCIATION OF TENNIS PROFESSIONALS TOUR TENNIS STANDOUT DAVE RANDALL UPON HIS INDUCTION INTO THE MISSISSIPPI SPORTS HALL OF FAME.

By Senator(s) Michel, Boyd, McCaughn, McMahan, Hopson, Parks, Sparks

S. R. No. 17: Rules

A RESOLUTION RECOGNIZING PASCAGOULA NATIVE SARAH THOMAS FOR MAKING HISTORY AS THE FIRST FEMALE REFEREE TO OFFICIATE A SUPER BOWL.

By Senator(s) Wiggins

S. R. No. 18: Rules

A RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE MISSISSIPPI SENATE TO THE BEREAVED FAMILY OF FALLEN OFFICER, HANCOCK COUNTY DEPUTY SHERIFF LIEUTENANT MICHAEL ANTHONY BOUTTE, SR., WHO WAS LOST IN THE LINE OF DUTY ON FEBRUARY 1, 2021, AND COMMENDING HIS LAW ENFORCEMENT SERVICE TO THE STATE OF MISSISSIPPI.

By Senator(s) Moran, Butler

S. R. No. 19: Rules

A RESOLUTION COMMENDING AND RECOGNIZING THE ENDURING INFLUENCE OF MISSISSIPPI BUSINESS AND CIVIC LEADER LELAND RHYMES SPEED OF JACKSON, MISSISSIPPI, AND EXTENDING THE DEEPEST SYMPATHY OF THE SENATE TO HIS BEREAVED FAMILY.

By Senator(s) Michel, Horhn, Hopson, Frazier

S. R. No. 20: Rules

A RESOLUTION COMMENDING AND RECOGNIZING THE DEDICATED PUBLIC SERVICE OF RETIRED COLONEL GREGORY S. MICHEL UPON THE OCCASION OF HIS RETIREMENT AS EXECUTIVE DIRECTOR OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY (MEMA) AND EXTENDING THE BEST WISHES OF THE LEGISLATURE.

By Senator(s) DeLano

FORTY-FOURTH DAY, WEDNESDAY, FEBRUARY 17, 2021

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

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

Present--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Butler, Chism, DeBar, England, Fillingane, Frazier, Harkins, Hill, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams. Total--37.

Absent--Blackmon, Branning, Carter, Caughman, Chassaniol, DeLano, Hopson, Jordan, McDaniel, Parks, Simmons S. (13th), Sojourner, Turner-Ford, Witherspoon, Younger. Total--15.

The Secretary announced a quorum present.

The invocation was delivered by Senator Tate.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 18, 2021.

The motion prevailed, and at 10:06 AM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1030: AN ACT TO CREATE THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT"; TO DEFINE TERMINOLOGY; TO PROVIDE THAT A STUDENT-ATHLETE MAY EARN COMPENSATION FOR THE USE OF HIS OR HER NAME, IMAGE OR LIKENESS WHILE ENROLLED IN A POSTSECONDARY INSTITUTION AND OBTAIN A CERTIFIED AGENT FOR MATTERS RELATING TO THAT COMPENSATION; TO PROHIBIT STUDENT-ATHLETES FROM EARNING COMPENSATION IN EXCHANGE FOR HIS OR HER ABILITY OR PARTICIPATION IN INTERCOLLEGIATE ATHLETICS OR SPORTS COMPETITIONS; TO PROVIDE THAT A STUDENT-ATHLETE SHALL NOT BE DEEMED AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF ANY ATHLETIC ORGANIZATIONAL ENTITY BASED ON HIS OR HER PARTICIPATION IN AN INTERCOLLEGIATE ATHLETIC PROGRAM; TO PROHIBIT POSTSECONDARY EDUCATIONAL INSTITUTIONS FROM UPHOLDING REQUIREMENTS THAT RESTRICT A STUDENT-ATHLETES ABILITY TO RECEIVE COMPENSATION FOR THE STUDENT'S NAME, IMAGE OR LIKENESS; TO PROHIBIT ATHLETIC ORGANIZATIONAL ENTITIES FROM INTERFERING WITH A CONTRACT OR OTHER REQUIREMENTS THAT PREVENT A STUDENT-ATHLETE FROM RECEIVING COMPENSATION FOR HIS OR HER NAME, IMAGE OR LIKENESS OR PREVENT A POSTSECONDARY EDUCATIONAL INSTITUTION FROM PARTICIPATING IN AN INTERCOLLEGIATE ATHLETIC PROGRAM AS A RESULT OF THE STUDENT-ATHLETE RECEIVING COMPENSATION FOR HIS OR HER NAME, IMAGE OR LIKENESS; TO ALLOW POSTSECONDARY EDUCATIONAL INSTITUTIONS TO IMPOSE REASONABLE LIMITATIONS ON THE TIMES A STUDENT-ATHLETE MAY PARTICIPATE IN CERTAIN PROMOTIONAL ACTIVITIES RELATED TO THE LICENSE OR USE OF THE STUDENT'S NAME, IMAGE OR

LIKENESS; TO PROHIBIT POSTSECONDARY EDUCATIONAL INSTITUTIONS FROM PREVENTING STUDENT-ATHLETES FROM OBTAINING PROFESSIONAL REPRESENTATION; TO REQUIRE PERSONS OBTAINED BY STUDENT-ATHLETES AS PROFESSIONAL REPRESENTATIVES TO BE REGISTERED AS ATHLETE AGENTS AND ATTORNEYS WHO PROVIDE LEGAL REPRESENTATION TO BE LICENSED BY THE MISSISSIPPI BAR ASSOCIATION; TO REQUIRE STUDENT-ATHLETES TO DISCLOSE CONTRACTS FOR COMPENSATION TO THE POSTSECONDARY EDUCATIONAL INSTITUTION OF ENROLLMENT THE EARLIER OF THREE DAYS OF ITS EXECUTION OR THREE DAYS OF THE NEXT COMPETITION; TO PROVIDE THAT NO MALE

H. B. No. 1095: AN ACT TO AUTHORIZE THE COMMISSIONER OF REVENUE TO DEVELOP PROCEDURES FOR THE RECEIPT AND CONSIDERATION OF OFFERS TO COMPROMISE AND SETTLE FINALLY DETERMINED TAX LIABILITIES THAT ARE DOUBTFUL CLAIMS; TO AUTHORIZE THE COMMISSIONER OF REVENUE, UPON THE ADVICE OF THE ATTORNEY GENERAL, TO ENTER INTO AN AGREEMENT WITH A TAXPAYER UNDER WHICH A FINALLY DETERMINED TAX LIABILITY THAT IS A DOUBTFUL CLAIM IS SETTLED AND COMPROMISED; TO PROVIDE THAT IF THE SETTLEMENT AGREEMENT IS APPROVED BY THE GOVERNOR, THE AGREEMENT SHALL BE BINDING AND A TAXPAYER'S LIABILITIES FOR TAXES, INTEREST AND PENALTIES WILL BE FULLY AND FINALLY COMPROMISED; TO PROVIDE THAT IF THE COMMISSIONER OF REVENUE LATER DETERMINES THAT THE TAXPAYER MISREPRESENTED THE FINANCIAL CONDITION OF THE TAXPAYER OR ANY PROPERTY BELONGING TO THE TAXPAYER OR OTHER PERSON LIABLE FOR THE TAX, ALL COMPROMISED LIABILITIES MAY BE REESTABLISHED; TO AMEND SECTION 31-19-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DOUBTFUL CLAIM IS A CLAIM FOR A FINALLY DETERMINED TAX LIABILITY FOR WHICH A NOTICE OF TAX LIEN HAS BEEN ENROLLED IN THE UNIFORM STATE TAX LIEN REGISTRY AND FOR THE COLLECTION OF WHICH THE ORDINARY PROCESS OF LAW HAS BEEN INEFFECTUAL; TO AMEND SECTION 31-19-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF REVENUE AND THE DEPARTMENT OF REVENUE TO PROVIDE CERTAIN INFORMATION REGARDING DOUBTFUL CLAIMS TO THE ATTORNEY GENERAL OR HIS DESIGNATED REPRESENTATIVE; TO AMEND SECTIONS 27-3-73, 27-7-83, 27-13-57 AND 27-65-81, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEES ON
FINANCE AND ECONOMIC AND WORKFORCE DEVELOPMENT

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

S. B. No. 2822: Mississippi Flexible Tax Incentive Act; create. Title Sufficient. Do Pass.

S. B. No. 2967: Taxation; amend or repeal certain tax credits, exemptions and incentives. Title Sufficient. Do Pass.

HARKINS, Chairman
PARKER, Chairman

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

H. B. No. 109: Budget process; update various sections relating to Appropriations.

H. B. No. 202: Mississippi Development Authority; bring forward various sections of law relating to Finance.

H. B. No. 211: Insurance Department; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Appropriations.

H. B. No. 212: State Fire Marshal and Fire Academy; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Appropriations.

H. B. No. 1177: General laws and journals of legislative sessions; copies of not provided to certain recipients of unless specifically requested. Accountability, Efficiency, Transparency.

H. B. No. 1251: Mississippi Workers' Compensation Commission; return to a special fund agency. Appropriations.

H. B. No. 1256: State Auditor; increase fee to be charged by for performing audits and other services. Accountability, Efficiency, Transparency.

H. B. No. 1284: Department of Revenue License Tag Acquisition Fund; revise certain provisions regarding Finance.

H. B. No. 1290: Attorney General; allow salaries of assistants to exceed statutory limitation under certain circumstances. Appropriations.

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

H. B. No. 186: Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge. Veterans and Military Affairs.

H. B. No. 187: County veteran service officers; revise certain qualifications and requirements. Veterans and Military Affairs.

H. B. No. 188: Required uniform designations for offenders; exempt offenders in Mississippi Statewide Incarcerated Veterans Program. Veterans and Military Affairs; Corrections.

H. B. No. 189: Mississippi Persian Gulf War Memorial; authorize MSVA to move to another appropriate location. Veterans and Military Affairs.

H. B. No. 761: State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes. Veterans and Military Affairs; Appropriations.

H. B. No. 1008: Medicaid; make technical amendments to services, manage care and assessment provisions. Medicaid.

H. B. No. 1013: Medicaid; create Medicaid Commission to administer program and abolish Division of Medicaid. Medicaid; Accountability, Efficiency, Transparency.

H. B. No. 1182: Veterans; provide uniform definition and include NOAA Corps. Veterans and Military Affairs.

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

H. B. No. 277: Tribal identification cards; recognize as legal means of personal identification. Judiciary, Division A.

H. B. No. 299: Property interest; conveyance to married individuals considered to create joint tenancy with right of survivorship. Judiciary, Division A.

H. B. No. 330: Uninsured motorist coverage law; revise to prohibit insurance policy from paying certain losses if another insurance policy must pay for such. Accountability, Efficiency, Transparency.

H. B. No. 352: Home inspector license; require applicants to undergo certain background checks. Business and Financial Institutions.

H. B. No. 354: Municipal judges; authorize to order a defendant to remedy real property ordinance violations within a reasonable time period. Judiciary, Division A.

H. B. No. 359: Municipally-owned utilities; may use accounting system accommodation for uncollectible customer indebtedness. Accountability, Efficiency, Transparency.

H. B. No. 429: Contracts; authorize persons eighteen years of age or older to enter into for the purpose of investing in mutual funds. Business and Financial Institutions.

H. B. No. 493: Counties and municipalities; authorize to offer Medicare eligible employee benefits when employees secures Medicare under certain circumstances. County Affairs.

H. B. No. 631: Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours. Judiciary, Division B.

H. B. No. 695: State Domestic Violence Fund; remove the matching funds requirement for. Judiciary, Division A; Appropriations.

H. B. No. 746: Mississippi Motor Vehicle Commission Law; revise regarding warranty reimbursement. Finance.

H. B. No. 932: Child support withholding orders; revise provisions to comply with the federal Consumer Credit Protection Act. Judiciary, Division A.

H. B. No. 953: Homeowners' associations; regulate managing agents of and require financial reviews by. Business and Financial Institutions.

H. B. No. 1012: Charitable solicitations; revise provisions relating to notice, demand and service of process. Judiciary, Division A.

H. B. No. 1075: MS Credit Availability Act, Title Pledge Act, and Check Cashers Act; extend or remove repealer on certain provisions of. Business and Financial Institutions.

H. B. No. 1077: Open account; revise definition and require account creditor to send demand to current address of account debtor through certain means. Judiciary, Division A.

H. B. No. 1078: Perpetual care and preneed cemetery and funeral laws; unlawful to make false or misleading statements in records under. Judiciary, Division A.

H. B. No. 1157: Golf carts and low-speed vehicles; allow municipalities to authorize operation on certain municipal streets. Municipalities.

H. B. No. 1181: The MS Registered Agents Act; revise to include "email address." Business and Financial Institutions.

H. B. No. 1195: Electric bicycles; regulate. Judiciary, Division A.

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

H. B. No. 488: Libraries; authorize use of debit and credit cards. Business and Financial Institutions.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 17, 2021

S. B. No. 2904: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

S. B. No. 2905: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

S. B. No. 2906: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

S. B. No. 2907: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

S. B. No. 2908: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

S. B. No. 2909: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

S. B. No. 2910: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

S. B. No. 2911: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

S. B. No. 2912: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

S. B. No. 2913: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Frazier, Branning, DeLano, McLendon

S. B. No. 2914: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Frazier, Branning, DeLano, McLendon

S. B. No. 2915: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Wiggins, Jackson (32nd), Tate

S. B. No. 2916: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Wiggins, Jackson (32nd), Tate

S. B. No. 2917: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, DeLano, Moran, Seymour, Witherspoon

S. B. No. 2918: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, DeLano, Moran, Seymour, Witherspoon

S. B. No. 2919: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, DeLano, Moran, Seymour, Witherspoon

S. B. No. 2920: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Norwood, Branning, DeBar, Seymour

S. B. No. 2921: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Norwood, Branning, DeBar, Seymour

S. B. No. 2922: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Michel, McCaughn, Wiggins

S. B. No. 2923: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION, AND THE BUREAU OF TELECOMMUNICATIONS, FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Michel, McCaughn, Wiggins

S. B. No. 2924: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Michel, McCaughn, Wiggins

S. B. No. 2925: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Michel, McCaughn, Wiggins

S. B. No. 2926: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Hill, Frazier, Michel, Moran

S. B. No. 2927: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Branning, Butler, Parks, Witherspoon

S. B. No. 2928: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Branning, Butler, Parks, Witherspoon

S. B. No. 2929: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Butler, Hill, Jackson (11th), Suber

S. B. No. 2930: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Butler, Hill, Jackson (11th), Suber

S. B. No. 2931: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Butler, Hill, Jackson (11th), Suber

S. B. No. 2932: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Butler, Hill, Jackson (11th), Suber

S. B. No. 2933: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Butler, Hill, Jackson (11th), Suber

S. B. No. 2934: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Butler, Hill, Jackson (11th), Suber

S. B. No. 2935: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY EXAMINERS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Butler, Hill, Jackson (11th), Suber

S. B. No. 2936: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

S. B. No. 2937: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

S. B. No. 2938: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

S. B. No. 2939: Appropriations

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

S. B. No. 2940: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

S. B. No. 2941: Appropriations

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

S. B. No. 2942: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE, FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Jackson (32nd), Hill, Simmons (13th), Suber

S. B. No. 2943: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI EGG MARKETING BOARD, FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Jackson (32nd), Hill, Simmons (13th), Suber

S. B. No. 2944: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Jackson (32nd), Hill, Simmons (13th), Suber

S. B. No. 2945: Appropriations

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING

PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Jackson (32nd), Hill, Simmons (13th), Suber

S. B. No. 2946: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2947: Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2948: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2949: Appropriations

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2950: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2951: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2952: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2953: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2954: Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2955: Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM

THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2022, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2022.

By Senator(s) Hopson, Polk, Blackwell, Frazier, Williams

S. B. No. 2968: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING IN PROVIDING THE REMAINDER OF THE AMOUNT, ADJUSTED FOR INFLATION, THAT IT WAS CHARGED WITH RAISING FOR A PRIVATELY-FUNDED ENDOWMENT FOR JACKSON STATE UNIVERSITY, MISSISSIPPI VALLEY STATE UNIVERSITY AND ALCORN STATE UNIVERSITY UNDER THE SETTLEMENT OF AYERS V. MUSGROVE; TO PROVIDE THAT THE PRIVATELY-FUNDED ENDOWMENT SHALL BE USED FOR PROGRAM STABILIZATION, PROGRAM DEVELOPMENT AND EXPANSION AT THE THREE BENEFICIARY UNIVERSITIES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn, Turner-Ford, Jackson (11th), Jackson (32nd), Barnett, Jordan, Blackmon, Simmons (12th), Simmons (13th), Thomas, Witherspoon, Frazier, Butler, Norwood

S. B. No. 2969: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF LEAKESVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A WALKING TRAIL TO THE OLD CHICKASAWHAY RIVER BRIDGE AND LANDING, THE IMPROVEMENT OF THE BRIDGE STRUCTURE, THE CONSTRUCTION OF A FISHING PIER, AND OTHER ENHANCEMENTS FOR AN OUTDOOR EVENT AND RECREATION SPACE; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. C. R. No. 531: Rules

A CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE INTENT RELATIVE TO ENCOURAGING COOPERATION WITH MILITARY INSTALLATIONS TO ENCOURAGE COMPATIBLE LAND USE AND HELP PREVENT INCOMPATIBLE ENCROACHMENT NEAR MILITARY INSTALLATIONS AND FACILITATE THE CONTINUED PRESENCE OF MAJOR MILITARY INSTALLATIONS IN THIS STATE; TO SPECIFY THE COUNTIES, MUNICIPALITIES AND MILITARY INSTALLATIONS TO WHICH THIS RESOLUTION APPLIES; TO ENCOURAGE COUNTIES AND MUNICIPALITIES TO PROVIDE MILITARY INSTALLATIONS WITH INFORMATION RELATING TO LAND USE AND DEVELOPMENT WHICH WOULD AFFECT THE USE OF LAND ADJACENT TO OR IN CLOSE PROXIMITY TO MILITARY INSTALLATIONS IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

S. C. R. No. 532: Rules

A CONCURRENT RESOLUTION TO RECOGNIZE THAT MARCH 4, 2021, IS "HPV CANCER AWARENESS DAY" IN MISSISSIPPI TO CALL ATTENTION TO THE CONNECTION BETWEEN THE HUMAN PAPILLOMAVIRUS (HPV) AND CANCER.

By Senator(s) Boyd

FORTY-FIFTH DAY, THURSDAY, FEBRUARY 18, 2021

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

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

Present--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon. Total--39.

Absent--Blackmon, Carter, Chassaniol, Chism, Hopson, Jordan, McDaniel, Moran, Parks, Simmons S. (13th), Sojourner, Turner-Ford, Younger. Total--13.

The Secretary announced a quorum present.

The invocation was delivered by Senator Harkins.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Harkins called up the following entitled bill:

S. B. No. 2822: Mississippi Flexible Tax Incentive Act; create.

YEAS AND NAYS On S. B. No. 2822. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon. Total--39.

Nays--None.

Absent and those not voting--Blackmon, Carter, Chassaniol, Chism, Hopson, Jordan, McDaniel, Moran, Parks, Simmons S. (13th), Sojourner, Turner-Ford, Younger. Total--13.

Unanimous consent was granted to add Senators Sparks, Whaley, Caughman, Boyd, McLendon, DeLano, Williams, Harkins, Fillingane, Branning, Blackwell, England, McCaughn, Frazier, Butler and Suber as co-authors of **S. B. No. 2822**.

Senator Harkins called up the following entitled bill:

S. B. No. 2967: Taxation; amend or repeal certain tax credits, exemptions and incentives.

Senators Harkins and Parker offered the following AMENDMENT NO. 1.

AMEND by deleting the underlined language on lines 656 through 657 and lines 662 through 663.

FURTHER, AMEND on line 3101 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

FURTHER, AMEND the title by deleting the language beginning after the semicolon on line 20 and ending with the semicolon on line 23.

Amendment No. 1 to S. B. No. 2967 was adopted.

YEAS AND NAYS On S. B. No. 2967. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon. Total--39.

Nays--None.

Absent and those not voting--Blackmon, Carter, Chassaniol, Chism, Hopson, Jordan, McDaniel, Moran, Parks, Simmons S. (13th), Sojourner, Turner-Ford, Younger. Total--13.

Senators Wiggins, England and Seymour moved that when the Senate adjourns, it adjourn in memory of Joe Barlow of Vancleave, MS/St. Martin, MS.

Senators McMahan, Bryan and Suber moved that when the Senate adjourns, it adjourn in memory of Shelia Barbara Ivy of Shannon, MS.

Senators McMahan and Bryan moved that when the Senate adjourns, it adjourn in memory of Benjamin "Bro" Logan of Tupelo, MS.

Senators McMahan and Branning moved that when the Senate adjourns, it adjourn in memory of Rev. James E. Carney of Wesson, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Sharon Lynn Fairchild of Gautier, MS.

Senators Norwood, Frazier and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Rev. Theautry Winters of Greenville, MS.

Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Sylvester Roberts of Indianola, MS.

Senators Tate and Williams moved that when the Senate adjourns, it adjourn in memory of Winona Elgene Wilson of Collinsville, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Mitchell "Mickey" Clark of Meridian, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 22, 2021.

The motion prevailed, and at 10:55 AM, the Senate stood in recess.

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

H. B. No. 5: Hazing; increase penalties for. Judiciary, Division B.

H. B. No. 70: Autopsies; provide for confidentiality of photographs and video and audio recordings with exceptions. Judiciary, Division B.

H. B. No. 74: Emergency Telecommunications Services (911); extend repealer on. Energy.

H. B. No. 87: MDHS fraud investigators; provide they shall be law enforcement officers. Judiciary, Division A.

H. B. No. 91: Public Service Commission; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Appropriations; Accountability, Efficiency, Transparency.

H. B. No. 104: Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county. County Affairs; Appropriations.

H. B. No. 108: Wireless Communication Commission; remove ITS control over. Technology.

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes. Public Health and Welfare.

H. B. No. 122: Expungement; authorize up to three felony convictions to be expunged after 15 years. Judiciary, Division B.

H. B. No. 148: Mississippi Development Authority Tourism Advertising Fund; use portion of monies in to advertise state parks. Tourism; Appropriations.

H. B. No. 162: Public contracts of energy efficiency services; extend repealer on authority and certain requirements for. Energy.

H. B. No. 196: "Dignity for Incarcerated Women Act"; create. Corrections; Public Health and Welfare.

H. B. No. 287: Drug Intervention Courts; standardize references. Judiciary, Division B.

H. B. No. 290: Pre-trial Intervention; prohibit certain amount of public embezzlement for. Judiciary, Division B.

H. B. No. 300: Bail procedures; bring forward provisions for purposes of amendment. Judiciary, Division A.

H. B. No. 302: Community schools; authorize implementation under the administration of a District Innovation. Education; Accountability, Efficiency, Transparency.

H. B. No. 320: Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained. County Affairs; Municipalities.

H. B. No. 327: Comprehensive Hurricane Damage Mitigation Program; extend repealer on. Insurance.

H. B. No. 331: Professional employer organizations; provide for registration and regulation by the Insurance Department. Insurance; Accountability, Efficiency, Transparency.

H. B. No. 350: Certificate of rehabilitation; authorize those convicted in another state to apply for a. Judiciary, Division B.

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations. Judiciary, Division A.

H. B. No. 413: Mississippi Gospel Music Trail; authorize MDA Division of Tourism to establish program and historical markers for. Tourism; Appropriations.

H. B. No. 464: Parole board; revise notification time frame given to offender's victim for offender release and remove certain prohibition. Corrections; Appropriations.

H. B. No. 466: Inmate Welfare Fund; require DOC to expend unused portions of the fund on reentry purposes. Corrections; Appropriations.

H. B. No. 479: Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription. Drug Policy; Judiciary, Division B.

H. B. No. 504: Commission on School Accreditation; clarify membership composition. Education.

H. B. No. 505: Mississippi Broadband Accessibility Act; create. Energy; Appropriations.

H. B. No. 525: Corrections omnibus bill; enact. Corrections.

H. B. No. 551: Driver's license; require Department of Public Safety to allow official identifying document of MDOC to suffice for. Judiciary, Division B.

H. B. No. 557: Nonadjudication; authorize completion of workforce training or similar training as an option for. Corrections; Economic and Workforce Development.

H. B. No. 581: The Sexual Assault Response For College Students Act; create. Universities and Colleges; Judiciary, Division B.

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

H. B. No. 286: Cemeteries; authorize to disinter and reinter dead human remains for next of kin instructions. Judiciary, Division A.

H. B. No. 615: DUI suspension; clarify how the 120 days are counted. Judiciary, Division B.

H. B. No. 632: "All Fuels Act of 2021"; establish. Energy.

H. B. No. 634: Firearms restriction; limit those by cities, counties and state agencies. Judiciary, Division B.

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail. Corrections.

H. B. No. 796: Habitual offender; revise penalties for. Judiciary, Division B.

H. B. No. 842: Reverse auction; revise method of receiving bids through for agencies and governing authorities. Accountability, Efficiency, Transparency.

H. B. No. 853: Charter schools; revise deadlines for certain reporting requirements and to allow certain teacher units to those in first year of operation. Education; Appropriations.

H. B. No. 874: Tobacco and alternative nicotine products; increase age to 21 and require government-issued photographic identification. Public Health and Welfare; Judiciary, Division B.

H. B. No. 883: Traffic ticket quotas; prohibit state and local agencies from establishing. Judiciary, Division B.

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to. Corrections; Accountability, Efficiency, Transparency.

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to. Corrections; Judiciary, Division B.

H. B. No. 942: Public utilities; authorize rate-regulated electric utilities to permit broadband provider use of the electric delivery system. Energy.

H. B. No. 951: Department of Human Services; authorize to use additional methods of communication to send notices relating to child support to financial institutions. Judiciary, Division A; Accountability, Efficiency, Transparency.

H. B. No. 974: DPS; revise law regarding. Accountability, Efficiency, Transparency.

H. B. No. 1030: "Mississippi Intercollegiate Athletics Compensation Rights Act"; enact. Universities and Colleges.

H. B. No. 1034: Uniform Controlled Substances Act; revise schedules. Drug Policy.

H. B. No. 1037: Mississippi Geologic Sequestration of Carbon Dioxide Act; enact. Energy.

H. B. No. 1063: Transformative renewable energy projects; authorize boards of supervisors to designate as such for certain tax purposes. Energy; Finance.

H. B. No. 1140: First-degree murder; include unlawful distribution of controlled substances, when the distribution is proximate cause of death. Judiciary, Division B.

H. B. No. 1174: Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness. Corrections.

H. B. No. 1205: Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services. Insurance.

H. B. No. 1323: Open meeting; authorize executive session for discussion of plans to combat human trafficking and commercial sexual exploitation of children. Rules.

H. B. No. 1328: The MS Warrants Task Force; create to study the issuance and execution of warrants in the state. Judiciary, Division B.

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

H. B. No. 997: Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits. Finance.

H. B. No. 1142: Construction; revise contractor's tax regarding certain, require permits in counties/municipalities with construction codes. Finance.

H. B. No. 1263: Occupational licensing; provide for recognition of out-of-state licenses if applicants satisfy certain conditions. Accountability, Efficiency, Transparency.

H. B. No. 1315: Occupational licenses; repeal those for art therapists, auctioneers, interior designers, wigologists and massage therapists. Accountability, Efficiency, Transparency.

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

H. B. No. 1136: Mississippi Educational Talent Recruitment Act; create. Economic and Workforce Development; Finance.

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

H. B. No. 1091: Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law. Finance.

H. B. No. 1095: Department of Revenue; authorize to compromise and settle certain tax liabilities. Finance; Accountability, Efficiency, Transparency.

H. B. No. 1197: Dual-phase design-build method of construction contracting; revise certain provisions of. Finance; Accountability, Efficiency, Transparency.

H. B. No. 1231: Mississippi Outdoor Stewardship Trust Fund; create. Accountability, Efficiency, Transparency; Wildlife, Fisheries and Parks; Appropriations.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Joe Barlow, Shelia Barbara Ivy, Benjamin "Bro" Logan, Rev. James E. Carney, Sharon Lynn Fairchild, Rev. Theautry Winters, Sylvester Roberts, Winona Elgene Wilson and Mitchell "Mickey" Clark.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 18, 2021

FORTY-NINTH DAY, MONDAY, FEBRUARY 22, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Absent--Carter, Hill, Parks. Total--3.

The Secretary announced a quorum present.

The invocation was delivered by Senator Butler.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 26: Andre-Louis Verloin (Andre) de Gruy, Jackson, Mississippi, State Defender in the Office of the State Public Defender, four year term effective immediately and ending June 30, 2024. Do Advise and Consent.

S. N. No. 39: Stephen Charles (Steve) Edds, Ridgeland, Mississippi, Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor. Do Advise and Consent.

WIGGINS, Chairman

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

H. B. No. 3: Outdoor advertisement signs; revise height requirements for. Judiciary, Division A.

H. B. No. 195: Municipalities; authorize those of certain size to conduct special elections at one polling place. Elections; Municipalities.

H. B. No. 312: Central Market Board; abolish and transfer functions of to the Mississippi Department of Agriculture and Commerce. Accountability, Efficiency, Transparency.

H. B. No. 328: State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain. County Affairs.

H. B. No. 341: Motor carrier safety improvements; prohibit consideration of deployment of in determining an individual's employment status with motor carrier. Judiciary, Division A.

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures. Wildlife, Fisheries and Parks.

H. B. No. 424: Memorial highway; designate segment of MS Highway 44 in Marion County as the "T.L. Wallace Memorial Highway." Highways and Transportation; Appropriations.

H. B. No. 550: Intermediate driver's license; delete all references to. Judiciary, Division A.

H. B. No. 556: 16th Section lands; authorize local school boards to enter into public or private contracts for sale of forestry products grown on. Education.

H. B. No. 573: Bridges and culverts; revise laws regarding. Accountability, Efficiency, Transparency.

H. B. No. 740: State identification card; require commissioner of DPS to establish one that does not require proof of domicile. Highways and Transportation; Accountability, Efficiency, Transparency.

H. B. No. 872: Memorial highway; designate a segment of United States Highway 61 in Jefferson County as the "Highway Patrol Lieutenant Troy Morris Memorial Highway." Highways and Transportation; Appropriations.

H. B. No. 887: Memorial highway; designate a segment of United States Highway 82 in Webster County as "Corporal William Justin Cooper Memorial Highway." Highways and Transportation; Appropriations.

H. B. No. 940: Highway sign; authorize erection of on MS Hwy 25 near Pisgah exit to honor Olympic Gold Medalist Tori Bowie. Highways and Transportation; Appropriations.

H. B. No. 995: Memorial highway; designate segment in Marshall County, Mississippi as the "Representative Tommy Woods Memorial Highway." Highways and Transportation; Appropriations.

H. B. No. 1019: Gubernatorial inaugurations funds; require contributions and expenditures to be reported to Secretary of State. Accountability, Efficiency, Transparency.

H. B. No. 1036: Driver's license; exempt active duty military, spouse and dependent children if they have valid license from their home state. Highways and Transportation; Veterans and Military Affairs.

H. B. No. 1048: Qualification deadline; change to February 1 for certain statewide, state district, county and county district offices. Elections.

H. B. No. 1154: Mississippi Outdoors and Natural Resources Fund; create to provide source of private funds to promote outdoors and natural resources. Wildlife, Fisheries and Parks; Appropriations.

H. B. No. 1211: Administrative hearing procedures for Commission on Marine Resources; revise to authorize executive director of Department of Marine Resources to make final decisions during. Ports and Marine Resources.

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

H. B. No. 374: Distinctive motor vehicle license tag; authorize issuance to supporters of Mississippi Theatre Association, Inc. Finance.

Senator Branning moved that the rules be suspended for the consideration en bloc of S. N. No. 11 and S. N. No. 16 and the motion prevailed.

Senator Branning called up the following entitled nominations:

S. N. No. 11: David Steen Wansley, Sr., Vicksburg, Mississippi, Appeals Board of the Mississippi Transportation Commission, four year term effective immediately and ending June 30, 2024.

S. N. No. 16: William Jarvis Van Devender, Jr., Jackson, Mississippi, Appeals Board of the Mississippi Transportation Commission, term effective December 29, 2020 and ending June 30, 2021.

YEAS AND NAYS on consideration en bloc of S. N. No. 11 and S. N. No. 16. On motion of Senator Branning, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Carter, Hill, Parks. Total--3.

Senators Chassaniol and McMahan moved that when the Senate adjourns, it adjourn in memory of Barbara Bratton of Grenada, MS.

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

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Rev. Charles Watson of Terry, MS.

Senators Blackwell, Parker, McLendon, Whaley, Harkins and Boyd moved that when the Senate adjourns, it adjourn in memory of Harold Benton Ingram of Gallman, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Joshua Michael Rodgers of Lakeland, TN.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Violet June Warren of Paris, TN.

Senator Witherspoon moved that when the Senate adjourns, it adjourn in memory of Cleophas Winding of Liberty, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Rev. Joel E. Haire of Crystal Springs, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Robert Todd Gale of Columbus, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Lorine Wilson Sanders of Columbus, MS/Steens, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Lt. Scot Ames, Jr. of Pekin, IN.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Lt. Renshi Uesaki of Japan.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Tony Lewis of Philadelphia, MS.

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of James Hollis "Jimmy" Cowart of Braxton, MS.

Senators McLendon, Blackwell and Parker moved that when the Senate adjourns, it adjourn in memory of Albert "Clark" Freeman of Hernando, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Peggy Mozingo of State Line, MS.

Senator Horhn moved that when the Senate adjourns, it adjourn in memory of James Causey and Ruthie Causey of Jackson, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Mrs. Mildred Marie (McCaughn) Bricker of Lena, MS.

Senator Blackwell moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 23, 2021.

The motion prevailed, and at 4:15 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. C. R. No. 1: A CONCURRENT RESOLUTION COMMENDING THE LIFE AND LEGACY OF MR. BOBBY PASCHAL MARTIN, AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 2: A CONCURRENT RESOLUTION COMMENDING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE AND MOURNING THE LOSS OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM JONES, REPRESENTATIVE GARY V. STAPLES.

Derrick T. Simmons, Chairman

REPORT OF COMMITTEE ON APPROPRIATIONS

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

S. B. No. 2904: Appropriation; IHL - General support. Title Sufficient. Do Pass.

S. B. No. 2905: Appropriation; IHL - Subsidiary programs. Title Sufficient. Do Pass.

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. Title Sufficient. Do Pass.

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service. Title Sufficient. Do Pass.

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. Title Sufficient. Do Pass.

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. Title Sufficient. Do Pass.

S. B. No. 2911: Appropriation; IHL - Student Financial Aid. Title Sufficient. Do Pass.

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center. Title Sufficient. Do Pass.

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses. Title Sufficient. Do Pass.

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. Title Sufficient. Do Pass.

S. B. No. 2915: Appropriation; Corrections, Department of. Title Sufficient. Do Pass.

S. B. No. 2916: Appropriation; Public Safety, Department of. Title Sufficient. Do Pass.

S. B. No. 2917: Appropriation; Emergency Management Agency. Title Sufficient. Do Pass.

S. B. No. 2918: Appropriation; Military Department. Title Sufficient. Do Pass.

S. B. No. 2919: Appropriation; Veterans Affairs Board. Title Sufficient. Do Pass.

S. B. No. 2920: Appropriation; Ethics Commission. Title Sufficient. Do Pass.

S. B. No. 2921: Appropriation; Judicial Performance Commission. Title Sufficient. Do Pass.

S. B. No. 2922: Appropriation; Employment Security, Department of. Title Sufficient. Do Pass.

S. B. No. 2923: Appropriation; Revenue, Department of. Title Sufficient. Do Pass.

S. B. No. 2924: Appropriation; Tax Appeals Board. Title Sufficient. Do Pass.

S. B. No. 2925: Appropriation; Workers' Compensation Commission. Title Sufficient. Do Pass.

S. B. No. 2926: Appropriation; Mental Health, Department of. Title Sufficient. Do Pass.

S. B. No. 2927: Appropriation; Transportation, Department of - State Aid Road Construction, Office of. Title Sufficient. Do Pass.

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority. Title Sufficient. Do Pass.

S. B. No. 2929: Appropriation; Chiropractic Examiners, Board of. Title Sufficient. Do Pass.

S. B. No. 2930: Appropriation; Dental Examiners, Board of. Title Sufficient. Do Pass.

S. B. No. 2931: Appropriation; Funeral Services Board. Title Sufficient. Do Pass.

S. B. No. 2932: Appropriation; Massage Therapy, Board of. Title Sufficient. Do Pass.

S. B. No. 2933: Appropriation; Pharmacy, Board of. Title Sufficient. Do Pass.

S. B. No. 2934: Appropriation; Counselors, Board of Examiners for Licensed Professional. Title Sufficient. Do Pass.

S. B. No. 2935: Appropriation; Veterinary Examiners, Board of. Title Sufficient. Do Pass.

S. B. No. 2936: Appropriation; Architecture, Board of. Title Sufficient. Do Pass.

S. B. No. 2937: Appropriation; Gaming Commission. Title Sufficient. Do Pass.

S. B. No. 2938: Appropriation; Geologists, Board of Registered Professional. Title Sufficient. Do Pass.

S. B. No. 2939: Appropriation; Motor Vehicle Commission. Title Sufficient. Do Pass.

S. B. No. 2940: Appropriation; Accountancy, Board of Public. Title Sufficient. Do Pass.

S. B. No. 2941: Appropriation; Contractors, Board of. Title Sufficient. Do Pass.

S. B. No. 2942: Appropriation; Agriculture and Commerce, Department of. Title Sufficient. Do Pass.

S. B. No. 2943: Appropriation; Egg Marketing Board. Title Sufficient. Do Pass.

S. B. No. 2944: Appropriation; Animal Health, Board of. Title Sufficient. Do Pass.

S. B. No. 2945: Appropriation; Fair and Coliseum Commission - Livestock shows. Title Sufficient. Do Pass.

S. B. No. 2946: Appropriation; Audit, Department of. Title Sufficient. Do Pass.

S. B. No. 2947: Appropriation; Banking and Consumer Finance, Department of. Title Sufficient. Do Pass.

S. B. No. 2948: Appropriation; Finance and Administration, Department of. Title Sufficient. Do Pass.

S. B. No. 2949: Appropriation; Governor's Office and Mansion. Title Sufficient. Do Pass.

S. B. No. 2950: Appropriation; Information Technology Services, Department of. Title Sufficient. Do Pass.

S. B. No. 2951: Appropriation; Development Authority, Mississippi. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2952: Appropriation; Personnel Board. Title Sufficient. Do Pass.

S. B. No. 2953: Appropriation; Secretary of State. Title Sufficient. Do Pass.

S. B. No. 2954: Appropriation; Treasurer's Office. Title Sufficient. Do Pass.

S. B. No. 2955: Appropriation; Debt Service-Gen. Obli. Title Sufficient. Do Pass.

S. B. No. 2956: Appropriations; additional appropriations for various state agencies. Title Sufficient. Do Pass.

HOPSON, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:38 PM in memory of Barbara Bratton, David Morris, Robert Todd Gale, James Hollis "Jimmy" Cowart, Albert "Clark" Freeman, Lorine Wilson Sanders, Lt. Scot Ames, Jr., Peggy Mozingo, Lt. Renshi Uesaki, James Causey, Ruthie Causey, Mrs. Mildred Marie (McCaughn) Bricker, Rev. Charles Watson, Harold Benton Ingram, Joshua Michael Rodgers, Violet June Warren, Cleophas Winding, Rev. Joel E. Haire, Robert Todd Gale and Tony Lewis.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, FEBRUARY 22, 2021

S. B. No. 2956: Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF ATTORNEY GENERAL FOR FISCAL YEARS 2021 AND 2022; DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; VETERANS' AFFAIRS BOARD FOR FISCAL YEAR 2021; WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2021; MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2021; SECRETARY OF STATE FOR FISCAL YEAR 2021; STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2021; DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR FISCAL YEAR 2021; MISSISSIPPI BOARD OF ANIMAL HEALTH FOR FISCAL YEAR 2021; MEDICAL LICENSURE BOARD FOR FISCAL YEAR 2021; DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 2970: Finance

AN ACT TO CREATE THE "2021 COVID-19 MISSISSIPPI INDEPENDENT COLLEGE AND UNIVERSITY LOAN FUND"; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR LOANS TO CERTAIN INDEPENDENT UNDERGRADUATE COLLEGES AND UNIVERSITIES WITHIN THE STATE; TO CREATE A BOND SINKING FUND, FROM WHICH THE PRINCIPAL OF AND INTEREST ON SUCH BONDS SHALL BE PAID BY APPROPRIATION, AND INTO WHICH ALL MONIES RECEIVED FROM THE COLLEGES AND UNIVERSITIES IN REPAYMENT OF THE PRINCIPAL OF THE LOANS AUTHORIZED UNDER THIS ACT SHALL BE DEPOSITED; TO SET OUT CONDITIONS TO WHICH THE COLLEGES AND UNIVERSITIES MUST AGREE IN ORDER TO BE ELIGIBLE FOR THE LOANS; TO PROVIDE THAT, OF THE AMOUNT DISBURSED IN LOANS, HALF SHALL BE DIVIDED EQUALLY AMONG THE ELIGIBLE COLLEGES AND UNIVERSITIES, WITH THE REMAINDER DIVIDED PRO RATA BASED ON THE TOTAL ENROLLMENT DATA REPORTED TO THE INTEGRATED POSTSECONDARY EDUCATION SYSTEM (IPEDS) MAINTAINED BY THE UNITED STATES DEPARTMENT OF EDUCATION NATIONAL CENTER FOR EDUCATION STATISTICS FOR THE TWO MOST RECENTLY REPORTED SCHOOL YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2971: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY AND JUNIOR COLLEGES; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. B. No. 2972: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000.00 TO PROVIDE FUNDS FOR THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$20,000,000.00 FOR THE ACE FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI

CODE OF 1972, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$77,000,000.00 TO \$80,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR PROJECTS DESIGNED TO ENHANCE FACILITIES THAT ARE AT RISK FOR CLOSURE PURSUANT TO THE DEFENSE BASE REALIGNMENT AND CLOSURE ACT OF 1990 OR OTHER APPLICABLE FEDERAL LAW; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$7,000,000.00 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AMEND SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 8, CHAPTER 421, LAWS OF 2019, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

S. R. No. 21: Rules

A RESOLUTION RECOGNIZING APRIL 19-25, 2021, AS "NATIVE PLANT APPRECIATION WEEK" IN MISSISSIPPI AND COMMENDING THE EFFORTS OF THE AUDUBON DELTA REGION OF THE NATIONAL AUDUBON SOCIETY TO RAISE AWARENESS OF THE USE OF NATIVE PLANTS IN OUR STATE.

By Senator(s) England, Barnett, Chassaniol, Fillingane, Jackson (11th), Jackson (32nd), Simmons (13th)

FIFTIETH DAY, TUESDAY, FEBRUARY 23, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator McCaughn.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

H. B. No. 319: DPS; make revision to gun permit residency requirement and certain driver's license petitions for review. Judiciary, Division B.

H. B. No. 992: County port and harbor commission; provide that members hold appointment until successor appointed and installed. Ports and Marine Resources.

H. B. No. 1062: Daylight saving time; observe year-round if federal law is amended to allow it. Rules.

H. B. No. 1245: MDOT; require maintenance of rights-of-way of state highways inside municipal limits with 10,000 or less population. Municipalities.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 2907, S. B. No. 2908, S. B. No. 2909, S. B. No. 2910, S. B. No. 2912, S. B. No. 2917, S. B. No. 2920, S. B. No. 2921, S. B. No. 2922, S. B. No. 2924, S. B. No. 2925, S. B. No. 2927, S. B. No. 2928, S. B. No. 2929, S. B. No. 2930, S. B. No. 2931, S. B. No. 2932, S. B. No. 2933, S. B. No. 2934, S. B. No. 2935, S. B. No. 2936, S. B. No. 2937, S. B. No. 2938, S. B. No. 2939, S. B. No. 2940, S. B. No. 2941, S. B. No. 2942, S. B. No. 2944, S. B. No. 2945, S. B. No. 2947, S. B. No. 2949, S. B. No. 2950, S. B. No. 2952, S. B. No. 2953, S. B. No. 2954 and S. B. No. 2955 and the motion prevailed.

Senator Hopson called up the following measures:

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center.

S. B. No. 2917: Appropriation; Emergency Management Agency.

S. B. No. 2920: Appropriation; Ethics Commission.

S. B. No. 2921: Appropriation; Judicial Performance Commission.

S. B. No. 2922: Appropriation; Employment Security, Department of.

S. B. No. 2924: Appropriation; Tax Appeals Board.

S. B. No. 2925: Appropriation; Workers' Compensation Commission.

S. B. No. 2927: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

S. B. No. 2929: Appropriation; Chiropractic Examiners, Board of.

S. B. No. 2930: Appropriation; Dental Examiners, Board of.

S. B. No. 2931: Appropriation; Funeral Services Board.

S. B. No. 2932: Appropriation; Massage Therapy, Board of.

S. B. No. 2933: Appropriation; Pharmacy, Board of.

S. B. No. 2934: Appropriation; Counselors, Board of Examiners for Licensed Professional.

S. B. No. 2935: Appropriation; Veterinary Examiners, Board of.

S. B. No. 2936: Appropriation; Architecture, Board of.

S. B. No. 2937: Appropriation; Gaming Commission.

S. B. No. 2938: Appropriation; Geologists, Board of Registered Professional.

S. B. No. 2939: Appropriation; Motor Vehicle Commission.

S. B. No. 2940: Appropriation; Accountancy, Board of Public.

S. B. No. 2941: Appropriation; Contractors, Board of.

S. B. No. 2942: Appropriation; Agriculture and Commerce, Department of.

S. B. No. 2944: Appropriation; Animal Health, Board of.

S. B. No. 2945: Appropriation; Fair and Coliseum Commission - Livestock shows.

S. B. No. 2947: Appropriation; Banking and Consumer Finance, Department of.

S. B. No. 2949: Appropriation; Governor's Office and Mansion.

S. B. No. 2950: Appropriation; Information Technology Services, Department of.

S. B. No. 2952: Appropriation; Personnel Board.

S. B. No. 2953: Appropriation; Secretary of State.

S. B. No. 2954: Appropriation; Treasurer's Office.

S. B. No. 2955: Appropriation; Debt Service-Gen. Obli.

YEAS AND NAYS on consideration en bloc of S. B. No. 2907, S. B. No. 2908, S. B. No. 2909, S. B. No. 2910, S. B. No. 2912, S. B. No. 2917, S. B. No. 2920, S. B. No. 2921, S. B. No. 2922, S. B. No. 2924, S. B. No. 2925, S. B. No. 2927, S. B. No. 2928, S. B. No. 2929, S. B. No. 2930, S. B. No. 2931, S. B. No. 2932, S. B. No. 2933, S. B. No. 2934, S. B. No. 2935, S. B. No. 2936, S. B. No. 2937, S. B. No. 2938, S. B. No. 2939, S. B. No. 2940, S. B. No. 2941, S. B. No. 2942, S. B. No. 2944, S. B. No. 2945, S. B. No. 2947, S. B. No. 2949, S. B. No. 2950, S. B. No. 2952, S. B. No. 2953, S. B. No. 2954 and S. B. No. 2955. On motion of Senator Hopson, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson moved that the rules be suspended to move to all items skipped on the Appropriations Calendar, and the motion prevailed.

Senator Hopson called up the following entitled bill:

S. B. No. 2904: Appropriation; IHL - General support.

Senators Blackmon, Horhn, Turner-Ford, Jackson R. (11th), Jackson S. (32nd), Barnett, Jordan, Simmons D. T. (12th), Simmons S. (13th), Thomas, Witherspoon, Frazier, Butler and Norwood offered the following AMENDMENT NO. 1.

AMEND by inserting the following section after line 128 and renumbering succeeding sections accordingly:

SECTION *. In addition to the amounts appropriated in Sections 3, 4 and 11 of this act, the following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of assisting the Board of Trustees of State Institutions of Higher Learning in providing the remainder of the amount, adjusted for inflation, that it was charged with raising under the settlement of Ayers v. Musgrove (Civil Action No. 4:75CV9B-D, in the United States District Court for the Northern District of Mississippi), as endorsed by the Legislature in House Concurrent Resolution 28, 2002 Regular Session, for the fiscal year beginning July 1, 2021, and ending

June 30, 2022 \$ 50,000,000.00.

In accordance with the requirements of Joint Rule 20A, the amount of State General Funds that are appropriated for the purpose of funding debt service-general obligations shall be

reduced by \$ 50,000,000.00.

Amendment No. 1 to S. B. No. 2904 failed.

YEAS AND NAYS On S. B. No. 2904. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill, Turner-Ford. Total--2.

Senator Hopson called up the following entitled bill:

S. B. No. 2905: Appropriation; IHL - Subsidiary programs.

YEAS AND NAYS On S. B. No. 2905. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2906. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2911: Appropriation; IHL - Student Financial Aid.

YEAS AND NAYS On S. B. No. 2911. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses.

YEAS AND NAYS On S. B. No. 2913. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.
Absent and those not voting----None.
Voting Present--Hill. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

YEAS AND NAYS On S. B. No. 2914. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2915: Appropriation; Corrections, Department of.

YEAS AND NAYS On S. B. No. 2915. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2916: Appropriation; Public Safety, Department of.

YEAS AND NAYS On S. B. No. 2916. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2918: Appropriation; Military Department.

YEAS AND NAYS On S. B. No. 2918. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Not Voting--DeBar. Total--1.

Senator Hopson called up the following entitled bill:

S. B. No. 2919: Appropriation; Veterans Affairs Board.

YEAS AND NAYS On S. B. No. 2919. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2923: Appropriation; Revenue, Department of.

YEAS AND NAYS On S. B. No. 2923. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2926: Appropriation; Mental Health, Department of.

YEAS AND NAYS On S. B. No. 2926. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2943: Appropriation; Egg Marketing Board.

YEAS AND NAYS On S. B. No. 2943. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--Hill. Total--1.

Absent and those not voting----None.

Senator Simmons D. T. (12th), who would have voted yea on S. B. No. 2943, announced a pair with Senator McDaniel, who would have voted nay.

Senator Hopson called up the following entitled bill:

S. B. No. 2946: Appropriation; Audit, Department of.

YEAS AND NAYS On S. B. No. 2946. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Butler, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--Blackmon, Jackson R. (11th), Norwood, Simmons D. T. (12th), Thomas, Turner-Ford. Total--6.

Absent and those not voting--Bryan, Carter, Horhn, McDaniel, Parks, Sojourner, Witherspoon. Total--7.

Senator Hopson called up the following entitled bill:

S. B. No. 2948: Appropriation; Finance and Administration, Department of.

YEAS AND NAYS On S. B. No. 2948. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2951: Appropriation; Development Authority, Mississippi.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2951. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

S. B. No. 2956: Appropriations; additional appropriations for various state agencies.

YEAS AND NAYS On S. B. No. 2956. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Wiggins called up the following entitled nomination:

S. N. No. 26: Andre-Louis Verloin (Andre) de Gruy, Jackson, Mississippi, State Defender in the Office of the State Public Defender, four year term effective immediately and ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 26 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Jordan, Simmons D. T. (12th), Suber. Total--3.

Senator Wiggins called up the following entitled nomination:

S. N. No. 39: Stephen Charles (Steve) Edds, Ridgeland, Mississippi, Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 39 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator McMahan entered a motion to reconsider the vote whereby **S. B. No. 2926** passed the Senate.

S. B. No. 2926: Appropriation; Mental Health, Department of.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of Dr. Samuel Wilder, Jr. of Clinton, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of James B. "Jimmy" Smith of Hernando, MS.

Senators Bryan, Younger and Turner-Ford moved that when the Senate adjourns, it adjourn in memory of Kevin Adkins of Hamilton, AL.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Donald Ogletree of Philadelphia, MS.

Senators Younger and Turner-Ford moved that when the Senate adjourns, it adjourn in memory of Rex Evans Pumphrey of West Point, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Orville "Shorty" Anderson of Clarkdale, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dr. Danilo Padilla Santiago, Clifford Harold Shoemaker, Bruce L. Morgan, Sylvia Jean Tucker Compton and Ginger Carol Gressett Mears of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of William Earl "Bill" Cooper, Sr. and Marlene Moffett of Snell, MS.

Senators Tate and McCaughn moved that when the Senate adjourns, it adjourn in memory of Eloise Fanette Herrington of Scott County, MS.

Senator Blackwell moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 24, 2021.

The motion prevailed, and at 11:43 AM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1365: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1366: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2022.

H. B. No. 1367: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2022.

H. B. No. 1368: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2022.

H. B. No. 1369: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE

EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2022.

H. B. No. 1370: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2022.

H. B. No. 1371: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2022.

H. B. No. 1372: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2022.

H. B. No. 1373: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2022.

H. B. No. 1374: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2022.

H. B. No. 1375: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2022.

H. B. No. 1376: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1377: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION AND MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2022.

H. B. No. 1378: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2022.

H. B. No. 1379: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2022.

H. B. No. 1380: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2022.

H. B. No. 1381: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON

PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

H. B. No. 1382: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

H. B. No. 1383: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

H. B. No. 1384: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

H. B. No. 1385: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022.

H. B. No. 1386: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2022.

H. B. No. 1387: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2022.

H. B. No. 1388: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2022.

H. B. No. 1389: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1390: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1391: AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2022.

H. B. No. 1392: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

H. B. No. 1393: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2022.

H. B. No. 1394: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1395: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2022.

H. B. No. 1396: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1397: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2022.

H. B. No. 1398: AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

H. B. No. 1399: AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2022.

H. B. No. 1400: AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2022.

H. B. No. 1401: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2022.

H. B. No. 1402: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2022.

H. B. No. 1403: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1404: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1405: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2022.

H. B. No. 1406: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2022.

H. B. No. 1407: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2022.

H. B. No. 1408: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2022.

H. B. No. 1409: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2022.

H. B. No. 1410: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2022.

H. B. No. 1411: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2022.

H. B. No. 1412: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2022.

H. B. No. 1413: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

H. B. No. 1414: AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE ATTORNEY GENERAL'S OFFICE FOR FISCAL YEAR 2021 AND FISCAL YEAR 2022; THE COMMUNITY AND JUNIOR COLLEGE BOARD FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2021; THE STATE VETERAN'S AFFAIRS FOR FISCAL YEAR 2021; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2021; THE DEPARTMENT OF MENTAL HEALTH; INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2021; THE SECRETARY OF STATE'S OFFICE FOR FISCAL YEAR 2021; THE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2021; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; THE GOVERNOR'S OFFICE – DIVISION OF MEDICAID FOR FISCAL YEAR 2021; MISSISSIPPI BOARD OF ANIMAL HEALTH FOR FISCAL YEAR 2021; BOARD OF MEDICAL LICENSURE FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON FINANCE

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

S. B. No. 2971: Bonds; authorize issuance for state institutions of higher learning. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 2972: Bonds; authorize issuance for various Mississippi Development Authority programs. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

H. B. No. 1302: Optometry; Board shall define practice of, and authorize to perform certain procedures and use and prescribe certain drugs. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. C. R. No. 511: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE LEAKE ACADEMY "REBELS" FOOTBALL TEAM AND HEAD COACH BRIAN PICKENS FOR WINNING THE MAIS CLASS 5A STATE FOOTBALL CHAMPIONSHIP AND FOR THEIR UNDEFEATED 2020 SEASON.

S. C. R. No. 514: A CONCURRENT RESOLUTION EXTENDING THE SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF THE STATE'S LONGEST-SERVING MAYOR, DOCK GABBERT, WHO SERVED AS MAYOR OF DERMA, MISSISSIPPI, FOR MORE THAN A HALF-CENTURY, AND COMMENDING HIS LEGACY OF PUBLIC SERVICE.

Derrick T. Simmons, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 3:35 PM in memory of Dr. Samuel Wilder, Jr., James B. "Jimmy" Smith, Ginger Carol Gressett Mears, William Earl "Bill" Cooper, Sr., Marlene Moffett, Eloise Fanette Herrington, Kevin Adkins, Donald Ogletree, Rex Evans Pumphrey, Orville "Shorty" Anderson, Dr. Danilo Padilla Santiago, Clifford Harold Shoemaker, Bruce L. Morgan and Sylvia Jean Tucker Compton.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, FEBRUARY 23, 2021

S. B. No. 2973: Local and Private

AN ACT TO AMEND CHAPTER 938, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2020, TO REQUIRE THE BOARD OF TRUSTEES OF THE CITY OF OXFORD MUNICIPAL RESERVE AND TRUST FUND TO INVEST THE FUND IN ACCORDANCE WITH THE MISSISSIPPI UNIFORM PRUDENT INVESTOR ACT INSTEAD OF IN ANY OF THE INVESTMENTS AUTHORIZED FOR THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. B. No. 2974: Local and Private

AN ACT TO AMEND CHAPTER 942, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 941, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF BYRAM, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FOR HOTELS OR MOTELS WITHIN THE CITY; AND FOR RELATED PURPOSES.

By Senator(s) Blount

S. B. No. 2975: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS, THROUGH THE REGULATORY SANDBOX INCENTIVE FUND FOR ENERGY TECH INNOVATION, TO OFFSET FEDERAL AND STATE REGULATORY BURDENS IMPOSED ON ELIGIBLE APPLICANTS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2976: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS, THROUGH THE REGULATORY SANDBOX INCENTIVE FUND, TO OFFSET FEDERAL AND STATE REGULATORY BURDENS IMPOSED ON ELIGIBLE APPLICANTS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

S. B. No. 2977: Finance; Accountability, Efficiency, Transparency

AN ACT TO AUTHORIZE A TAX CREDIT FOR TAXPAYERS WHO PLACE A QUALIFIED ALTERNATIVE-FUEL FUELING STATION IN SERVICE DURING CALENDAR YEAR 2021 OR 2022; TO DEFINE TERMS; TO ALLOW THE CREDIT TO BE APPLIED AGAINST INCOME TAXES, PREMIUM AND RELATED RETALIATORY TAXES, OR FRANCHISE TAXES; TO PROVIDE THAT THE CREDIT SHALL BE EQUAL TO 75% OF THE COST OF ANY QUALIFIED ALTERNATIVE-FUEL FUELING STATION PLACED IN SERVICE DURING CALENDAR YEAR 2021 OR 2022; TO PROVIDE THAT TAXPAYERS SHALL SUBMIT APPLICATIONS FOR THE CREDIT TO THE DEPARTMENT OF REVENUE; TO IMPOSE AN AGGREGATE CAP FOR THE CREDITS OF \$12.5 MILLION ANNUALLY, FOR A CUMULATIVE CAP OF \$25 MILLION OVER THE TWO-YEAR PERIOD IN WHICH APPLICATIONS FOR THE CREDIT MAY BE MADE; TO PROVIDE THAT THE CREDITS SHALL BE NONREFUNDABLE AND NONTRANSFERABLE; TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD FOR UP TO FIVE YEARS; TO REQUIRE ANY TAXPAYER CLAIMING THIS CREDIT TO SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY; TO ALLOW THE DEPARTMENT OF REVENUE TO ADOPT AND PROMULGATE RULES AND REGULATIONS TO IMPLEMENT THE CREDIT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins, Kirby

S. B. No. 2978: Finance

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES MADE BY CLASS II AND CLASS III RAILROADS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT ANY

UNUSED PORTION OF THE TAX CREDIT MAY BE CARRIED FORWARD; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE TRANSFERRED TO ANOTHER TAXPAYER; AND FOR RELATED PURPOSES.

By Senator(s) Kirby, Younger, Carter, DeBar, Michel, Whaley, McMahan

S. B. No. 2979: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF NATCHEZ, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONCORD AVENUE DRAINAGE IMPROVEMENT PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

S. B. No. 2980: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TIBBEE DEVELOPMENT CLUB, INC., IN PAYING THE COSTS ASSOCIATED WITH BUILDING IMPROVEMENTS FOR THE COMMUNITY CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2981: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WEST POINT, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PAVING CITY ROADS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2982: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD IMPROVEMENTS IN SUPERVISOR DISTRICT 5; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2983: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CLAY COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD IMPROVEMENTS IN SUPERVISOR DISTRICT 2; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2984: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF COLUMBUS, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH PHASE 3 OF THE AMPHITHEATER PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2985: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF COLUMBUS, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH RENOVATIONS TO THE PROBST PARK BASEBALL FIELD; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2986: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF COLUMBUS, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH FIFTH STREET IMPROVEMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2987: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF COLUMBUS, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE BLUECUTT ROAD WIDENING PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2988: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WINONA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION AND PLACEMENT OF A HISTORIC CLOCK TOWER; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

S. B. No. 2989: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO CLAY COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 2 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2990: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF COLUMBUS TO DEFRAY EXPENSES ASSOCIATED WITH IMPROVEMENTS TO FIFTH STREET FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2991: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF COLUMBUS TO DEFRAY EXPENSES ASSOCIATED WITH THE BLUECUTT ROAD WIDENING PROJECT FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2992: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO CLAY COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 5 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2993: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF NATCHEZ TO DEFRAY EXPENSES ASSOCIATED WITH THE CONCORD AVENUE DRAINAGE IMPROVEMENT PROJECT FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

S. B. No. 2994: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO TIBBEE DEVELOPMENT CLUB TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RENOVATIONS AND OTHER IMPROVEMENTS TO ITS COMMUNITY CENTER BUILDING FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2995: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF WEST POINT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS,

RESURFACING AND MAKING OTHER IMPROVEMENTS TO ITS STREETS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2996: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF COLUMBUS TO DEFRAY EXPENSES ASSOCIATED WITH THE RENOVATIONS TO PROPST PARK BASEBALL FIELD FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2997: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF COLUMBUS TO DEFRAY EXPENSES ASSOCIATED WITH THE PHASE 3 CONSTRUCTION OF AN AMPHITHEATER FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

S. B. No. 2998: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF BALDWIN TO DEFRAY THE EXPENSES ASSOCIATED WITH THE PURCHASE OF ANY EQUIPMENT, INSTALLATION AND COMPLETION OF A REGIONAL WASH CENTER FOR PERSONAL PROTECTION EQUIPMENT FOR FIRST RESPONDERS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. B. No. 2999: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF HAZLEHURST TO DEFRAY EXPENSES ASSOCIATED WITH THE PURCHASE OF REFLECTIVE POSTS AND STREET SIGNS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Butler

S. B. No. 3000: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF SHUQUALAK TO DEFRAY EXPENSES FOR A METER READER SYSTEM FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (32nd)

FIFTY-FIRST DAY, WEDNESDAY, FEBRUARY 24, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Fillingane.

Senator Turner-Ford led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON RULES

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

S. C. R. No. 528: Commend golf icon Randy Watkins upon his induction into the Mississippi Sports Hall of Fame. Title Sufficient. Do Be Adopted.

S. C. R. No. 529: Congratulate Ole Miss Lineman Terrence Metcalf upon his induction into the 2021 Mississippi Sports Hall of Fame. Title Sufficient. Do Be Adopted.

S. C. R. No. 530: Commend Ole Miss and ATP tennis standout Dave Randall upon his induction into the Mississippi Sports Hall of Fame. Title Sufficient. Do Be Adopted.

S. C. R. No. 531: Encourage counties and municipalites to exchange land use and development information with military installations. Title Sufficient. Do Be Adopted.

S. C. R. No. 532: Recognize March 4, 2021, as "HPV Cancer Awareness Day" in Mississippi. Title Sufficient. Do Be Adopted.

S. R. No. 14: Commend Florence Girls Soccer Team for winning MHSAA Class 4A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 15: Commend the life of Pontotoc native and Hall of Fame Songwriter Jim Weatherly. Title Sufficient. Do Be Adopted.

S. R. No. 16: Recognize Nellie McInnis as the recipient of the 2021 Governor's Arts Award for Excellence in Music. Title Sufficient. Do Be Adopted.

S. R. No. 17: Recognize Sarah Thomas as first female referee to officiate a Super Bowl. Title Sufficient. Do Be Adopted.

S. R. No. 18: Extend sympathy of Mississippi Senate to family of fallen officer Hancock County Deputy Sheriff Michael Anthony Boutte, Sr. Title Sufficient. Do Be Adopted.

S. R. No. 19: Recognize enduring influence of Mississippi businessman and civic leader Leland Rhymes Speed and extending sympathy of Senate. Title Sufficient. Do Be Adopted.

S. R. No. 20: Recognize the dedicated public service of MEMA Director Greg Michel on occasion of his retirement. Title Sufficient. Do Be Adopted.

S. R. No. 21: Recognize "Native Plant Week" in Mississippi and commend the work of the Audubon Delta Region in native plant awareness. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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

The motion prevailed, and at 10:09 AM, the Senate stood in recess.

The Senate resumed business at 10:47 AM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON FINANCE

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

S. B. No. 2895: Ad valorem tax; provide assessment ratio for transformative renewable energy project property. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

Senator Harkins called up the following entitled bill:

S. B. No. 2971: Bonds; authorize issuance for state institutions of higher learning.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2971. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

S. B. No. 2972: Bonds; authorize issuance for various Mississippi Development Authority programs.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2972. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the rules be suspended for the immediate consideration of **S. B. No. 2895**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

S. B. No. 2895: Ad valorem tax; provide assessment ratio for transformative renewable energy project property.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2895. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Unanimous consent was granted to add Senators Jackson R. (11th) and Jordan as co-authors of **S. B. No. 2895**.

Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Daisy Greene, Mona Smith Conners, Regina Williams and Walter Laws, Sr. of Greenville, MS.

Senators Simmons D. T. (12th) and Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Denetra LaShae Dickerson of Clarksdale, MS.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Ida Mae Franklin of Jonestown, MS.

Senators Norwood, Simmons D. T. (12th), Frazier, Horhn and Blount moved that when the Senate adjourns, it adjourn in memory of Dr. John Fredrick Hurley of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Gerald Keith Gordon of Laurel, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Mary Ann Canady of Madison, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Henry Douglas Vaughn of Caledonia, MS.

Senator Blackwell moved that the Senate stand in recess until 5 PM or the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 25, 2021.

The motion prevailed, and at 11:04 AM, the Senate stood in recess.

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

H. B. No. 113: Community College Boards of Trustees; revise composition of Northeast Mississippi and Coahoma Community Colleges. Universities and Colleges.

H. B. No. 536: Mississippi Department of Employment Security; revise various provisions regarding authority of. Education; Economic and Workforce Development.

H. B. No. 849: State Workforce Investment Board; revise membership of. Education; Economic and Workforce Development.

H. B. No. 1253: Construction management at risk method of project delivery; revise certain provisions related to. Education; Accountability, Efficiency, Transparency.

H. B. No. 1301: Career and technical education; revise curriculum, instructor license requirements and certain assessments. Education; Economic and Workforce Development.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. C. R. No. 504: A CONCURRENT RESOLUTION CONGRATULATING JAMES F. "TED" BOOTH ON RECEIVING THE 2020 LEGISLATIVE STAFF ACHIEVEMENT AWARD FOR HIS REMARKABLE COMMITMENT TO PRODUCING THE "REDISTRICTING LAW 2020," ALSO KNOWN AS THE RED BOOK, THE FOURTH EDITION OF THE NATION'S BEST LEGAL RESOURCE ON REDISTRICTING.

S. C. R. No. 509: A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE MISSISSIPPI LEGISLATURE TO THE BEREAVED FAMILY OF FORMER JACKSON STATE UNIVERSITY HALL OF FAME COACH WILLIAM C. "W.C." GORDEN AND EXPRESSING OUR CONDOLENCES TO THE JACKSON STATE ADMINISTRATION AND FOOTBALL ALUMNI ON HIS PASSING.

S. C. R. No. 513: A CONCURRENT RESOLUTION RECOGNIZING THE BICENTENNIAL CELEBRATION OF FRANKLIN ACADEMY IN COLUMBUS, MISSISSIPPI, AND ACKNOWLEDGING ITS HISTORY AS THE FIRST PUBLIC SCHOOL IN MISSISSIPPI.

S. C. R. No. 515: A CONCURRENT RESOLUTION EXTENDING THE CONDOLENCES OF THE MISSISSIPPI LEGISLATURE TO THE BEREAVED FAMILY OF MAYOR JOEL TRAVIS MILES OF WIGGINS, MISSISSIPPI, AND REMEMBERING HIS LEGACY OF COMMUNITY LEADERSHIP.

S. C. R. No. 516: A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE MEMORY AND CAREER OF PIONEERING COUNTRY MUSIC SUPERSTAR CHARLEY PRIDE FROM SLEDGE, MISSISSIPPI, AND EXTENDING DEEPEST SYMPATHY TO HIS BEREAVED FAMILY.

S. C. R. No. 519: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BROOKHAVEN HIGH SCHOOL "PANTHERS" BOYS CROSS-COUNTRY TEAM AND COACH SHANNON KNOTT FOR THEIR SECOND CONSECUTIVE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A STATE CHAMPIONSHIP.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 12: Brig. Gen. Benjamin Joseph (Joe) Spraggins, Gulfport, Mississippi, MS Commission on Marine Resources as the Exe. Director of the Dept. of Marine Resources, term effective October 21, 2020 and the appointee shall serve at will and pleasure of the Governor. Do Advise and Consent.

MORAN, Chairman

MESSAGE FROM THE GOVERNOR
February 24, 2021

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

John Daniel Davis, IV, MD, Flowood, Mississippi, State Board of Health as a Licensed Physician, term effective immediately and ending June 30, 2023, vice Ed D. "Tad" Barham, MD, FACR.

Ryan Charles Harper, Pharm.D., Pelahatchie, Mississippi, State Board of Pharmacy to represent the Third Congressional District as it existed in 1983, designated as Post 3, five year term beginning July 2, 2021 and ending July 1, 2026.

Tate Reeves
GOVERNOR

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

John Daniel Davis, IV, MD, State Board of Health as a Licensed Physician, term effective immediately and ending June 30, 2023, Public Health and Welfare.

Ryan Charles Harper, Pharm.D., State Board of Pharmacy to represent the Third Congressional District as it existed in 1983, designated as Post 3, five year term beginning July 2, 2021 and ending July 1, 2026, Public Health and Welfare.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. C. R. No. 512: A CONCURRENT RESOLUTION REMEMBERING THE CAREER OF LEGENDARY COLLEGE AND NFL FOOTBALL PLAYER AND COACH RAY PERKINS FROM PETAL, MISSISSIPPI, AND EXTENDING THE SYMPATHY OF THE LEGISLATURE TO HIS BEREAVED FAMILY.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

H. B. No. 73: Chiropractors; extend repealer on licensure law. Title Sufficient. Do Pass.

H. B. No. 1312: State Board of Cosmetology; extend repealer on. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 14: Andrea Adkins Sanders, McComb, Mississippi, Mississippi Department of Child Protection Services as Commissioner of Child Protection Services, term effective November 9, 2020. Do Advise and Consent.

BRYAN, Chairman

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1439: AN ACT TO CREATE THE MISSISSIPPI TAX FREEDOM ACT OF 2021; TO AMEND SECTION 27-7-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE PERSONAL EXEMPTIONS UNDER THE STATE INCOME TAX LAW FOR SINGLE INDIVIDUALS, MARRIED INDIVIDUALS AND HEAD OF FAMILY INDIVIDUALS AND TO PROVIDE FOR THE ANNUAL ADJUSTMENT OF THE AMOUNTS OF SUCH PERSONAL EXEMPTIONS; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON THE SALE OF TANGIBLE PERSONAL PROPERTY; TO INCREASE THE SALES TAX RATE ON RETAIL SALES OF FARM TRACTORS AND PARTS AND LABOR USED TO MAINTAIN OR REPAIR SUCH TRACTORS WHEN MADE TO FARMERS FOR AGRICULTURAL PURPOSES; TO INCREASE THE SALES TAX RATE ON RETAIL SALES OF FARM IMPLEMENTS SOLD TO FARMERS AND PARTS AND LABOR USED TO MAINTAIN OR REPAIR SUCH IMPLEMENTS; TO INCREASE THE SALES TAX RATE ON SALES OF EQUIPMENT USED IN LOGGING, PULPWOOD OPERATIONS OR TREE FARMING, AND PARTS AND LABOR USED TO MAINTAIN OR REPAIR SUCH EQUIPMENT; TO INCREASE THE SALES TAX RATE ON RETAIL SALES OF AIRCRAFT, AUTOMOBILES, TRUCKS, TRUCK-TRACTORS, SEMITRAILERS AND MANUFACTURED AND MOBILE HOMES; TO INCREASE THE SALES TAX RATE ON SALES OF MANUFACTURING MACHINERY AND MACHINE PARTS; TO INCREASE THE SALES TAX RATE ON SALES OF MACHINERY AND MACHINE PARTS WHEN MADE TO A TECHNOLOGY INTENSIVE ENTERPRISE FOR PLANT USE ONLY WHEN THE MACHINERY AND MACHINE PARTS WILL BE USED EXCLUSIVELY AND DIRECTLY WITHIN THIS STATE FOR INDUSTRIAL PURPOSES; TO INCREASE THE SALES TAX RATE ON SALES OF MATERIALS FOR USE IN TRACK AND TRACK STRUCTURES TO A RAILROAD WHOSE RATES ARE FIXED BY THE INTERSTATE COMMERCE COMMISSION OR THE MISSISSIPPI PUBLIC SERVICE COMMISSION; TO INCREASE THE SALES TAX RATE ON SALES OF TANGIBLE PERSONAL PROPERTY TO ELECTRIC POWER ASSOCIATIONS FOR USE IN THE ORDINARY AND NECESSARY OPERATION OF THEIR GENERATING OR DISTRIBUTION SYSTEMS; TO INCREASE THE SALES TAX RATE ON SALES OF THE FACTORY-

BUILT COMPONENTS OF MODULAR HOMES, PANELIZED HOMES AND PRECUT HOMES, AND PANEL CONSTRUCTED HOMES CONSISTING OF STRUCTURAL INSULATED PANELS; TO INCREASE THE SALES TAX RATE ON SALES OF MATERIALS USED IN THE REPAIR, RENOVATION, ADDITION TO, EXPANSION OR IMPROVEMENT OF BUILDINGS AND RELATED FACILITIES USED BY DAIRY PRODUCERS; TO REDUCE THE SALES TAX RATE ON RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-65-19, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON SALES OF UTILITIES AND TELECOMMUNICATIONS SERVICES; TO AMEND SECTION 27-65-20, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON SALES OF MACHINERY, MACHINE PARTS AND EQUIPMENT TO AN OPERATOR OR LESSEE OF COUNTY PORT AUTHORITY OR COUNTY DEVELOPMENT COMMISSION STRUCTURES, FACILITIES AND LANDS; TO AMEND SECTION 27-65-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON AMOUNTS INCLUDED IN THE CONTRACT PRICE OR COMPENSATION RECEIVED REPRESENTING THE SALE OF MANUFACTURING OR PROCESSING MACHINERY FOR A MANUFACTURER OR CUSTOM PROCESSOR; TO AMEND SECTION 27-65-22, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON AMUSEMENT AND ENTERTAINMENT ADMISSIONS; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON VARIOUS SERVICES; TO AMEND SECTION 27-65-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON RETAIL SALES OF ALCOHOLIC BEVERAGES; TO AMEND SECTION 27-65-26, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON THE SALE, RENTING OR LEASING OF SPECIFIED DIGITAL PRODUCTS; TO AMEND SECTION 27-65-201, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON CASUAL SALES OF MOTOR VEHICLES; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE SALES REVENUE COLLECTED FROM INCREASES TO SALES TAX RATES UNDER THIS ACT SHALL BE DEPOSITED, WITHOUT DIVERSION, INTO THE STATE TREASURY TO THE CREDIT OF THE GENERAL FUND, EXCEPT THAT A PORTION OF SUCH REVENUE SHALL BE TEMPORARILY DEPOSITED INTO A SPECIAL FUND CREATED IN THE STATE TREASURY AS THE "BUDGET STABILIZATION FUND"; TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE USE TAX REVENUE COLLECTED AS A RESULT OF THE INCREASES TO SALES TAX RATES UNDER THIS ACT SHALL BE DEPOSITED, WITHOUT DIVERSION, INTO THE STATE TREASURY TO THE CREDIT OF THE GENERAL FUND, EXCEPT THAT A PORTION OF SUCH REVENUE SHALL BE TEMPORARILY DEPOSITED INTO A SPECIAL FUND CREATED IN THE STATE TREASURY AS THE "BUDGET STABILIZATION FUND"; TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES CERTAIN MUNICIPALITIES TO LEVY A MUNICIPAL SPECIAL SALES TAX, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-69-3, 27-69-13 AND 27-69-75, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TOBACCO" UNDER THE TOBACCO TAX LAW; TO INCREASE THE RATE OF THE TOBACCO TAX ON CIGARETTES AND OTHER TOBACCO; TO PROVIDE THAT TOBACCO TAXES COLLECTED FROM THE INCREASES TO TOBACCO TAX RATES UNDER THIS ACT SHALL BE TEMPORARILY DEPOSITED INTO A SPECIAL FUND CREATED IN THE STATE TREASURY AS THE "BUDGET STABILIZATION FUND"; TO CREATE THE "BUDGET STABILIZATION FUND" AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE FUND SHALL ONLY BE APPROPRIATED BY THE LEGISLATURE TO FURTHER THE PURPOSES OF THIS ACT; TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FROM AND AFTER JANUARY 1 OF THE NEXT SUCCEEDING YEAR AFTER THE DATE THAT THE COMMISSIONER OF REVENUE CERTIFIES THAT THE REDUCTION IN REVENUE MANDATED BY SECTION 27-7-21,

MISSISSIPPI CODE OF 1972, EQUALS OR EXCEEDS THE REMAINING REVENUE PRODUCED BY THE INDIVIDUAL INCOME TAX, THE INDIVIDUAL INCOME TAX SHALL BE REPEALED; TO BRING FORWARD SECTION 27-7-3, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS UNDER THE STATE INCOME TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE INCOME TAXATION OF ESTATES AND TRUSTS; TO BRING FORWARD SECTIONS 27-7-22.5, 27-7-22.15, 27-7-22.21, 27-7-22.22, 27-7-22.31, 27-7-22.32, 27-7-22.33, 27-7-22.37, 27-7-22.39, 27-7-22.41 AND 27-7-207, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VARIOUS INCOME TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-7-312, 57-62-5, 57-62-9, 57-62-11 AND 57-62-13, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 57-89-3 AND 57-89-7, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI MOTION PICTURE INCENTIVE ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 57-99-1, 57-99-3, 57-99-5, 57-99-7, 57-99-21, 57-99-23, 57-99-25 AND 57-99-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT WITHHOLDING REBATE INCENTIVE PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 37-148-3 AND 37-148-5, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 57-105-1, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES INCOME TAX AND INSURANCE PREMIUM TAX CREDITS FOR TAXPAYERS HOLDING CERTAIN QUALIFIED EQUITY INVESTMENTS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-25-503 AND 27-25-505, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STATE OIL SEVERANCE TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-25-703 AND 27-25-705, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STATE GAS SEVERANCE TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-65-101, 27-65-103, 27-65-105, 27-65-107 AND 27-65-111, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE VARIOUS SALES TAX EXEMPTIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM ANNUAL SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Ida Mae Franklin, Dr. John Fredrick Hurley, Denetra LaShae Dickerson, Gerald Keith Gordon, Mary Ann Canady, Daisy Greene, Mona Smith Conners, Regina Williams, Walter Laws, Sr. and Henry Douglas Vaughn.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 24, 2021

S. B. No. 3001: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CANTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO ITS WATER AND SEWER SYSTEMS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3002: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CANTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A NEW GOVERNMENTAL COMPLEX; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3003: Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO EDWARD CARTER, SR., OF CLAIBORNE COUNTY, MISSISSIPPI.

By Senator(s) Butler

S. B. No. 3004: Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO STANLEY BARNES, OF CLAIBORNE COUNTY, MISSISSIPPI.

By Senator(s) Butler

S. B. No. 3005: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF DURANT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO ITS STREETS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3006: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO TOUGALOO COLLEGE TO DEFRAY EXPENSES ASSOCIATED WITH THE COMPLETION OF RESTORATION, REPAIR, RENOVATION AND UPGRADES TO THE INTERIOR OF THE HISTORIC TOUGALOO COLLEGE SITE WHERE THE FREEDOM RIDERS TOOK REFUGE FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3007: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ATTALA COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 4 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3008: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ATTALA COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 2 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3009: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF TCHULA TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO ITS STREETS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3010: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO HOLMES COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN THE UNINCORPORATED COMMUNITY OF EBENEZER FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3011: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO HOLMES COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH THE PURCHASE OF A FIRE TRUCK FOR THE UNINCORPORATED COMMUNITY OF EBENEZER FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3012: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE GENERAL MISSIONARY BAPTIST CONVENTION OF MISSISSIPPI, INC., TO DEFRAY EXPENSES ASSOCIATED WITH THE COMPLETION OF RENOVATIONS TO THE NATCHEZ SEMINARY PROPERTY FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3013: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CARTHAGE TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3014: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CARTHAGE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS COLISEUM FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3015: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CANTON TO DEFRAY EXPENSES FOR THE REPAIR, RENOVATION, UPGRADES AND IMPROVEMENTS TO THE CITY'S PARKS AND RELATED FACILITIES FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3016: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CANTON TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3017: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CANTON TO DEFRAY EXPENSES FOR THE CONSTRUCTION OF THE CITY OF CANTON MUNICIPAL COMPLEX FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3018: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF PROVIDING FUNDS FOR REPAIR, RENOVATION AND UPGRADING OF CAMPUS BUILDINGS, FACILITIES AND INFRASTRUCTURE AT ALCORN STATE UNIVERSITY, JACKSON STATE UNIVERSITY AND MISSISSIPPI VALLEY STATE UNIVERSITY; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3019: Finance

AN ACT TO CREATE A NEW SECTION IN TITLE 27, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO EXEMPT SMALL BUSINESSES THAT APPLIED FOR BUT DID NOT RECEIVE PAYCHECK PROTECTION PROGRAM LOANS FROM THE INCOME TAX FOR TAXABLE YEARS 2020 AND 2021; TO EXEMPT SMALL BUSINESSES THAT APPLIED FOR BUT DID NOT RECEIVE PAYCHECK PROTECTION PROGRAM LOANS FROM THE FRANCHISE TAX FOR TAXABLE YEARS 2020 AND 2021; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3020: Finance

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

By Senator(s) Blackmon

S. B. No. 3021: Finance

AN ACT TO AMEND SECTION 27-104-301, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$1,000,000.00 TO \$2,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE TOUGALOO COLLEGE RESEARCH DEVELOPMENT FOUNDATION, INC., IN PAYING THE COSTS ASSOCIATED WITH COMPLETION OF RESTORATION, REPAIR, RENOVATION AND UPGRADES TO THE INTERIOR OF THE HISTORIC TOUGALOO COLLEGE SITE WHERE THE FREEDOM RIDERS TOOK REFUGE, FOR WHICH FUNDS ARE TO BE DISBURSED FROM THE 2018 TRANSPORTATION AND INFRASTRUCTURE IMPROVEMENTS FUND; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3022: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF ATTALA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD IMPROVEMENTS IN SUPERVISOR DISTRICT 4; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3023: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF ATTALA COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD IMPROVEMENTS IN SUPERVISOR DISTRICT 2; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3024: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF TCHULA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO TOWN ROADS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3025: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD IMPROVEMENTS FOR THE COMMUNITY OF EBENEZER; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3026: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PURCHASE OF A FIRE TRUCK FOR THE COMMUNITY OF EBENEZER; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3027: Finance

AN ACT TO AMEND SECTION 74, CHAPTER 511, LAWS OF 2016, TO INCREASE FROM \$400,000.00 TO \$1,400,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE PURPOSE OF FURNISHING, EQUIPPING, REPAIRING AND RENOVATING THE NATCHEZ SEMINARY PROPERTY OF THE GENERAL MISSIONARY BAPTIST CONVENTION OF MISSISSIPPI, INC.; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3028: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CARTHAGE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPAIRS TO CITY STREETS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3029: Finance

AN ACT AMEND SECTION 113, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE CITY OF CARTHAGE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS COLISEUM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3030: Finance

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

By Senator(s) Blackmon

S. B. No. 3031: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CANTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH REPAIRS TO CITY STREETS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3032: Local and Private

AN ACT TO AMEND CHAPTER 923, LOCAL AND PRIVATE LAWS OF 2013, AS LAST AMENDED BY CHAPTER 943, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF PASCAGOULA, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS DERIVED FROM THE SALE OF PREPARED FOODS BY

RESTAURANTS IN THE CITY AND PROVIDES THAT THE CITY MAY UTILIZE THE REVENUE FROM THE TAX TO IMPLEMENT A COMPREHENSIVE PARKS AND RECREATION MASTER PLAN ADOPTED BY THE CITY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 3033: Finance; Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TUNICA COUNTY, MISSISSIPPI, TO DESIGNATE PROJECTS AS TRANSFORMATIVE RENEWABLE ENERGY PROJECTS; TO PROVIDE THE ASSESSMENT RATIO FOR PROPERTY OWNED BY TRANSFORMATIVE ENERGY PROJECTS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 3034: Finance

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

By Senator(s) Witherspoon

S. B. No. 3035: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF PONTOTOC COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE COUNTY COURTHOUSE IN PONTOTOC; AND FOR RELATED PURPOSES.

By Senator(s) Chism

S. B. No. 3036: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CANTON TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE CITY'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

S. B. No. 3037: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST CLAY COUNTY, LOWNDES COUNTY AND OKTIBBEHA COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH VARIOUS ROAD PROJECTS; AND FOR RELATED PURPOSES.

By Senator(s) Younger, Turner-Ford, Williams

S. B. No. 3038: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE HOUSTON SCHOOL DISTRICT IN HOUSTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE COMPLETION OF CONSTRUCTION OF THE GIRLS' SOFTBALL FACILITY; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 3039: Appropriations

AN ACT MAKING AN APPROPRIATION OF GULF COAST RESTORATION FUNDS TO THE CITY OF PASCAGOULA TO DEFRAY EXPENSES ASSOCIATED WITH ECONOMIC DEVELOPMENT IN ACCORDANCE WITH THE CITY'S ADOPTED STRATEGIC PLAN FOR DOWNTOWN AND ACCOMPANYING DEVELOPMENT FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 3040: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE SOUTH PIKE SCHOOL DISTRICT TO DEFRAY EXPENSES ASSOCIATED WITH THE RENOVATIONS TO ITS SCHOOL BUILDINGS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

S. B. No. 3041: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF BRUCE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH STREET REPAIR AND PAVING; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 3042: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF BRUCE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND EXPANSION OF ITS SEWAGE SYSTEM AND LAGOON; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 3043: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CALHOUN COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPLACEMENT OF TWO VEHICLES FOR THE SHERIFF'S DEPARTMENT; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 3044: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF WOODLAND, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE TOWN MEDICAL CLINIC; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 3045: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF CALHOUN CITY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH STREET REPAIR AND PAVING; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 3046: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF VARDAMAN, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH STREET REPAIR AND PAVING; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 3047: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HOUSTON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE BIJOU THEATER, PHASE I CONSTRUCTION OF THE TRACE-TO-TRAIL CONNECTOR LOOP BETWEEN THE NATCHEZ TRACE PARKWAY AND THE TANGLEFOOT TRAIL, IMPROVEMENTS TO JOE BRIGANCE PARK, INCLUDING THE CONSTRUCTION OF A NEW PLAYGROUND, AND THE REPAIR AND RENOVATION OF THE CHICKASAW COUNTY HERITAGE MUSEUM; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 3048: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF CHICKASAW COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE COUNTY COURTHOUSE IN HOUSTON; AND FOR RELATED PURPOSES.

By Senator(s) Suber

S. B. No. 3049: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO THE PASCAGOULA REDEVELOPMENT AUTHORITY FOR THE PURPOSE OF ATTRACTING, SECURING AND ATTAINING A QUALIFIED WORKFORCE THROUGH ECONOMIC DEVELOPMENT OF THE CITY OF PASCAGOULA, MISSISSIPPI, AND ITS DOWNTOWN; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 3050: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF UNION COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE COUNTY COURTHOUSE IN NEW ALBANY; AND FOR RELATED PURPOSES.

By Senator(s) Chism

S. B. No. 3051: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF QUITMAN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE ACQUISITION AND CLEANUP OF LAND RELATED TO THE QUITMAN VILLAGE PROJECT IN THE CITY OF QUITMAN, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 3052: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF LEAKESVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF NEW SIDEWALKS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

S. B. No. 3053: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$5,000,000.00 FOR THE MISSISSIPPI PORTS IMPROVEMENTS FUND; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Younger, Turner-Ford, Butler, Witherspoon, Wiggins, Sparks, Hopson, Bryan, Simmons (12th), Simmons (13th)

S. B. No. 3054: Finance

AN ACT TO CREATE THE STAY ON TRACK EDUCATION FUND FOR THE PURPOSE OF PROVIDING A ONE-TIME \$1,000.00 EDUCATIONAL SERVICES GRANT TO PARENTS TO ASSIST THEM IN PROVIDING SUPPLEMENTAL EDUCATIONAL SERVICES TO THEIR CHILDREN; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

S. B. No. 3055: Finance

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS,

RESURFACING, AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 1 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3056: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO ITS WATER AND SEWER SYSTEMS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3057: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING THE COSTS OF CONSTRUCTION, DEVELOPMENT, AND IMPROVEMENTS ON THE DOWNTOWN GREEN SPACE ASSOCIATED WITH THE NEW FEDERAL COURTHOUSE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3058: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF METCALFE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO ITS WATER AND SEWER SYSTEMS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3059: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF METCALFE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE TOWN PARK; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3060: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GREENVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF CITY PARKS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3061: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF LELAND, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE CITY PARK; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3062: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF ROSEDALE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF THE CITY PARK; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3063: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF COAHOMA TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS,

RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3064: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF FRIARS POINT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3065: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 3 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3066: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE LELAND PUBLIC SCHOOL DISTRICT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RENOVATIONS AND OTHER IMPROVEMENTS TO ITS EARLY HEAD START FACILITY AT LELAND MIDDLE SCHOOL FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3067: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 4 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3068: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF ROSEDALE TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3069: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 2 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3070: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO BOLIVAR COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 1 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3071: Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS,

RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 5 FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

S. B. No. 3073: Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE SOUTH PIKE SCHOOL DISTRICT IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF VARIOUS SCHOOL BUILDINGS; AND FOR RELATED PURPOSES.

By Senator(s) Witherspoon

S. R. No. 22: Rules

A RESOLUTION COMMENDING AND CONGRATULATING SOUTH PERRY ELEMENTARY KINDERGARTEN TEACHER MARIA JAMES FROM BEAUMONT, MISSISSIPPI, UPON HER RECEIPT OF THE "MISSISSIPPI RURAL TEACHER OF THE YEAR" AWARD PRESENTED ANNUALLY BY THE PROGRAM OF RESEARCH AND EVALUATION FOR PUBLIC SCHOOLS (PREPS).

By Senator(s) DeBar, Johnson

S. R. No. 23: Rules

A RESOLUTION EXPRESSING THE DEEPEST SYMPATHY OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY AND FRIENDS OF GREENVILLE, MISSISSIPPI, NATIVE MARY WILSON, CO-FOUNDING MEMBER OF THE LEGENDARY MOTOWN GROUP "THE SUPREMES," AND COMMENDING HER MUSICAL LEGACY.

By Senator(s) Simmons (12th), Jackson (11th), Simmons (13th), Jordan, Barnett, Butler, Jackson (32nd), Thomas, Blackmon, Turner-Ford, Horhn, Frazier, Witherspoon

S. R. No. 24: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE GULFPORT HIGH SCHOOL "LADY ADMIRALS" GIRLS SOCCER TEAM AND COACH CHRIS PRYOR FOR WINNING ITS SECOND CONSECUTIVE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 6A STATE CHAMPIONSHIP.

By Senator(s) Carter

FIFTY-SECOND DAY, THURSDAY, FEBRUARY 25, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Tate, written by Bishop Chuck Overby, Pastor, The Tabernacle at GracePointe Church, Meridian, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

H. B. No. 949: Solid waste landfills; prohibit new landfill in county where 2 or more exist, unless referendum held. County Affairs.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 2031: City of Louisville; extend the hotel and motel tax repeal date to July 1, 2025. Title Sufficient. Do Pass.

S. B. No. 2032: City of Olive Branch; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation. Title Sufficient. Do Pass.

S. B. No. 2539: Hinds County; authorize assessments on convictions, for improvements to courthouses and pretrial detention facilities. Title Sufficient. Do Pass.

S. B. No. 2776: Noxubee County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. Title Sufficient. Do Pass.

S. B. No. 2881: City of Brookhaven; extend repeal date on the tax upon room rentals of hotels, motels and bed-and-breakfast establishments. Title Sufficient. Do Pass.

S. B. No. 2882: Lowndes County; increase amount that may be contributed to the United Way for fiscal years 2021-2023, and extend repealer. Title Sufficient. Do Pass.

MCMAHAN, Chairman

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 528, S. C. R. No. 529, S. C. R. No. 530, S. C. R. No. 531, S. C. R. No. 532,

S. R. No. 14, S. R. No. 15, S. R. No. 16, S. R. No. 17, S. R. No. 18, S. R. No. 19, S. R. No. 20 and S. R. No. 21 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 528: Commend golf icon Randy Watkins upon his induction into the Mississippi Sports Hall of Fame.

S. C. R. No. 529: Congratulate Ole Miss Lineman Terrence Metcalf upon his induction into the 2021 Mississippi Sports Hall of Fame.

S. C. R. No. 530: Commend Ole Miss and ATP tennis standout Dave Randall upon his induction into the Mississippi Sports Hall of Fame.

S. C. R. No. 531: Encourage counties and municipalities to exchange land use and development information with military installations.

S. C. R. No. 532: Recognize March 4, 2021, as "HPV Cancer Awareness Day" in Mississippi.

S. R. No. 14: Commend Florence Girls Soccer Team for winning MHSAA Class 4A State Championship.

S. R. No. 15: Commend the life of Pontotoc native and Hall of Fame Songwriter Jim Weatherly.

S. R. No. 16: Recognize Nellie McInnis as the recipient of the 2021 Governor's Arts Award for Excellence in Music.

S. R. No. 17: Recognize Sarah Thomas as first female referee to officiate a Super Bowl.

S. R. No. 18: Extend sympathy of Mississippi Senate to family of fallen officer Hancock County Deputy Sheriff Michael Anthony Boutte, Sr.

S. R. No. 19: Recognize enduring influence of Mississippi businessman and civic leader Leland Rhymes Speed and extending sympathy of Senate.

S. R. No. 20: Recognize the dedicated public service of MEMA Director Greg Michel on occasion of his retirement.

S. R. No. 21: Recognize "Native Plant Week" in Mississippi and commend the work of the Audubon Delta Region in native plant awareness.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 528, S. C. R. No. 529, S. C. R. No. 530, S. C. R. No. 531, S. C. R. No. 532, S. R. No. 14, S. R. No. 15, S. R. No. 16, S. R. No. 17, S. R. No. 18, S. R. No. 19, S. R. No. 20 and S. R. No. 21. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Barnett, Caughman, Fillingane, Hopson, Jackson R. (11th), Jackson S. (32nd), Kirby, Parker, Simmons S. (13th) and Thompson as co-authors of **S. C. R. No. 528**.

Unanimous consent was granted to add Senators Barnett, Chassaniol, Fillingane, Hopson, Jackson R. (11th), Jackson S. (32nd), Simmons S. (13th) and Sparks as co-authors of **S. C. R. No. 529**.

Unanimous consent was granted to add Senators Barnett, Boyd, Chassaniol, Fillingane, Hopson, Jackson R. (11th), Jackson S. (32nd), Simmons S. (13th) and Sparks as co-authors of **S. C. R. No. 530**.

Unanimous consent was granted to add Senators Barnett, Jackson R. (11th), Jackson S. (32nd) and Simmons S. (13th) as co-authors of **S. C. R. No. 531**.

Unanimous consent was granted to add Senators Barnett, Caughman, Frazier, Jackson R. (11th), Jackson S. (32nd) and Simmons S. (13th) as co-authors of **S. C. R. No. 532**.

Unanimous consent was granted to add Senators Barnett, Branning, Fillingane, Jackson R. (11th), Jackson S. (32nd), Kirby and Simmons S. (13th) as co-authors of **S. R. No. 14**.

Unanimous consent was granted to add Senators Barnett, Boyd, Branning, Fillingane, Jackson R. (11th), Jackson S. (32nd), Simmons S. (13th) and Sparks as co-authors of **S. R. No. 15**.

Unanimous consent was granted to add Senators Barnett, Fillingane, Jackson R. (11th), Jackson S. (32nd) and Simmons S. (13th) as co-authors of **S. R. No. 16**.

Unanimous consent was granted to add Senators Barnett, Blackwell, Boyd, Branning, Caughman, Chassaniol, England, Fillingane, Hopson, Jackson R. (11th), Jackson S. (32nd), Kirby, Parker, Simmons S. (13th), Sparks and Witherspoon as co-authors of **S. R. No. 17**.

Unanimous consent was granted to add Senators Barnett, Blackwell, Branning, Caughman, DeBar, England, Fillingane, Frazier, Hopson, Jackson R. (11th), Jackson S. (32nd), McMahan, Simmons S. (13th) and Thompson as co-authors of **S. R. No. 18**.

Unanimous consent was granted to add Senators Barnett, Boyd, Branning, Caughman, Chassaniol, DeBar, Fillingane, Hopson, Jackson R. (11th), Jackson S. (32nd), Simmons S. (13th), Sparks and Thompson as co-authors of **S. R. No. 19**.

Unanimous consent was granted to add Senators Barnett, Branning, DeBar, England, Fillingane, Hopson, Jackson R. (11th), Jackson S. (32nd), Kirby, Michel, Simmons S. (13th), Sparks and Thompson as co-authors of **S. R. No. 20**.

Unanimous consent was granted to add Senators Barnett, Chassaniol, Fillingane, Jackson R. (11th), Jackson S. (32nd) and Simmons S. (13th) as co-authors of **S. R. No. 21**.

Senator Hopson called up the motion to reconsider the vote whereby **S. B. No. 2926** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 2926: Appropriation; Mental Health, Department of.

The foregoing motion prevailed.

Senator Bryan called up the following entitled bill:

H. B. No. 1302: Optometry; Board shall define practice of, and authorize to perform certain procedures and use and prescribe certain drugs.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-19-1, Mississippi Code of 1972, is amended as follows:

73-19-1. (1) The practice of optometry is defined to be the application of optical principles, through technical methods and devices in the examination of human eyes for the purpose of ascertaining departures from the normal, measuring their functional powers and adapting or prescribing optical accessories, including spectacles, contact lenses and low-vision devices, for the aid thereof, including, but not limited to, the use of computerized or automated refracting devices, lenses and prisms, vision therapy and low-vision rehabilitation therapy. The practice of optometry shall include the prescribing and use of therapeutic pharmaceutical agents by optometrists certified under Sections 73-19-153 through 73-19-165. The practice of optometry shall * * * include the removal of superficial foreign bodies from the eye or other noninvasive procedures. Nothing in this section or any other provision of law shall be construed to prohibit optometrists who have been certified under Sections 73-19-153 through 73-19-165 from providing postophthalmic surgical or clinical care and management with the advice and consultation of the operating or treating physician. One who is engaged in the practice of optometry as a profession as defined in this subsection and who has sufficient education and professional competence, as defined by the State Board of Optometry, shall be authorized to examine, diagnose, manage and treat conditions and diseases of the eye and eyelid, including the following:

(a) The administration and prescribing of pharmaceutical agents rational to the diagnosis and treatment of conditions or diseases of the eye or eyelid; excluding administration that requires intraocular injection or intraocular implantation;

(b) The performance of primary eye care procedures not otherwise excluded within this statute rational to the treatment of conditions or diseases of the eye or eyelid;

(c) The performance and ordering of procedures and laboratory tests rational to the diagnosis of conditions or diseases of the eye and eyelid; excluding those requiring biopsy of any part of the globe or intraocular aspiration or penetration;

(d) The use of a local anesthetic in conjunction with the primary care treatment of an eyelid lesion; provided, however, that no optometrist shall use a local anesthetic for this purpose unless the optometrist has met the certification requirements set forth by the Board of Optometry for the administration of pharmaceutical agents in the performance of primary eye care procedures. Nothing in this subsection shall be construed as allowing an optometrist to perform any reconstructive surgical procedure on the eyelid; and

(e) An optometrist may utilize local anesthesia by injection in performing the following procedures:

(i) Needle drainage of an eyelid abscess, hematoma, bulla and seroma;

(ii) Excision of a single epidermal lesion without characteristics of malignancy, no larger than five (5) millimeters in size and no deeper than the dermal layer of the skin;

(iii) Incision and curettage of a nonrecurrent chalazion;

(iv) Simple repair of an eyelid laceration no larger than two and one-half (2-1/2) centimeters and no deeper than the orbicularis muscle and not involving the eyelid margin or lacrimal drainage structures; or

(v) Removal of foreign bodies in the eyelid not involving lid margin, lacrimal drainage structures, and extending no deeper than the orbicularis muscle.

(2) Nothing in * * * this act, shall be construed or interpreted to allow any optometrist to treat systemic diseases and/or conditions.

(3) Optometrists practicing in this state shall not perform cataract surgery nor any other intraocular surgical procedure not specifically allowed in this statute.

(4) Optometrists practicing under the authority of this section shall be held to the same standard of care as that of other physicians providing similar services. No optometrist shall practice under this section unless the optometrist has submitted to the Board of Optometry evidence of satisfactory completion of all education requirements and the board has certified the optometrist as educationally qualified.

(5) An optometrist may perform the following if he has been certified by the Board of Optometry to perform optometric laser procedure: YAG laser posterior capsulotomy.

SECTION 2. Section 73-19-27, Mississippi Code of 1972, is amended as follows:

73-19-27. Nothing in this chapter shall be construed as conferring on the holder of any certificate of licensure issued by said board the title of oculist, ophthalmologist, or any other word or abbreviation indicating that he is engaged in the practice of medicine or surgery. * * *

SECTION 3. Section 73-19-157, Mississippi Code of 1972, is amended as follows:

73-19-157. Any optometrist certified to prescribe and use therapeutic pharmaceutical agents under Sections 73-19-153 through 73-19-165 is authorized to examine, diagnose, manage and treat visual defects, abnormal conditions and diseases of the human eye or eyelids, including:

* * *

(* * *a) Over-the-counter medications;

* * *

(b) Pharmaceutical medications which are rational and appropriate for the examination, diagnosis, management or treatment of visual defects, abnormal conditions or diseases of the eye and/or eyelids as authorized by Section 73-19-1 of this chapter not including any medication that must be injected or implanted into the eye or orbit. Dermal fillers and substances injected for cosmetic purposes are prohibited. These agents shall not include any drug or substance listed in Schedule I of the Uniform Controlled Dangerous Substances Law;

(* * *c) The administration of an auto injection or epi-pen to counteract anaphylactic reaction, followed by immediate referral of the patient to the nearest emergency medical facility * * *; and

(d) In a public health emergency, the State Health Officer may authorize therapeutically licensed optometrists to administer inoculations for systemic health reasons.

SECTION 4. An optometrist may be licensed in Mississippi to perform authorized ophthalmic YAG laser posterior capsulotomy procedures if he/she:

(a) Provides proof of holding a Mississippi license to practice therapeutic optometry and is in good standing;

(b) Provides proof of satisfactory completion of a course of instruction as approved by the board. Those graduating from an accredited school or college of optometry within five (5) years after the effective date of this act may be excluded from course completion requirement, provided that the candidate has successfully passed appropriate coursework to fulfill requirements as determined by the board. The board-approved course of instruction shall be:

(i) Provided by an accredited optometry, osteopathy or medical school;

(ii) A minimum of thirty-two (32) clock hours in length; and

(iii) Sponsored by an organization approved by the board;

(c) Satisfactorily completes a written test approved by the board on aspects pertaining to authorized ophthalmic YAG laser posterior capsulotomy procedures;

(d) Passes a clinical skills assessment approved by the board;

(e) Participates in eight (8) additional hours of working under a preceptor who is either an ophthalmologist or licensed credentialed optometrist. The preceptor must be licensed to perform the ophthalmic YAG laser posterior capsulotomy procedures, and the training shall occur within the state in which the preceptor is licensed to perform such procedures; and

(f) Such other requirements as may be directed by the board.

SECTION 5. An optometrist licensed in another state who applies for licensure by endorsement in Mississippi shall be credentialed to perform authorized ophthalmic YAG laser posterior capsulotomy procedures if the applicant provides proof that:

(a) The applicant holds an active license in good standing by another state;
and

(b) The applicant is credentialed by that state to perform ophthalmic YAG laser posterior capsulotomy procedures; and

(c) The requirements in the state of licensure for performing ophthalmic YAG laser posterior capsulotomy procedures meet or exceed the requirements in Section I of this act; or

(d) The applicant has satisfactory outcome data from prior ophthalmic YAG laser posterior capsulotomy procedures.

SECTION 6. Optometrists shall report to the board the outcome of every authorized ophthalmic surgery procedure performed in such form as required or directed by the board.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-19-1, MISSISSIPPI CODE OF 1972, TO DEFINE THE PRACTICE OF OPTOMETRY; TO PROVIDE FOR THE DISEASES AND CONDITIONS THAT OPTOMETRISTS ARE AUTHORIZED TO EXAMINE, DIAGNOSE AND MANAGE; TO PROVIDE THAT AN OPTOMETRIST MAY UTILIZE LOCAL ANESTHESIA IN THE PERFORMANCE OF CERTAIN PROCEDURES; TO PROVIDE THAT NO OPTOMETRIST SHALL PERFORM CATARACT SURGERY NOR ANY OTHER INTRAOCULAR SURGERY NOT SPECIFICALLY ALLOWED IN THIS STATUTE; TO PROVIDE THAT AN OPTOMETRIST MAY PERFORM YAG LASER POSTERIOR CAPSULOTOMIES IF HE/SHE HAS BEEN CERTIFIED BY THE BOARD OF OPTOMETRY TO PERFORM OPTOMETRIC YAG LASER POSTERIOR CAPSULOTOMY PROCEDURES; TO AMEND SECTION 73-19-27, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT ALLOWS OPTOMETRISTS TO USE PHARMACEUTICAL AGENTS IN THEIR PRACTICE; TO AMEND SECTION 73-19-157, MISSISSIPPI CODE OF 1972, TO PROVIDE OPTOMETRISTS THE AUTHORITY TO USE AND PRESCRIBE CERTAIN PHARMACEUTICAL MEDICATIONS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1302 was adopted.

YEAS AND NAYS On H. B. No. 1302. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Parks, Seymour,

Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.
Nays--Blackmon, Moran, Polk, Thompson, Witherspoon. Total--5.
Absent and those not voting---None.

Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Senator Hiram Revels of Lorman, MS.

Senator Jackson S. (32nd) moved that when the Senate adjourns, it adjourn in memory of Crystal Faye Jackson Benn of Preston, MS.

Senators Hopson and Boyd moved that when the Senate adjourns, it adjourn in memory of Mrs. Margaret Denton Khayat of Oxford, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Mrs. Ida Belle Haymer of Bentonia, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Rhonda Elaine Miller of Enterprise, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of James Franklin "Hinkey" McNeil, Roger L. McHenry, Dorothy Jane Odom and Claudie Mae Kennedy of Quitman, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Ila A. Downs of Stonewall, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM or the last committee report is filed, at which time the Senate would then adjourn until 4:00 PM, Monday, March 1, 2021.

The motion prevailed, and at 10:37 AM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 311: AN ACT TO AMEND SECTION 27-65-201, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION TRANSFERS OF LEGAL OWNERSHIP OF MOTOR VEHICLES FROM A PARTNERSHIP OR LIMITED LIABILITY COMPANY TO ONE OF ITS PARTNERS OR OWNERS, AND TRANSFERS OF LEGAL

OWNERSHIP OF MOTOR VEHICLES FROM A SHAREHOLDER OF A CORPORATION TO THAT CORPORATION; TO REQUIRE THAT SUCH TRANSFERS BE EVIDENCED BY AN AFFIDAVIT PREPARED BY THE DEPARTMENT OF REVENUE AND SIGNED BY THE TRANSFEROR; AND FOR RELATED PURPOSES.

H. B. No. 628: AN ACT TO AMEND SECTION 27-19-11, MISSISSIPPI CODE OF 1972, TO ADD GROSS WEIGHT CATEGORY FROM 80,001 POUNDS TO 84,000 POUNDS FOR CARRIERS OF PROPERTY AND SPECIFY PRIVILEGE TAX RATES FOR THE NEW WEIGHT CATEGORY WHICH SHALL BE LIMITED TO TRANSPORT OF PRODUCTS AS PROVIDED FOR HARVEST PERMITS; AND FOR RELATED PURPOSES.

H. B. No. 1297: AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$2,870,000.00 TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1322: AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN RAILROAD RECONSTRUCTION OR REPLACEMENT EXPENDITURES MADE BY CLASS II AND CLASS III RAILROADS; TO DEFINE CERTAIN TERMS FOR THE PURPOSES OF THIS ACT; TO PROVIDE THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE CARRIED FORWARD; TO PROVIDE THAT ANY UNUSED PORTION OF THE TAX CREDIT MAY BE TRANSFERRED TO ANOTHER TAXPAYER; AND FOR RELATED PURPOSES.

H. B. No. 1351: AN ACT TO AMEND SECTIONS 6 THROUGH 20, CHAPTER 521, LAWS OF 1995, AS LAST AMENDED BY SECTION 25, CHAPTER 492, LAWS OF 2020, TO INCREASE FROM \$36,843,000.00 TO \$40,043,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND; AND FOR RELATED PURPOSES.

H. B. No. 1441: AN ACT TO AUTHORIZE AN INCOME TAX CREDIT AND INSURANCE PREMIUM TAX CREDIT FOR TAXPAYERS FOR THE COSTS OF ANY QUALIFIED ALTERNATIVE-FUEL FUELING STATION FOR MOTOR VEHICLES THAT IS PLACED INTO SERVICE BY THE TAXPAYER DURING CALENDAR YEAR 2021, 2022 OR 2023; TO PROVIDE FOR THE AMOUNT OF THE CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO DEFINE THE TERM "QUALIFIED ALTERNATIVE-FUEL FUELING STATION"; TO IMPOSE A FEE ON MOTOR VEHICLES CHARGED AT QUALIFIED ALTERNATIVE-FUEL FUELING STATIONS IN THIS STATE; AND FOR RELATED PURPOSES.

H. B. No. 1446: AN ACT TO AMEND SECTION 57-121-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ELIGIBLE EXPENSES FOR WHICH GRANT FUNDS WERE RECEIVED UNDER THE BACK TO BUSINESS MISSISSIPPI GRANT PROGRAM MAY BE ITEMIZED AS INCOME TAX DEDUCTIONS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

H. B. No. 514: AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY AND SERVICES TO DEAFBLIND COMMUNITY OF MISSISSIPPI, INC.; AND FOR RELATED PURPOSES.

H. B. No. 1356: AN ACT TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE STATE INCOME TAX DEDUCTION AUTHORIZED FOR DEPRECIATION, IN THE CASE OF NEW OR USED AIRCRAFT, EQUIPMENT, ENGINES, OR OTHER PARTS AND TOOLS USED FOR AVIATION AND MANUFACTURING, THE ALLOWANCE FOR BONUS DEPRECIATION CONFORMS WITH THE FEDERAL BONUS DEPRECIATION RATES AND REASONABLE ALLOWANCE FOR DEPRECIATION IS NO LESS THAN ONE HUNDRED PERCENT; AND FOR RELATED PURPOSES.

H. B. No. 1415: AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING; AND FOR RELATED PURPOSES.

H. B. No. 1416: AN ACT TO CREATE THE "MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT"; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR APPLICATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR THE CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO A QUALIFIED BUSINESS OR INDUSTRY FOR A QUALIFIED ECONOMIC DEVELOPMENT PROJECT; TO PRESCRIBE THE MEANS OF CALCULATING AND APPLYING SUCH INCENTIVE; TO PROHIBIT UTILIZATION OF CERTAIN OTHER INCENTIVES IN COMBINATION WITH THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR ANNUAL REPORTING BY A QUALIFIED BUSINESS OR INDUSTRY, MODIFICATIONS TO PRIOR INCENTIVE AWARDS BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND DEADLINES FOR THE UTILIZATION OF SUCH INCENTIVE; TO AUTHORIZE AUDITS BY THE MISSISSIPPI DEPARTMENT OF REVENUE AND SHARING OF CERTAIN INFORMATION ABOUT CERTAIN INCENTIVE AWARDEES BETWEEN STATE AGENCIES; TO CLARIFY THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY IS GRANTED EXCLUSIVE JURISDICTION TO CERTIFY, AWARD AND MAKE ANY ADJUSTMENTS TO A MISSISSIPPI FLEXIBLE TAX INCENTIVE FOR A QUALIFIED BUSINESS OR INDUSTRY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY AND THE MISSISSIPPI DEPARTMENT OF REVENUE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THIS ACT; TO AMEND SECTION 27-7-22, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE INCOME TAX LIABILITY; TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET WITHHOLDING TAX LIABILITY; TO AMEND SECTION 27-7-311, MISSISSIPPI CODE OF 1972, TO EXCLUDE ANY MISSISSIPPI FLEXIBLE TAX INCENTIVE APPLIED AS A CREDIT TO OFFSET STATE

INCOME TAX LIABILITY FROM THE ANNUAL STATEMENT REQUIRED TO BE FILED WITH THE COMMISSIONER OF REVENUE FOR AN EMPLOYEE; TO AMEND SECTION 27-13-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF MISSISSIPPI CORPORATIONS; TO AMEND SECTION 27-13-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF FOREIGN CORPORATIONS; TO AMEND SECTION 27-65-93, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A DIRECT PAY PERMIT TO A QUALIFIED BUSINESS OR INDUSTRY THAT IS AWARDED A MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE USE TAX LIABILITY; TO AMEND SECTION 57-1-14, MISSISSIPPI CODE OF 1972, TO DELAY OR PRECLUDE CERTAIN INFORMATION PROVIDED IN APPLICATIONS AND ANNUAL REPORTS FOR THE MISSISSIPPI FLEXIBLE TAX INCENTIVE FROM DISCLOSURE PURSUANT TO THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; AND FOR RELATED PURPOSES.

H. B. No. 1420: AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION CERTAIN PROPERTY THAT IS OWNED, OPERATED AND MANAGED BY A NOT-FOR-PROFIT CORPORATION QUALIFIED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, AND USED TO PROVIDE AFFORDABLE AND SAFE SWIMMING SKILLS THROUGH SUPERVISED LESSONS, USED TO PROVIDE A PRACTICE FACILITY FOR A PUBLIC SCHOOL DISTRICT SWIM TEAM AND USED TO PROVIDE BOY SCOUTS OF AMERICA TROOPS A FACILITY FOR SWIM AND LIFEGUARD TRAINING PROGRAMS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON FINANCE

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

H. B. No. 136: Individual bond; require for public officers and employees handling or having the custody of public funds. Title Sufficient. Do Pass As Amended.

H. B. No. 500: Mississippi Home Corporation; extend reverter on authority to issue a certain amount of bonds. Title Sufficient. Do Pass As Amended.

H. B. No. 508: Department of Revenue; allow retiring law enforcement officer of to retain issued sidearm. Title Sufficient. Do Pass.

H. B. No. 509: Unemployment compensation; allow withholding of state income tax. Title Sufficient. Do Pass.

H. B. No. 510: Motor vehicle certificate of title; limit period for which Department of Revenue must retain. Title Sufficient. Do Pass.

H. B. No. 511: Amusement ride operating permit decal; revise period for issuance. Title Sufficient. Do Pass As Amended.

H. B. No. 512: ABC agents/inspectors; revise certain provisions regarding powers of. Title Sufficient. Do Pass.

H. B. No. 516: Department of Revenue; allow department appraisers to receive certain pay increases upon completing certain training. Title Sufficient. Do Pass.

H. B. No. 519: Motor vehicle license tags; remove requirement for apportioned vehicles to have decal with expiration month/year on tag. Title Sufficient. Do Pass.

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Title Sufficient. Do Pass As Amended.

H. B. No. 667: Alcoholic beverages; delete requirement for immediate permit revocation for certain prohibited sales. Title Sufficient. Do Pass As Amended.

H. B. No. 1284: Department of Revenue License Tag Acquisition Fund; revise certain provisions regarding. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

H. B. No. 72: Dentists; provide immunity for providing charitable and emergency services. Title Sufficient. Do Pass.

H. B. No. 354: Municipal judges; authorize to order a defendant to remedy real property ordinance violations within a reasonable time period. Title Sufficient. Do Pass.

H. B. No. 277: Tribal identification cards; recognize as legal means of personal identification. Title Sufficient. Do Pass.

WIGGINS, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

H. B. No. 550: Intermediate driver's license; delete all references to. Title Sufficient. Do Pass As Amended.

WIGGINS, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Senator Hiram Revels, Crystal Faye Jackson Benn, Mrs. Margaret Denton Khayat, Mrs. Ida Belle Haymer, Rhonda Elaine Miller, James Franklin "Hinkey" McNeil, Roger L. McHenry, Dorothy Jane Odom, Claudie Mae Kennedy and Ila A. Downs.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 25, 2021

FIFTY-SIXTH DAY, MONDAY, MARCH 1, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Moran, Witherspoon. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Moran.

The invocation was delivered by Senator Thomas.

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

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

The measures received and referred to committees on February 26, 2021, are listed on this date.

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1333: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF WESSON, MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED VEHICLES AND GOLF CARTS ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE TOWN; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE AND PROOF OF

INSURANCE; TO REQUIRE LOW-SPEED VEHICLES AND GOLF CARTS TO BE REGISTERED WITH THE TOWN; TO AUTHORIZE THE TOWN TO CHARGE A REGISTRATION FEE; AND FOR RELATED PURPOSES.

H. B. No. 1334: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF GEORGETOWN, MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED VEHICLES AND GOLF CARTS ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE TOWN; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE AND PROOF OF INSURANCE; TO REQUIRE LOW-SPEED VEHICLES AND GOLF CARTS TO BE REGISTERED WITH THE TOWN; TO AUTHORIZE THE TOWN TO CHARGE A REGISTRATION FEE; AND FOR RELATED PURPOSES.

H. B. No. 1335: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LINCOLN COUNTY, MISSISSIPPI, TO INCLUDE THE SALE OF FOOD SOLD AT THE COUNTY'S CIVIC CENTER AS RETAIL MERCHANDISE WHEN THE CIVIC CENTER PROCESSES ELECTRONIC PAYMENTS FOR SUCH SALES; AND FOR RELATED PURPOSES.

H. B. No. 1346: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GUNTOWN, MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED VEHICLES AND GOLF CARTS ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE AND PROOF OF INSURANCE; TO REQUIRE LOW-SPEED VEHICLES AND GOLF CARTS TO BE REGISTERED WITH THE CITY; TO AUTHORIZE THE CITY TO CHARGE A REGISTRATION FEE; AND FOR RELATED PURPOSES.

H. B. No. 1418: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE OAKLAND/YALOBUSHA NATURAL GAS DISTRICT TO EXPAND ITS GAS DISTRIBUTION SYSTEM; AND FOR RELATED PURPOSES.

H. B. No. 1434: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY, MISSISSIPPI, TO MAKE AN ANNUAL CONTRIBUTION TO MID-STATE OPPORTUNITY, INC.; AND FOR RELATED PURPOSES.

H. B. No. 1435: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE UNITED WAY OF LOWNDES COUNTY; AND FOR RELATED PURPOSES.

H. B. No. 1438: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF PETAL, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS SALES OF HOTELS, MOTELS, BARS AND RESTAURANTS IN AN AMOUNT NOT TO EXCEED THREE PERCENT FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM, PARKS AND RECREATION WITHIN THE CITY; TO PROVIDE FOR AN ELECTION ON WHETHER THE TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

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

S. B. No. 2879: Appropriations; additional appropriations for Institutions of Higher Learning (IHL).

Andrew Ketchings, Clerk of the House of Representatives

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

H. B. No. 576: Local System Bridge Replacement & Rehabilitation Fund; revise allocation formula. Highways and Transportation; Appropriations.

H. B. No. 579: Motor carrier regulation; update and streamline. Highways and Transportation.

H. B. No. 586: Statewide Elections Management System; compare to certain identification databases to ensure non-U.S. citizens are not registered to vote. Accountability, Efficiency, Transparency; Elections.

H. B. No. 594: Coastal Wetlands Protection Act; revise definitions to include "ordinary high water mark". Ports and Marine Resources.

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

H. B. No. 628: Highway privilege tax; add a gross vehicle weight category for carriers of property with additional tax. Highways and Transportation; Finance.

H. B. No. 1333: Town of Wesson; authorize the use of low-speed vehicles and golf carts on certain public roads. Local and Private.

H. B. No. 1334: Town of Georgetown; authorize use of low-speed vehicles and golf carts on certain public roads. Local and Private.

H. B. No. 1335: Lincoln County; include food sold at county's civic center as retail merchandise when processing electronic payments for such merchandise. Local and Private.

H. B. No. 1346: City of Guntown; authorize use of low-speed vehicles and golf carts on certain public streets. Local and Private.

H. B. No. 1418: Oakland/Yalobusha Natural Gas District; authorize expansion of natural gas distribution system. Local and Private.

H. B. No. 1434: Tallahatchie County; authorize contributions to Mid-State Opportunity, Inc. Local and Private.

H. B. No. 1435: Lowndes County; authorize contributions to United Way of Lowndes County. Local and Private.

H. B. No. 1438: City of Petal; authorize a tax on hotels, motels, bars and restaurants to promote tourism, parks and recreation. Local and Private.

INTRODUCTIONS FOR FRIDAY, FEBRUARY 26, 2021

S. B. No. 3072: Local and Private

AN ACT TO AMEND CHAPTER 953, LOCAL AND PRIVATE LAWS OF 2012, AS LAST AMENDED BY CHAPTER 941, LOCAL AND PRIVATE LAWS OF 2014, TO REQUIRE THE BOARD OF TRUSTEES OF THE LAFAYETTE COUNTY RESERVE AND TRUST FUND TO INVEST THE FUND IN ACCORDANCE WITH THE MISSISSIPPI UNIFORM PRUDENT INVESTOR ACT INSTEAD OF IN ANY OF THE INVESTMENTS AUTHORIZED FOR THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

S. C. R. No. 533: Rules

A CONCURRENT RESOLUTION CONDEMNING AND DEMANDING THAT THE FEDERAL GOVERNMENT CEASE ANY ADMINISTRATIVE ACTIONS BY THE UNITED STATES FOREST SERVICE THAT RESTRICT, REDUCE OR ELIMINATE RECREATIONAL OPPORTUNITIES OR THAT OTHERWISE CONTRADICT THE RECREATIONAL OPPORTUNITIES PROVIDED BY THE MISSISSIPPI LEGISLATURE, ESPECIALLY HUNTING AND FISHING BY ANY AND ALL TRADITIONAL MEANS, ON NATIONAL FOREST LANDS LOCATED IN MISSISSIPPI THAT ARE CONSIDERED OPEN PUBLIC LAND.

By Senator(s) Seymour

S. R. No. 25: Rules

A RESOLUTION AFFIRMING SUPPORT FOR THE JONES ACT AND CELEBRATING THE CENTENNIAL ANNIVERSARY OF ITS PASSAGE WHICH HAS FOSTERED A STRONG DOMESTIC MARITIME INDUSTRY THAT IS CRITICAL TO MISSISSIPPI'S AND THE NATION'S ECONOMIC PROSPERITY AND NATIONAL SECURITY.

By Senator(s) Hopson, Moran, Wiggins, Thompson, Butler, England, Younger, DeLano

S. R. No. 26: Rules

A RESOLUTION COMMENDING AND CONGRATULATING ALAN SUDDUTH, MANAGER OF MISSISSIPPI POLICIES AND GOVERNMENT AFFAIRS FOR CHEVRON PRODUCTS COMPANY IN PASCAGOULA, MISSISSIPPI, UPON HIS SELECTION AS 2020-2021 CHAIRMAN OF THE MISSISSIPPI MANUFACTURERS ASSOCIATION (MMA) BOARD OF DIRECTORS.

By Senator(s) England

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON CORRECTIONS

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

H. B. No. 1174: Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. C. R. No. 510: A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER SENATOR THOMAS OLIVER "TOMMY" MOFFATT, SR., OF GAUTIER, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON COUNTY AFFAIRS

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

H. B. No. 328: State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain. Title Sufficient. Do Pass As Amended.

H. B. No. 357: Bonding requirement for county purchase clerk; increase. Title Sufficient. Do Pass.

H. B. No. 493: Counties and municipalities; authorize to offer Medicare eligible employee benefits when employees secures Medicare under certain circumstances. Title Sufficient. Do Pass As Amended.

H. B. No. 949: Solid waste landfills; prohibit new landfill in county where 2 or more exist, unless referendum held. Title Sufficient. Do Pass As Amended.

HILL, Chairman

REPORT OF COMMITTEE ON ENERGY

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

H. B. No. 632: "All Fuels Act of 2021"; establish. Title Sufficient. Do Pass.

CARTER, Chairman

Senator Hopson called up the following House Amendment to **S. B. No. 2879** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit

of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Institutions of Higher Learning – Office of Student Financial Aid for the period beginning July 1, 2020, and ending June 30, 2021
\$ 3,600,000.00.

This additional appropriation is made for the purpose of supporting the funding of the Mississippi Resident Tuition Assistance Grant, the Mississippi Eminent Scholars Grant, and the Higher Education Legislative Plan Grant.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Institutions of Higher Learning – Office of Student Financial Aid and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Institutions of Higher Learning – Office of Student Financial Aid for the period beginning July 1, 2020, and ending June 30, 2021 \$ 500,000.00.

This additional appropriation is made for the purpose of supporting the funding of the Mississippi Resident Tuition Assistance Grant, the Mississippi Eminent Scholars Grant, and the Higher Education Legislative Plan Grant.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Education for the period beginning July 1, 2020, and ending June 30, 2021 \$ 3,064,417.00.

This additional appropriation assists with the full funding of CTE student attainment assessments contracted with Mississippi State University (MSU). It is also to assist with the full funding of the contract with MSU's Research and Curriculum Unit to develop curriculum and other activities. It will further assist the department with vocational and technical education programs to meet the Maintenance of Effort required by the Carl Perkins Act.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning July 1, 2020, and ending June 30, 2021 ..\$ 447,413.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) Olivia Y., et al v. Phil Bryant, as Governor of the State of Mississippi and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No.3:03cv251(L)(N)..... \$ 129,680.00.

(b) Amos et al. v. Taylor et al. 20-cv-00007-DMB-JMV (N.D. Miss); Lang, et al. v. Cain, et al., 4:20-cv-030-DMB RP (N.D. Miss); Brittany Waddell, et al. v. Taylor, et al., Civil Action No. 3:20-cv-340-TSL-RHW (S.D. Miss.)..... \$ 180,963.00.

(c) United States v. State of Mississippi, 3:16-cv-622-CWR-FKB (S.D. Miss)\$ 22,412.00.

(d) Joseph Thomas, Vernon Avers, and Melvin Lawson v. Tate Reeves Civil Action No. 3:18-cv-00441-CWR-FKB (S.D. Miss).....
\$ 36,203.00.

(e) IRS Representation vs State Agencies
\$ 78,155.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 625,000.00.

This additional appropriation is made for the purpose of hiring and equipping personnel for the Driver Services Bureau.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's

Office to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 111,667.00.

This additional appropriation is made for the purpose of hiring and equipping three (3) new forensics laboratory death investigators for the Mississippi Forensics Laboratory.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the State Fire Academy and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the State Fire Academy for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 315,700.00.

This additional appropriation is made for the purpose of conducting workforce development courses.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary is appropriated out of any money to the Rural Fire Truck Acquisition Fund and/or the Supplementary Rural Fire Truck Fund, which was created in Section 152 of Chapter 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Insurance Department for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 2,300,000.00.

This additional appropriation is made for the purpose of funding rural fire trucks.

SECTION 9. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred by the department as required by the Rose Isabel Williams Mental Health Reform Act of 2020, for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 230,000.00.

The funds provided under the provision of this section shall be expended by the department to hire the Coordinator of Mental Health Accessibility under the occupational title of DFA-Deputy Director. The department shall also expend the funds provided under this section to hire the coordinator's contractual staff.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Marine Resources, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department for the period July 1, 2020, through June 30, 2021..... \$ 2,000,000.00.

This additional appropriation is for the purpose of continued funding of ongoing projects.

SECTION 11. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE INSTITUTIONS OF HIGHER LEARNING – OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2021, THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2021, THE OFFICE OF ATTORNEY GENERAL FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; THE STATE FIRE ACADEMY FOR FISCAL YEAR 2021; AND THE MISSISSIPPI INSURANCE DEPARTMENT FOR FISCAL YEAR 2021; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; THE DEPARTMENT OF MARINE RESOURCES FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2879** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Moran, Witherspoon. Total--2.

Senators Sojourner, Harkins and McDaniel moved that when the Senate adjourns, it adjourn in memory of William Burney "Bo" Bilbo, Sr. of Magnolia, MS.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of William Edward Lancaster of Clairton, PA/Vicksburg, MS.

Senators Norwood, Blount, Frazier, Horhn and Butler moved that when the Senate adjourns, it adjourn in memory of Mrs. Georgia Marie Etpose' of Columbia, MS.

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Sarah Blalock of Brandon, MS.

Senators Horhn and Frazier moved that when the Senate adjourns, it adjourn in memory of Nelson Atkinson of Jackson, MS.

Senators McMahan and Chassaniol moved that when the Senate adjourns, it adjourn in memory of Charles Ayers of Carrollton, MS.

Senators McMahan and Chism moved that when the Senate adjourns, it adjourn in memory of Roderick Cobb of Tupelo, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Christopher Tate Coombs and Lea Ann Smith of New Albany, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of James M. Knighton of Myrtle, MS.

Senators Younger and Turner-Ford moved that when the Senate adjourns, it adjourn in memory of Steve Jamison of Columbus, MS.

Senators Parks, Whaley and Chism moved that when the Senate adjourns, it adjourn in memory of Rev. Joseph "Joe" F. McKnight of Ripley, MS.

Senators Wiggins and England moved that when the Senate adjourns, it adjourn in memory of Dr. John McCloskey of Pascagoula, MS.

Senator Blackwell moved that the Senate stand in recess until 5:30 PM or the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 2, 2021.

The motion prevailed, and at 4:19 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

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

H. B. No. 1030: "Mississippi Intercollegiate Athletics Compensation Rights Act"; enact. Title Sufficient. Do Pass As Amended.

PARKS, Chairman

REPORT OF COMMITTEE ON RULES

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

H. B. No. 1062: Daylight saving time; observe year-round if federal law is amended to allow it. Title Sufficient. Do Pass.

H. B. No. 1323: Open meeting; authorize executive session for discussion of plans to combat human trafficking and commercial sexual exploitation of children. Title Sufficient. Do Pass.

H. B. No. 1326: Compact for a Balanced Budget; revise delegate membership and extend sunset provision. Title Sufficient. Do Pass.

KIRBY, Chairman

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

H. B. No. 100: MS Telephone Solicitation Act; extend repealer on requirement that fees be deposited into State General Fund. Title Sufficient. Do Pass.

H. B. No. 330: Uninsured motorist coverage law; revise to prohibit insurance policy from paying certain losses if another insurance policy must pay for such. Title Sufficient. Do Pass.

H. B. No. 974: DPS; revise law regarding. Title Sufficient. Do Pass As Amended.

H. B. No. 1177: General laws and journals of legislative sessions; copies of not provided to certain recipients of unless specifically requested. Title Sufficient. Do Pass.

H. B. No. 1213: State Personnel Board; require exempted agencies' reports to include quantifiable data and to be sent to SPB, PEER and LBO. Title Sufficient. Do Pass.

H. B. No. 1263: Occupational licensing; provide for recognition of out-of-state licenses if applicants satisfy certain conditions. Title Sufficient. Do Pass As Amended.

POLK, Chairman

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 2: Nancy Rea Luke Carpenter, Columbus, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026. Do Advise and Consent.

S. N. No. 3: Spencer J. (Spence) Flatgard, Ridgeland, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026. Do Advise and Consent.

S. N. No. 4: Edmond Earl Hughes, Jr., Ocean Springs, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026. Do Advise and Consent.

POLK, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:30 PM in memory of William Burney "Bo" Bilbo, Sr., William Edward Lancaster, Lea Ann Smith, Rev. Joseph "Joe" F. McKnight, Dr. John McCloskey, Mrs. Georgia Marie Etpose', Sarah Blalock, Nelson Atkinson, Charles Ayers, Roderick Cobb, Christopher Tate Coombs, James M. Knighton and Steve Jamison.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, MARCH 1, 2021

FIFTY-SEVENTH DAY, TUESDAY, MARCH 2, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Witherspoon. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator McMahan.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Moran called up the following entitled nomination:

S. N. No. 12: Brig. Gen. Benjamin Joseph (Joe) Spraggins, Gulfport, Mississippi, MS Commission on Marine Resources as the Exe. Director of the Dept. of Marine Resources, term effective October 21, 2020 and the appointee shall serve at will and pleasure of the Governor.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 12 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

Senator Hill called up the following entitled bill:

H. B. No. 949: Solid waste landfills; prohibit new landfill in county where 2 or more exist, unless referendum held.

Senator Hill offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-17-227, Mississippi Code of 1972, is amended as follows:

17-17-227. (1) Each county, in cooperation with municipalities within the county, shall prepare, adopt and submit to the commission for review and approval a local nonhazardous solid waste management plan for the county. Each local nonhazardous solid waste management plan shall include, at a minimum, the following:

(a) An inventory of the sources, composition and quantities by weight or volume of municipal solid waste annually generated within the county, and the source, composition and quantity by weight or volume of municipal solid waste currently transported into the county for management;

(b) An inventory of all existing facilities where municipal solid waste is currently being managed, including the environmental suitability and operational history of each facility, and the remaining available permitted capacity for each facility;

(c) An inventory of existing solid waste collection systems and transfer stations within the county. The inventory shall identify the entities engaging in municipal solid waste collection within the county;

(d) A strategy for achieving a twenty-five percent (25%) waste reduction goal through source reduction, recycling or other waste reduction technologies;

(e) A projection, using acceptable averaging methods, of municipal solid waste generated within the boundaries of the county over the next twenty (20) years;

(f) An identification of the additional municipal solid waste management facilities, including an evaluation of alternative management technologies, and the amount of additional capacity needed to manage the quantities projected in paragraph (e);

(g) An estimation of development, construction, operational, closure and post-closure costs, including a proposed method for financing those costs;

(h) A plan for meeting any projected capacity shortfall, including a schedule and methodology for attaining the required capacity;

(i) A determination of need by the county, municipality, authority or district that is submitting the plan, for any new or expanded facilities. A determination of need shall include, at a minimum, the following:

(i) Verification that the proposed facility meets needs identified in the approved local nonhazardous solid waste management plan which shall take into account the quantities of municipal solid waste generated and the design capacities of existing facilities;

(ii) Certification that the proposed facility complies with local land use and zoning requirements, if any;

(iii) Demonstration, to the extent possible, that operation of the proposed facility will not negatively impact the waste reduction strategy of the county, municipality, authority or district that is submitting the plan;

(iv) Certification that the proposed service area of the proposed facility is consistent with the local nonhazardous solid waste management plan; and

(v) A description of the extent to which the proposed facility is needed to replace other facilities; and

(j) Any other information the commission may require.

(2) Each local nonhazardous solid waste management plan may include:

(a) The preferred site or alternative sites for the construction of any additional municipal solid waste management facilities needed to properly manage the quantities of municipal solid waste projected for the service areas covered by the plan, including the factors which provided the basis for identifying the preferred or alternative sites; and

(b) The method of implementation of the plan with regard to the person who will apply for and acquire the permit for any planned additional facilities and the person who will own or operate any of the facilities.

(3) Each municipality shall cooperate with the county in planning for the management of municipal solid waste generated within its boundaries or the area served by that municipality. The governing authority of any municipality which does not desire to be included in the local nonhazardous solid waste management plan shall adopt a resolution stating its intent not to be included in the county plan. The resolution shall be provided to the board of supervisors and the commission. Any municipality resolving not to be included in a county waste plan shall prepare a local nonhazardous solid waste management plan in accordance with this section.

(4) The board of supervisors of any county may enter into interlocal agreements with one or more counties as provided by law to form a regional solid waste management authority or other district to provide for the management of municipal solid waste for all participating counties. For purposes of Section 17-17-221 through Section 17-17-227, a local nonhazardous solid waste management plan prepared, adopted, submitted and implemented by the regional solid waste management authority or other district is sufficient to satisfy the planning requirements for the counties and municipalities within the boundaries of the authority or district.

(5) (a) Upon completion of its local nonhazardous solid waste management plan, the board of supervisors of the county shall publish in at least one (1) newspaper as defined in Section 13-3-31, having general circulation within the county a public notice that describes the plan, specifies the location where it is available for review, and establishes a period of thirty (30) days for comments concerning the plan and a mechanism for submitting those comments. The board of supervisors shall also notify the board of supervisors of adjacent counties of the plan and shall make it available for review by the board of supervisors of each adjacent county. During the comment period, the board of supervisors of the county shall conduct at least one (1) public hearing concerning the plan. The board of supervisors of the county shall publish twice in at least one (1) newspaper as defined in Section 13-3-31, having general circulation within the county, a notice conspicuously displayed containing the time and place of the hearing and the location where the plan is available for review.

(b) After the public hearing, the board of supervisors of the county may modify the plan based upon the public's comments. Within ninety (90) days after the public hearing, each board of supervisors shall approve a local nonhazardous solid waste management plan by resolution.

(c) A regional solid waste management authority or other district shall declare the plan to be approved as the authority's or district's solid waste management plan upon written notification, including a copy of the resolution, that the board of supervisors of each county forming the authority or district has approved the plan.

(6) Upon ratification of the plan, the governing body of the county, authority or district shall submit it to the commission for review and approval in accordance with Section 17-17-225. The commission shall, by order, approve or disapprove the plan within one hundred eighty (180) days after its submission. The commission shall include with an order disapproving a plan a statement outlining the deficiencies in the plan and directing the governing body of the county, authority or district to submit, within one hundred twenty (120) days after issuance of the order, a revised plan that remedies those deficiencies. If the governing body of the county, authority or district, by resolution, requests an extension of the time for submission of a revised plan, the commission may, for good cause shown, grant one (1) extension for a period of not more than sixty (60) additional days.

(7) After approval of the plan or revised plan by the commission, the governing body of the county, authority or district shall implement the plan in compliance with the implementation schedule contained in the approved plan.

(8) The governing body of the county, authority or district shall annually review implementation of the approved plan. The commission may require the governing body of each local government or authority to revise the local nonhazardous solid waste management plan as necessary, but not more than once every five (5) years.

(9) If the commission finds that the governing body of a county, authority or district has failed to submit a local nonhazardous solid waste management plan, obtain approval of its local nonhazardous solid waste management plan or materially fails to implement its local nonhazardous solid waste management plan, the commission shall issue an order in accordance with Section 17-17-29, to the governing body of the county, authority or district.

(10) The commission may, by regulation, adopt an alternative procedure to the procedure described in this section for the preparation, adoption, submission, review and approval of minor modifications of an approved local nonhazardous solid waste management plan. For purposes of this section, minor modifications may include administrative changes or the addition of any noncommercial nonhazardous solid waste management facility. (11) The executive director of the department shall maintain a copy of all local nonhazardous solid waste management plans that the commission has approved and any orders issued by the commission.

(12) If a public notice required in subsection (5) was published in a newspaper as defined in Section 13-3-31, having general circulation within the county but was not published in a daily newspaper of general circulation as required by subsection (5) before April 20, 1993, the commission shall not disapprove the plan for failure to publish the notice in a daily newspaper. Any plan disapproved for that reason by the commission shall be deemed approved after remedying any other deficiencies in the plan.

(13) Notwithstanding any provision of this chapter, no solid waste management plan shall include a proposed new municipal solid waste landfill in any county that has two (2) or more existing permitted municipal solid waste landfills and such new landfill will be located within a five (5) mile radius of an existing municipal solid waste landfill, unless a

referendum election has been conducted and approved pursuant to Section 17-17-237. This subsection (13) shall not apply to the proposed expansion or replacement of any permitted landfill by the permit holder, and shall not apply to any rubbish disposal facilities, transfer stations, land application sites, composting facilities, solid waste processing facilities, chipping/mulching facilities, industrial/institutional/special waste landfills, industrial/institutional/special waste rubbish sites, waste tire processing facilities, commercial waste tire collection sites, local government waste tire collection sites or generator waste tire collection sites, and none of those facilities, stations, landfills or sites shall be counted as a landfill within a county for the purpose of determining whether a referendum election is required to be conducted in the county as provided in this section.

SECTION 2. Section 17-17-229, Mississippi Code of 1972, is amended as follows:

17-17-229. (1) After approval of a local nonhazardous solid waste management plan by the commission, neither the department, the permit board nor any other agency of the State of Mississippi shall issue any permit, grant or loan for any nonhazardous solid waste management facility in a county, municipality region, or district which is not consistent with the approved local nonhazardous solid waste management plan.

(2) The commission shall adopt criteria to be considered in location and permitting of nonhazardous solid waste management facilities. The criteria shall be developed through public participation, shall be enforced by the permit board and shall include, in addition to all applicable state and federal rules and regulations, consideration of:

(a) Hydrological and geological factors, such as floodplains, depth to water table, soil composition, and permeability, cavernous bedrock, seismic activity, and slope;

(b) Natural resources factors, such as wetlands, endangered species habitats, proximity to parks, forests, wilderness areas and historical sites, and air quality;

(c) Land use factors, such as local land use, whether residential, industrial, commercial, recreational, agricultural, proximity to public water supplies, and proximity to incompatible structures such as schools, churches and airports;

(d) Transportation factors, such as proximity to waste generators and to population, route safety and method of transportation; and

(e) Aesthetic factors, such as the visibility, appearance and noise level of the facility.

(3) Notwithstanding any provision of this chapter, no solid waste management plan shall include a proposed new municipal solid waste landfill in any county that has two (2) or more existing permitted municipal solid waste landfills and such new landfill will be located within a five (5) mile radius of an existing municipal solid waste landfill, unless a referendum election has been conducted and approved pursuant to Section 17-17-237. This subsection (3) shall not apply to the proposed expansion or replacement of any permitted landfill by the permit holder, and shall not apply to any rubbish disposal facilities, transfer stations, land application sites, composting facilities, solid waste processing facilities, chipping/mulching facilities, industrial/institutional/special waste landfills, industrial/institutional/special waste rubbish sites, waste tire processing facilities, commercial waste tire collection sites, local government waste tire collection sites or generator waste tire collection sites, and none of those facilities, stations, landfills or sites shall be counted as a landfill within a county for the purpose of determining whether a referendum election is required to be conducted in the county as provided in this section.

SECTION 3. The following shall be codified as Section 17-17-237, Mississippi Code of 1972:

17-17-237. (1) No new municipal solid waste landfill shall be incorporated into any solid waste management plan and no reference in any existing plan to any unpermitted new municipal solid waste landfill shall be effective, applicable or operative and no permit, grant or loan shall be approved for any new municipal solid waste landfill in any county that has two (2) or more existing permitted municipal solid waste landfills and such new landfill will be located within a five (5) mile radius of an existing municipal solid waste landfill, unless a local referendum election has been called and held in the county in which the new municipal solid waste landfill is proposed and with the results hereinafter provided. The board of supervisors may require the proponent of or applicant for the new municipal solid waste landfill to pay the costs of the election.

(2) Upon presentation and filing of a proper petition requesting same signed by at least twenty percent (20%) or fifteen hundred (1,500), whichever number is the lesser, of the qualified electors of the county, it shall be the duty of the board of supervisors to call an election at which there shall be submitted to the qualified electors of the county the question of whether or not the new municipal solid waste landfill proposed to be sited within the county shall be eligible for consideration by the board of supervisors for inclusion in the solid waste management plan of the county. Such election shall be held and conducted by the county election commissioners on a date fixed by the order of the board of supervisors, which date shall not be more than sixty (60) days from the date of the filing of said petition. Notice thereof shall be given by publishing such notice once each week for at least three (3) consecutive weeks in some newspaper published in said county or, if no newspaper be published therein, by such publication in a newspaper in an adjoining county and having a general circulation in the county involved. The election shall be held not earlier than fifteen (15) days from the first publication of such notice.

(3) The election shall be held and conducted as far as may be possible in the same manner as is provided by law for the holding of general elections. The ballots used thereat shall contain a brief statement of the proposition submitted and, on separate lines, the words "I vote FOR new municipal solid waste landfill in County ()", "I vote AGAINST new municipal solid waste landfill in County ()" with appropriate boxes in which the voters may express their choice. All qualified electors may vote by marking the ballot with a cross (x) or check mark(☐) opposite the words of their choice.

(4) The election commissioners shall canvass and determine the results of the election, and shall certify same to the board of supervisors which shall adopt and spread upon its minutes an order declaring such results. If, in such election, sixty percent (60%) of the qualified electors participating therein shall vote in favor of the proposition, inclusion of the proposed new municipal solid waste landfill in a solid waste management plan and permitting of such landfill may be approved provided that all other requirements of law are satisfied as to the landfill. If, on the other hand, sixty percent (60%) of the qualified electors participating therein shall not vote in favor of the proposition, the new landfill may not be included in any solid waste management plan and shall not be permitted. In either case, no further election shall be held in a county under the provisions of this section for a period of two (2) years from the date of the prior election and then only upon the filing of a petition requesting same signed by at least twenty percent (20%) or fifteen hundred (1,500), whichever number is the lesser, of the qualified electors of the county as is otherwise provided herein.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 17-17-227, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO SOLID WASTE MANAGEMENT PLAN SHALL INCLUDE ANY PROPOSED NEW MUNICIPAL SOLID WASTE LANDFILL IF THE NEW LANDFILL IS LOCATED WITHIN A CERTAIN COUNTY HAVING TWO OR MORE EXISTING PERMITTED MUNICIPAL SOLID WASTE LANDFILLS AND SUCH NEW LANDFILL WILL BE LOCATED WITHIN FIVE (5) MILE RADIUS OF AN EXISTING MUNICIPAL SOLID WASTE LANDFILL, UNLESS A REFERENDUM ELECTION HAS BEEN CONDUCTED AND APPROVED; TO AMEND SECTION 17-17-229, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FACILITY PERMIT GRANT OR LOAN MAY NOT BE ISSUED BY ANY AGENCY OF THE STATE FOR ANY NEW MUNICIPAL SOLID WASTE LANDFILL IF THE NEW LANDFILL IS LOCATED WITHIN A CERTAIN COUNTY HAVING TWO OR MORE EXISTING PERMITTED MUNICIPAL SOLID WASTE LANDFILLS AND SUCH NEW LANDFILL WILL BE LOCATED WITHIN FIVE (5) MILE RADIUS OF AN EXISTING MUNICIPAL SOLID WASTE LANDFILL, UNLESS A REFERENDUM HAS BEEN CONDUCTED AND APPROVED; TO CREATE NEW SECTION 17-17-237, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REFERENDUM PROCESS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 949 was adopted.

YEAS AND NAYS On H. B. No. 949. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

H. B. No. 70: Autopsies; provide for confidentiality of photographs and video and audio recordings with exceptions. Title Sufficient. Do Pass As Amended.

H. B. No. 287: Drug Intervention Courts; standardize references. Title Sufficient. Do Pass As Amended.

H. B. No. 290: Pre-trial Intervention; prohibit certain amount of public embezzlement for. Title Sufficient. Do Pass As Amended.

H. B. No. 551: Driver's license; require Department of Public Safety to allow official identifying document of MDOC to suffice for. Title Sufficient. Do Pass As Amended.

H. B. No. 615: DUI suspension; clarify how the 120 days are counted. Title Sufficient. Do Pass As Amended.

H. B. No. 631: Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours. Title Sufficient. Do Pass As Amended.

H. B. No. 634: Firearms restriction; limit those by cities, counties and state agencies. Title Sufficient. Do Pass As Amended.

H. B. No. 796: Habitual offender; revise penalties for. Title Sufficient. Do Pass As Amended.

H. B. No. 886: Law enforcement officers; exempt from concealed firearms permit fees and renewal fees. Title Sufficient. Do Pass.

FILLINGANE, Chairman

REPORT OF COMMITTEE ON EDUCATION

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

H. B. No. 135: MS Critical Teacher Shortage Act of 1998; extend repealer on. Title Sufficient. Do Pass.

H. B. No. 487: County and public libraries; repeal certain provisions related to. Title Sufficient. Do Pass.

H. B. No. 504: Commission on School Accreditation; clarify membership composition. Title Sufficient. Do Pass As Amended.

H. B. No. 633: Computer science curriculum; require State Department of Education to implement in K-12 public schools. Title Sufficient. Do Pass As Amended.

H. B. No. 754: Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman

Senator Blackwell moved that the Senate stand in recess until 4:30 PM.

The motion prevailed, and at 10:24 AM, the Senate stood in recess.

The Senate resumed business at 4:30 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON INSURANCE

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

H. B. No. 327: Comprehensive Hurricane Damage Mitigation Program; extend repealer on. Title Sufficient. Do Pass.

H. B. No. 1205: Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services. Title Sufficient. Do Pass As Amended.

MICHEL, Chairman

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

H. B. No. 312: Central Market Board; abolish and transfer functions of to the Mississippi Department of Agriculture and Commerce. Title Sufficient. Do Pass.

POLK, Chairman

REPORT OF COMMITTEES ON
CORRECTIONS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman
POLK, Chairman

REPORT OF COMMITTEE ON FINANCE

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

H. B. No. 82: Community or junior colleges; authorize to administer construction contracts of \$1,000,000.00 or less, and exempt certain oversight. Title Sufficient. Do Pass As Amended.

H. B. No. 374: Distinctive motor vehicle license tag; authorize issuance to supporters of Mississippi Theatre Association, Inc. Title Sufficient. Do Pass As Amended.

H. B. No. 425: Ad valorem tax; revise certain provisions regarding when an application for change of property assessment may be made. Title Sufficient. Do Pass As Amended.

H. B. No. 499: Qualified equity investment tax credits; extend authority of Mississippi Development Authority to allocate. Title Sufficient. Do Pass.

H. B. No. 520: Use tax; revise certain provisions regarding funds distributed to municipalities/counties for road improvements. Title Sufficient. Do Pass As Amended.

H. B. No. 638: Alcoholic beverages; revise various provisions relating to distilleries. Title Sufficient. Do Pass.

H. B. No. 746: Mississippi Motor Vehicle Commission Law; revise regarding warranty reimbursement. Title Sufficient. Do Pass.

H. B. No. 945: Light wine, beer and light spirit product; revise number of qualified electors required to petition for election to prohibit or authorize. Title Sufficient. Do Pass.

H. B. No. 955: Abandoned mobile homes; establish a procedure to dispose of. Title Sufficient. Do Pass.

H. B. No. 997: Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits. Title Sufficient. Do Pass As Amended.

H. B. No. 1091: Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law. Title Sufficient. Do Pass As Amended.

H. B. No. 1135: Alcoholic beverages; create delivery service permit. Title Sufficient. Do Pass As Amended.

H. B. No. 1139: Income, sales and use taxes; remove requirement that certain taxpayers pay June tax liability on or before June 25. Title Sufficient. Do Pass As Amended.

H. B. No. 1230: Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

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

H. B. No. 992: County port and harbor commission; provide that members hold appointment until successor appointed and installed. Title Sufficient. Do Pass As Amended.

H. B. No. 1211: Administrative hearing procedures for Commission on Marine Resources; revise to authorize executive director of Department of Marine Resources to make final decisions during. Title Sufficient. Do Pass As Amended.

H. B. No. 1288: Charter vessel operator's permit; create to authorize the sale of alcoholic beverages by the holder of. Title Sufficient. Do Pass.

H. B. No. 594: Coastal Wetlands Protection Act; revise definitions to include "ordinary high water mark". Title Sufficient. Do Pass As Amended.

MORAN, Chairman

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

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

H. B. No. 953: Homeowners' associations; regulate managing agents of and require financial reviews by. Title Sufficient. Do Pass As Amended.

H. B. No. 429: Contracts; authorize persons eighteen years of age or older to enter into for the purpose of investing in mutual funds. Title Sufficient. Do Pass.

H. B. No. 1181: The MS Registered Agents Act; revise to include "email address." Title Sufficient. Do Pass.

H. B. No. 352: Home inspector license; require applicants to undergo certain background checks. Title Sufficient. Do Pass.

H. B. No. 1075: MS Credit Availability Act, Title Pledge Act, and Check Cashers Act; extend or remove repealer on certain provisions of. Title Sufficient. Do Pass.

H. B. No. 488: Libraries; authorize use of debit and credit cards. Title Sufficient. Do Pass.

CAUGHMAN, Chairman

REPORT OF COMMITTEES ON FINANCE AND AGRICULTURE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 1137: Ad valorem tax; revise certain provisions regarding the determination of true value of land used for agricultural purposes. Title Sufficient. Do Pass.

HARKINS, Chairman
YOUNGER, Chairman

REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

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

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures. Title Sufficient. Do Pass As Amended.

WHALEY, Chairman

REPORT OF COMMITTEE ON DRUG POLICY

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

H. B. No. 1034: Uniform Controlled Substances Act; revise schedules. Title Sufficient. Do Pass.

JORDAN, Chairman

REPORT OF COMMITTEE ON CORRECTIONS

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

H. B. No. 525: Corrections omnibus bill; enact. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman

REPORT OF COMMITTEE ON CORRECTIONS

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

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail. Title Sufficient. Do Pass.

BARNETT, Chairman

REPORT OF COMMITTEES ON
CORRECTIONS AND JUDICIARY, DIVISION B

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman
FILLINGANE, Chairman

REPORT OF COMMITTEE ON PUBLIC PROPERTY

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

H. B. No. 8: UMMC property; revise leasing authority by removing certain minimum requirements of improvements to development. Title Sufficient. Do Pass.

H. B. No. 9: MS Law Enforcement Officers' Training Academy; name firing range as the "Lieutenant Colonel Pat Cronin Firing Range." Title Sufficient. Do Pass.

H. B. No. 213: DFA; authorize Office of Surplus Property to administer the Federal Donation Program. Title Sufficient. Do Pass.

H. B. No. 1018: State buildings; name DPS Gulf Coast Regional Forensics Laboratory as the "Gary T. Hargrove Memorial Forensic Laboratory." Title Sufficient. Do Pass As Amended.

TURNER-FORD, Chairman

REPORT OF COMMITTEE ON TECHNOLOGY

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

H. B. No. 108: Wireless Communication Commission; remove ITS control over. Title Sufficient. Do Pass As Amended.

DELANO, Chairman

REPORT OF COMMITTEES ON EDUCATION AND ECONOMIC AND WORKFORCE DEVELOPMENT

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

H. B. No. 536: Mississippi Department of Employment Security; revise various provisions regarding authority of. Title Sufficient. Do Pass As Amended.

H. B. No. 849: State Workforce Investment Board; revise membership of. Title Sufficient. Do Pass As Amended.

H. B. No. 1301: Career and technical education; revise curriculum, instructor license requirements and certain assessments. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman
PARKER, Chairman

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1350: AN ACT TO AMEND CHAPTER 956, LOCAL AND PRIVATE LAWS OF 2008, AS AMENDED BY CHAPTER 919, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 925, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE DATE OF THE REPEALER FROM JULY 1, 2021, TO OCTOBER 1, 2026, ON THE ACT AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF RIPLEY, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS

PROCEEDS OF SALES OF CERTAIN RESTAURANTS FOR THE PURPOSE OF GENERATING REVENUE TO ENHANCE TOURISM, FOR INDUSTRIAL AND ECONOMIC DEVELOPMENT AND FOR THE PROVISION OF PARKS AND RECREATION FACILITIES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ELECTIONS

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

H. B. No. 1048: Qualification deadline; change to February 1 for certain statewide, state district, county and county district offices. Title Sufficient. Do Pass.

TATE, Chairman

REPORT OF COMMITTEE ON APPROPRIATIONS

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

H. B. No. 106: State budget; revise provisions in several FY21 appropriation bills. Title Sufficient. Do Pass As Amended.

H. B. No. 109: Budget process; update various sections relating to. Title Sufficient. Do Pass As Amended.

H. B. No. 1290: Attorney General; allow salaries of assistants to exceed statutory limitation under certain circumstances. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

REPORT OF COMMITTEES ON
COUNTY AFFAIRS AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 104: Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county. Title Sufficient. Do Pass As Amended.

HILL, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

H. B. No. 1123: Early Learning Collaborative Act of 2013; revise funding and specify teaching standards. Title Sufficient. Do Pass As Amended.

H. B. No. 1179: William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
HIGHWAYS AND TRANSPORTATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

H. B. No. 424: Memorial highway; designate segment of MS Highway 44 in Marion County as the "T.L. Wallace Memorial Highway." Title Sufficient. Do Pass.

H. B. No. 872: Memorial highway; designate a segment of United States Highway 61 in Jefferson County as the "Highway Patrol Lieutenant Troy Morris Memorial Highway." Title Sufficient. Do Pass.

H. B. No. 887: Memorial highway; designate a segment of United States Highway 82 in Webster County as "Corporal William Justin Cooper Memorial Highway." Title Sufficient. Do Pass As Amended.

H. B. No. 995: Memorial highway; designate segment in Marshall County, Mississippi as the "Representative Tommy Woods Memorial Highway." Title Sufficient. Do Pass.

H. B. No. 576: Local System Bridge Replacement & Rehabilitation Fund; revise allocation formula. Title Sufficient. Do Pass.

BRANNING, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY; WILDLIFE, FISHERIES AND
PARKS AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 1231: Mississippi Outdoor Stewardship Trust Fund; create. Title Sufficient. Do Pass As Amended.

POLK, Chairman
WHALEY; HOPSON, Chairman

REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

H. B. No. 87: MDHS fraud investigators; provide they shall be law enforcement officers. Title Sufficient. Do Pass As Amended.

H. B. No. 286: Cemeteries; authorize to disinter and reinter dead human remains for next of kin instructions. Title Sufficient. Do Pass.

H. B. No. 341: Motor carrier safety improvements; prohibit consideration of deployment of in determining an individual's employment status with motor carrier. Title Sufficient. Do Pass.

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations. Title Sufficient. Do Pass As Amended.

H. B. No. 1012: Charitable solicitations; revise provisions relating to notice, demand and service of process. Title Sufficient. Do Pass.

H. B. No. 1077: Open account; revise definition and require account creditor to send demand to current address of account debtor through certain means. Title Sufficient. Do Pass.

H. B. No. 1195: Electric bicycles; regulate. Title Sufficient. Do Pass.

WIGGINS, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

H. B. No. 95: Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks. Title Sufficient. Do Pass As Amended.

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes. Title Sufficient. Do Pass.

H. B. No. 160: State Department of Health and State Board of Health; extend repealer on. Title Sufficient. Do Pass As Amended.

H. B. No. 200: Remote patient monitoring services; delete requirement of 2 recent hospitalizations to qualify for. Title Sufficient. Do Pass.

H. B. No. 208: Psychologists; extend repealer on licensure law and remove postdoctoral training requirements for licensure. Title Sufficient. Do Pass.

H. B. No. 294: Hospices; delete repealer on authority for prescribing certain drugs without in-person visit with a patient. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman

REPORT OF COMMITTEES ON
CORRECTIONS AND PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 196: "Dignity for Incarcerated Women Act"; create. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman
BRYAN, Chairman

REPORT OF COMMITTEES ON
FINANCE AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

H. B. No. 1095: Department of Revenue; authorize to compromise and settle certain tax liabilities. Title Sufficient. Do Pass.

H. B. No. 1197: Dual-phase design-build method of construction contracting; revise certain provisions of. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman
POLK, Chairman

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

The motion prevailed, and at 4:41 PM, the Senate stood in recess.

The Senate resumed business at 5:42 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

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

H. B. No. 189: Mississippi Persian Gulf War Memorial; authorize MSVA to move to another appropriate location. Title Sufficient. Do Pass.

SEYMOUR, Chairman

REPORT OF COMMITTEE ON MUNICIPALITIES

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

H. B. No. 274: Law enforcement officers; allow certain use of uniform, weapon, vehicle and equipment for disaster relief when off-duty. Title Sufficient. Do Pass As Amended.

H. B. No. 1157: Golf carts and low-speed vehicles; allow municipalities to authorize operation on certain municipal streets. Title Sufficient. Do Pass As Amended.

H. B. No. 1245: MDOT; require maintenance of rights-of-way of state highways inside municipal limits with 10,000 or less population. Title Sufficient. Do Pass As Amended.

SIMMONS (12TH), Chairman

REPORT OF COMMITTEES ON
COUNTY AFFAIRS AND MUNICIPALITIES

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 320: Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained. Title Sufficient. Do Pass As Amended.

HILL, Chairman
SIMMONS (12TH), Chairman

REPORT OF COMMITTEE ON MEDICAID

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

H. B. No. 1008: Medicaid; make technical amendments to services, manage care and assessment provisions. Title Sufficient. Do Pass As Amended.

BLACKWELL, Chairman

REPORT OF COMMITTEE ON ENERGY

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

H. B. No. 74: Emergency Telecommunications Services (911); extend repealer on. Title Sufficient. Do Pass.

H. B. No. 942: Public utilities; authorize rate-regulated electric utilities to permit broadband provider use of the electric delivery system. Title Sufficient. Do Pass As Amended.

CARTER, Chairman

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

H. B. No. 359: Municipally-owned utilities; may use accounting system accommodation for uncollectible customer indebtedness. Title Sufficient. Do Pass As Amended.

POLK, Chairman

REPORT OF COMMITTEES ON
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

H. B. No. 852: Teachers' and teacher's assistants' salaries; provide increase to minimum salary. Title Sufficient. Do Pass As Amended.

H. B. No. 1047: Nationally certified licensed school employees; delete caps on nurses and speech pathologists and add athletic trainers for salary supplements. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
JUDICIARY, DIVISION A AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 695: State Domestic Violence Fund; remove the matching funds requirement for. Title Sufficient. Do Pass.

WIGGINS, Chairman
HOPSON, Chairman

REPORT OF COMMITTEES ON
VETERANS AND MILITARY AFFAIRS AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 761: State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes. Title Sufficient. Do Pass.

SEYMOUR, Chairman
HOPSON, Chairman

Senators Moran, Fillingane and Johnson moved that when the Senate adjourns, it adjourn in memory of Shirley Lott of Sumrall, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Henry A. "Hank" Branstetter, Eva Gay Cuevas and John R. Leonhard of Pass Christian, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Lottie L. Malley and Alex Jackie Pearson of Kiln, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Patricia Ann Warman of Waveland, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Jacqueline Elaine Hiers of Biloxi, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Diana Moore of Diamondhead, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of John Daniel "Dan" Carroll, Elsie Josephine Hindman, Gary D. Mitchell, Johnnie Lee Harvell and Shirley Hight of Corinth, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Truman Devella "Vel" Chapman, Vernon Valen Smith, Vivian Bragg Phillips and Willie Dee "W. D. " Smith, Jr. of Corinth, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of James "Jimmy" Alvis Bryant of Ripley, MS/Corinth, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Frances Laverne Ballard of Baldwyn, MS/Rienzi, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Mark Alexander Lothenore of Walnut, MS.

Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Edward Lamar Fountain of Leakesville, MS.

Senator Blackwell moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 3, 2021.

The motion prevailed, and at 5:43 PM, the Senate stood in recess.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:43 PM in memory of Henry A. "Hank" Branstetter, Eva Gay Cuevas, Gary D. Mitchell, Johnnie Lee Harvell, Shirley Hight, Truman Devella "Vel" Chapman, Vernon Valen Smith, Vivian Bragg Phillips, Willie Dee "W. D. " Smith, Jr., James "Jimmy" Alvis Bryant, Frances Laverne Ballard, Mark Alexander Lothenore, John R. Leonhard, Shirley Lott, Edward Lamar Fountain, Lottie L. Malley, Alex Jackie Pearson, Patricia Ann Warman, Jacqueline Elaine Hiers, Diana Moore, John Daniel "Dan" Carroll and Elsie Josephine Hindman.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR TUESDAY, MARCH 2, 2021

FIFTY-EIGHTH DAY, WEDNESDAY, MARCH 3, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator McCaughn, written by Rev. Chris Cumbest, Pastor, Wells United Methodist Church, Jackson, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON RULES

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

H. C. R. No. 10: Arthur James Anderson, Sr.; commend the life, legacy and contributions upon his passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 11: Magee High School Football Team; commend upon winning MHSAA Class 3A State Championship. Title Sufficient. Do Be Adopted.

H. C. R. No. 20: Former Representative Nolan Mettetal; mourn loss and commemorate laudable legislative career upon his passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 22: Barabbas Leasy; commend contributions throughout many years of service in education. Title Sufficient. Do Be Adopted.

H. C. R. No. 25: Former Representative Nolan "Ray" R. Rogers; mourn loss and commemorate laudable legislative career upon his passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 27: Mississippi Highway Patrol Lt. Troy Morris; commend life and legacy upon his passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 30: 2020 MHSAA Mr. Football Award recipients; commend and congratulate. Title Sufficient. Do Be Adopted.

H. C. R. No. 33: Ruby Kate Bowles; commend her life upon her passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 34: James "David" Alford, Sr.; commend life and legacy upon his passing. Title Sufficient. Do Be Adopted.

S. C. R. No. 506: Express intent of Legislature that daylight saving time shall be the year-round standard time in Mississippi. Title Sufficient. Do Be Adopted.

S. R. No. 22: Commend South Perry Elementary Kindergarten Teacher Maria James as "Mississippi Rural Teacher of the Year." Title Sufficient. Do Be Adopted.

S. R. No. 23: Expressing deepest sympathy of Senate to surviving family of Greenville native Mary Wilson of "The Supremes." Title Sufficient. Do Be Adopted.

S. R. No. 24: Commend Gulfport High School "Lady Admirals" Girls Soccer Team for winning second consecutive Class 6A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 25: The Jones Act; affirm support for and celebrate the centennial anniversary of its passage. Title Sufficient. Do Be Adopted.

S. R. No. 26: Commend Alan Sudduth upon selection as 2020-2021 Chairman of the MMA Board of Directors. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Senator Harkins called up the following entitled bill:

H. B. No. 374: Distinctive motor vehicle license tag; authorize issuance to supporters of Mississippi Theatre Association, Inc.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Mississippi Theatre Association, Inc. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Executive Director of Mississippi Theatre Association, Inc., may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Mississippi Theatre Association, Inc.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI THEATRE ASSOCIATION, INC.; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 374 was adopted.

YEAS AND NAYS On H. B. No. 374. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

H. B. No. 73: Chiropractors; extend repealer on licensure law.

YEAS AND NAYS On H. B. No. 73. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

H. B. No. 200: Remote patient monitoring services; delete requirement of 2 recent hospitalizations to qualify for.

YEAS AND NAYS On H. B. No. 200. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

H. B. No. 208: Psychologists; extend repealer on licensure law and remove postdoctoral training requirements for licensure.

YEAS AND NAYS On H. B. No. 208. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.
Absent and those not voting---None.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Gisela Wilhelmine Powers of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Otis Luther Lee of Poplarville, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Bailey Robert Williams of Corinth, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Rev. Bill Whitwer, John Land McDavid, Grace Jean McClendon and Bennie B. Daniels, Jr. of Jackson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dr. Robert E. Leard, III of Clinton, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Betsy Nelson Craft of Madison, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Mr. Sylvester Young of Yazoo City, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 4, 2021.

The motion prevailed, and at 10:18 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 1333: Town of Wesson; authorize the use of low-speed vehicles and golf carts on certain public roads. Title Sufficient. Do Pass.

H. B. No. 1334: Town of Georgetown; authorize use of low-speed vehicles and golf carts on certain public roads. Title Sufficient. Do Pass.

H. B. No. 1346: City of Guntown; authorize use of low-speed vehicles and golf carts on certain public streets. Title Sufficient. Do Pass.

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H. B. No. 1335: Lincoln County; include food sold at county's civic center as retail merchandise when processing electronic payments for such merchandise. Title Sufficient. Do Pass.

H. B. No. 1418: Oakland/Yalobusha Natural Gas District; authorize expansion of natural gas distribution system. Title Sufficient. Do Pass.

H. B. No. 1434: Tallahatchie County; authorize contributions to Mid-State Opportunity, Inc. Title Sufficient. Do Pass.

H. B. No. 1435: Lowndes County; authorize contributions to United Way of Lowndes County. Title Sufficient. Do Pass As Amended.

H. B. No. 1438: City of Petal; authorize a tax on hotels, motels, bars and restaurants to promote tourism, parks and recreation. Title Sufficient. Do Pass.

S. B. No. 2974: City of Byram; extend repeal date on hotel and motel tax. Title Sufficient. Do Pass.

S. B. No. 3032: City of Pascagoula; extend the repeal date on tourism tax authorized to be levied on prepared food sold at restaurants. Title Sufficient. Do Pass.

MCMAHAN, Chairman

MESSAGE FROM THE HOUSE

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

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

S. B. No. 2725: State Budget; bring forward certain provisions and transfer funds.

S. B. No. 2834: Mississippi Historic Site Preservation Fund Grant Program; establish within Department of Archives and History.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1433: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF YALOBUSHA COUNTY, MISSISSIPPI, TO LOAN THE OAKLAND NATURAL GAS DISTRICT CERTAIN FUNDS; TO PROVIDE THAT THE LOAN SHALL BE APPLIED SOLELY TO EXISTING INDEBTEDNESS OF THE GAS DISTRICT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

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

S. B. No. 2221: Mississippi Dementia Care Program; create pilot program for assistance to caregivers for those with Alzheimer's or Dementia.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Gisela Wilhelmine Powers, Otis Luther Lee, Bailey Robert Williams, Rev. Bill Whitwer, John Land McDavid, Grace Jean McClendon, Bennie B. Daniels, Jr., Dr. Robert E. Leard, III, Betsy Nelson Craft and Mr. Sylvester Young.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, MARCH 3, 2021

FIFTY-NINTH DAY, THURSDAY, MARCH 4, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Frazier.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

MESSAGE FROM THE GOVERNOR
March 3, 2021

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

Phillip W. (Phil) Moore, Ridgeland, Mississippi, Mississippi Motor Vehicle Commission to represent the Third Congressional District, term effective immediately and ending June 30, 2027.

Tate Reeves
GOVERNOR

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

Phillip W. (Phil) Moore, Mississippi Motor Vehicle Commission to represent the Third Congressional District, term effective immediately and ending June 30, 2027, Highways and Transportation.

Senator Harkins called up the following entitled bill:

H. B. No. 500: Mississippi Home Corporation; extend reverter on authority to issue a certain amount of bonds.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-33-729, Mississippi Code of 1972, is amended as follows:

* * *

43-33-729. (1) The corporation may from time to time issue its negotiable bonds and notes in such principal amounts as, in the opinion of the corporation, shall be necessary to provide sufficient funds for achieving the corporate purposes thereof, including operating expenses and reserves, the payment of interest on bonds and notes of the corporation, establishment of reserves to secure such bonds and notes, and all other expenditures of the corporation incident to and necessary or convenient to carry out its corporate purposes and powers. Provided, except as otherwise authorized herein, bonds and notes may be issued annually under this article in an aggregate principal

amount not to exceed Three Hundred Fifty Million Dollars (\$350,000,000.00), excluding bonds and notes issued to refund outstanding bonds and notes, bonds and notes in which the corporation acts as a conduit issuer and bonds and notes issued for purposes related to Hurricane Katrina. Such annual period shall be the same as the fiscal year of the state, commencing with the annual period of July 1, 2009, to June 30, 2010.

(2) The provisions of Sections 75-71-1 through 75-71-57, Mississippi Code of 1972 (the "Mississippi Securities Act"), shall not apply to bonds and notes issued under the authority of this article, and no application for a formal exemption from the provisions of such act shall be required with respect to such bonds and notes.

(3) Except as may otherwise be expressly provided by the corporation, all bonds and notes issued by the corporation shall be general obligations of the corporation, secured by the full faith and credit of the corporation and payable out of any monies, assets or revenues of the corporation, subject only to any agreement with the bondholders or noteholders pledging any particular monies, assets or revenues.

The corporation may issue bonds or notes to which the principal and interest are payable:

(a) Exclusively from the revenues of the corporation resulting from the use of the proceeds of such bonds or notes; or

(b) Exclusively from any particular revenues of the corporation, whether or not resulting from the use of the proceeds of such bonds or notes.

(4) Any bonds or notes issued by the corporation may be additionally secured:

(a) By private insurance, by a direct pay or standby letter of credit, or by any other credit enhancement facility procured by the corporation for the payment of any such bonds;

(b) By a pledge of any grant, subsidy or contribution from the United States or any agency or instrumentality thereof, or from the state or any agency, instrumentality or political subdivision thereof, or from any person, firm or corporation; or

(c) By the pledge of any securities, funds or reserves (or earnings thereon) available to the corporation.

(5) Bonds and notes issued by the corporation shall be authorized by a resolution or resolutions of the corporation adopted as provided for by this article; provided, that any such resolution authorizing the issuance of bonds or notes may delegate to an officer or officers of the corporation the power to issue such bonds or notes from time to time and to fix the details of any such issues of bonds or notes by an appropriate certification of such authorized officer.

(6) Except as specifically provided in this article, no notice, consent or approval by any governmental body or public officer shall be required as a prerequisite to the issuance, sale or delivery of any bonds or notes of the corporation pursuant to the provisions of this article. However, all bonds or notes issued pursuant to this article may be validated, except as otherwise provided in this section, in accordance with the provisions of Sections 31-13-1 through 31-13-11, Mississippi Code of 1972, in the same manner as provided therein for bonds issued by a municipality. Any such validation proceedings shall be held in the First Judicial District of Hinds County, Mississippi. Notice thereof shall be given by publication in any newspaper published in the City of Jackson, Mississippi, and of general circulation throughout the state.

(7) It is hereby determined that the corporation is the sole entity in the state authorized to issue bonds or notes for the purposes of financing low and moderate income

rental or residential housing as set forth in this article. In addition, the corporation shall have the power to issue mortgage credit certificates, as provided by Section 25 of the Internal Revenue Code of 1954, as amended, and to comply with all of the terms and conditions set forth in Section 25, as the same may be amended from time to time.

* * *

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-33-729, MISSISSIPPI CODE OF 1972, TO REMOVE THE REVERTER ON THE PROVISION OF LAW AUTHORIZING THE MISSISSIPPI HOME CORPORATION TO ISSUE NEGOTIABLE BONDS AND NOTES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 500 was adopted.

YEAS AND NAYS On H. B. No. 500. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 508: Department of Revenue; allow retiring law enforcement officer of to retain issued sidearm.

YEAS AND NAYS On H. B. No. 508. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Norwood. Total--1.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 510: Motor vehicle certificate of title; limit period for which Department of Revenue must retain.

YEAS AND NAYS On H. B. No. 510. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 746: Mississippi Motor Vehicle Commission Law; revise regarding warranty reimbursement.

YEAS AND NAYS On H. B. No. 746. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 1230: Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs.

YEAS AND NAYS On H. B. No. 1230. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Kirby moved that the rules be suspended for the consideration en bloc of H. C. R. No. 10, H. C. R. No. 11, H. C. R. No. 20, H. C. R. No. 22, H. C. R. No. 25, H. C. R. No. 27, H. C. R. No. 30, H. C. R. No. 33, H. C. R. No. 34, S. C. R. No. 506, S. R. No. 22, S. R. No. 23, S. R. No. 24, S. R. No. 25 and S. R. No. 26 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

H. C. R. No. 10: Arthur James Anderson, Sr.; commend the life, legacy and contributions upon his passing.

H. C. R. No. 11: Magee High School Football Team; commend upon winning MHSAA Class 3A State Championship.

H. C. R. No. 20: Former Representative Nolan Mettetal; mourn loss and commemorate laudable legislative career upon his passing.

H. C. R. No. 22: Barabbas Leasy; commend contributions throughout many years of service in education.

H. C. R. No. 25: Former Representative Nolan "Ray" R. Rogers; mourn loss and commemorate laudable legislative career upon his passing.

H. C. R. No. 27: Mississippi Highway Patrol Lt. Troy Morris; commend life and legacy upon his passing.

H. C. R. No. 30: 2020 MHSAA Mr. Football Award recipients; commend and congratulate.

H. C. R. No. 33: Ruby Kate Bowles; commend her life upon her passing.

H. C. R. No. 34: James "David" Alford, Sr.; commend life and legacy upon his passing.

S. C. R. No. 506: Express intent of Legislature that daylight saving time shall be the year-round standard time in Mississippi.

S. R. No. 22: Commend South Perry Elementary Kindergarten Teacher Maria James as "Mississippi Rural Teacher of the Year."

S. R. No. 23: Expressing deepest sympathy of Senate to surviving family of Greenville native Mary Wilson of "The Supremes."

S. R. No. 24: Commend Gulfport High School "Lady Admirals" Girls Soccer Team for winning second consecutive Class 6A State Championship.

S. R. No. 25: The Jones Act; affirm support for and celebrate the centennial anniversary of its passage.

S. R. No. 26: Commend Alan Sudduth upon selection as 2020-2021 Chairman of the MMA Board of Directors.

YEAS AND NAYS on consideration en bloc of H. C. R. No. 10, H. C. R. No. 11, H. C. R. No. 20, H. C. R. No. 22, H. C. R. No. 25, H. C. R. No. 27, H. C. R. No. 30, H. C. R. No. 33, H. C. R. No. 34, S. C. R. No. 506, S. R. No. 22, S. R. No. 23, S. R. No. 24, S. R. No. 25 and S. R. No. 26. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator DeBar as co-author of **S. C. R. No. 506**.

Unanimous consent was granted to add Senator Thompson as co-author of **S. R. No. 24**.

Unanimous consent was granted to add Senators Seymour and Thompson as co-authors of **S. R. No. 25**.

Unanimous consent was granted to add Senators DeBar and Seymour as co-authors of **S. R. No. 26**.

Senator Wiggins called up the following entitled bill:

H. B. No. 72: Dentists; provide immunity for providing charitable and emergency services.

YEAS AND NAYS On H. B. No. 72. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Norwood, Simmons D. T. (12th). Total--2.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

H. B. No. 277: Tribal identification cards; recognize as legal means of personal identification.

YEAS AND NAYS On H. B. No. 277. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

H. B. No. 550: Intermediate driver's license; delete all references to.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-33-43, Mississippi Code of 1972, is amended as follows:

45-33-43. At the time a person surrenders a driver's license from another jurisdiction or makes an application for a driver's license, temporary driving permit, * * * commercial driver's license or identification card issued under Section 45-35-3, the department shall provide the applicant with written information on the registration requirements of this chapter and shall require written acknowledgment by the applicant of receipt of the notification.

SECTION 2. Section 63-1-5, Mississippi Code of 1972, is amended as follows:

63-1-5. (1) (a) No person shall drive or operate a motor vehicle or an autocycle as defined in Section 63-3-103 upon the highways of the State of Mississippi without first securing an operator's license to drive on the highways of the state, unless specifically exempted by Section 63-1-7.

(b) The types of operator's licenses are:

(i) Class R;

(ii) Class D;

(iii) Class A, B or C commercial license governed by Article 5 of this chapter; and

* * *

(* * *iv) Interlock-restricted license as prescribed in Section 63-11-31.

(2) (a) Every person who makes application for an original license or a renewal license to operate any single vehicle with a gross weight rating of less than twenty-six

thousand one (26,001) pounds or any vehicle towing a vehicle with a gross vehicle weight rating not in excess of ten thousand (10,000) pounds other than vehicles included in Class C, vehicles which require a special endorsement, or to operate a vehicle as a common carrier by motor vehicle, taxicab, passenger coach, dray, contract carrier or private commercial carrier as defined in Section 27-19-3, other than those vehicles for which a Class A, B or C license is required under Article 5 of this chapter, may, in lieu of the Class R regular driver's license, apply for and obtain a Class D driver's license. The fee for the issuance of a Class D driver's license shall be as set forth in Section 63-1-43 and the Class D license shall be valid for the term prescribed in Section 63-1-47. Except as required under Article 5 of this chapter, no driver of a pickup truck shall be required to have a Class D or a commercial license regardless of the purpose for which the pickup truck is used.

(b) Persons operating vehicles listed in paragraph (a) of this subsection for private purposes or in emergencies need not obtain a Class D license.

(3) An interlock-restricted license allows a person to drive only a motor vehicle equipped with an ignition-interlock device.

(4) A person who violates this section is guilty of a misdemeanor and, upon conviction, may be punished by imprisonment for not less than two (2) days nor more than six (6) months, by a fine of not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00), or both.

SECTION 3. Section 63-1-9, Mississippi Code of 1972, is amended as follows:

63-1-9. (1) No driver's license * * * or regular learner's permit shall be issued pursuant to this article:

(a) To any person under the age of eighteen (18) years except as provided in this article.

(b) To any person whose license to operate a motor vehicle on the highways of Mississippi has been previously revoked or suspended by this state or any other state or territory of the United States or the District of Columbia, if the revocation or suspension period has not expired.

(c) To any person who is an habitual drunkard or who is addicted to the use of other narcotic drugs.

(d) To any person who would not be able by reason of physical or mental disability to operate a motor vehicle on the highways with safety. However, persons who have one (1) arm or leg, or have arms or legs deformed, and are driving a car provided with mechanical devices whereby the person is able to drive in a safe manner over the highways, if otherwise qualified, shall receive an operator's license the same as other persons. Moreover, deafness shall not be a bar to obtaining a license.

(e) To any person as an operator who has previously been adjudged to be afflicted with and suffering from any mental disability and who has not at time of application been restored to mental competency.

(f) To any unmarried person under the age of eighteen (18) years who does not at the time of application present a diploma or other certificate of high school graduation or a general educational development certificate issued to the person in this

state or any other state; or on whose behalf documentation has not been received by the Department of Public Safety from that person or a school official verifying that the person:

(i) Is enrolled and making satisfactory progress in a course leading to a general educational development certificate;

(ii) Is enrolled in school in this state or any other state;

(iii) Is enrolled in a "nonpublic school," as such term is defined in Section 37-13-91(2)(i); or

(iv) Is unable to attend any school program due to circumstances deemed acceptable as set out in Section 63-1-10.

(g) To any person under the age of eighteen (18) years who has been convicted under Section 63-11-30.

(2) All permits and licenses issued on or before July 31, 2009, shall be valid according to the terms upon which issued. From and after August 1, 2009:

(a) A regular learner's permit may be issued to any person who is at least fifteen (15) years of age who otherwise meets the requirements of this article.

* * *

(* * *b) A driver's license may be issued to any person who is at least * * * sixteen (16) years of age who otherwise meets the requirements of this article and who has held * * * a regular learner's permit for at least one (1) year without any conviction under Section 63-11-30 or of a moving violation. Any conviction under Section 63-11-30 or of a moving violation shall restart the six-month requirement for the holding of an intermediate license before an applicant can qualify for a driver's license. * * * An applicant for a driver's license who was unable to make timely application in 2020 for an intermediate license, due to the closure of driver's license offices owing to the Coronavirus Disease 2019 (COVID-19), shall have the period in which he or she was eligible but unable to apply credited toward the * * * one-year requirement for the holding of an intermediate license.

(* * *c) An applicant for a Mississippi driver's license who, at the time of application, is at least * * * sixteen (16) years of age and who has held a valid motor vehicle driver's license issued by another state for at least six (6) months shall not be required to hold a regular learner's permit * * * before being issued a driver's license.

(3) The commissioner shall ensure that the regular learner's permit * * * and driver's license issued under this article are clear, distinct and easily distinguishable from one another.

SECTION 4. Section 63-1-10.1, Mississippi Code of 1972, is amended as follows:

63-1-10.1. A school superintendent or designee shall report to the Department of Education on a schedule determined by the State Board of Education when a student under eighteen (18) years of age who has been issued a driver's license * * * or temporary learning permit has been coded as a "drop out" as defined by the State Board of Education. The Department of Education will provide notification to the Department of

Public Safety of those students under eighteen (18) years of age who have obtained a driver's license * * * or temporary learning permit and have been coded by the local school district as a "drop out" upon verification that prior written parental consent for the release of educational records has been obtained in compliance with the Family Educational Rights and Privacy Act of 1972, as amended, 20 USCS Section 1232.

SECTION 5. Section 63-1-21, Mississippi Code of 1972, is amended as follows:

63-1-21. (1) To obtain a new or original Class R or Class D * * * license, every applicant other than a person holding a valid out-of-state license shall first obtain a regular learner's permit, successfully complete the examination provided for in Section 63-1-33, and pay the regular learner's permit fee and examination fee prescribed in Section 63-1-43.

(2) A regular learner's permit entitles the holder, if the permit is in his immediate possession, to drive a motor vehicle other than a motorcycle on the highways of the State of Mississippi only when accompanied by a licensed operator who is at least twenty-one (21) years of age and who is actually occupying the seat beside the driver. A regular learner's permit may be issued to any applicant who is at least fifteen (15) years of age and shall be valid for a period of two (2) years from the date of issue.

(3) * * * A regular license holder under the age of eighteen (18) shall be allowed unsupervised driving from 6:00 a.m. to 10:00 p.m. Sunday through Thursday and 6:00 a.m. to 11:30 p.m. Friday and Saturday, and * * * be allowed unsupervised driving any time for a person traveling directly to or from work or other educational, recreational or extracurricular activity with parental approval. At all other times * * * for the first six (6) months, the regular license holder under the age of eighteen (18) must be supervised by a parent, guardian or other person aged twenty-one (21) years or older who holds a valid driver's license under this article and who is actually occupying the seat beside the driver.

* * *

SECTION 6. Section 63-1-23, Mississippi Code of 1972, is amended as follows:

63-1-23. The application of any person under the age of seventeen (17) years for a temporary driving permit * * * or license issued pursuant to this article shall be signed and verified before a person authorized to administer oaths by both the father and mother of the applicant, if both are living and have custody of him, or in the event neither parent is living then by the person or guardian having such custody or by an employer of him, or in the event there is no guardian or employer then by any other responsible person who is willing to assume the obligation imposed under Section 63-1-25 upon a person signing the application of a minor.

SECTION 7. Section 63-1-35, Mississippi Code of 1972, is amended as follows:

63-1-35. (1) The Commissioner of Public Safety shall prescribe the form of license issued pursuant to this article which shall, among other features, include a driver's license number assigned by the Department of Public Safety. A licensee shall list his social security number with the department which shall cross reference the social security number with the driver's license number for purposes of identification. Additionally, each license shall bear a full-face color photograph of the licensee in such form that the license and the photograph cannot be separated. The photograph shall be taken so that one (1) exposure will photograph the applicant and the application simultaneously on the same film. The department shall use a process in the issuance of a license with a color photograph that shall prevent as nearly as possible any alteration, counterfeiting,

duplication, reproduction, forging or modification of the license or the superimposition of a photograph without ready detection. The photograph shall be replaced by the department at the time of renewal. Drivers' licenses, including photographs appearing thereon, may be renewed by electronic means according to rules and regulations promulgated by the commissioner in conformity to Section 27-104-33.

(2) The commissioner shall prescribe the form of license issued pursuant to this article to licensees who are not United States citizens and who do not possess a social security number issued by the United States government. The license of such persons shall include a number and/or other identifying features.

(3) Any new, renewal or duplicate driver's license, temporary driving permit * * * or commercial driver's license issued to a person required to register as a sex offender pursuant to Section 45-33-25 shall bear a designation identifying the licensee or permittee as a sex offender.

(4) The commissioner is authorized to provide the new, renewal or duplicate driver's license, temporary driving permit * * * or commercial driver's license to any honorably discharged veteran as defined in Title 38 of the United States Code, and such license or permit shall exhibit the letters "Vet" or any other mark identifying the person as a veteran. The veteran requesting the "Vet" designation shall present his DD-214 or equivalent document that includes a notation from the State Veterans Affairs Board that the applicant is a veteran.

(5) Not later than July 1, 2021, the commissioner shall develop and implement a driver's license or driving permit in electronic format as an additional option for license or permit holders. Acceptable electronic formats include display of electronic images on a cellular phone or any other type of electronic device.

SECTION 8. Section 63-1-43, Mississippi Code of 1972, is amended as follows:

63-1-43. (1) The commissioner shall charge and collect the following fees:

(a) Fees to which the card stock fee authorized in Section 45-1-21 shall be added:

Class R original or renewal four-year license authorized in Section 63-1-5	\$18.00
Class R original or renewal eight-year license authorized in Section 63-1-5	\$36.00
Class D original or renewal four-year license authorized in Section 63-1-47	\$23.00
Class D original or renewal eight-year license authorized in Section 63-1-47	\$46.00
Four-year Identification Card authorized in Section 45-35-7	\$11.00
Eight-year Identification Card authorized in Section 45-35-7	\$22.00
Eight-year Identification Card for the blind authorized in Section 45-35-7	\$11.00
Four-year Disability Identification Card authorized in Section 45-35-53.....	\$11.00
Regular Learner's Permit authorized in Section 63-1-21	\$ 1.00
Duplicate Identification Card or Disability Identification Card	\$ 5.00

* * *

Duplicate Class R or Class D license authorized in Section 63-1-37	\$ 5.00
Class A, B or C Commercial driver's license authorized in Section 63-1-208	\$48.00
CDL Learner's Permit authorized in Section 63-1-208	\$10.00
Duplicate CDL or CDL learner's permit	\$ 5.00
Ignition-Interlock-Restricted License authorized in Section 63-11-31	\$50.00
(b) Driver services fees to which the card stock fee authorized in Section 45-1-21 is not added:	
Temporary Motorcycle Permit	\$ 1.00
Four-year or eight-year Motorcycle Endorsement	\$ 5.00
Late Renewal Fee	\$ 1.00
Four-year Identification Card upon medical reason for surrender of a driver's license as authorized in Section 45-35-7 (one (1) time only)	No fee
Hazardous Materials Background Check (federal)	\$63.00
Hazardous Materials Background Check (state)	\$37.00
CDL Application Fee	\$25.00
CDL Endorsements:	
Tanker Endorsement	\$ 5.00
Doubles/Triples Endorsement	\$ 5.00
Passenger Endorsement	\$ 5.00
Hazardous Materials Endorsement	\$ 5.00
School Bus Endorsement	\$ 5.00

(c) In addition to the fees required in this section, an applicant may contribute an additional One Dollar (\$1.00) which shall be deposited into the Statewide Litter Prevention Fund. The applicant shall be informed that he may contribute an additional One Dollar (\$1.00) which shall be deposited into the Statewide Litter Prevention Fund and shall be expended solely for the purpose of funding litter prevention projects or litter education programs, as recommended by the Statewide Litter Prevention Program of Keep Mississippi Beautiful, Inc.

(d) Starting January 1, 2021, for any original or renewal license for which the fee is greater than Ten Dollars (\$10.00), if the applicant brings all required documentation but does not receive his or her license within two and one-half (2-1/2) hours of entering and remaining at the license station, Ten Dollars (\$10.00) shall be deducted from the total amount owed for the license.

(2) All originals and renewals of operators' licenses shall be in compliance with Section 63-1-47.

SECTION 9. Section 63-1-47, Mississippi Code of 1972, is amended as follows:

63-1-47. (1) (a) Except as otherwise provided in this section, each applicant for an original or renewal Class R or Class D license issued pursuant to this article, who is entitled to issuance of same, shall be issued a four-year license or an eight-year license, at the option of the applicant, which will expire at midnight on the licensee's birthday and may be renewed any time within six (6) months before the expiration of the license upon application and payment of the required fee, unless required to be reexamined.

* * *

(**b) The term of an ignition-interlock-restricted license issued under this article shall be four (4) years.

(2) Any commercial driver's license issued under Article 5 of this chapter shall be issued for a five-year term to expire at midnight on the licensee's birthday.

(3) (a) All applications by an operator under eighteen (18) years of age must be accompanied by documentation that the applicant is in compliance with the education requirements of Section 63-1-9(1)(g), and the documentation used in establishing compliance must be dated no more than thirty (30) days before the date of application.

(b) All applications by an operator under eighteen (18) years of age, if applicable, must be accompanied by documentation signed and notarized by the parent

or guardian of the applicant and the appropriate school official, authorizing the release of the applicant's attendance records to the Department of Public Safety as required under Section 63-1-10.

(c) The commissioner shall suspend the driver's license * * * or regular learner's permit of a student under eighteen (18) years of age who has been reported by the Department of Education as required by Section 63-1-10.1, and shall give notice of the suspension to the licensee as provided in Section 63-1-52(4). A school superintendent or designee may request that the driver's license * * * or regular learner's permit that has been suspended under the provisions of this subsection be reinstated after the student has successfully completed nine (9) weeks of school attendance without an unlawful absence.

(4) (a) Any original or renewal license issued under this chapter to a person who is not a United States citizen shall expire four (4) years from the date of issuance or on the expiration date of the applicant's authorized stay in the United States, whichever is the lesser period of time, and may be renewed, if the person is otherwise qualified to renew the license, within thirty (30) days of expiration. The fee for any such license and for renewal shall be as prescribed in Section 63-1-43.

(b) Any applicant for an original or renewal license under this subsection (4) must present valid documentary evidence documenting that the applicant:

- (i) Is a citizen or national of the United States;
- (ii) Is an alien lawfully admitted for permanent or temporary residence in the United States;
- (iii) Has conditional permanent residence status in the United States;
- (iv) Has an approved application for asylum in the United States or has entered into the United States in refugee status;
- (v) Has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into or lawful presence in the United States;
- (vi) Has a pending application for asylum in the United States;
- (vii) Has a pending or approved application for temporary protected status in the United States;
- (viii) Has approved deferred-action status;
- (ix) Has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States; or
- (x) Has a valid employment authorization card issued by the United States Department of Homeland Security.

(5) For any driver's license issued under this chapter, the Department of Public Safety shall send an email and text message notification of an upcoming driver's license expiration date to the known emails and phone numbers authorized by license holders for such notices not less than thirty (30) days before the expiration date of that license.

SECTION 10. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 45-33-43, 63-1-5, 63-1-9, 63-1-10.1, 63-1-23, 63-1-35, 63-1-43 AND 63-1-47, MISSISSIPPI CODE OF 1972, TO DELETE ALL REFERENCES TO AN INTERMEDIATE DRIVER'S LICENSE; TO AMEND SECTION 63-1-21, Mississippi Code of 1972, TO AUTHORIZE A REGULAR LICENSE HOLDER UNDER THE AGE OF 18 TO DRIVE UNSUPERVISED AT ANY TIME DIRECTLY TO OR FROM AN EDUCATIONAL, RECREATIONAL OR EXTRACURRICULAR ACTIVITY WITH PARENTAL APPROVAL; TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 550 was adopted.

YEAS AND NAYS On H. B. No. 550. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hill called up the following entitled bill:

H. B. No. 357: Bonding requirement for county purchase clerk; increase.

YEAS AND NAYS On H. B. No. 357. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hill called up the following entitled bill:

H. B. No. 493: Counties and municipalities; authorize to offer Medicare eligible employee benefits when employees secures Medicare under certain circumstances.

Senator Hill offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-15-103, Mississippi Code of 1972, is amended as follows:

25-15-103. (1) The maximum amount of group insurance or other coverage used in determining employer's limitation of one hundred percent (100%) of such costs shall be determined by regulations promulgated by the governing board or head of any political subdivision, school district, junior college district, institution, department or agency named in Section 25-15-101 and this section, but the life insurance for each employee shall not exceed Fifty Thousand Dollars (\$50,000.00), or the amount of deduction allowed by the United States Internal Revenue Service in filing a federal tax return, whichever is greater. A like amount may be for accidental death * * *, accident, health and salary protection insurance, providing benefits not exceeding sixty percent (60%) of the employee's income, or the amount allowed by the United States Internal Revenue Service in filing a federal tax return, whichever is greater. Hospitalization benefits for room and board may

not exceed the average semiprivate cost per day; and the other coverages authorized hereinabove. The limitations in this * * * subsection on the amount of group insurance and other coverage which employers may obtain for their employees shall not be applicable to municipalities.

(2) Any employee who retires due to one hundred percent (100%) medical disability, or due to reaching the statutory age of retirement under the provisions of the Public Employees' Retirement Law of 1952, being Sections 25-11-101 through 25-11-139, may, if he elects, remain a member of the group plan for such life insurance and other benefits as may be agreed to by the governing board or institution, department, or agency head and the companies writing such insurance and other coverage, by paying the entire costs thereof.

(3) When any of the political subdivisions, school districts, junior college districts, institutions, departments, or agencies named in Section 25-15-101 and this section have adopted the group coverage plan authorized by said sections, any of the employees thereof participating in the plan who desire to secure additional benefits for their dependents with the company or companies providing such group coverage may do so by authorizing in writing the deduction from his or her salary or wages of the necessary amounts for the full payment of such additional coverage, and the same may be deducted and paid for such purposes, but the entire cost of such additional coverage for dependents shall be paid by the employee.

(4) (a) A municipality may provide group life insurance coverage for all or specified groups of its public employees and group hospitalization benefits for such public employees and their dependents, and the municipality may pay the total of the cost of all benefits under this section.

(b) A county may provide group life insurance coverage for all or specified groups of its public employees and group hospitalization benefits for such public employees and their dependents, and the county may pay the total of the cost of all benefits under this section. A county may make such provision, as specified under this paragraph, retroactively for any existing group coverage plan previously adopted by the county.

(5) (a) The board of supervisors of any county or governing authority of any municipality may offer any Medicare-eligible county or municipal employee supplemental compensation if the employee chooses to secure Medicare coverage in lieu of participating in any county or municipal medical or health insurance program, as the case may be, limited to an amount which shall not exceed the county's or municipality's cost for the employee to participate in such county or municipal medical or health insurance program. The provisions of this subsection shall not apply to coverage by Medicaid. Nothing in this subsection shall be construed to require a county or municipal employee to choose Medicare coverage in lieu of participating in any county or municipal medical or health insurance program, and a county or municipality shall not withhold participation in any county or municipal medical or health insurance program by a Medicare-eligible employee who is otherwise eligible for such county or municipal medical or health insurance program.

(b) Before the supplemental compensation may be provided, as specified under this subsection, the employee shall provide verifiable proof that he has secured coverage under Medicare. Receipt of purchase for the Medicare coverage shall be provided on an annual basis to the employer.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-15-103, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY COUNTY OR MUNICIPALITY TO OFFER ANY MEDICARE-ELIGIBLE EMPLOYEE SUPPLEMENTAL COMPENSATION IF THE EMPLOYEE CHOOSES TO SECURE MEDICARE COVERAGE IN LIEU OF PARTICIPATING IN ANY COUNTY OR MUNICIPAL MEDICAL OR HEALTH INSURANCE PROGRAM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 493 was adopted.

YEAS AND NAYS On H. B. No. 493. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 70: Autopsies; provide for confidentiality of photographs and video and audio recordings with exceptions.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 41-61-66, Mississippi Code of 1972:

41-61-66. (1) This section shall be referred to and may be cited as "Christian's Law."

(2) For the purposes of this section:

(a) "Surviving relative" means:

(i) The surviving spouse of the deceased;

(ii) If there is no surviving spouse, the surviving parents of the deceased;

(iii) If there is no surviving spouse or parent, the surviving adult children of the deceased; or

(iv) If there is no surviving spouse, parent or adult children, the next of kin of the deceased.

(b) "Autopsy media records" means:

(i) A photograph or video or audio recording of an autopsy; and

(ii) A photograph or video or audio recording of the crime scene taken by or used by the coroner or the medical examiner.

(3) Autopsy media records are confidential subject to the provisions of this section. The custodian of the autopsy medical records, or his or her designee, may not permit any person or entity, unless authorized by this section or court order pursuant to this section, to access autopsy media records. In all cases, the viewing, copying, listening to and/or other handling of autopsy media record must be under the direct supervision of the custodian of the record or his or her designee.

(4) (a) A surviving relative, or the surviving relative's designee, may view, listen to, and/or copy autopsy media records;

(b) A local governmental entity, or a state or federal agency, in furtherance of its official duties, pursuant to a written request, may view, listen to, copy and/or disclose autopsy media records. Unless otherwise required in the performance of the duties of the local governmental entity, the identity of the deceased shall remain confidential and exempt under this paragraph;

(c) A criminal or administrative proceeding is exempt from this section. This section does not prohibit a court in a criminal or administrative proceeding upon good cause shown from restricting or otherwise controlling the disclosure of an autopsy, crime scene, or similar photograph or video or audio recordings in the manner prescribed herein;

(d) A coroner or a medical examiner, and his or her designee, or a medical physician, and his or her designee, in lawful possession of autopsy media records may use autopsy media records for educational purposes as long as:

(i) Personal information identifying the decedent, including name, address, social security number, case and/or medical record number and any other uniquely identifying features, is redacted and expunged from the autopsy records; and

(ii) Facial identity of the deceased is rendered as anonymous as reasonably possible.

For the purposes of this paragraph, "educational purposes" include, but are not limited to, medical or scientific teaching or training purposes, teaching or training law enforcement personnel, teaching or training of attorneys or others with a bona fide professional need to use or understand forensic science, conferring with medical or scientific experts in the field of forensic science, publication in a scientific or medical journal or textbook.

(5) (a) A court, upon a showing of good cause, may:

(i) Issue an order authorizing any person to view, listen to, and/or copy an autopsy media record; and

(ii) May prescribe any restrictions or stipulations that the court deems appropriate.

(b) In determining good cause, a court shall consider whether such disclosure is necessary for the public evaluation of governmental performance; the seriousness of the intrusion into the family's right to privacy and whether such disclosure

is the least intrusive means available; and the availability of similar information in other public records, regardless of form.

(c) A surviving relative shall be given:

(i) Reasonable notice of a petition filed with a court to view, listen to, and/or copy an autopsy media record;

(ii) A copy of such petition; and

(iii) Reasonable notice of the opportunity to be present and heard at any hearing on the matter.

(d) Any person who willfully and knowingly violates a court order issued pursuant to this section commits a felony punishable upon conviction by one-year imprisonment in the State Penitentiary or a fine of Ten Thousand Dollars (\$10,000.00), or both.

(6) Any custodian of an autopsy media record who willfully and knowingly violates this section commits a felony punishable upon conviction by one-year imprisonment in the State Penitentiary or a fine of Ten Thousand Dollars (\$10,000.00), or both.

(7) Nothing in this section shall:

(a) Prevent the disclosure of confidential victim communications by any governmental or private participant of a meeting of a multidisciplinary child protection team created under Section 43-15-51.

(b) Prevent an advocate from a governmental organization from sharing victim information with necessary persons to accomplish the duties of the job or to satisfy statutory or constitutional requirements of disclosure.

(8) This section shall not be construed as creating a cause of action for damages against the state or any of its agencies, officials, employees or political subdivisions.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT "CHRISTIAN'S LAW"; TO CODIFY NEW SECTION 41-61-66, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE CONFIDENTIALITY OF AUTOPSY MEDIA RECORDS HELD BY A MEDICAL EXAMINER; TO DEFINE TERMS; TO PROVIDE EXCEPTIONS UNDER CERTAIN CIRCUMSTANCES, INCLUDING FOR THE DECEASED'S SURVIVING RELATIVES, FOR LOCAL GOVERNMENTAL ENTITIES, FOR CRIMINAL OR ADMINISTRATIVE PROCEEDINGS, AND FOR EDUCATIONAL PURPOSES; TO AUTHORIZE COURTS TO ALLOW ANY PERSON TO VIEW SUCH RECORDS UPON A DEMONSTRATION OF GOOD CAUSE; TO PROVIDE CRIMINAL PENALTIES FOR WILLFUL VIOLATION OF A COURT ORDER; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATION OF THIS SECTION BY A CUSTODIAN OF AUTOPSY MEDIA RECORDS; TO PROVIDE THAT THIS SECTION SHALL NOT PREVENT CERTAIN DISCLOSURES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 70 was adopted.

YEAS AND NAYS On H. B. No. 70. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 287: Drug Intervention Courts; standardize references.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-23-1, Mississippi Code of 1972, is amended as follows:

9-23-1. This chapter shall be known and may be cited as the "Alyce Griffin Clarke Drug Intervention Court Act."

SECTION 2. Section 9-23-3, Mississippi Code of 1972, is amended as follows:

9-23-3. (1) The Legislature of Mississippi recognizes the critical need for judicial intervention to reduce the incidence of alcohol and drug use, alcohol and drug addiction, and crimes committed as a result of alcohol and drug use and alcohol and drug addiction. It is the intent of the Legislature to facilitate local drug intervention court alternative orders adaptable to chancery, circuit, county, youth, municipal and justice courts.

(2) The goals of the drug intervention courts under this chapter include the following:

(a) To reduce alcoholism and other drug dependencies among adult and juvenile offenders and defendants and among respondents in juvenile petitions for abuse, neglect or both;

(b) To reduce criminal and delinquent recidivism and the incidence of child abuse and neglect;

(c) To reduce the alcohol-related and other drug-related court workload;

(d) To increase personal, familial and societal accountability of adult and juvenile offenders and defendants and respondents in juvenile petitions for abuse, neglect or both;

(e) To promote effective interaction and use of resources among criminal and juvenile justice personnel, child protective services personnel and community agencies; and

(f) To use corrections resources more effectively by redirecting prison-bound offenders whose criminal conduct is driven in part by drug and alcohol dependence to intensive supervision and clinical treatment available in the drug intervention court.

SECTION 3. Section 9-23-5, Mississippi Code of 1972, is amended as follows:

9-23-5. For the purposes of this chapter, the following words and phrases shall have the meanings ascribed unless the context clearly requires otherwise:

(a) "Chemical * * * tests" means the analysis of an individual's: (i) blood, (ii) breath, (iii) hair, (iv) sweat, (v) saliva, (vi) urine, or (vii) other bodily substance to determine the presence of alcohol or a controlled substance.

(b) "Crime of violence" means an offense listed in Section 97-3-2.

(c) "Drug intervention court" means a drug court * * * that utilizes an immediate and highly structured intervention process for eligible defendants or juveniles that brings together mental health professionals, substance abuse professionals, local social programs and intensive judicial monitoring.

(d) "Evidence-based program" * * * and "researched-based program" have the meanings as those terms are defined in Section 27-103-159.

(e) "Risk and needs assessment" means the use of an actuarial assessment tool validated on a Mississippi corrections population to determine a person's risk to reoffend and the characteristics that, if addressed, reduce the risk to reoffend.

SECTION 4. Section 9-23-9, Mississippi Code of 1972, is brought forward as follows:

9-23-9. (1) The State Intervention Courts Advisory Committee is established to develop and periodically update proposed statewide evaluation plans and models for monitoring all critical aspects of intervention courts. The committee must provide the proposed evaluation plans to the Chief Justice and the Administrative Office of Courts. The committee shall be chaired by the Director of the Administrative Office of Courts or a designee of the director and shall consist of eleven (11) members all of whom shall be appointed by the Supreme Court. The members shall be broadly representative of the courts, mental health, veterans affairs, law enforcement, corrections, criminal defense bar, prosecutors association, juvenile justice, child protective services and substance abuse treatment communities.

(2) The State Intervention Courts Advisory Committee may also make recommendations to the Chief Justice, the Director of the Administrative Office of Courts and state officials concerning improvements to intervention court policies and procedures including the intervention court certification process. The committee may make suggestions as to the criteria for eligibility, and other procedural and substantive guidelines for intervention court operation.

(3) The State Intervention Courts Advisory Committee shall act as arbiter of disputes arising out of the operation of intervention courts established under this chapter and make recommendations to improve the intervention courts; it shall also make recommendations to the Supreme Court necessary and incident to compliance with established rules.

(4) The State Intervention Courts Advisory Committee shall establish through rules and regulations a viable and fiscally responsible plan to expand the number of adult and juvenile intervention court programs operating in Mississippi. These rules and regulations

shall include plans to increase participation in existing and future programs while maintaining their voluntary nature.

(5) The State Intervention Courts Advisory Committee shall receive and review the monthly reports submitted to the Administrative Office of Courts by each certified intervention court and provide comments and make recommendations, as necessary, to the Chief Justice and the Director of the Administrative Office of Courts.

SECTION 5. Section 9-23-11, Mississippi Code of 1972, is amended as follows:

9-23-11. (1) The Administrative Office of Courts shall establish, implement and operate a uniform certification process for all intervention courts and other problem-solving courts including juvenile courts, veterans courts or any other court designed to adjudicate criminal actions involving an identified classification of criminal defendant to ensure funding for intervention courts supports effective and proven practices that reduce recidivism and substance dependency among * * * participants.

(2) The Administrative Office of Courts shall establish a certification process that ensures any new or existing intervention court meets minimum standards for intervention court operation.

(a) These standards shall include, but are not limited to:

(i) The use of evidence-based * * * or research-based programs, including, but not limited to, the use of a valid and reliable risk and needs assessment tool to identify participants and deliver appropriate interventions;

(ii) Targeting medium to high-risk offenders for participation;

(iii) The use of current, evidence-based * * * or research-based programs, proven to reduce dependency on drugs or alcohol, or both;

(iv) Frequent testing for alcohol or drugs;

(v) Coordinated strategy between all intervention court program personnel involving the use of graduated clinical interventions;

(vi) Ongoing judicial interaction with each participant; and

(vii) Monitoring and evaluation of intervention court program implementation and outcomes through data collection and reporting.

(b) Intervention court certification applications shall include:

(i) A description of the need for the intervention court;

(ii) The targeted population for the intervention court;

(iii) The eligibility criteria for intervention court participants;

(iv) A description of the process for identifying appropriate participants including the use of a risk and needs assessment and a clinical assessment;

(v) A description of the intervention court intervention components, including anticipated budget * * *, implementation plan; and

(vi) The data collection plan, which shall include collecting the following data:

1. Total number of participants;
2. Total number of successful participants;
3. Total number of unsuccessful participants and the reason why each participant did not complete the program;
4. Total number of participants who were arrested for a new criminal offense while in the intervention court program;
5. Total number of participants who were convicted of a new felony or misdemeanor offense while in the intervention court program;
6. Total number of participants who committed at least one (1) violation while in the intervention court program and the resulting sanction(s);
7. Results of the initial risk and needs assessment or other clinical assessment conducted on each participant; * * *
8. Total number of applications for screening by race, gender, offenses charged, indigence and, if not accepted, the reason for nonacceptance; * * *
9. Identification of any program participant who, after completion of an intervention program, was arrested for a new criminal offense; and
- * * *10. Any other data or information as required by the Administrative Office of Courts.

(c) Every intervention court shall be certified under the following schedule:

(i) An intervention court application submitted after July 1, 2014, shall require certification of the intervention court based on the proposed * * * intervention court plan.

(ii) An intervention court initially established and certified after July 1, 2014, shall be recertified after its second year of funded operation on a time frame consistent with the other certified courts of its type.

(iii) A certified adult felony intervention court in existence on December 31, 2018, must submit a recertification petition by July 1, 2019, and be recertified under the requirements of this section on or before December 31, 2019; after the recertification, all certified adult felony intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31 * * * of every odd calendar year.

(iv) A certified youth, family, misdemeanor or chancery intervention court in existence on December 31, 2018, must submit a recertification petition by July * * * 1, 2020, and be recertified under the requirements of this section by December 31, 2020. After the recertification, all certified youth, family, misdemeanor and chancery intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31 * * * of every even calendar year.

(3) All certified intervention courts shall measure successful completion of the * * * intervention court based on those participants who complete the program without a new criminal conviction.

(4) (a) All certified * * * intervention courts must collect and submit to the Administrative Office of Courts each month, the following data:

- (i) Total number of participants at the beginning of the month;
- (ii) Total number of participants at the end of the month;
- (iii) Total number of participants who began the program in the month;
- (iv) Total number of participants who successfully completed the intervention court in the month;
- (v) Total number of participants who left the program in the month;
- (vi) Total number of participants who were arrested for a new criminal offense while in the intervention court program in the month;
- (vii) Total number of participants who were convicted for a new criminal arrest while in the intervention court program in the month; * * *
- (viii) Total number of participants who committed at least one (1) violation while in the intervention court program and any resulting sanction(s) * * *; and
- (ix) Total amount of state, federal, county or municipal monies received and spent.

(b) By August 1, 2015, and each year thereafter, the Administrative Office of Courts shall report to the PEER Committee the information in subsection (4)(a) of this section in a sortable, electronic format.

(5) All certified intervention courts may individually establish rules and may make special orders and rules as necessary that do not conflict with the rules promulgated by the Supreme Court or the Administrative Office of Courts.

(6) A certified intervention court may appoint the full- or part-time employees it deems necessary for the work of the intervention court and shall fix the compensation of those employees. Such employees shall serve at the will and pleasure of the judge or the judge's designee.

(7) The Administrative Office of Courts shall promulgate rules and regulations to carry out the certification and re-certification process, including, but not limited to, requiring third-party providers under contract to provide services that comport with evidence-based or research-based programs, and to make any other policies not inconsistent with this section to carry out this process. Notwithstanding any other provision of law to the contrary, any contract with a third-party provider shall comply with all state purchasing and bid laws.

(8) A certified intervention court established under this chapter is subject to the regulatory powers of the Administrative Office of Courts as set forth in Section 9-23-17.

(9) The Administrative Office of Courts shall promulgate rules and regulations to allow any participant of intervention court who is participating in such court due to an implied consent violation to have a restricted license or ignition interlock for the purpose of driving to intervention court.

SECTION 6. Section 9-23-13, Mississippi Code of 1972, is amended as follows:

9-23-13. (1) * * * A drug intervention court's alcohol and drug intervention component shall provide * * * to eligible individuals, either directly or through referrals, a range of necessary court intervention services, including, but not limited to, the following:

(a) Screening using a valid and reliable assessment tool effective for identifying alcohol and drug dependent persons for eligibility and appropriate services;

(b) Clinical assessment; for a DUI offense, if the person has two (2) or more DUI convictions, the court shall order the person to undergo an assessment that uses a standardized evidence-based instrument performed by a physician to determine whether the person has a diagnosis for alcohol and/or drug dependence and would likely benefit from a court-approved medication-assisted treatment indicated and approved for the treatment of alcohol and/or drug dependence by the United States Food and Drug Administration, as specified in the most recent Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. Upon considering the results of the assessment, the court may refer the person to a rehabilitative program that offers one or more forms of court-approved medications that are approved for the treatment of alcohol and/or drug dependence by the United States Food and Drug Administration;

(c) Education;

(d) Referral;

(e) Service coordination and case management; and

(f) Counseling and rehabilitative care.

(2) Any inpatient treatment or inpatient detoxification program ordered by the court shall be certified by the Department of Mental Health, other appropriate state agency or the equivalent agency of another state.

(3) All drug intervention courts shall make available the option for participants to use court-approved medication-assisted treatment while participating in the programs of the court in accordance with the recommendations of the National Drug Court Institute.

SECTION 7. Section 9-23-15, Mississippi Code of 1972, is amended as follows:

9-23-15. (1) In order to be eligible for alternative sentencing through a local drug intervention court, the participant must satisfy each of the following criteria:

(a) The participant cannot have any felony convictions for any offenses that are crimes of violence as defined in Section 97-3-2 within the previous ten (10) years.

(b) The crime before the court cannot be a crime of violence as defined in Section 97-3-2.

(c) Other criminal proceedings alleging commission of a crime of violence cannot be pending against the participant.

(d) The participant cannot be charged with burglary of a dwelling under Section 97-17-23(2) or 97-17-37.

(e) The crime before the court cannot be a charge of driving under the influence of alcohol or any other drug or drugs that resulted in the death of a person.

(f) The crime charged cannot be one of trafficking in controlled substances under Section 41-29-139(f), nor can the participant have a prior conviction for same.

(2) Participation in the services of an alcohol and drug intervention component shall be open only to the individuals over whom the court has jurisdiction, except that the court may agree to provide the services for (i) individuals referred from another

intervention court or (ii) individuals who are residents of states that allow reciprocity for Mississippians to participate in intervention courts in that state. In cases transferred from another jurisdiction, the receiving judge shall act as a special master and make recommendations to the sentencing judge.

(3) (a) As a condition of participation in * * * a drug intervention court, a participant may be required to undergo a chemical test or a series of chemical tests as specified by the drug intervention court. A participant is liable for the costs of all chemical tests required under this section, regardless of whether the costs are paid to the drug intervention court or the laboratory; however, if testing is available from other sources or the program itself, the judge may waive any fees for testing. The judge may waive all fees if the applicant is determined to be indigent.

(b) A laboratory that performs a chemical test under this section shall report the results of the test to the drug intervention court.

(4) A person does not have a right to participate in a drug intervention court under this chapter. The court having jurisdiction over a person for a matter before the court shall have the final determination about whether the person may participate in drug intervention court under this chapter. However, any person meeting the eligibility criteria in subsection (1) of this section shall, upon request, be screened for admission to drug intervention court.

SECTION 8. Section 9-23-17, Mississippi Code of 1972, is amended as follows:

9-23-17. With regard to any drug intervention court, the Administrative Office of Courts shall do the following:

(a) Certify and re-certify drug intervention court applications that meet standards established by the Administrative Office of Courts in accordance with this chapter.

(b) Ensure that the structure of the intervention component complies with rules adopted under this section and applicable federal regulations.

(c) Revoke the authorization of a program upon a determination that the program does not comply with rules adopted under this section and applicable federal regulations.

(d) Make agreements and contracts to effectuate the purposes of this chapter with:

(i) Another department, authority or agency of the state;

(ii) Another state;

(iii) The federal government;

(iv) A state-supported or private university; or

(v) A public or private agency, foundation, corporation or individual.

(e) Directly, or by contract, approve and certify any intervention component established under this chapter.

(f) Require, as a condition of operation, that each drug intervention court created or funded under this chapter be certified by the Administrative Office of Courts.

(g) Collect monthly data reports submitted by all certified drug intervention courts, provide those reports to the State Intervention Courts Advisory Committee, compile an annual report summarizing the data collected and the outcomes achieved by all certified intervention courts and submit the annual report to the Oversight Task Force.

(h) As funding is available or every * * * five (5) years, the Administrative Office of Courts will contract with an external evaluator to conduct an evaluation of the effectiveness of the statewide drug intervention court program * * * and individual drug intervention courts * * *. Notwithstanding any other provision of law to the contrary, contract shall comply with all state purchasing and bid laws.

(i) Adopt rules to implement this chapter.

SECTION 9. Section 9-23-19, Mississippi Code of 1972, is amended as follows:

9-23-19. (1) All monies received from any source by * * * a drug intervention court shall be accumulated in a fund to be used only for drug intervention court purposes. Any funds remaining in this fund at the end of a fiscal year shall not lapse into any general fund, but shall be retained in the Drug Intervention Court Fund for the funding of further activities by the drug intervention court.

(2) * * * A drug intervention court may apply for and receive the following:

(a) Gifts, bequests and donations from private sources.

(b) Grant and contract money from governmental sources.

(c) Other forms of financial assistance approved by the court to supplement the budget of the drug intervention court.

(3) The costs of participation in an alcohol and drug intervention program required by the certified drug intervention court may be paid by the participant or out of user fees or such other state, federal or private funds that may, from time to time, be made available.

(4) The court may assess such reasonable and appropriate fees to be paid to the local Drug Intervention Court Fund for participation in an alcohol or drug intervention program; however, all fees may be waived if the applicant is determined to be indigent.

SECTION 10. Section 9-23-21, Mississippi Code of 1972, is amended as follows:

9-23-21. The director and members of the professional and administrative staff of the drug intervention court who perform duties in good faith under this chapter are immune from civil liability for:

(a) Acts or omissions in providing services under this chapter; and

(b) The reasonable exercise of discretion in determining eligibility to participate in the drug intervention court.

SECTION 11. Section 9-23-23, Mississippi Code of 1972, is amended as follows:

9-23-23. If the participant completes all requirements imposed upon him by the drug intervention court, including the payment of fines and fees assessed and not waived by the court, the charge and prosecution shall be dismissed. If the defendant or participant was sentenced at the time of entry of plea of guilty, the successful completion of the drug intervention court order and other requirements of probation or suspension of sentence will result in the record of the criminal conviction or adjudication being expunged. However, no expunction of any implied consent violation shall be allowed.

SECTION 12. Section 9-23-51, Mississippi Code of 1972, is amended as follows:

9-23-51. There is created in the State Treasury a special interest-bearing fund to be known as the Drug Intervention Court Fund. The purpose of the fund shall be to provide supplemental funding to all drug intervention courts in the state. Monies from the funds derived from assessments under Section 99-19-73 shall be distributed by the State Treasurer upon warrants issued by the Administrative Office of Courts, pursuant to procedures set by the State * * * Intervention Courts Advisory Committee to assist both juvenile drug intervention courts and adult drug intervention courts. Funds from other sources shall be distributed to the drug intervention courts in the state based on a formula set by the State * * * Intervention Courts Advisory Committee. The fund shall be a continuing fund, not subject to fiscal-year limitations, and shall consist of: (a) monies appropriated by the Legislature for the purposes of funding drug intervention courts; (b) the interest accruing to the fund; (c) monies received under the provisions of Section 99-19-73; (d) monies received from the federal government; and (e) monies received from such other sources as may be provided by law.

SECTION 13. Section 9-25-1, Mississippi Code of 1972, is amended as follows:

9-25-1. (1) The Legislature recognizes that our military veterans have provided an invaluable service to our country. In doing so, many may have suffered the effects of, including, but not limited to, post-traumatic stress disorder, traumatic brain injury and depression, and may also suffer drug and alcohol dependency or addiction and co-occurring mental illness and substance abuse problems. As a result of this, some veterans come into contact with the criminal justice system and are charged with felony offenses. There is a critical need for the justice system to recognize these veterans, provide accountability for their wrongdoing, provide for the safety of the public, and provide for the treatment of our veterans. It is the intent of the Legislature to create a framework for which specialized veterans * * * intervention courts may be established at the circuit court level and at the discretion of the circuit court judge.

(2) Authorization. A circuit court judge may establish a Veterans * * * Intervention Court program. The Veterans * * * Intervention Court may, at the discretion of the circuit court judge, be a separate court program or as a component of an existing intervention court program. At the discretion of the circuit court judge, the Veterans * * * Intervention Court may be operated in one (1) county within the circuit court district, and allow veteran participants from all counties within the circuit court district to participate.

(3) Eligibility. (a) In order to be eligible to participate in a Veterans * * * Intervention Court program established under this section, the attorney representing the state must consent to the defendant's participation in the program. Further, the court in which the criminal case is pending must have found that the defendant is a veteran of the United States Armed Forces as defined in Title 38 USCS.

(b) Participation in the services of an alcohol and drug intervention component shall only be open to the individuals over whom the court has jurisdiction, except that the court may agree to provide the services for individuals referred from another Veterans * * * Intervention Court. In cases transferred from another jurisdiction, the receiving judge shall act as a special master and make recommendations to the sentencing judge.

(c) (i) As a condition of participation in a Veterans * * * Intervention Court, a participant may be required to undergo a chemical test or a series of chemical tests as specified by the Veterans * * * Intervention Court program. A participant may be held liable for costs associated with all chemical tests required under this section. However, a judge may waive any fees for testing.

(ii) A laboratory that performs chemical tests under this section shall report the results of the tests to the Veterans * * * Intervention Courts.

(d) A person does not have the right to participate in a Veterans *** Intervention Court program under this chapter. The court having jurisdiction over a person for a matter before the court shall have the final determination about whether the person may participate in the Veterans *** Intervention Court program.

(e) A defendant shall be excluded from participating in a Veterans *** Intervention Court program if any one (1) of the following applies:

(i) The crime before the court is a crime of violence as set forth in subparagraph *** (iii) of this *** paragraph (e).

(ii) The defendant does not demonstrate a willingness to participate in *** an intervention program.

(iii) The defendant has been previously convicted of a felony crime of violence including, but not limited to: murder, rape, sexual battery, statutory rape of a child under the age of sixteen (16), armed robbery, arson, aggravated kidnapping, aggravated assault, stalking, or any offense involving the discharge of a firearm or where serious bodily injury or death resulted to any person; excluding burglary of an unoccupied dwelling under Section 97-17-23(1).

(f) The court in which the criminal case is pending shall allow an eligible defendant to choose whether to proceed through the Veterans *** Intervention Court program or otherwise through the justice system.

(g) Proof of matters under this section may be submitted to the court in which the criminal case is pending in any form the court determines to be appropriate, including military service and medical records, previous determinations of a disability by a veteran's organization or by the United States Department of Veterans Affairs, testimony or affidavits of other veterans or service members, and prior determinations of eligibility for benefits by any state or county veterans office.

(4) Administrative Office of Courts. With regard to any Veterans *** Intervention Court established under this chapter, the Administrative Office of Courts may do the following:

(a) Ensure that the structure of the intervention component complies with rules adopted under this chapter and applicable federal regulations.

(b) Revoke the authorization of a program upon a determination that the program does not comply with rules adopted under this chapter and applicable federal regulations.

(c) Enter into agreements and contracts to effectuate the purposes of this chapter with:

(i) Another department, authority, or agency of the state;

(ii) Another state;

(iii) The federal government;

(iv) A state-supported or private university; or

(v) A public or private agency, foundation, corporation, or individual.

(d) Directly, or by contract, approve and certify any veterans intervention component established under this chapter.

(e) Require, as a condition of operation, that each veterans intervention court created or funded under this chapter be certified by the Administrative Office of Courts.

(f) Adopt rules to implement this chapter.

(5) State Intervention Courts Advisory Committee. (a) The State Intervention Court Advisory Committee shall be responsible for developing statewide rules and policies as they relate to Veterans * * * Intervention Court programs.

(b) The State Intervention Courts Advisory Committee may also make recommendations to the Chief Justice, the Director of the Administrative Office of Courts and state officials concerning improvements to Veterans * * * Intervention Court policies and procedures.

(c) The State Intervention Courts Advisory Committee shall act as an arbiter of disputes arising out of the operation of Veterans * * * Intervention Court programs established under this chapter and make recommendations to improve the Veterans * * * Intervention Court programs.

(6) Funding for Veterans * * * Intervention Courts. (a) All monies received from any source by the Veterans * * * Intervention Court program shall be accumulated in a fund to be used only for Veterans * * * Intervention Court purposes. Any funds remaining in this fund at the end of the fiscal year shall not lapse into the General Fund, but shall be retained in the Veterans * * * Intervention Court fund for the funding of further activities by the Veterans * * * Intervention Court program.

(b) A Veterans * * * Intervention Court program may apply for and receive the following:

(i) Gifts, bequests and donations from private sources.

(ii) Grant and contract money from governmental sources.

(iii) Other forms of financial assistance approved by the court to supplement the budget of the Veterans * * * Intervention Court program.

(7) Immunity. The coordinator and members of the professional and administrative staff of the Veterans * * * Intervention Court program who perform duties in good faith under this chapter are immune from civil liability for:

(a) Acts or omissions in providing services under this chapter; and

(b) The reasonable exercise of discretion in determining eligibility to participate in the Veterans * * * Intervention Court program.

(8) This section shall be codified as a separate article in Title 9, Mississippi Code of 1972.

SECTION 14. Section 9-27-1, Mississippi Code of 1972, is amended as follows:

9-27-1. This chapter shall be known and may be cited as the "Rivers McGraw Mental Health * * * Intervention Court Act."

SECTION 15. Section 9-27-3, Mississippi Code of 1972, is amended as follows:

9-27-3. (1) The Legislature recognizes the critical need for judicial intervention to establish court processes and procedures that are more responsive to the needs of

defendants with mental illnesses, while maintaining public safety and the integrity of the court process.

(2) The goals of the mental health intervention courts under this chapter include the following:

(a) Reduce the number of future criminal justice contacts among offenders with mental illnesses;

(b) Reduce the inappropriate institutionalization of people with mental illnesses;

(c) Improve the mental health and well-being of defendants who come in contact with the criminal justice system;

(d) Improve linkages between the criminal justice system and the mental health system;

(e) Expedite case processing;

(f) Protect public safety;

(g) Establish linkages with other state and local agencies and programs that target people with mental illnesses in order to maximize the delivery of services; and

(h) To use corrections resources more effectively by redirecting prison-bound offenders whose criminal conduct is driven in part by mental illnesses to intensive supervision and clinical treatment available in the mental health intervention court.

SECTION 16. Section 9-27-5, Mississippi Code of 1972, is amended as follows:

9-27-5. For the purposes of this chapter, the following words and phrases shall have the meanings ascribed unless the context clearly requires otherwise:

(a) "Chemical tests" means the analysis of an individual's: (i) blood, (ii) breath, (iii) hair, (iv) sweat, (v) saliva, (vi) urine, or (vii) other bodily substance to determine the presence of alcohol or a controlled substance.

(b) "Mental health * * * intervention court" means an immediate and highly structured intervention process for mental health treatment of eligible defendants or juveniles that:

(i) Brings together mental health professionals, local social programs and intensive judicial monitoring; and

(ii) Follows the * * * essential elements of the mental health intervention court curriculum published by the Bureau of Justice Assistance of the United States Department of Justice.

(c) "Evidence-based * * * program" * * * and "research-based program" have the meanings as those terms are defined in Section 27-103-159.

(d) "Risk and needs assessment" means the use of an actuarial assessment tool validated on a Mississippi corrections population to determine a person's risk to reoffend and the characteristics that, if addressed, reduce the risk to reoffend.

SECTION 17. Section 9-27-7, Mississippi Code of 1972, is amended as follows:

9-27-7. (1) The Administrative Office of Courts is the repository for reports filed by courts established under this chapter. The goal of the mental health intervention courts is to support effective and proven practices that reduce recidivism and provide treatment for participants.

(2) Mental health intervention courts must adhere to the standards established in this chapter.

(a) These standards shall include, but are not limited to:

(i) The use of evidence-based practices including, but not limited to, the use of a valid and reliable risk and needs assessment tool to identify participants and deliver appropriate treatments;

(ii) Targeting medium- to high-risk offenders for participation;

(iii) The use of current, evidence-based interventions proven to provide mental health treatment;

(iv) Coordinated strategy between all mental health intervention court personnel;

(v) Ongoing judicial interaction with each participant; and

(vi) Monitoring and evaluation of mental health intervention court implementation and outcomes through data collection and reporting.

(b) Mental health intervention courts must implement a data collection plan, which shall include collecting the following data:

(i) Total number of participants;

(ii) Total number of successful participants;

(iii) Total number of unsuccessful participants and the reason why each participant did not complete the program;

(iv) Total number of participants who were arrested for a new criminal offense while in the mental health intervention court;

(v) Total number of participants who were convicted of a new felony or misdemeanor offense while in the mental health intervention court;

(vi) Total number of participants who committed at least one (1) violation while in the mental health intervention court and the resulting sanction(s);

(vii) Results of the initial risk and needs assessment or other clinical assessment conducted on each participant; and

(viii) Any other data or information as required by the Administrative Office of Courts.

(3) All mental health intervention courts must measure successful completion of the program based on those participants who complete the program without a new criminal conviction.

(4) (a) Mental health intervention courts must collect and submit to the Administrative Office of Courts each month, the following data:

- (i) Total number of participants at the beginning of the month;
- (ii) Total number of participants at the end of the month;
- (iii) Total number of participants who began the program in the month;
- (iv) Total number of participants who successfully completed the program in the month;
- (v) Total number of participants who left the program in the month;
- (vi) Total number of participants who were arrested for a new criminal offense while in the program in the month;
- (vii) Total number of participants who were convicted for a new criminal arrest while in the program in the month; * * *
- (viii) Total number of participants who committed at least one (1) violation while in the program and any resulting sanction(s) * * * ; and
- (ix) Total amount of state, federal, county or municipal monies received and spent.

(b) By August 1, 2018, and each year thereafter, the Administrative Office of Courts shall report to the PEER Committee the information in subsection (4)(a) of this section in a sortable, electronic format.

(5) Mental health intervention courts may individually establish rules and may make special orders and rules as necessary that do not conflict with rules promulgated by the Supreme Court or the Administrative Office of Courts.

(6) A mental health intervention court may appoint the full- or part-time employees it deems necessary for the work of the mental health intervention court and shall fix the compensation of those employees, who shall serve at the will and pleasure of the senior circuit court judge.

(7) A mental health intervention court established under this chapter is subject to the regulatory powers of the Administrative Office of Courts as set forth in Section * * * 9-23-17.

SECTION 18. Section 9-27-9, Mississippi Code of 1972, is amended as follows:

9-27-9. (1) A mental health intervention court's mental health intervention component shall provide for eligible individuals, either directly or through referrals, a range of necessary court treatment services, including, but not limited to, the following:

- (a) Screening using a valid and reliable assessment tool effective for identifying persons affected by mental health issues for eligibility and appropriate services;
- (b) Clinical assessment;
- (c) Education;
- (d) Referral;
- (e) Service coordination and case management; and
- (f) Counseling and rehabilitative care.

(2) Any inpatient treatment ordered by the court shall be certified by the Department of Mental Health, other appropriate state agency or the equivalent agency of another state.

SECTION 19. Section 9-27-11, Mississippi Code of 1972, is amended as follows:

9-27-11. (1) In order to be eligible for alternative sentencing through a local mental health intervention court, the participant must satisfy each of the following criteria:

(a) The participant cannot have any felony convictions for any offenses that are crimes of violence as defined in Section 97-3-2, *** except burglary of an unoccupied dwelling under Section 97-17-23(1), within the previous ten (10) years.

(b) The crime before the court cannot be a crime of violence as defined in Section 97-3-2, *** except burglary of an unoccupied dwelling under Section 97-17-23(1).

(c) Other criminal proceedings alleging commission of a crime of violence *** except burglary of an unoccupied dwelling under Section 97-17-23(1) cannot be pending against the participant.

(d) The crime before the court cannot be a charge of driving under the influence of alcohol or any other substance that resulted in the death of a person. ***

(e) The crime charged cannot be one of trafficking in controlled substances under Section 41-29-139(f), nor can the participant have a prior conviction for same.

(2) Participation in the services of a mental health *** intervention component shall be open only to the individuals over whom the court has jurisdiction, except that the court may agree to provide the services for individuals referred from another mental health intervention court. In cases transferred from another jurisdiction, the receiving judge shall act as a special master and make recommendations to the sentencing judge.

(3) (a) As a condition of participation in a mental health intervention court, a participant may be required to undergo a chemical test or a series of chemical tests as specified by the program. A participant is liable for the costs of all chemical tests required under this section, regardless of whether the costs are paid to the mental health intervention court or the laboratory; however, if testing is available from other sources or the program itself, the judge may waive any fees for testing. Fees may be waived if the applicant is determined to be indigent.

(b) A laboratory that performs a chemical test under this section shall report the results of the test to the mental health intervention court.

(4) A person does not have a right to participate in a mental health intervention court under this chapter. The court having jurisdiction over a person for a matter before the court shall have the final determination about whether the person may participate in the mental health intervention court under this chapter. However, any person meeting the eligibility criteria in subsection (1) of this section, shall, upon request, be screened for admission into the court's program.

SECTION 20. Section 9-27-15, Mississippi Code of 1972, is amended as follows:

9-27-15. (1) All monies received from any source by a mental health intervention court shall be accumulated in a local fund to be used only for mental health intervention court purposes. Any funds remaining in a local fund at the end of a fiscal year shall not lapse into any general fund, but shall be retained in the mental health intervention court fund for the funding of further activities by the mental health intervention court.

(2) A mental health intervention court may apply for and receive the following:

(a) Gifts, bequests and donations from private sources.

(b) Grant and contract monies from governmental sources.

(c) Other forms of financial assistance approved by the court to supplement the budget of the mental health *** intervention court.

(3) The costs of participation in a mental health treatment program required by the mental health intervention court may be paid by the participant or out of user fees or such other state, federal or private funds that may, from time to time, be made available.

(4) The court may assess reasonable and appropriate fees to be paid to the local mental health intervention court fund for participation in a mental health treatment program; however, all fees may be waived by the court if the applicant is determined to be indigent.

SECTION 21. Section 9-27-17, Mississippi Code of 1972, is amended as follows:

9-27-17. The director and members of the professional and administrative staff of the mental health intervention court who perform duties in good faith under this chapter are immune from civil liability for:

(a) Acts or omissions in providing services under this chapter; and

(b) The reasonable exercise of discretion in determining eligibility to participate in the mental health intervention court.

SECTION 22. Section 9-27-19, Mississippi Code of 1972, is amended as follows:

9-27-19. If the participant completes all requirements imposed upon him by the mental health intervention court, the charge and prosecution shall be dismissed. If the defendant or participant was sentenced at the time of entry of a plea of guilty, the successful completion of the mental health intervention court order and other requirements of probation or suspension of sentence will result in the record of the criminal conviction or adjudication being expunged.

SECTION 23. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 9-23-1 AND 9-23-3, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO DRUG INTERVENTION COURTS; TO AMEND SECTION 9-23-5, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS RELATING TO VARIOUS TYPES OF INTERVENTION COURTS; TO BRING FORWARD SECTION 9-23-9, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 9-23-11, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COLLECTION OF DATA BY THE ADMINISTRATIVE OFFICE OF COURTS ON PARTICIPANTS IN INTERVENTION PROGRAMS; TO AMEND SECTIONS 9-23-13 AND 9-23-15, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO DRUG INTERVENTION COURTS; TO AMEND SECTION 9-23-17, MISSISSIPPI CODE OF 1972, TO PROVIDE EVALUATION STANDARDS; TO AMEND SECTIONS 9-23-19, 9-23-21, 9-23-23, 9-23-51, 9-25-1, 9-27-1, 9-27-3, 9-27-5, 9-27-7, 9-27-9 AND 9-27-11, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO VARIOUS TYPES OF INTERVENTION COURTS; TO AMEND SECTIONS 9-27-15, 9-27-17 AND 9-27-19,

MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO MENTAL HEALTH INTERVENTION COURTS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 287 was adopted.

YEAS AND NAYS On H. B. No. 287. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Norwood. Total--1.

Absent and those not voting---None.

Senator Fillingane called up the following entitled bill:

H. B. No. 290: Pre-trial Intervention; prohibit certain amount of public embezzlement for.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-15-107, Mississippi Code of 1972, is amended as follows:

99-15-107. A person shall not be * * * eligible for the intervention program provided by Sections 99-15-101 through 99-15-127 if * * * the person has been charged with:

(a) Any crime of violence * * * listed in Section 97-3-2 * * *;

(b) * * * Any offense pertaining to trafficking in a controlled substance, as provided in Section 41-29-139(f) * * *; or

(c) Any crime of fraud or embezzlement committed in a public office pursuant to Section 97-7-11 or 97-11-31, amounting to or exceeding Ten Thousand Dollars (\$10,000.00).

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 99-15-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS CHARGED WITH CRIMES OF FRAUD OR EMBEZZLEMENT EXCEEDING A CERTAIN AMOUNT ARE NOT ELIGIBLE FOR PRETRIAL INTERVENTION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 290 was adopted.

YEAS AND NAYS On H. B. No. 290. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 551: Driver's license; require Department of Public Safety to allow official identifying document of MDOC to suffice for.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Empowering Reentry Through Licensing Act."

SECTION 2. As used in Sections 1 through 6 of this act:

(a) "Department" means the Department of Public Safety.

(b) "Discharge plan" shall have the meaning provided in Section 47-7-33.1.

(c) "Driver's license" means a Class R license as authorized in Section 63-1-9.

(d) "Eligible person" means a person who has served a term of at least one (1) year and whose driver's license will be or has been suspended, revoked or cancelled for any reason upon the person's release. An "eligible person" must be:

(i) Within one hundred eighty (180) days of release from incarceration; or

(ii) On probation or parole, having been released from incarceration within the previous six (6) months.

An "eligible person" must not be within the category of persons described by Section 4 of this act.

(e) "Provisional license" means a license as authorized in Section 3 of this act.

(f) "Provisional licensee" means the holder of a provisional driver's license.

(g) "Release from incarceration" shall mean release from a Mississippi Department of Corrections facility or an MDOC-approved residential program.

SECTION 3. (1) A provisional license shall be valid for six (6) months from the date of a person's release from incarceration.

(2) A provisional license shall permit the provisional licensee to drive a motor vehicle directly to and directly home from his or her residence and:

(a) A place where he or she is employed or will potentially be employed;

(b) A place where the licensee attends school

(c) A place where the licensee's minor child attends school or day care, provided that there are no separate law prohibiting such travel;

(d) A scheduled meeting with the licensee's probation or parole officer or other supervisor;

(e) Any place, location or meeting that the licensee's probation or parole officer has authorized the person to travel to or attend; or

(f) A place of religious instruction or worship.

(3) This act shall not apply to any type of commercial operator's license.

SECTION 4. A person is ineligible for a provisional license under this act if:

(a) The person was convicted of vehicular homicide, or a third or subsequent violation of any other law that prohibits operating a vehicle while intoxicated or under the influence of alcohol or drugs; or

(b) A person's driver's license has been suspended, revoked or cancelled pursuant to a report of conviction received pursuant to Article III of the Driver License Compact.

SECTION 5. (1) The department shall:

(a) Issue a provisional license to an eligible person upon receipt of an application;

(b) Defer payment of all fees, penalties and charges relating to the issuance of a provisional license under this section that are incurred prior to or during the term of incarceration and owed by the applicant to the department;

(c) Inform the provisional licensee that the licensee has six (6) months from the date of release from incarceration to clear his or her driving record of any suspensions, revocations or cancellations in order to be eligible for a driver's license issued under Section 63-1-9;

(d) Shall issue a driver's license upon the collection of the standard fees and handling charges at the end of the term of the provisional license if the provisional licensee qualifies for full and unrestricted driving privileges and has paid any fees owed under paragraph (c) of this subsection;

(e) Develop procedures to:

(i) Issue a driver's license after the collection of the standard fees and handling charges to any person who, upon release from incarceration, qualifies for full and unrestricted driving privileges without the need of a provisional license; and

(ii) Renew the driver's license of an inmate after the collection of the standard fees and handling charges; and

(f) Promulgate the rules and regulations necessary to administer Sections 1 through 6 of this act.

(2) The department shall not assess an eligible person a fee for a provisional license.

(3) (a) The department may revoke the provisional license if the licensee commits an act or omission that causes the community supervision or parole of the holder of the provisional license to be revoked. The provisional licensee's probation or parole officer shall notify the department if the supervision or parole status has been revoked. The court shall notify the department if the provisional licensee is charged with a new felony or any moving traffic violation.

(b) If the department revokes a provisional license issued pursuant to this section, the holder shall not be entitled to receive another provisional license.

(4) The department shall, in conjunction with the Department of Corrections, provide to each person admitted to the Department of Corrections the person's current driver's license status, a detailed driver's history and any outstanding warrant information available on the National Criminal Information Center Database.

SECTION 6. The Mississippi Department of Corrections shall:

(a) Identify eligible persons to apply for a provisional license under this section.

(b) Provide any inmate opportunity to renew the inmates driver's license under Section 5(1)(e) of this act.

(c) Promulgate any necessary rules or regulations to administer Sections 1 through 6 of this act.

SECTION 7. Section 47-5-157, Mississippi Code of 1972, is amended as follows:

47-5-157. (1) When an offender is entitled to a discharge from the custody of the department, or is released therefrom on parole, pardon, or otherwise, the commissioner or his designee shall prepare and deliver to him a written discharge or release, as the case may be, dated and signed by him with seal annexed, giving the offender's name, the name of the offense or offenses for which he was convicted, the term of sentence imposed and the date thereof, the county in which he was sentenced, the amount of commutation received, if any, the trade he has learned, if any, his proficiency in same, and such description of the offender as may be practicable and the discharge plan developed as required by law. At least fifteen (15) days prior to the release of an offender as described herein, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177.

(2) The offender shall be furnished * * *:

(a) A Mississippi driver's license, if eligible;

(b) A provisional license under Section 3 of this act; or

(c) A state identification card that is not a department-issued identification card * * *.

The offender shall also be furnished all money held to his credit by any official of the correctional system * * * and, if needed, suitable civilian clothes.

(3) The amount of money which an offender is entitled to receive from the State of Mississippi when he is discharged from the state correctional system shall be determined as follows:

(a) If he has continuously served his sentence in one (1) year or less flat time, he shall be given Fifteen Dollars (\$15.00).

(b) If he has served his sentence in more than one (1) year flat time and in less than ten (10) years flat time, he shall be given Twenty-five Dollars (\$25.00).

(c) If he has continuously served his sentence in ten (10) or more years flat time, he shall be given Seventy-five Dollars (\$75.00).

(d) If he has continuously served his sentence in twenty (20) or more years flat time, he shall be given One Hundred Dollars (\$100.00).

(e) There shall be given in addition to the above specified monies in * * * paragraphs (a), (b), (c) and (d) of this subsection, a bus ticket to the county of conviction or to a state line of Mississippi.

SECTION 8. Section 47-7-33.1, Mississippi Code of 1972, is amended as follows:

47-7-33.1. (1) The department shall create a discharge plan for any offender returning to the community, regardless of whether the person will discharge from the custody of the department, or is released on parole, pardon, or otherwise. At least ninety (90) days prior to an offender's earliest release date, the commissioner shall conduct a pre-release assessment and complete a written discharge plan based on the assessment results. The discharge plan for parole eligible offenders shall be sent to the parole board at least thirty (30) days prior to the offender's parole eligibility date for approval. The board may suggest changes to the plan that it deems necessary to ensure a successful transition.

(2) The pre-release assessment shall identify whether an inmate requires assistance obtaining the following basic needs upon release: transportation, clothing and food, financial resources, identification documents, housing, employment, education, health care and support systems. The discharge plan shall include information necessary to address these needs and the steps being taken by the department to assist in this process, including an up-to-date version of the information described in Section 5(4) of this act. Based on the findings of the assessment, the commissioner shall:

(a) Arrange transportation for inmates from the correctional facility to their release destination;

(b) Ensure inmates have clean, seasonally appropriate clothing, and provide inmates with a list of food providers and other basic resources immediately accessible upon release;

(c) Ensure inmates have a provisional driver's license issued pursuant to this act, a regular driver's license if eligible, or a state-issued identification card that is not a Department of Corrections identification card;

(d) Assist inmates in identifying safe, affordable housing upon release. If accommodations are not available, determine whether temporary housing is available for

at least ten (10) days after release. If temporary housing is not available, the discharge plan shall reflect that satisfactory housing has not been established and the person may be a candidate for transitional reentry center placement;

(e) Refer inmates without secured employment to employment opportunities;

(f) Provide inmates with contact information of a health care facility/provider in the community in which they plan to reside;

(g) Notify family members of the release date and release plan, if the inmate agrees; and

(h) Refer inmates to a community or a faith-based organization that can offer support within the first twenty-four (24) hours of release * * *.

(3) A written discharge plan shall be provided to the offender and supervising probation officer or parole officer, if applicable.

(4) A discharge plan created for a parole-eligible offender shall also include supervision conditions and the intensity of supervision based on the assessed risk to recidivate and whether there is a need for transitional housing. The board shall approve discharge plans before an offender is released on parole pursuant to this chapter.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE "EMPOWERING REENTRY THROUGH LICENSING ACT" WHICH PROVIDES FOR A SIX-MONTH PROVISIONAL DRIVER'S LICENSE ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY TO ELIGIBLE PERSONS WHO HAVE BEEN RELEASED FROM INCARCERATION; TO DEFINE TERMS; TO AUTHORIZE PROVISIONAL LICENSES; TO PROVIDE CERTAIN REQUIREMENTS AND CERTAIN DISQUALIFICATIONS FOR ELIGIBILITY; TO REQUIRE CERTAIN DUTIES OF THE DEPARTMENT OF PUBLIC SAFETY TO ADMINISTER THE ACT; TO DIRECT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO IDENTIFY ELIGIBLE PERSONS TO APPLY FOR A PROVISIONAL DRIVER'S LICENSE; TO AMEND SECTIONS 47-5-157 AND 47-7-33.1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 551 was adopted.

YEAS AND NAYS On H. B. No. 551. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 615: DUI suspension; clarify how the 120 days are counted.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-11-23, Mississippi Code of 1972, is amended as follows:

* * *

63-11-23. (1) Administrative license suspension for test refusal. The Commissioner of Public Safety, or his authorized agent, shall review the sworn report by a law enforcement officer as provided in Section 63-11-21.

(a) If upon review the Commissioner of Public Safety, or his authorized agent, finds (i) that the law enforcement officer had reasonable grounds and probable cause to believe the person had been operating a motor vehicle upon the public highways, public roads * * * or streets of this state while under the influence of intoxicating liquor or any other substance that may impair a person's mental or physical ability; (ii) that the person refused to submit to the chemical test of the person's breath, blood or urine upon request of the officer; and (iii) that the person was informed that his license and driving privileges would be suspended or denied if he refused to submit to the chemical test of his breath, blood or urine, then the Commissioner of Public Safety, or his authorized agent, shall give notice to the licensee that his license or permit to drive, or any nonresident operating privilege, shall be suspended thirty (30) days after the date of the notice for a period of ninety (90) days if the person has not previously been convicted of or nonadjudicated for a violation of Section 63-11-30, or, for a period of one (1) year if the person was previously convicted or nonadjudicated under Section 63-11-30. If the commissioner or his authorized agent determines that the license or permit should not be suspended, he shall return the license or permit to the licensee.

(b) The notice of suspension shall be in writing and conform to Section 63-1-52.

(c) A person may continue to drive on either an interlock-restricted license or under a drug-testing program if so ordered by a court in the course of a criminal proceeding for a violation of Section 63-11-30.

(2) Extension or suspension of privilege to drive; request for trial. (a) If the chemical testing of a person's breath indicates the blood alcohol concentration was eight one-hundredths percent (.08%) or more for persons who are above the legal age to purchase alcoholic beverages under state law, or two one-hundredths percent (.02%) or more for persons who are below the legal age to purchase alcoholic beverages under state law, based upon grams of alcohol per one hundred (100) milliliters of blood or grams of alcohol per two hundred ten (210) liters of breath as shown by a chemical analysis of the person's blood, breath, or urine, the arresting officer shall seize the license and give the driver a receipt for his license on forms prescribed by the Commissioner of Public Safety and shall promptly forward the license together with a sworn report to the Commissioner of Public Safety. The receipt given a person shall be valid as a permit to operate a motor vehicle for thirty (30) days in order that the defendant may be processed through the court having original jurisdiction and a final disposition had.

(b) If the defendant requests a trial within thirty (30) days and trial is not commenced within thirty (30) days, then the court shall determine if the delay in the trial is the fault of the defendant or his counsel. If the court finds that it is not the fault of the defendant or his counsel, then the court shall order the defendant's privileges to operate a motor vehicle to be extended until the defendant is convicted upon final order of the court.

(c) If a receipt or permit to drive issued under this subsection expires without a trial having been requested as provided in this subsection, then the Commissioner of Public Safety, or his authorized agent, shall suspend the license or permit to drive or any nonresident operating privilege for the applicable period of time as provided in subsection (1) of this section.

(3) Offenders driving without a license. If the person is a resident without a license or permit to operate a motor vehicle in this state, the Commissioner of Public Safety, or his authorized agent, shall deny to the person the issuance of a license or permit for a period of one (1) year beginning thirty (30) days after the date of notice of the suspension.

(4) Appeal. It shall be the duty of the municipal prosecuting attorney, county prosecuting attorney, an attorney employed under the provisions of Section 19-3-49, or if there is not a prosecuting attorney for the municipality or county, the duty of the district attorney to represent the state in any hearing on a de novo appeal held under the provisions of Section 63-11-25, Section 63-11-37 or Section 63-11-30.

(5) Suspension subsequent to conviction. Unless the person obtains an interlock-restricted license or the court orders the person to exercise the privilege to operate a motor vehicle only under an interlock-restricted license or while participating in a court-ordered drug-testing program, thirty (30) days after receipt of the court abstract documenting a person's conviction under Section 63-11-30, the Department of Public Safety shall suspend the driver's license and privileges of the person to operate a motor vehicle as follows:

(a) When sentenced under Section 63-11-30(2):

(i) For a first offense: one hundred twenty (120) days;

(ii) For a second offense: one (1) year;

(iii) For a third offense: for the full period of the person's sentence; upon release from incarceration, the person will be eligible for only an interlock-restricted license for three (3) years;

(iv) For a fourth or subsequent offense: for the full period of the person's sentence; upon release from incarceration, the person will be eligible for only an interlock-restricted license for ten (10) years and will further be subject to court-ordered drug testing if the original offense involved operating a motor vehicle under the influence of a drug other than alcohol.

(b) When sentenced under Section 63-11-30(3) (Zero Tolerance for Minors):

(i) For a first offense: one hundred twenty (120) days;

(ii) For a second offense: one (1) year;

(iii) For a third offense occurring within five (5) years, suspend or deny the driving privilege for two (2) years or until the person reaches the age of twenty-one (21), whichever is longer.

(6) Suspensions. (a) Notices of suspension given under this section shall be in writing and conform to Section 63-1-52.

(b) Suspensions under this and any other chapter shall run consecutively and not concurrently.

(c) The first day of any one-hundred-twenty-day period shall begin to run on the date the judge signs an order for suspension.

(7) License reinstatement. A person is eligible for an unrestricted license when the person has completed an alcohol safety education program as provided in Section 63-11-32, has satisfied all other conditions of law and of the person's sentence or nonadjudication, and is not otherwise barred from obtaining an unrestricted license.

SECTION 2. Section 63-11-30, Mississippi Code of 1972, is amended as follows:

63-11-30. (1) It is unlawful for a person to drive or otherwise operate a vehicle within this state if the person:

(a) Is under the influence of intoxicating liquor;

(b) Is under the influence of any other substance that has impaired the person's ability to operate a motor vehicle;

(c) Is under the influence of any drug or controlled substance, the possession of which is unlawful under the Mississippi Controlled Substances Law; or

(d) Has an alcohol concentration in the person's blood, based upon grams of alcohol per one hundred (100) milliliters of blood, or grams of alcohol per two hundred ten (210) liters of breath, as shown by a chemical analysis of the person's breath, blood or urine administered as authorized by this chapter, of:

(i) Eight one-hundredths percent (.08%) or more for a person who is above the legal age to purchase alcoholic beverages under state law;

(ii) Two one-hundredths percent (.02%) or more for a person who is below the legal age to purchase alcoholic beverages under state law; or

(iii) Four one-hundredths percent (.04%) or more for a person operating a commercial motor vehicle.

(2) Except as otherwise provided in subsection (3) of this section (Zero Tolerance for Minors):

(a) First offense DUI. (i) Upon conviction of any person for the first offense of violating subsection (1) of this section where chemical tests under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00), or imprisoned for not more than forty-eight (48) hours in jail, or both; the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of sentencing. The court may substitute attendance at a victim impact panel instead of forty-eight (48) hours in jail.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A qualifying first offense may be nonadjudicated by the court under subsection (14) of this section. The holder of a commercial driver's license or a commercial learning permit at the time of the offense is ineligible for nonadjudication.

(iv) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(b) Second offense DUI. (i) Upon any second conviction of any person violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a misdemeanor, fined not less than Six Hundred Dollars (\$600.00) nor more than One Thousand Five Hundred Dollars (\$1,500.00), shall be imprisoned not less than five (5) days nor more than six (6) months and sentenced to community service work for not less than ten (10) days nor more than six (6) months. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) Suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) Eligibility for an interlock-restricted license is governed by Section 63-11-31 and suspension of regular driving privileges is governed by Section 63-11-23.

(c) Third offense DUI. (i) For a third conviction of a person for violating subsection (1) of this section, the offenses being committed within a period of five (5) years, the person shall be guilty of a felony and fined not less than Two Thousand Dollars (\$2,000.00) nor more than Five Thousand Dollars (\$5,000.00), and shall serve not less than one (1) year nor more than five (5) years in the custody of the Department of Corrections. For any offense that does not result in serious injury or death to any person, the sentence of incarceration may be served in the county jail rather than in the State Penitentiary at the discretion of the circuit court judge. The minimum penalties shall not be suspended or reduced by the court and no prosecutor shall offer any suspension or sentence reduction as part of a plea bargain.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) The suspension of regular driving privileges is governed by Section 63-11-23.

(d) Fourth and subsequent offense DUI. (i) For any fourth or subsequent conviction of a violation of subsection (1) of this section, without regard to the time period within which the violations occurred, the person shall be guilty of a felony and fined not less than Three Thousand Dollars (\$3,000.00) nor more than Ten Thousand Dollars (\$10,000.00), and shall serve not less than two (2) years nor more than ten (10) years in the custody of the Department of Corrections.

(ii) The suspension of commercial driving privileges is governed by Section 63-1-216.

(iii) A person convicted of a fourth or subsequent offense is ineligible to exercise the privilege to operate a motor vehicle that is not equipped with an ignition-interlock device for ten (10) years.

(e) Any person convicted of a second or subsequent violation of subsection (1) of this section shall receive an in-depth diagnostic assessment, and if as a result of the assessment is determined to be in need of treatment for alcohol or drug abuse, the person must successfully complete treatment at a program site certified by the Department of Mental Health. Each person who receives a diagnostic assessment shall pay a fee representing the cost of the assessment. Each person who participates in a treatment program shall pay a fee representing the cost of treatment.

(f) The use of ignition-interlock devices is governed by Section 63-11-31.

(3) Zero Tolerance for Minors. (a) This subsection shall be known and may be cited as Zero Tolerance for Minors. The provisions of this subsection shall apply only when a person under the age of twenty-one (21) years has a blood alcohol concentration of two one-hundredths percent (.02%) or more, but lower than eight one-hundredths percent (.08%). If the person's blood alcohol concentration is eight one-hundredths percent (.08%) or more, the provisions of subsection (2) shall apply.

(b) (i) A person under the age of twenty-one (21) is eligible for nonadjudication of a qualifying first offense by the court pursuant to subsection (14) of this section.

(ii) Upon conviction of any person under the age of twenty-one (21) years for the first offense of violating subsection (1) of this section where chemical tests provided for under Section 63-11-5 were given, or where chemical test results are not available, the person shall be fined Two Hundred Fifty Dollars (\$250.00); the court shall order the person to attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months. The court may also require attendance at a victim impact panel.

(c) A person under the age of twenty-one (21) years who is convicted of a second violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than Five Hundred Dollars (\$500.00).

(d) A person under the age of twenty-one (21) years who is convicted of a third or subsequent violation of subsection (1) of this section, the offenses being committed within a period of five (5) years, shall be fined not more than One Thousand Dollars (\$1,000.00).

(e) License suspension is governed by Section 63-11-23 and ignition interlock is governed by Section 63-11-31.

(f) Any person under the age of twenty-one (21) years convicted of a third or subsequent violation of subsection (1) of this section must complete treatment of an alcohol or drug abuse program at a site certified by the Department of Mental Health.

(4) DUI test refusal. In addition to the other penalties provided in this section, every person refusing a law enforcement officer's request to submit to a chemical test of the person's breath as provided in this chapter, or who was unconscious at the time of a chemical test and refused to consent to the introduction of the results of the test in any prosecution, shall suffer an additional administrative suspension of driving privileges as set forth in Section 63-11-23.

(5) Aggravated DUI. (a) Every person who operates any motor vehicle in violation of the provisions of subsection (1) of this section and who in a negligent manner causes the death of another or mutilates, disfigures, permanently disables or destroys the tongue, eye, lip, nose or any other limb, organ or member of another shall, upon conviction, be guilty of a separate felony for each victim who suffers death, mutilation, disfigurement or other injury and shall be committed to the custody of the State Department of Corrections for a period of time of not less than five (5) years and not to exceed twenty-five (25) years for each death, mutilation, disfigurement or other injury, and the imprisonment for the second or each subsequent conviction, in the discretion of the court, shall commence either at the termination of the imprisonment for the preceding conviction or run concurrently with the preceding conviction. Any person charged with causing the death of another as described in this subsection shall be required to post bail before being released after arrest.

(b) A holder of a commercial driver's license who is convicted of operating a commercial motor vehicle with an alcohol concentration of eight one-hundredths percent

(.08%) or more shall be guilty of a felony and shall be committed to the custody of the Department of Corrections for not less than two (2) years and not more than ten (10) years.

(c) The court shall order an ignition-interlock restriction on the offender's privilege to drive as a condition of probation or post-release supervision not to exceed five (5) years unless a longer restriction is required under other law. The ignition-interlock restriction shall not be applied to commercial license privileges until the driver serves the full disqualification period required by Section 63-1-216.

(6) DUI citations. (a) Upon conviction of a violation of subsection (1) of this section, the trial judge shall sign in the place provided on the traffic ticket, citation or affidavit stating that the person arrested either employed an attorney or waived his right to an attorney after having been properly advised. If the person arrested employed an attorney, the name, address and telephone number of the attorney shall be written on the ticket, citation or affidavit. The court clerk must immediately send a copy of the traffic ticket, citation or affidavit, and any other pertinent documents concerning the conviction or other order of the court, to the Department of Public Safety as provided in Section 63-11-37.

(b) A copy of the traffic ticket, citation or affidavit and any other pertinent documents, having been attested as true and correct by the Commissioner of Public Safety, or his designee, shall be sufficient proof of the conviction for purposes of determining the enhanced penalty for any subsequent convictions of violations of subsection (1) of this section. The Department of Public Safety shall maintain a central database for verification of prior offenses and convictions.

(7) Out-of-state prior convictions. Convictions in another state, territory or possession of the United States, or under the law of a federally recognized Native American tribe, of violations for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle occurring within five (5) years before an offense shall be counted for the purposes of determining if a violation of subsection (1) of this section is a second, third, fourth or subsequent offense and the penalty that shall be imposed upon conviction for a violation of subsection (1) of this section.

(8) Charging of subsequent offenses. (a) For the purposes of determining how to impose the sentence for a second, third, fourth or subsequent conviction under this section, the affidavit or indictment shall not be required to enumerate previous convictions. It shall only be necessary that the affidavit or indictment states the number of times that the defendant has been convicted and sentenced within the past five (5) years for a second or third offense, or without a time limitation for a fourth or subsequent offense, under this section to determine if an enhanced penalty shall be imposed. The amount of fine and imprisonment imposed in previous convictions shall not be considered in calculating offenses to determine a second, third, fourth or subsequent offense of this section.

(b) Before a defendant enters a plea of guilty to an offense under this section, law enforcement must submit certification to the prosecutor that the defendant's driving record, the confidential registry and National Crime Information Center record have been searched for all prior convictions, nonadjudications, pretrial diversions and arrests for driving or operating a vehicle while under the influence of an intoxicating liquor or while under the influence of any other substance that has impaired the person's ability to operate a motor vehicle. The results of the search must be included in the certification.

(9) License eligibility for underage offenders. A person who is under the legal age to obtain a license to operate a motor vehicle at the time of the offense and who is convicted under this section shall not be eligible to receive a driver's license until the person reaches the age of eighteen (18) years.

(10) License suspensions and restrictions to run consecutively. Suspension or restriction of driving privileges for any person convicted of or nonadjudicated for violations of subsection (1) of this section shall run consecutively to and not concurrently with any other administrative license suspension.

(11) Ignition interlock. If the court orders installation and use of an ignition-interlock device as provided in Section 63-11-31 for every vehicle operated by a person convicted or nonadjudicated under this section, each device shall be installed, maintained and removed as provided in Section 63-11-31.

(12) DUI child endangerment. A person over the age of twenty-one (21) who violates subsection (1) of this section while transporting in a motor vehicle a child under the age of sixteen (16) years is guilty of the separate offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle. The offense of endangering a child by driving under the influence of alcohol or any other substance which has impaired the person's ability to operate a motor vehicle shall not be merged with an offense of violating subsection (1) of this section for the purposes of prosecution and sentencing. An offender who is convicted of a violation of this subsection shall be punished as follows:

(a) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a first conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than One Thousand Dollars (\$1,000.00) or shall be imprisoned for not more than twelve (12) months, or both;

(b) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a second conviction shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00) or shall be imprisoned for one (1) year, or both;

(c) A person who commits a violation of this subsection which does not result in the serious injury or death of a child and which is a third or subsequent conviction shall be guilty of a felony and, upon conviction, shall be fined not less than Ten Thousand Dollars (\$10,000.00) or shall be imprisoned for not less than one (1) year nor more than five (5) years, or both; and

(d) A person who commits a violation of this subsection which results in the serious injury or death of a child, without regard to whether the offense was a first, second, third or subsequent offense, shall be guilty of a felony and, upon conviction, shall be punished by a fine of not less than Ten Thousand Dollars (\$10,000.00) and shall be imprisoned for not less than five (5) years nor more than twenty-five (25) years.

(13) Expunction. (a) Any person convicted under subsection (2) or (3) of this section of a first offense of driving under the influence and who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense may petition the circuit court of the county in which the conviction was had for an order to expunge the record of the conviction at least five (5) years after successful completion of all terms and conditions of the sentence imposed for the conviction. Expunction under this subsection will only be available to a person:

(i) Who has successfully completed all terms and conditions of the sentence imposed for the conviction;

* * *

(* * *ii) Who has not been convicted of and does not have pending any other offense of driving under the influence;

(** *iii) Who has provided the court with justification as to why the conviction should be expunged; and

(** *iv) Who has not previously had a nonadjudication or expunction of a violation of this section.

(b) A person is eligible for only one (1) expunction under this subsection, and the Department of Public Safety shall maintain a permanent confidential registry of all cases of expunction under this subsection for the sole purpose of determining a person's eligibility for expunction, for nonadjudication, or as a first offender under this section.

(c) The court in its order of expunction shall state in writing the justification for which the expunction was granted and forward the order to the Department of Public Safety within five (5) days of the entry of the order.

(14) Nonadjudication. (a) For the purposes of this chapter, "nonadjudication" means that the court withholds adjudication of guilt and sentencing, either at the conclusion of a trial on the merits or upon the entry of a plea of guilt by a defendant, and places the defendant in a nonadjudication program conditioned upon the successful completion of the requirements imposed by the court under this subsection.

(b) A person is eligible for nonadjudication of an offense under this Section 63-11-30 only one (1) time under any provision of a law that authorizes nonadjudication and only for an offender:

(i) Who has successfully completed all terms and conditions imposed by the court after placement of the defendant in a nonadjudication program;

(ii) Who was not the holder of a commercial driver's license or a commercial learning permit at the time of the offense;

(iii) Who has not previously been convicted of and does not have pending any former or subsequent charges under this section; and

(iv) Who has provided the court with justification as to why nonadjudication is appropriate.

(c) Nonadjudication may be initiated upon the filing of a petition for nonadjudication or at any stage of the proceedings in the discretion of the court; the court may withhold adjudication of guilt, defer sentencing, and upon the agreement of the offender to participate in a nonadjudication program, enter an order imposing requirements on the offender for a period of court supervision before the order of nonadjudication is entered. Failure to successfully complete a nonadjudication program subjects the person to adjudication of the charges against him and to imposition of all penalties previously withheld due to entrance into a nonadjudication program. The court shall immediately inform the commissioner of the conviction as required in Section 63-11-37.

(i) The court shall order the person to:

1. Pay the nonadjudication fee imposed under Section 63-11-31 if applicable;

2. Pay all fines, penalties and assessments that would have been imposed for conviction;

3. Attend and complete an alcohol safety education program as provided in Section 63-11-32 within six (6) months of the date of the order;

4. a. If the court determines that the person violated this section with respect to alcohol or intoxicating liquor, the person must install an ignition-interlock device on every motor vehicle operated by the person, obtain an interlock-restricted license, and maintain that license for one hundred twenty (120) days or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person must not operate any vehicle. For purposes of this subparagraph 4., the first day of the one-hundred-twenty-day period shall begin the date the judge signs an order to maintain such license or suspend such license.

b. If the court determines that the person violated this section by operating a vehicle when under the influence of a substance other than alcohol that has impaired the person's ability to operate a motor vehicle, including any drug or controlled substance which is unlawful to possess under the Mississippi Controlled Substances Law, the person must submit to a one-hundred-twenty-day period of a nonadjudication program that includes court-ordered drug testing at the person's own expense not less often than every thirty (30) days, during which time the person may drive if compliant with the terms of the program, or suffer a one-hundred-twenty-day suspension of the person's regular driver's license, during which time the person will not operate any vehicle.

(ii) Other conditions that may be imposed by the court include, but are not limited to, alcohol or drug screening, or both, proof that the person has not committed any other traffic violations while under court supervision, proof of immobilization or impoundment of vehicles owned by the offender if required, and attendance at a victim-impact panel.

(d) The court may enter an order of nonadjudication only if the court finds, after a hearing or after ex parte examination of reliable documentation of compliance, that the offender has successfully completed all conditions imposed by law and previous orders of the court. The court shall retain jurisdiction over cases involving nonadjudication for a period of not more than two (2) years.

(e) (i) The clerk shall immediately forward a record of every person placed in a nonadjudication program and of every nonadjudication order to the Department of Public Safety for inclusion in the permanent confidential registry of all cases that are nonadjudicated under this subsection (14).

(ii) Judges, clerks and prosecutors involved in the trial of implied consent violations and law enforcement officers involved in the issuance of citations for implied consent violations shall have secure online access to the confidential registry for the purpose of determining whether a person has previously been the subject of a nonadjudicated case and 1. is therefore ineligible for another nonadjudication; 2. is ineligible as a first offender for a violation of this section; or 3. is ineligible for expunction of a conviction of a violation of this section.

(iii) The Driver Services Bureau of the department shall have access to the confidential registry for the purpose of determining whether a person is eligible for a form of license not restricted to operating a vehicle equipped with an ignition-interlock device.

(iv) The Mississippi Alcohol Safety Education Program shall have secure online access to the confidential registry for research purposes only.

SECTION 3. Section 63-11-31, Mississippi Code of 1972, is brought forward as follows:

63-11-31. (1) (a) The provisions of this section are supplemental to the provisions of Section 63-11-30.

(b) (i) "Ignition-interlock device" means a device approved by the Department of Public Safety that connects a motor vehicle ignition system to a breath-alcohol analyzer and prevents a motor vehicle ignition from starting if the driver's blood alcohol level exceeds the calibrated setting on the device.

(ii) "Interlock-restricted license" means a driver's license bearing a restriction that limits the person to operation of vehicles equipped with an ignition-interlock device.

(iii) "Court-ordered drug-testing program" means a program that qualifies under Section 63-11-31.1.

(c) A person who can exercise the privilege of driving only under an interlock-restricted license must have an ignition-interlock device installed and operating on all motor vehicles owned or operated by the person.

(d) A person who installs an ignition-interlock device may obtain an interlock-restricted license.

(2) (a) (i) The cost of installation and operation of an ignition-interlock device shall be borne by the person to whom an interlock-restricted driver's license is issued, and the costs of court-ordered drug testing shall be borne by the person so ordered, unless the person is determined by the court to be indigent.

(ii) The cost of participating in a court-ordered drug-testing program shall be borne by the person, unless the person is determined by the court to be indigent.

(b) (i) A person convicted under Section 63-11-30 shall be assessed by the court, in addition to the criminal fines, penalties and assessments provided by law for violations of Section 63-11-30, a fee of Fifty Dollars (\$50.00), to be deposited in the Interlock Device Fund in the State Treasury unless the person is determined by the court to be indigent.

(ii) A person nonadjudicated under Section 63-11-30 shall be assessed by the court, in addition to the criminal fines, penalties and assessments provided by law for violations of Section 63-11-30, a fee of Two Hundred Fifty Dollars (\$250.00) to be deposited in the Interlock Device Fund in the State Treasury unless the person is determined by the court to be indigent.

(3) (a) The Department of Public Safety shall promulgate rules and regulations for the use of an ignition-interlock device. The Department of Public Safety shall approve which vendors shall be used to furnish the systems, may assess fees to the vendors, and shall prescribe the maximum costs to the offender for installation, removal, monthly operation, periodic inspections, calibrations and repairs.

(b) A person who has an ignition-interlock device installed in a vehicle shall:

(i) Provide proof of the installation of the device and periodic reporting for verification of the proper operation of the device;

(ii) Have the system monitored for proper use and accuracy as required by departmental regulation;

(iii) Pay the reasonable cost of leasing or buying, monitoring, and maintaining the device unless the person is determined to be indigent; and

(iv) Obtain an ignition-interlock driver's license.

(4) (a) (i) A person who is limited to driving only under an interlock-restricted driver's license shall not operate a vehicle that is not equipped with an ignition-interlock device.

(ii) A person prohibited from operating a motor vehicle that is not equipped with an ignition-interlock device may not solicit or have another person attempt to start or start a motor vehicle equipped with such a device.

(iii) A person may not start or attempt to start a motor vehicle equipped with an ignition-interlock device for the purpose of providing an operable motor vehicle to a person who is prohibited from operating a motor vehicle that is not equipped with an ignition-interlock device.

(iv) A person may not tamper with, or in any way attempt to circumvent, the operation of an ignition-interlock device that has been installed in a motor vehicle.

(v) A person may not knowingly provide a motor vehicle not equipped with a functioning ignition-interlock device to another person who the provider of the vehicle knows or should know is prohibited from operating a motor vehicle not equipped with an ignition-interlock device.

(b) A violation of this subsection (4) is a misdemeanor and upon conviction the violator shall be fined an amount not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00) or imprisoned for not more than six (6) months, or both, unless the starting of a motor vehicle equipped with an ignition-interlock device is done for the purpose of safety or mechanical repair of the device or the vehicle, and the person subject to the restriction does not operate the vehicle.

(5) In order to obtain an interlock-restricted license, a person must:

(a) Be otherwise qualified to operate a motor vehicle, and will be subject to all other restrictions on the privilege to drive provided by law;

(b) Submit proof that an ignition-interlock device is installed and operating on all motor vehicles operated by the person; and

(c) Pay the fee set forth in Section 63-1-43 to obtain the license without regard to indigence; no license reinstatement fee under Section 63-1-46 shall be charged for a person obtaining an interlock-restricted license.

(6) (a) In addition to the penalties authorized for any second or subsequent conviction under Section 63-11-30, the court shall order that all vehicles owned by the offender that are not equipped with an ignition-interlock device must be either impounded or immobilized pending further order of the court lifting the offender's driving restriction. However, no county, municipality, sheriff's department or the Department of Public Safety shall be required to keep, store, maintain, serve as a bailee or otherwise exercise custody over a motor vehicle impounded under the provisions of this section. The cost associated with any impoundment or immobilization shall be paid by the person convicted without regard to ability to pay.

(b) A person may not tamper with, or in any way attempt to circumvent, vehicle immobilization or impoundment ordered by the court under this section. A violation of this paragraph (b) is a misdemeanor and, upon conviction, the violator shall be fined an amount not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00) or imprisoned for not more than six (6) months, or both.

(7) (a) The Department of Public Safety shall promulgate rules and regulations for the use of monies in the Interlock Device Fund to offset the cost of interlock device installation and operation by and court-ordered drug testing of indigent offenders.

(b) The court shall determine a defendant's indigence based upon whether the defendant has access to adequate resources to pay the ignition-interlock fee and the costs of installation and maintenance of an ignition-interlock device, or the costs of court-ordered drug testing or both, and may further base the determination of indigence on proof of enrollment in one or more of the following types of public assistance:

(i) Temporary Assistance for Needy Families (TANF);

(ii) Medicaid assistance;

(iii) The Supplemental Nutritional Assistance Program (SNAP), also known as "food stamps";

(iv) Supplemental security income (SSI);

(v) Participation in a federal food distribution program;

(vi) Federal housing assistance;

(vii) Unemployment compensation; or

(viii) Other criteria determined appropriate by the court.

(c) No more than ten percent (10%) of the money in the Interlock Device Fund in any fiscal year shall be expended by the department for the purpose of administering the fund.

(d) The Commissioner of the Department of Public Safety must promulgate regulations for the program and for vendors, including at a minimum:

(i) That the offender must pay the cost of the testing program or, if the court finds the offender to be indigent, that the cost be paid from the Interlock Device Fund.

(ii) How indigent funds will be accessed by the vendors, and the maximum cost to the offender or the fund.

(e) (i) Money in the Interlock Device Fund will be appropriated to the department to cover part of the costs of court-ordered drug testing and installing, removing and leasing ignition-interlock devices for indigent people who are required, because of a conviction or nonadjudication under Section 63-11-30, to install an ignition-interlock device in all vehicles operated by the person.

(ii) If money is available in the Interlock Device Fund, the department shall pay to the vendor, for one (1) vehicle per offender, up to Fifty Dollars (\$50.00) for the cost of installation, up to Fifty Dollars (\$50.00) for the cost of removal, and up to Thirty Dollars (\$30.00) monthly for verified active usage of the ignition-interlock device. The department shall not pay any amount above what an offender would be required to pay for the installation, removal or usage of an ignition-interlock device.

(iii) If money is available in the Interlock Device Fund, the department shall pay to the vendor an amount not to exceed that promulgated by the Forensics Laboratory for court-ordered drug testing. The department shall not pay any amount above what an offender would be required to pay individually.

(8) In order to reinstate a form of driver's license that is not restricted to operation of an ignition-interlock equipped vehicle, the person must submit proof to the Department of Public Safety to substantiate the person's eligibility for an unrestricted license, which may be a court order indicating completion of sentence or final order of nonadjudication; in the absence of a court order, the proof may consist of the following or such other proof as the commissioner may set forth by regulation duly adopted under the Administrative Procedures Act:

(a) Proof of successful completion of an alcohol safety program as provided in Section 63-11-32 if so ordered by the court;

(b) Payment of the reinstatement fee required under Section 63-1-46(1)(a);

(c) Payment of the driver's license fee required under Section 63-1-43;

(d) A certificate of liability insurance or proof of financial responsibility; and

(e) (i) For those driving under an interlock-restricted license, a declaration from the vendor, in a form provided or approved by the Department of Public Safety, certifying that there have been none of the following incidents in the last thirty (30) days:

1. An attempt to start the vehicle with a breath alcohol concentration of 0.04 or more;

2. Failure to take or pass any required retest; or

3. Failure of the person to appear at the ignition-interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device; or

(ii) For a person who violated Section 63-11-30 with respect to drugs other than alcohol, proof of successful compliance with all court-ordered drug testing; or

(iii) Both subparagraphs (i) and (ii) of this paragraph (e) if applicable.

(9) The court may extend the interlock-restricted period if the person had a violation in the last thirty (30) days.

(10) The court that originally ordered installation of the ignition-interlock device for a violation of Section 63-11-30 and a court in the municipality or county in which the violation occurred have jurisdiction over an offense under this section.

(11) A person who voluntarily obtains an interlock-restricted license may convert at any time to any other form of license for which the person is qualified.

(12) (a) The Department of Public Safety shall require all manufacturers of ignition-interlock devices to report ignition-interlock data in a consistent and uniform format as prescribed by the Department of Public Safety. Ignition-interlock vendors must also use the uniform format when sharing data with courts ordering an ignition interlock, with alcohol safety education programs, or with other treatment providers.

(b) The Department of Public Safety shall require all vendors of drug testing programs approved under Section 63-11-31.1 to report test results in a consistent and uniform format as prescribed by the Forensics Laboratory. Vendors must report test results to the court on a monthly basis, except that a positive test or failure of the testing participant to submit to verification must be reported to the court within five (5) days of verification of the positive test or the failure to submit.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 63-11-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE THE JUDGE SIGNS THE ORDER FOR SUSPENSION; TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE THE JUDGE SIGNS THE ORDER FOR SUSPENSION; TO REVISE ELIGIBILITY FOR EXPUNCTION OF A FIRST OFFENSE; TO BRING FORWARD SECTION 63-11-31, MISSISSIPPI CODE OF 1972, WHICH REGULATES IGNITION INTERLOCK FOR DUI VIOLATIONS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 615 was adopted.

YEAS AND NAYS On H. B. No. 615. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 631: Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-25-11, Mississippi Code of 1972, is amended as follows:

17-25-11. (1) Certified law enforcement officers or certified part-time law enforcement officers, as defined in Section 45-6-3, who are employed by a county or municipality may wear the official uniform and may utilize the official firearm and the official vehicle issued by the employing jurisdiction while in the performance of private security services in off-duty hours. The governing authority of a municipality must approve of such use of the uniform * * *, official weapon and vehicle by municipal law enforcement officers by act spread upon the minutes of such board and approved by the chief executive. The sheriff of a county must approve such use of the uniform * * *, official weapon and vehicle by deputy sheriffs. Approval shall be on an employee-by-employee basis and not by

general order. Any proceedings regarding application or approval and the minutes regarding same shall be a public record.

(2) Each governing board and chief executive or sheriff shall determine before the use of the official uniform * * *, weapon and vehicle is approved that the proposed employment is not likely to bring disrepute to the employing jurisdiction or its law enforcement agency, the officer at issue, or law enforcement generally, and that the use of the official uniform * * *, weapon and vehicle in the discharge of the officer's private security endeavor promotes the public interest.

(3) (a) Acts and omissions of an officer in discharge of private security employment shall be deemed to be the acts and omissions of the person or entity * * * who hires or enters into any independent contractual service agreement with an officer for * * * the private security services, and not the acts and omissions of the employing jurisdiction whose uniform * * *, weapon and vehicle are approved for * * * the private security use. * * *

(b) The person or entity, and the person's or entity's insurer, who hires or enters into any independent contractual service agreement with an officer for private security services shall:

(i) Hold harmless the employing jurisdiction * * * and fully indemnify the employing jurisdiction for any expense or loss, including attorney's fees and any damage to the official uniform, weapon and vehicle, which results from any action taken against the employing jurisdiction arising out of the acts or omissions of the officer in discharge of private security services while wearing the official uniform or using the official weapon * * * or vehicle; and

(ii) Name the employing jurisdiction as a named insured on its general liability and automobile liability policies for at least the amount of recovery provided for in Section 11-46-15.

(c) If the person or entity, and the person's or entity's insurer, fails or refuses to endorse, indemnify and hold harmless the employing jurisdiction, the employing jurisdiction shall not approve the use of any official uniform, weapon or vehicle of the employing jurisdiction for private security services.

(d) Neither the state nor any subdivision thereof shall be liable for a claim or injury arising from the acts or omissions of an officer in the discharge of * * * any private security employment duties under this section, including travel to and from private security employment duties in the official vehicle.

(4) Certified police officers performing private jobs during their off-duty hours are required to notify the appropriate law enforcement agency of the place of employment, the hours to be worked, and the type of employment.

(5) The official uniform * * *, weapon and vehicle may be worn and utilized only at locations which are within the jurisdiction of the governmental entity whose uniform * * *, weapon and vehicle are involved.

SECTION 2. Section 21-19-49, Mississippi Code of 1972, is amended as follows:

21-19-49. (1) The governing authority of any municipality or the board of supervisors of any county are hereby authorized and empowered to appropriate money or dedicate and convey municipally-owned buildings and property or county-owned buildings and property, as the case may be, to the school district or districts situated within that municipality or county for the purpose of erecting, purchasing or otherwise providing the school building or a site for such school building of such school district, in cases where the governing authority or board of supervisors are of the opinion that the location of such

school building within the corporate limits of the municipality or the county, or in close proximity thereto, will be of special benefit to the inhabitants of the municipality or county.

(2) Municipalities, municipal police departments and the sheriffs' departments may contract with the school board of any school district to provide additional Law Enforcement Officers Training Academy-certified police protection to said school district on such terms and for such reimbursement as the school district and the entity may agree in their discretion.

(3) (a) The governing authority of any municipality or the board of supervisors of any county may allow off-duty municipal or county law enforcement officers who are hired individually for security purposes by the school district or districts within that municipality or county to use municipal or county law enforcement uniforms and equipment, which includes vehicles, during such off-duty employment.

(b) If the person or entity, and the person's or entity's insurer, fails or refuses to endorse, indemnify and hold harmless the employing jurisdiction, the employing jurisdiction shall not approve the use of any official uniform, weapon or vehicle of the employing jurisdiction for private security services.

(4) The governing authority of any municipality, in its discretion, may donate funds, equipment or in-kind services to any school district located within the boundaries of the municipality to assist the voluntary character development or public service programs of that school district.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE OFF-DUTY USE OF MUNICIPAL AND COUNTY POLICE VEHICLES BY CERTAIN LAW ENFORCEMENT OFFICERS ENGAGING IN PRIVATE EMPLOYMENT IN OFF-DUTY HOURS; TO PROVIDE THAT USE MUST BE APPROVED BY THE LOCAL GOVERNMENTAL ENTITY WHOSE VEHICLE IS INVOLVED; TO REQUIRE THE PERSON OR ENTITY HIRING THE OFFICER TO NAME THE EMPLOYING JURISDICTION AS A NAMED INSURED ON ITS LIABILITY INSURANCE POLICIES; TO PROHIBIT EMPLOYMENT WHERE THE PERSON OR ENTITY REFUSES TO ENDORSE, INDEMNIFY AND HOLD HARMLESS THE EMPLOYING JURISDICTION; TO AMEND SECTION 21-19-49, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 631 was adopted.

YEAS AND NAYS On H. B. No. 631. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Michel, Polk. Total--2.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 634: Firearms restriction; limit those by cities, counties and state agencies.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-9-51, Mississippi Code of 1972, is amended as follows:

45-9-51. (1) Subject to the provisions of Section 45-9-53, no county or municipality may adopt any ordinance or enter into any contract or rental agreement that restricts the possession, carrying, transportation, sale, transfer or ownership of firearms or ammunition or their components.

(2) No public housing authority operating in this state may adopt any rule or regulation restricting a lessee or tenant of a dwelling owned and operated by such public housing authority from lawfully possessing firearms or ammunition or their components within individual dwelling units or the transportation of such firearms or ammunition or their components to and from such dwelling.

(3) (a) No state agency may adopt a posted written notice, rule, regulation, order or policy or enter into any contract or rental agreement that restricts the possession, carrying, transportation, sale, transfer or ownership of firearms or ammunition or their components.

(b) No state agency or their officers or employees may participate in any program in which individuals are given a thing of value provided by another individual or other entity in exchange for surrendering a firearm to the state agency or other governmental body.

(4) (a) A citizen of this state, or a person licensed to carry a concealed pistol or revolver under Section 45-9-101, or a person licensed to carry a concealed pistol or revolver with the endorsement under Section 97-37-7, who is adversely affected by a posted written notice, rule, regulation, order or policy adopted or verbally imposed by a state agency in violation of this section, may file suit for declarative and injunctive relief against the state agency or state agency head or member of a state agency's governing body in the circuit court. Venue for the action shall be proper against the state agency where the violation of this section occurs.

(b) If the circuit court finds that a state agency adopted a posted written notice, rule, regulation, order or policy in violation of this section, the circuit court shall issue a permanent injunction against the state agency prohibiting it from enforcing the posted written notice, rule, regulation, order or policy. Any state agency head or member of a state agency's governing body under whose jurisdiction the violation occurred may be civilly liable in a sum not to exceed One Thousand Dollars (\$1,000.00), plus all reasonable attorney's fees and costs incurred by the party bringing the suit. Public funds may not be used to defend or reimburse officials who are found by the court to have violated this section.

(c) It shall be an affirmative defense to any claim brought against a state agency head or member of a state agency's governing body under this subsection (4) that the state official:

(i) Did not vote in the affirmative for, support or adopt the posted written notice, rule, regulation, order or policy deemed by the court to be in violation of this section; and

(ii) Attempted to take recorded action to rescind the written notice, rule, regulation, order or policy deemed by the court to be in violation of this section.

(5) This section does not apply to the authority of a state law enforcement agency to regulate the possession, carrying, transportation, sale, transfer or ownership of firearms or ammunition or their components issued or used by law enforcement officers in the course of their official duties.

SECTION 2. Section 45-9-53, Mississippi Code of 1972, is amended as follows:

45-9-53. (1) This section and Section 45-9-51 do not affect the authority that a county or municipality may have under another law:

(a) To require citizens or public employees to be armed for personal or national defense, law enforcement, or another lawful purpose;

(b) To regulate the discharge of firearms within the limits of the county or municipality. A county or municipality may not apply a regulation relating to the discharge of firearms or other weapons in the extraterritorial jurisdiction of the county or municipality or in an area annexed by the county or municipality after September 1, 1981, if the firearm or other weapon is:

(i) A shotgun, air rifle or air pistol, BB gun or bow and arrow discharged:

1. On a tract of land of ten (10) acres or more and more than one hundred fifty (150) feet from a residence or occupied building located on another property; and

2. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or

(ii) A center fire or rimfire rifle or pistol or a muzzle-loading rifle or pistol of any caliber discharged:

1. On a tract of land of fifty (50) acres or more and more than three hundred (300) feet from a residence or occupied building located on another property; and

2. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract;

(c) To regulate the use of property or location of businesses for uses therein pursuant to fire code, zoning ordinances, or land-use regulations, so long as such codes, ordinances and regulations are not used to circumvent the intent of Section 45-9-51 or paragraph (e) of this subsection;

(d) To regulate the use of firearms in cases of insurrection, riots and natural disasters in which the city finds such regulation necessary to protect the health and safety of the public. However, the provisions of this section shall not apply to the lawful

possession, transfer, sale, transportation, storage, display, carry or use of firearms, ammunition or components of firearms or ammunition;

(e) To regulate the storage or transportation of explosives in order to protect the health and safety of the public, with the exception of black powder which is exempt up to twenty-five (25) pounds per private residence and fifty (50) pounds per retail dealer;

(f) To regulate the carrying of a firearm at: (i) a public park or at a public meeting of a county, municipality or other governmental body; (ii) a political rally, parade or official political meeting; or (iii) a nonfirearm-related school, college or professional athletic event; or

(g) To regulate the receipt of firearms by pawnshops.

(2) The exception provided by subsection (1)(f) of this section does not apply if the firearm was in or carried to and from an area designated for use in a lawful hunting, fishing or other sporting event and the firearm is of the type commonly used in the activity.

(3) This section and Section 45-9-51 do not authorize a county or municipality or their officers or employees to act in contravention of Section 33-7-303.

(4) No county or a municipality may use the written notice provisions of Section 45-9-101(13) or any rules, regulations, orders or policies to prohibit concealed firearms on property under their control except:

(a) At a location listed in Section 45-9-101(13) indicating that a license issued under Section 45-9-101 does not authorize the holder to carry a firearm into that location, as long as the sign also indicates that carrying a firearm is unauthorized only for license holders without a training endorsement or that it is a location included in Section 97-37-7(2) where carrying a firearm is unauthorized for all license holders; and

(b) At any location under the control of the county or municipality aside from a location listed in subsection (1)(f) of this section or Section 45-9-101(13) indicating that the possession of a firearm is prohibited on the premises, as long as the sign also indicates that it does not apply to a person properly licensed under Section 45-9-101 or Section 97-37-7(2) to carry a concealed firearm or to a person lawfully carrying a firearm that is not concealed.

(5) (a) A citizen of this state, or a person licensed to carry a concealed pistol or revolver under Section 45-9-101, or a person licensed to carry a concealed pistol or revolver with the endorsement under Section 97-37-7, who is adversely affected by an ordinance * * *, posted written notice or any other rule, regulation, order or policy adopted or verbally imposed by a county or municipality in violation of this section may file suit for declarative and injunctive relief against a county or municipality in the circuit court which shall have jurisdiction over the county or municipality where the violation of this section occurs.

(b) Before instituting suit under this subsection, the party adversely impacted by the ordinance or posted written notice shall notify the Attorney General in writing of the violation and include evidence of the violation. The Attorney General shall, within thirty (30) days, investigate whether the county or municipality adopted an ordinance or posted written notice in violation of this section and provide the chief administrative officer of the county or municipality notice of his findings, including, if applicable, a description of the violation and specific language of the ordinance or posted written notice found to be in violation. The county or municipality shall have thirty (30) days from receipt of that notice to cure the violation. If the county or municipality fails to cure the violation within that thirty-day time period, a suit under paragraph (a) of this subsection may proceed. The findings of the Attorney General shall constitute a "Public Record" as defined by the Mississippi Public Records Act of 1983, Section 25-61-1 et seq.

(c) If the circuit court finds that a county or municipality adopted an ordinance or posted written notice or imposed any rule, regulation, order or policy in violation of this section and failed to cure that violation in accordance with paragraph (b) of this subsection, the circuit court shall issue a permanent injunction against a county or municipality prohibiting it from enforcing the ordinance, rule, regulation, order, policy or posted written notice. Any elected county or municipal official under whose jurisdiction the violation occurred may be civilly liable in a sum not to exceed One Thousand Dollars (\$1,000.00), plus all reasonable attorney's fees and costs incurred by the party bringing the suit. Public funds may not be used to defend or reimburse officials who are found by the court to have violated this section.

(d) It shall be an affirmative defense to any claim brought against an elected county or municipal official under this subsection (5) that the elected official:

(i) Did not vote in the affirmative for the adopted ordinance * * *, posted written notice, rule, regulation, order or policy deemed by the court to be in violation of this section;

(ii) Did attempt to take recorded action to cure the violation as noticed by the Attorney General in paragraph (b) of this subsection; or

(iii) Did attempt to take recorded action to rescind the ordinance, rule, regulation, order or policy or remove the posted written notice deemed by the court to be in violation of this section.

(6) No county or municipality or their officers or employees may participate in any program in which individuals are given a thing of value provided by another individual or other entity in exchange for surrendering a firearm to the county, municipality or other governmental body * * *.

* * *

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO PROHIBIT A COUNTY OR MUNICIPALITY FROM ENTERING INTO ANY CONTRACT OR RENTAL AGREEMENT THAT RESTRICTS THE POSSESSION, CARRYING, TRANSPORTATION, SALE, TRANSFER OR OWNERSHIP OF FIREARMS; TO PROVIDE THAT STATE AGENCIES MAY NOT INTERFERE WITH THE RIGHT OF CITIZENS TO POSSESS FIREARMS; TO CREATE A CIVIL CAUSE OF ACTION TO CHALLENGE ORDINANCES AND REGULATIONS IN VIOLATION OF THAT RIGHT; TO EXEMPT STATE LAW ENFORCEMENT AGENCIES FROM REGULATING LAW ENFORCEMENT OFFICERS IN THE COURSE OF THEIR OFFICIAL DUTIES; TO AMEND SECTION 45-9-53, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 634 was adopted.

YEAS AND NAYS On H. B. No. 634. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Barnett, Blackmon, Blount, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--14.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 796: Habitual offender; revise penalties for.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-19-81, Mississippi Code of 1972, is amended as follows:

99-19-81. (1) Every person convicted in this state of a felony who shall have been convicted twice previously of any felony or federal crime upon charges separately brought and arising out of separate incidents at different times and who shall have been sentenced to separate terms of one (1) year or more in any state and/or federal penal institution, whether in this state or elsewhere, within fifteen (15) years of the prior conviction shall be sentenced to the maximum term of imprisonment prescribed for such felony unless the court provides an explanation in its sentencing order setting forth the cause for deviating from the maximum sentence, and such sentence shall not be reduced or suspended nor shall such person be eligible for parole or probation.

(2) For purposes of this section, "within fifteen (15) years of the prior conviction" shall be counted:

(a) From the date of the first of the two (2) prior convictions used to sentence the person under this section, if the person was not incarcerated for the crime; or

(b) From the date that the person was physically released from incarceration or subsequent incarceration for violation of probation or parole, whichever is later, for the prior conviction, if the person was incarcerated for the crime.

(3) Notwithstanding provisions to the contrary in subsection (1) of this section, a person, who was sentenced under this section before the effective date of this act, may be considered for parole if the person's sentence would have been reduced if the person had been sentenced under the present provisions of this section.

SECTION 2. Section 99-19-83, Mississippi Code of 1972, is amended as follows:

99-19-83. Every person convicted in this state of a * * * crime of violence defined in or sentenced pursuant to Section 97-3-2 who shall have been convicted twice previously of any felony or federal crime upon charges separately brought and arising out of separate incidents at different times and who shall have been sentenced to and served separate terms of one (1) year or more, whether served concurrently or not, in any state and/or federal penal institution, whether in this state or elsewhere, and where any one (1) of such felonies shall have been a crime of violence, as defined by Section 97-3-2, shall

be sentenced to life imprisonment unless the court provides an explanation in its sentencing order setting forth the cause for deviating from a sentence to life imprisonment and sentences the person to the maximum term, and such sentence shall not be reduced or suspended nor shall such person be eligible for parole, probation or any other form of early release from actual physical custody within the Department of Corrections.

SECTION 3. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served not less than one-fourth (1/4) of the total of such term or terms for which such prisoner was sentenced, or, if sentenced to serve a term or terms of thirty (30) years or more, or, if sentenced for the term of the natural life of such prisoner, has served not less than ten (10) years of such life sentence, may be released on parole as hereinafter provided, except that:

(a) No prisoner convicted as a confirmed and habitual criminal under the provisions of Sections 99-19-81 through 99-19-87 shall be eligible for parole, unless the person was convicted prior to the effective date of this act, in which case the person may be considered for parole if the person's conviction would have resulted in a reduced sentence if the person had been sentenced under the present provisions of Section 99-19-81;

(b) Any person who shall have been convicted of a sex crime shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) (i) No person shall be eligible for parole who shall, on or after January 1, 1977, be convicted of robbery or attempted robbery through the display of a firearm until he shall have served ten (10) years if sentenced to a term or terms of more than ten (10) years or if sentenced for the term of the natural life of such person. If such person is sentenced to a term or terms of ten (10) years or less, then such person shall not be eligible for parole. The provisions of this paragraph (c)(i) shall also apply to any person who shall commit robbery or attempted robbery on or after July 1, 1982, through the display of a deadly weapon. This paragraph (c)(i) shall not apply to persons convicted after September 30, 1994;

(ii) No person shall be eligible for parole who shall, on or after October 1, 1994, be convicted of robbery, attempted robbery or carjacking as provided in Section 97-3-115 et seq., through the display of a firearm or drive-by shooting as provided in Section 97-3-109. The provisions of this paragraph (c)(ii) shall also apply to any person who shall commit robbery, attempted robbery, carjacking or a drive-by shooting on or after October 1, 1994, through the display of a deadly weapon. This paragraph (c)(ii) shall not apply to persons convicted after July 1, 2014;

(d) No person shall be eligible for parole who, on or after July 1, 1994, is charged, tried, convicted and sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101;

(e) No person shall be eligible for parole who is charged, tried, convicted and sentenced to life imprisonment under the provisions of Section 99-19-101;

(f) No person shall be eligible for parole who is convicted or whose suspended sentence is revoked after June 30, 1995, except that an offender convicted of only nonviolent crimes after June 30, 1995, may be eligible for parole if the offender meets the requirements in this subsection (1) and this paragraph. In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony,

the offender must complete a drug and alcohol rehabilitation program prior to parole or the offender may be required to complete a post-release drug and alcohol program as a condition of parole. For purposes of this paragraph, "nonviolent crime" means a felony other than homicide, robbery, manslaughter, sex crimes, arson, burglary of an occupied dwelling, aggravated assault, kidnapping, felonious abuse of vulnerable adults, felonies with enhanced penalties, except enhanced penalties for the crime of possession of a controlled substance under Section 41-29-147, the sale or manufacture of a controlled substance under the Uniform Controlled Substances Law, felony child abuse, or exploitation or any crime under Section 97-5-33 or Section 97-5-39(2) or 97-5-39(1)(b), 97-5-39(1)(c) or a violation of Section 63-11-30(5). In addition, an offender incarcerated for committing the crime of possession of a controlled substance under the Uniform Controlled Substances Law after July 1, 1995, including an offender who receives an enhanced penalty under the provisions of Section 41-29-147 for such possession, shall be eligible for parole. An offender incarcerated for committing the crime of sale or manufacture of a controlled substance shall be eligible for parole after serving one-fourth (1/4) of the sentence imposed by the trial court. This paragraph (f) shall not apply to persons convicted on or after July 1, 2014;

(g) (i) No person who, on or after July 1, 2014, is convicted of a crime of violence pursuant to Section 97-3-2, a sex crime or an offense that specifically prohibits parole release shall be eligible for parole. All persons convicted of any other offense on or after July 1, 2014, are eligible for parole after they have served one-fourth (1/4) of the sentence or sentences imposed by the trial court.

(ii) Notwithstanding the provisions in subparagraph (i) of this paragraph (g), a person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this subsection shall be required to have a parole hearing before the board prior to parole release. No inmate shall be eligible for parole under this subparagraph (ii) of this paragraph (g) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87, unless the person was convicted prior to the effective date of this act, in which case the person may be considered for parole if the person's conviction would have resulted in a reduced sentence if the person had been sentenced under the present provisions of Section 99-19-81;

2. The inmate is sentenced for a crime of violence under Section 97-3-2;

3. The inmate is sentenced for an offense that specifically prohibits parole release;

4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);

5. The inmate is sentenced for a sex crime; or

6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(iii) Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the parole board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if that senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter;

(h) Notwithstanding any other provision of law, an inmate who has not been convicted as a habitual offender under Sections 99-19-81 through 99-19-87, has not been convicted of committing a crime of violence, as defined under Section 97-3-2, has not been convicted of a sex crime or any other crime that specifically prohibits parole release, and has not been convicted of drug trafficking under Section 41-29-139 is eligible for parole if the inmate has served twenty-five percent (25%) or more of his or her sentence, but is otherwise ineligible for parole.

(2) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(3) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. The parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. The parole eligibility date shall not be earlier than one-fourth (1/4) of the prison sentence or sentences imposed by the court.

(4) Any inmate within twenty-four (24) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job training program that is part of the case plan may be in jeopardy of noncompliance with the case plan and may be denied parole.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO PROVIDE A TIME PERIOD FOR QUALIFICATION OF CERTAIN HABITUAL OFFENDERS; TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS THAT REGULATE HABITUAL OFFENDERS; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 796 was adopted.

YEAS AND NAYS On H. B. No. 796. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

H. B. No. 886: Law enforcement officers; exempt from concealed firearms permit fees and renewal fees.

YEAS AND NAYS On H. B. No. 886. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Simmons D. T. (12th). Total--1.

Absent and those not voting----None.

Senator Michel called up the following entitled bill:

H. B. No. 1205: Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services.

Senator Michel offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-9-351, Mississippi Code of 1972, is amended as follows:

83-9-351. (1) As used in this section:

(a) "Employee benefit plan" means any plan, fund or program established or maintained by an employer or by an employee organization, or both, to the extent that such plan, fund or program was established or is maintained for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, hospital care or other benefits.

(b) "Health insurance plan" means any health insurance policy or health benefit plan offered by a health insurer, and includes the State and School Employees Health Insurance Plan and any other public health care assistance program offered or administered by the state or any political subdivision or instrumentality of the state. The term does not include policies or plans providing coverage for specified disease or other limited benefit coverage.

(c) "Health insurer" means any health insurance company, nonprofit hospital and medical service corporation, health maintenance organization, preferred provider organization, managed care organization, pharmacy benefit manager, and, to the extent permitted under federal law, any administrator of an insured, self-insured or publicly funded health care benefit plan offered by public and private entities, and other parties that are by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service.

(d) "Telemedicine" means the delivery of health care services such as diagnosis, consultation, or treatment through the use of * * * HIPAA-compliant telecommunications systems, including information, electronic, and communication technologies, remote monitoring technologies and store-and-forward transfers. Nonstore-and-forward and nonremote patient monitoring telemedicine must be "real-time" audiovisual, except that audio-only interactions are allowed when (i) audio-video interactions are technologically unavailable, and (ii) audio-only interactions are considered medically appropriate for the corresponding health care services being delivered. An audio-only interaction is also allowed when conducted in conjunction with a store-and-forward transfer when the store-and-forward transfer is directly related to the patient condition presented.

(2) All health insurance and employee benefit plans in this state must provide coverage for telemedicine services to the same extent that the services would be covered if they were provided through in-person consultation.

(3) A health insurance or employee benefit plan may charge a deductible, co-payment, or coinsurance for a health care service provided through telemedicine so long as it does not exceed the deductible, co-payment, or coinsurance applicable to an in-person consultation.

* * *

(* * *4) Nothing in this section shall be construed to prohibit a health insurance or employee benefit plan from providing coverage for only those services that are medically necessary, subject to the terms and conditions of the covered person's policy.

(* * *5) In a claim for the services provided, the appropriate procedure code for the covered services shall be included with the appropriate modifier indicating interactive communication was used. Health insurance and employee benefit plans shall reimburse providers for telemedicine services using the proper medical codes. Reimbursement of expenses for covered health care services provided during a telemedicine encounter must be established through negotiations conducted by the health insurance entity with the provider in the same manner as the health insurance entity establishes reimbursement of expenses for covered health care services that are delivered by in-person means.

(* * *6) The originating site is eligible to receive a facility fee, but facility fees are not payable to the distant site. Health insurance and employee benefit plans shall not limit coverage to provider-to-provider consultations only. Patients in a patient-to-provider consultation shall not be entitled to receive a facility fee.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TELEMEDICINE" AS USED IN THE STATUTE REQUIRING HEALTH INSURANCE PLANS TO PROVIDE COVERAGE FOR TELEMEDICINE SERVICES; TO REQUIRE HEALTH INSURANCE AND EMPLOYEE BENEFIT PLANS TO REIMBURSE PROVIDERS FOR TELEMEDICINE SERVICES USING THE PROPER MEDICAL CODES; TO PROVIDE THAT REIMBURSEMENT OF EXPENSES FOR COVERED HEALTH CARE SERVICES PROVIDED DURING A TELEMEDICINE ENCOUNTER MUST BE ESTABLISHED THROUGH NEGOTIATIONS IN THE SAME MANNER AS THE HEALTH INSURANCE ENTITY ESTABLISHES REIMBURSEMENT OF EXPENSES FOR COVERED HEALTH CARE SERVICES DELIVERED BY IN-PERSON MEANS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1205 was adopted.

YEAS AND NAYS On H. B. No. 1205. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Polk called up the following entitled bill:

H. B. No. 312: Central Market Board; abolish and transfer functions of to the Mississippi Department of Agriculture and Commerce.

YEAS AND NAYS On H. B. No. 312. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Caughman called up the following entitled bill:

H. B. No. 429: Contracts; authorize persons eighteen years of age or older to enter into for the purpose of investing in mutual funds.

YEAS AND NAYS On H. B. No. 429. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Caughman called up the following entitled bill:

H. B. No. 488: Libraries; authorize use of debit and credit cards.

YEAS AND NAYS On H. B. No. 488. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley called up the following entitled bill:

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) (a) The chronic wasting disease (CWD) testing of white-tailed deer harvested within any enclosure is required by law.

(b) The Commission on Wildlife, Fisheries and Parks shall promulgate rules and regulations requiring the annual submission of viable samples from harvested deer for chronic wasting disease testing. Rules promulgated hereunder shall require a minimum submission from inside a high-fenced enclosure representing at least one (1) deer per each two hundred (200) acres of land under fence.

(c) In addition to samples submitted from deer harvested within an enclosure, to the extent possible, enclosure owner/operators shall submit viable samples collected from any deer that dies inside an enclosure from causes other than being harvested by hunting, for chronic wasting disease testing. Samples collected from deer whose mortality occurred for reasons other than hunting shall count toward the total number of required samples.

(2) Failure to submit samples pursuant to the rules and regulations promulgated by the commission shall be a violation of those regulations. A first violation of such regulations, upon conviction, shall be punishable by a fine of Five Hundred Dollars (\$500.00). Each second or subsequent violation, upon conviction, shall be punishable by a fine of One Thousand Dollars (\$1,000.00).

SECTION 2. Section 49-1-29, Mississippi Code of 1972, is amended as follows:

49-1-29. The commission may promulgate rules and regulations, inaugurate studies and surveys, and establish any services it deems necessary to carry out wildlife laws. A violation of any rules or regulations promulgated by the commission shall constitute a misdemeanor and shall be punished as provided in Section 49-7-101.

The executive director shall have authority with commission approval:

(a) To close or shorten the open season as prescribed by law in cases of urgent emergency on any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians, in any locality, when it finds after investigation and public review that the action is reasonably necessary to secure the perpetuation of any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians and to maintain an adequate supply in the affected area. The statutes shall continue in full force and effect, except as restricted and limited by the rules and regulations promulgated by the commission.

(b) To designate wildlife refuges, with the consent of the property owner or owners, in any localities it finds necessary to secure perpetuation of any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians and to maintain an adequate supply for the purpose of providing a safe retreat where the animals may rest and replenish adjacent hunting, trapping or fishing grounds or waters, and to approve land suitable for such purposes as eligible for the income tax credit authorized under Section 27-7-22.22.

(c) To acquire and hold for the state by purchase, condemnation, lease, or agreement as authorized from time to time by the Legislature, and to receive by gifts or devise, lands or water suitable for fish habitats, game and bird habitats, state parks, access sites, wildlife refuges, or for public shooting, trapping or fishing grounds or waters, to provide areas on which any citizen may hunt, trap or fish under any special regulations as the commission may prescribe, and to approve lands suitable for such purposes as eligible for the income tax credit authorized under Section 27-7-22.22.

(d) To extend and consolidate lands or waters suitable for the above purposes by exchange of lands or waters under its jurisdiction.

(e) To capture, propagate, transport, sell or exchange any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians needed for stocking or restocking any lands or waters of the state.

(f) To enter into cooperative agreements with persons, firms, corporations or governmental agencies for purposes consistent with this chapter.

(g) To regulate the burning of rubbish, slashings and marshes or other areas it may find reasonably necessary to reduce the danger of destructive fires.

(h) To conduct research in improved wildlife and fisheries conservation methods and to disseminate information to the residents of the state through the schools, public media and other publications.

(i) To have exclusive charge and control of the propagation and distribution of wild birds, animals, reptiles, fish and amphibians, the conduct and control of hatcheries, biological stations and game and fur farms owned or acquired by the state; to expend for the protection, propagation or preservation of game birds, game or fur-bearing animals, reptiles, fish and amphibians all funds of the state acquired for this purpose arising from licenses, gifts or otherwise; and shall have charge of the enforcement of all wildlife laws.

(j) To grant permits and provide regulations for field trials and dog trainers.

(k) To prohibit and to regulate the taking of nongame gross fish, except minnows.

(l) To enter into agreements with landowners to trap and purchase quail on the premises of the landowner and to provide for the distribution of quail.

(m) To operate or lease to third persons concessions or other rights or privileges on lakes owned or leased by the department. Owners of land adjoining land owned or leased by the department shall have priority to the concessions or rights or privileges, if the owners meet the qualifications established by the commission.

(n) To implement a beaver control program and to charge fees, upon the recommendation of the Beaver Control Advisory Board, to landowners participating in the beaver control program described in Section 49-7-201.

(o) To apply for, receive and expend any federal, state or local funds, contributions or funds from any other source for the purpose of beaver control or eradication.

(p) To require the department to divide the districts into zones if necessary, and periodically survey the districts or zones to obtain information that is necessary to properly determine the population and allowable harvest limits of wildlife within the district or zone.

(q) To *** grant wildlife personnel *** access to enter the *** enclosure and utilize *** the best collection methods available to obtain tissue samples for testing where CWD has been diagnosed within five (5) miles of the enclosure.

SECTION 3. Section 49-7-58.1, Mississippi Code of 1972, is amended as follows:

49-7-58.1. (1) The owner of any enclosure containing white-tailed deer that prevents the free egress of white-tailed deer from the enclosed area shall notify and register with the Department of Wildlife, Fisheries and Parks. The person shall give his name, the location of the enclosure, the acreage within the enclosure, and whether any deer have been imported into the state and placed in the enclosure, and any other information required by the Commissioner on Wildlife, Fisheries and Parks.

(2) Persons who constructed an enclosure prior to July 1, 2003, shall have until January 1, 2004, to notify and provide the information required under this section. The person shall use acceptable hunting and wildlife management practices as may be determined by the department.

(3) The owner of such an enclosure shall comply with *** all rules and regulations promulgated by the commission for the testing of white-tailed deer harvested within *** an enclosure, or whose mortality was due to causes other than hunting activity, as required by Section *** 1 of this act. If chronic wasting disease is diagnosed within five (5) miles of the enclosure, the owner of such enclosure shall allow department personnel to enter the enclosure to utilize lethal collection methods to obtain tissue samples for testing. If chronic wasting disease is diagnosed within the enclosure, the owner shall allow department personnel to enter the enclosure and depopulate the white-tailed deer within the enclosure.

(4) *** Violations of this section *** shall be punishable as provided in Section *** 1 of this act.

SECTION 4. Section 49-7-58.2, Mississippi Code of 1972, is amended as follows:

49-7-58.2. (1) The Department of Wildlife, Fisheries and Parks shall develop and implement a program for inspecting, monitoring, testing and preventing chronic wasting

disease. The Commission on Wildlife, Fisheries and Parks shall promulgate rules and regulations to effect the sampling of deer harvested, or dying from, nonhunting related causes, within an enclosure. If chronic wasting disease is diagnosed in white-tailed deer within an enclosure, the department is authorized to enter the enclosure and depopulate the white-tailed deer within the enclosure. If chronic wasting disease is diagnosed within five (5) miles of the enclosure, the department is authorized to enter the enclosure and utilize lethal collection methods to obtain tissue samples.

(2) If a live test for chronic wasting disease is developed, the department is authorized to conduct such tests on white-tailed deer within any enclosure.

SECTION 5. Section 49-7-58.5, Mississippi Code of 1972, which required the chronic wasting disease (CWD) testing of white-tail deer harvested within any enclosure, and imposed Class II and Class I violation penalties for first and subsequent violations, is repealed.

SECTION 6. This act shall take effect and be in force from and after its passage, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO REQUIRE CHRONIC WASTING DISEASE TESTING OF A SAMPLE OF WHITE-TAILED DEER HARVESTED OR DYING FROM CAUSES OTHER THAN BEING HARVESTED BY HUNTING WITHIN ANY ENCLOSURE; TO IMPOSE CERTAIN FINES FOR FIRST AND SUBSEQUENT VIOLATIONS; TO AMEND SECTIONS 49-1-29, 49-7-58.1 AND 49-7-58.2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO REPEAL SECTION 49-7-58.5, MISSISSIPPI CODE OF 1972, WHICH REQUIRED THE CHRONIC WASTING DISEASE TESTING OF WHITE-TAIL DEER HARVESTED WITHIN ANY ENCLOSURE, AND IMPOSED CLASS II AND CLASS I VIOLATION PENALTIES FOR FIRST AND SUBSEQUENT VIOLATIONS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 382 was adopted.

YEAS AND NAYS On H. B. No. 382. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Barnett called up the following entitled bill:

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This act shall be known as the "Reentry Court Act of 2021."

(2) The Mississippi Department of Corrections shall establish a rehabilitation and workplace development program that can be completed in no more than three (3) years.

(3) The senior circuit court judge of any circuit court district may establish a pilot reentry division in the district. Any reentry division of the court and sentencing program shall work in conjunction with the Mississippi Department of Corrections and the Mississippi Intervention Court Commission to establish best practices for the court including standards for suitability. Any person placed in the reentry court shall be counted in determining funding allocations to the court from the Administrative Office of Courts.

(4) Participation in the workforce development sentencing program as authorized by the provisions of this section shall be subject to certain provisions. The court may recommend that a defendant convicted of one or more felony offenses in this state or any other state or federal court participate in the workforce development sentencing program if all of the following criteria are satisfied:

(a) The defendant meets the eligibility and suitability requirements for participation in the Offender Rehabilitation and Workforce Development Program;

(b) The court determines that it is in the best interest of the community and in the interest of justice that the defendant be sentenced to the Offender Rehabilitation and Workforce Development Program;

(c) The defendant is not sentenced to a term of incarceration which exceeds twenty (20) years;

(d) The defendant shall not have any prior felony convictions for any offenses defined as a sex offense in Section 45-33-23;

(e) The crime before the court shall not be a crime of violence as listed in Section 97-3-2, except house burglary under Section 97-17-23(1);

(f) The defendant cannot be sentenced in the present charge as a habitual offender pursuant to Section 99-19-81 or 99-19-83;

(g) Other criminal proceedings alleging commission of a crime of violence as listed in Section 97-3-2, except house burglary under Section 97-17-23(1), shall not be pending against the defendant; and

(h) The crime before the court shall not be a charge of any crime that resulted in the death of a person.

(5) Upon a determination that the defendant meets the eligibility and suitability criteria provided for in subsection (4) of this section, the court shall advise the defendant that he may be eligible for enrollment in the workforce development sentencing program.

(6) Prior to sentence, the court shall contact the Department of Corrections Reentry Services to determine if there is adequate capacity for enrollment or if bed space is available.

(7) In offering a defendant the opportunity to request the program, the court shall advise the defendant of the following:

(a) If the defendant is eligible to participate in the workforce development sentencing program, the defendant shall waive the right to a trial. The defendant shall enter a plea of guilty to the charge with the stipulation that the defendant shall be sentenced to custody of the Department of Corrections to participate in the Offender Rehabilitation and Workforce Development Program, and, after successful completion of that program, the court shall suspend the remainder of his or her sentence and place him or her on probation under the intensive supervision of the reentry division of court.

(b) The court may impose any conditions reasonably related to the rehabilitation of the defendant, including ordering the defendant to participate and complete a substance abuse treatment program.

(c) A defendant who is placed under the supervision of the reentry division of court may be ordered to pay the cost of any assessments, substance abuse tests, and treatment programs to which he or she is assigned and the cost of any additional supervision that may be required, to the extent of his financial resources, as determined by the reentry division of court as guided by Section 99-19-20.1(1).

(d) Notwithstanding any provision of law to the contrary, any offender sentenced under this section shall not be eligible for parole pursuant to Section 47-7-3, nor earn "good time" pursuant to Section 47-5-138, 47-5-138.1, 47-5-139 or 47-5-142 while in the program.

(8) The defendant shall agree to participation in the workforce development sentencing program.

(9) The judge shall consider the following factors in determining whether workforce development sentencing is in the interest of justice and of benefit to the defendant and the community:

(a) The nature of the crime charged and the circumstances surrounding the crime;

(b) Any special characteristics or circumstances of the defendant;

(c) Whether there is a probability that the defendant will cooperate with and benefit from the workforce development sentencing program;

(d) Whether the available workforce development sentencing program is appropriate to meet the needs of the defendant;

(e) The impact of the defendant's sentencing upon the community;

(f) Recommendations, if any, of the district attorney;

(g) Recommendations, if any, of the involved law enforcement agency;

(h) Recommendations, if any, of the victim;

(i) Provisions for and the likelihood of obtaining restitution from the defendant;

(j) Any mitigating circumstances; and

(k) Any other circumstances reasonably related to the defendant's case.

(10) If the judge determines that the defendant shall be enrolled in the workforce development sentencing program, the court shall accept the defendant's guilty plea and sentence the defendant to the custody of the Department of Corrections for a term of years subject to participation in the Offender Rehabilitation and Workforce Development Program under the terms and conditions of the workforce development sentencing program.

(11) If the judge determines that the defendant is not qualified for enrollment, the judge shall state for the record the reasons for that determination.

(12) If the defendant successfully completes the Offender Rehabilitation and Workforce Development Program and successfully completes all other requirements of the workforce development sentencing program, the court, notwithstanding any provision of Section 47-7-33 or 47-7-47 to the contrary, shall suspend the remainder of his sentence and place the person on probation for not more than three (3) years under the intensive supervision of the reentry division of court. If the defendant fails to complete the program, the court shall order the defendant to serve all or part of the remainder of the sentence. The Department of Corrections shall not grant any "good time credits" for the time served prior to the resentencing nor shall the time in the program be used to calculate a parole eligibility date.

(13) If the defendant violates any condition of his reentry probation, the court may revoke the probation and order the defendant to serve all or part of the sentence previously imposed and suspended, unless the violation is a technical violation and then the court may impose a sentence of not more than ninety (90) days to be served at the Technical Violation Center. The term of the revocation for a technical violation shall begin on the date the court orders the revocation. Upon completion of the imposed sentence for the technical revocation, the defendant shall return to active supervised probation for a period equal to the remainder of the original period of probation subject to any additional conditions imposed by the court.

(14) This section shall stand repealed on July 1, 2024.

SECTION 2. The Joint Legislative Committee on Performance Evaluation and Expenditure Review shall conduct a review of all reentry court programs active after three (3) years and produce a report to the Legislature on their effectiveness by December 1, 2024. The PEER Committee may seek the assistance of the Administrative Office of Courts or any other criminal justice experts it deems necessary during its review.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A PILOT REENTRY COURT; TO ESTABLISH A REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AUTHORIZE THE JUDGE PRESIDING OVER THE PILOT REENTRY COURT AT THE TIME OF INITIAL SENTENCING OF ANY OFFENDER TO RECOMMEND THE OFFENDER BE PLACED IN THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM FOR A PERIOD OF NO MORE THAN Three YEARS AFTER THE INITIAL SENTENCING; TO RECONSIDER THE SENTENCE AND PLACE THE OFFENDER ON POST-RELEASE SUPERVISION; AND FOR RELATED PURPOSES.

Senator Sparks offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 16 by deleting the word "any" and inserting in lieu thereof the following:

"the First, Fourth, Seventh, Fifteenth and Sixteenth"

FURTHER, AMEND on line 16 by deleting the words "circuit court" and inserting "Circuit Court" in lieu thereof.

FURTHER, AMEND on line 17 by deleting the word "district:" and inserting "Districts" in lieu thereof.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 929 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 929 was adopted.

YEAS AND NAYS On H. B. No. 929. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

H. B. No. 286: Cemeteries; authorize to disinter and reinter dead human remains for next of kin instructions.

YEAS AND NAYS On H. B. No. 286. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

H. B. No. 1195: Electric bicycles; regulate.

YEAS AND NAYS On H. B. No. 1195. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett called up the following entitled bill:

H. B. No. 196: "Dignity for Incarcerated Women Act"; create.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Title. Sections 1 through 9 of this act may be cited as the "Dignity for Incarcerated Women Act."

SECTION 2. Legislative findings and purpose. The Legislature of the State of Mississippi finds that:

(a) The number of incarcerated women in the State of Mississippi has increased by a third (1/3) since 2001 and at one point in 2008 the rate had grown by forty-four percent (44%);

(b) Nationally, the number of children under age eighteen (18) with a mother in prison more than doubled since 1991;

(c) Children who grow up with parents in prison are six (6) to seven (7) times more likely to become incarcerated themselves;

(d) Prisoners who maintain close contact with their family members while incarcerated have better post-release outcomes and lower recidivism rates;

(e) Children of inmates who are able to visit their imprisoned parents have increased cognitive skills, improved academic self-esteem, greater self-control and change schools much less often;

(f) To mitigate the collateral impact on families and children, the Department of Corrections should consider the location of family;

(g) Nationally, approximately two thousand (2,000) women give birth while incarcerated each year;

(h) Prenatal care significantly improves outcomes for pregnant women and infants;

(i) Participation in post-delivery mother-infant residency or nursery programs is associated with lower recidivism rates, reduced risk of babies entering foster care, and improved odds that mothers and their babies will remain together after the mother's period of incarceration;

(j) Use of restrictive housing and restraints on incarcerated pregnant women may be extremely dangerous to the health of mothers, fetuses and infants; and

(k) Nationally, eighty-six percent (86%) of women in prison were victims of sexual assault prior to entering the prison system.

SECTION 3. Definitions. (a) "Restraints" means any physical or mechanical device used to restrict or control the movement of a prisoner's body, limbs, or both.

(b) "Body cavity searches" means invasive searches on inmates, conducted by facility employees in search of contraband.

(c) "Flight risk" means an inmate who has shown the desire to escape the facility.

(d) "Restrictive housing" means any type of detention that involves:

(i) Removal from the general inmate population, whether voluntary or involuntary; and

(ii) Inability to leave a room or cell for the vast majority of the day.

(e) "Postpartum recovery" means the eight-week period, or longer as determined by the healthcare professional responsible for the health and safety of the prisoner.

(f) "Menstrual hygiene products" means products that women use during their menstrual cycle. This includes tampons, sanitary napkins and menstrual cups.

(g) "Indigent" means an inmate who has less than an average of Sixteen Dollars (\$16.00) in her prison account.

(h) "Correctional facility employee" refers to anyone who is employed by the facility or the Department of Corrections.

(i) "State of undress" refers to a state where a female is partially or fully naked, either in the shower, toilet areas, a medical examination room or having a body cavity search conducted.

SECTION 4. Care for incarcerated women related to pregnancy and childbirth. (1) Upon notification and/or diagnosis of an inmate's pregnancy, and for the duration of the pregnancy, and for thirty (30) days following the inmate's delivery, the Department of Corrections and/or a correctional facility employee shall not apply the following restraints on the pregnant inmate unless a correctional facility employee has a reasonable belief that the inmate will harm herself, the fetus, or any other person, or pose a substantial flight risk:

(a) Leg restraints.

(b) Handcuffs or other wrist restraints, except to restrain the inmate's wrists in front of her.

(c) No restraints connected to other inmates.

(2) No restraints shall be used on any pregnant inmate while in labor or during delivery unless a correctional facility employee has a reasonable belief that the inmate will harm herself, the fetus, or any other person, or pose a substantial flight risk. In such case, the correctional facility employee ordering use of restraints on any female inmate while in labor or during delivery shall submit a written report to the warden of the facility within seventy-two (72) hours following the use of restraints, containing the justification for restraining the female inmate during labor and delivery.

(3) No facility employee of the Department of Corrections, other than a certified healthcare professional, shall conduct invasive body cavity searches of pregnant inmates unless the correctional facility employee has a reasonable belief that the female inmate is concealing contraband. In such case, the correctional facility employee shall submit a written report to the warden of the facility within seventy-two (72) hours following the invasive search, containing the justification for the invasive search and what contraband, if any was recovered.

(4) The Department of Corrections shall ensure that pregnant inmates be provided sufficient food and dietary supplements as ordered by a physician, physician staff member, or a facility nutritionist to meet general accepted prenatal nutritional guidelines for pregnant women.

(5) The Department of Corrections shall not place any pregnant inmate, or any female inmate who has given birth within the previous thirty (30) days, in restrictive housing unless a correctional facility employee has a reasonable belief that the inmate will harm herself, the fetus or any other person, or pose a substantial flight risk. In such case, the correctional facility employee authorizing the placement of the inmate in restrictive housing shall submit a written report to the warden of the facility within seventy-two (72) hours following the transfer, containing the justification for confining the female inmate in restrictive housing.

(6) The Department of Corrections shall not assign any pregnant inmate to any bed that is elevated more than three (3) feet from the floor of the facility.

(7) The warden of the facility shall compile a monthly summary of all written reports received pursuant to Section (4) subsections (2), (3) and (5) of this act and under Section 5 (1) of this act. The warden shall submit the summary to the Commissioner of the Department of Corrections each month.

SECTION 5. Inmate postpartum recovery. (1) No restraints shall be used on any female inmate who has given birth within the last thirty (30) days and is in postpartum recovery, unless the Department of Corrections has a reasonable belief that the female inmate will harm herself, her newborn, or any other person, or pose a substantial flight risk. In such case, the facility employee ordering use of restraints on any inmate while in postpartum recovery shall submit a written report to the warden of the facility within seventy-two (72) hours following the use of restraints, containing the justification for restraining the female inmate during postpartum recovery.

(2) Following the delivery of a newborn, by an inmate, the Department of Corrections shall permit the newborn to remain with the mother for seventy-two (72) hours unless the medical provider has a reasonable belief that remaining with the mother poses a health or safety risk to the newborn.

(3) During that time, the Department of Corrections shall make available the necessary nutritional and hygiene products, including diapers, to care for the newborn.

(4) If the female inmate qualifies as indigent, such products shall be provided without cost to the inmate.

SECTION 6. Family considerations in inmate placement and visitation. (1) To the greatest extent practicable, after accounting for security and capacity factors, the Department of Corrections shall place inmates who are parents of minor children within two hundred fifty (250) miles of their permanent address of record.

(2) The Department of Corrections shall promulgate regulations authorizing visitation of inmates who are parents of minor children with low or minimum security classifications by minor dependents, with the minimum following requirements:

(a) Opportunities for dependent children under the age of eighteen (18) to visit their incarcerated parent at least twice per week unless a correctional facility employee has a reasonable belief that the dependent child:

(i) May be harmed during visitation; or

(ii) Poses a security risk due to a gang affiliation, prior conviction or past violation of facility contraband policy.

(b) Eliminating restrictions on the number of dependent children under the age of eighteen (18) that may be permitted visitation privileges.

(c) Authorizing contact visits for inmates who are parents of minor children.

SECTION 7. Inspections by employees of the Department of Corrections. (1) To the greatest extent practicable, and consistent with safety and order, the Commissioner of the Department of Corrections shall issue regulations that limit inspections by male correctional officers where a female inmate is in a state of undress.

Nothing in this section shall limit the ability of a male correctional officer from conducting inspections where a female may be in a state of undress if no female correctional officers are available.

(2) In such case that a male correctional officer deems it is appropriate to conduct an inspection or search while the female inmate is in a clear state of undress in an area such as the shower, the medical examination room, toilet areas or where a female inmate is having a body cavity search, the male correctional officer shall submit a written report to the warden of the facility within seventy-two (72) hours following the inspection or search, containing the justification for a male correctional officer to inspect the female inmate while in a state of undress.

SECTION 8. Access to feminine hygiene products. The Department of Corrections shall ensure that sufficient personal hygiene products are available at each facility for all incarcerated women.

SECTION 9. Training and technical assistance. (1) The Department of Corrections shall develop and provide to all correctional facility employees and correctional officers who have contact with pregnant inmates training related to the physical and mental health of pregnant inmates and fetuses, including the following:

(a) General care of pregnant women;

(b) The impact of restraints on pregnant inmates and fetuses;

(c) The impact of being placed in restrictive housing on pregnant inmates;

and

(d) The impact of invasive searches on pregnant inmates.

(2) The Department of Corrections shall develop and provide educational programming for pregnant inmates related to:

- (a) Prenatal care;
- (b) Pregnancy-specific hygiene;
- (c) Parenting skills;
- (d) The impact of alcohol and drugs on the fetus; and
- (e) General health of child.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "DIGNITY FOR INCARCERATED WOMEN ACT"; TO DEFINE CERTAIN TERMS AS USED UNDER THE ACT; TO PROVIDE THAT WHEN AN INCARCERATED INMATE IS GIVING BIRTH, THE USE OF RESTRAINTS SHALL BE LIMITED; TO REQUIRE CERTAIN CARE AND TREATMENT FOR WOMEN RELATED TO PREGNANCY AND CHILDBIRTH; TO REQUIRE CERTAIN CARE DURING INMATE POSTPARTUM RECOVERY; TO URGE THE DEPARTMENT OF CORRECTIONS TO PLACE MOTHERS WHO ARE PARENTS OF A MINOR CHILD WITHIN A CERTAIN DISTANCE FROM THE MOTHER'S PERMANENT ADDRESS; TO PROVIDE CERTAIN STANDARDS WHERE A FEMALE IS IN THE STATE OF UNDRESS; TO PROVIDE THAT INCARCERATED WOMEN SHALL HAVE ACCESS TO FEMININE HYGIENE PRODUCTS AND TO PROVIDE SUCH PRODUCTS AT NO COST IF AN INMATE IS DETERMINED TO BE INDIGENT; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO DEVELOP AND PROVIDE TO ITS CORRECTION STAFF TRAINING RELATED TO THE PHYSICAL AND MENTAL HEALTH OF PREGNANT INMATES IF SUCH STAFF HAVE CONTACT WITH PREGNANT INMATES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 196 was adopted.

YEAS AND NAYS On H. B. No. 196. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

H. B. No. 852: Teachers' and teacher's assistants' salaries; provide increase to minimum salary.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-19-7, Mississippi Code of 1972, is amended as follows:

37-19-7. (1) The allowance in the Mississippi Adequate Education Program for teachers' salaries in each county and separate school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

* * *

2021-2022 MINIMUM SALARY SCHEDULE

Years

Exp.	AAAA	AAA	AA	A
0	41,608.00	40,444.00	39,280.00	37,000.00
1	41,608.00	40,444.00	39,280.00	37,000.00
2	41,608.00	40,444.00	39,280.00	37,000.00
3	42,402.00	41,171.00	39,940.00	37,385.00
4	43,196.00	41,898.00	40,600.00	37,880.00
5	43,990.00	42,625.00	41,260.00	38,375.00
6	44,784.00	43,352.00	41,920.00	38,870.00
7	45,578.00	44,079.00	42,580.00	39,365.00
8	46,372.00	44,806.00	43,240.00	39,860.00
9	47,166.00	45,533.00	43,900.00	40,355.00
10	47,960.00	46,260.00	44,560.00	40,850.00
11	48,754.00	46,987.00	45,220.00	41,345.00
12	49,548.00	47,714.00	45,880.00	41,840.00

13	50,342.00	48,441.00	46,540.00	42,335.00
14	51,136.00	49,168.00	47,200.00	42,830.00
15	51,930.00	49,895.00	47,860.00	43,325.00
16	52,724.00	50,622.00	48,520.00	43,820.00
17	53,518.00	51,349.00	49,180.00	44,315.00
18	54,312.00	52,076.00	49,840.00	44,810.00
19	55,106.00	52,803.00	50,500.00	45,305.00
20	55,900.00	53,530.00	51,160.00	45,800.00
21	56,694.00	54,257.00	51,820.00	46,295.00
22	57,488.00	54,984.00	52,480.00	46,790.00
23	58,282.00	55,711.00	53,140.00	47,285.00
24	59,076.00	56,438.00	53,800.00	47,780.00
25	61,930.00	59,225.00	56,520.00	50,335.00
26	62,724.00	59,952.00	57,180.00	50,830.00
27	63,518.00	60,679.00	57,840.00	51,325.00
28	64,312.00	61,406.00	58,500.00	51,820.00
29	65,106.00	62,133.00	59,160.00	52,315.00
30	65,900.00	62,860.00	59,820.00	52,810.00
31	66,694.00	63,587.00	60,480.00	53,305.00
32	67,488.00	64,314.00	61,140.00	53,800.00
33	68,282.00	65,041.00	61,800.00	54,295.00
34	69,076.00	65,768.00	62,460.00	54,790.00
35				
& above	69,870.00	66,495.00	63,120.00	55,285.00

It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary allotment for the teachers for each year shall be determined by the type of valid teacher's license issued to those teachers on or before October 1 of the current school year. Provided, however, that school districts are authorized, in their discretion, to negotiate the salary levels applicable to certificated employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars (\$6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

(i) Any licensed teacher who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. Provided, however, that the total number of licensed school nurses eligible for a salary supplement under this subparagraph (ii) shall not exceed thirty-five (35).

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed

school counselor shall submit documentation to the State Department of Education that the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board or is employed by a state agency under the State Personnel Board. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, the total number of certified academic language therapists eligible for a salary supplement under this subparagraph (iv) shall not exceed twenty (20).

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars (\$500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its minimum education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the qualifying certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars (\$4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This section shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding certified teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment results, growth in student achievement at individual schools and other measures deemed

appropriate in designating successful student achievement shall be used in establishing MPBP criteria. The State Board of Education shall develop the MPBP policies and procedures and report to the Legislature and Governor by December 1, 2006.

(5) (a) Beginning in the 2008-2009 school year, if funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars (\$1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning teacher shall be defined as any teacher in any school in Mississippi that has less than one (1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

(b) To be eligible for this state funding, the individual school must have a classroom management program approved by the local school board.

(6) Effective with the 2014-2015 school year, the school districts participating in the Pilot Performance-Based Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

SECTION 2. Section 37-21-7, Mississippi Code of 1972, is amended as follows:

37-21-7. (1) This section shall be referred to as the "Mississippi Elementary Schools Assistant Teacher Program," the purpose of which shall be to provide an early childhood education program that assists in the instruction of basic skills. The State Board of Education is authorized, empowered and directed to implement a statewide system of assistant teachers in kindergarten classes and in the first, second and third grades. The assistant teacher shall assist pupils in actual instruction under the strict supervision of a licensed teacher.

(2) (a) Except as otherwise authorized under subsection (7), each school district shall employ the total number of assistant teachers funded under subsection (6) of this section. The superintendent of each district shall assign the assistant teachers to the kindergarten, first-, second- and third-grade classes in the district in a manner that will promote the maximum efficiency, as determined by the superintendent, in the instruction of skills such as verbal and linguistic skills, logical and mathematical skills, and social skills.

(b) If a licensed teacher to whom an assistant teacher has been assigned is required to be absent from the classroom, the assistant teacher may assume responsibility for the classroom in lieu of a substitute teacher. However, no assistant teacher shall assume sole responsibility of the classroom for more than three (3) consecutive school days. Further, in no event shall any assistant teacher be assigned to serve as a substitute teacher for any teacher other than the licensed teacher to whom that assistant teacher has been assigned.

(3) Assistant teachers shall have, at a minimum, a high school diploma or a High School Equivalency Diploma equivalent, and shall show demonstrable proficiency in reading and writing skills. The State Department of Education shall develop a testing procedure for assistant teacher applicants to be used in all school districts in the state.

(4) (a) In order to receive funding, each school district shall:

(i) Submit a plan on the implementation of a reading improvement program to the State Department of Education; and

(ii) Develop a plan of educational accountability and assessment of performance, including pretests and posttests, for reading in Grades 1 through 6.

(b) Additionally, each school district shall:

(i) Provide annually a mandatory preservice orientation session, using an existing in-school service day, for administrators and teachers on the effective use of assistant teachers as part of a team in the classroom setting and on the role of assistant teachers, with emphasis on program goals;

(ii) Hold periodic workshops for administrators and teachers on the effective use and supervision of assistant teachers;

(iii) Provide training annually on specific instructional skills for assistant teachers;

(iv) Annually evaluate their program in accordance with their educational accountability and assessment of performance plan; and

(v) Designate the necessary personnel to supervise and report on their program.

(5) The State Department of Education shall:

(a) Develop and assist in the implementation of a statewide uniform training module, subject to the availability of funds specifically appropriated therefor by the Legislature, which shall be used in all school districts for training administrators, teachers and assistant teachers. The module shall provide for the consolidated training of each assistant teacher and teacher to whom the assistant teacher is assigned, working together as a team, and shall require further periodic training for administrators, teachers and assistant teachers regarding the role of assistant teachers;

(b) Annually evaluate the program on the district and state level. Subject to the availability of funds specifically appropriated therefor by the Legislature, the department shall develop: (i) uniform evaluation reports, to be performed by the principal or assistant principal, to collect data for the annual overall program evaluation conducted by the department; or (ii) a program evaluation model that, at a minimum, addresses process evaluation; and

(c) Promulgate rules, regulations and such other standards deemed necessary to effectuate the purposes of this section. Noncompliance with the provisions of this section and any rules, regulations or standards adopted by the department may result in a violation of compulsory accreditation standards as established by the State Board of Education and the Commission on School Accreditation.

(6) In addition to other funds allotted under the Minimum Education or Adequate Education Program, each school district shall be allotted sufficient funding for the purpose of employing assistant teachers. No assistant teacher shall be paid less than the amount he or she received in the prior school year. No school district shall receive any funds

under this section for any school year during which the aggregate amount of the local contribution to the salaries of assistant teachers by the district shall have been reduced below such amount for the previous year.

* * *

For assistant teachers, the minimum annual salary shall be as follows:

2021-2022 Minimum Salary \$15,000.00

In addition, for each one percent (1%) that the Sine Die General Fund Revenue Estimate Growth exceeds five percent (5%) in fiscal year 2006, as certified by the Legislative Budget Office to the State Board of Education and subject to the specific appropriation therefor by the Legislature, the State Board of Education shall revise the salary scale in the appropriate year to provide an additional one percent (1%) across-the-board increase in the base salaries for assistant teachers. The State Board of Education shall revise the salaries prescribed above for assistant teachers to conform to any adjustments made in prior fiscal years due to revenue growth over and above five percent (5%). The assistant teachers shall not be restricted to working only in the grades for which the funds were allotted, but may be assigned to other classes as provided in subsection (2)(a) of this section.

(7) (a) As an alternative to employing assistant teachers, any school district may use the allotment provided under subsection (6) of this section for the purpose of employing licensed teachers for kindergarten, first-, second- and third-grade classes; however, no school district shall be authorized to use the allotment for assistant teachers for the purpose of employing licensed teachers unless the district has established that the employment of licensed teachers using such funds will reduce the teacher:student ratio in the kindergarten, first-, second- and third-grade classes. All state funds for assistant teachers shall be applied to reducing teacher:student ratio in Grades K-3.

It is the intent of the Legislature that no school district shall dismiss any assistant teacher for the purpose of using the assistant teacher allotment to employ licensed teachers. School districts may rely only upon normal attrition to reduce the number of assistant teachers employed in that district.

(b) Districts meeting the highest levels of accreditation standards, as defined by the State Board of Education, shall be exempted from the provisions of subsection (4) of this section.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM ANNUAL SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 852 was adopted.

YEAS AND NAYS On H. B. No. 852. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

H. B. No. 695: State Domestic Violence Fund; remove the matching funds requirement for.

YEAS AND NAYS On H. B. No. 695. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan moved that the rules be suspended for the immediate consideration of item 69, **S. B. No. 2221**, and the motion prevailed.

Senator Bryan called up the following House Amendment to **S. B. No. 2221** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Sections 1 through 4 of this act shall be known and may be cited as the "Jimmy Kaigler Alzheimer's Support Act." James Street "Jimmy" Kaigler was born and raised in Clarksdale, Mississippi, and was a graduate of the University of Mississippi. Kaigler served as a Captain in the United States Air Force from 1966 to 1972. Following his tour in Vietnam, Captain Kaigler was awarded the Bronze Star for meritorious service. Kaigler later worked as President and CEO of Memorial Hospital in Gulfport. Sections 1 through 4 of this act shall serve as testament to Captain Kaigler's life as well as a tribute to the loving care provided by his wife and family.

SECTION 2. (1) The Legislature finds that:

(a) Families caring for a loved one with Alzheimer's disease or a related dementia at home are often burdened with excessive financial or personal costs of providing continuous care;

(b) Medicare does not pay for long-term care or provide support to family caregivers;

(c) Long-term care insurance is costly and may not be affordable to low and middle income families and may not cover essential services for the length of time needed for an Alzheimer's patient; and

(d) Providing respite care services to those with Alzheimer's may delay or supplant the need for transfer to a long-term skilled nursing facility, allowing for the individual with Alzheimer's to remain in his or her home environment.

SECTION 3. As used in Sections 1 through 4 of this act, the following terms shall be defined as provided in this section:

(a) "Alzheimer's disease or related dementia" means the diseases and conditions characterized by a decline in memory, language, problem-solving and other thinking skills that affect a person's ability to perform everyday activities.

(b) "Mississippi Dementia Care Program" means the Alzheimer's or related dementia pilot program created in this act.

(c) "Informal caregiver" means any spouse, adult child, relative or friend who provides unpaid assistance to an individual living in the community who suffers from Alzheimer's or other related dementia.

(d) "Respite care" means temporary, substitute support or living arrangements to provide a brief period of relief or rest for informal caregivers. Respite care may include in-home care by appropriately trained individuals, or care in an adult day care or assisted living or nursing home setting, for an intermittent, occasional or emergency basis.

SECTION 4. (1) Subject to the appropriation of federal funds for that purpose, there is established within the Department of Human Services a pilot program known as the "Mississippi Dementia Care Program" for the purpose of providing respite care services to informal caregivers of persons with Alzheimer's disease or related dementia. The pilot program shall use existing respite care services infrastructure and selected fiscal agent to carry out the operations of the program. The State Department of Mental Health, the State Department of Health and the University of Mississippi Medical Center shall cooperate with and provide assistance to the Department of Human Services in the establishment and operation of the program and in seeking to obtain federal funds for the program.

(2) The Mississippi Dementia Care Program shall:

(a) Be operated for a period of three (3) consecutive years beginning on July 1, 2022, and continuing through July 1, 2025;

(b) Begin enrolling participating individuals immediately upon beginning of the program; and

(c) Actively serve not more than sixty (60) enrollees for the first year of operation, and maintain this number of enrollees for the second and third year of operation.

(3) To receive assistance from the Mississippi Dementia Care program, the family unit must be assessed according to the guidelines developed by the department to determine the need for respite care services. This assessment must determine, at a minimum, that:

(a) The family unit is unable to pay for respite care without jeopardizing other basic needs, including, but not limited to, food, shelter and medications; and

(b) The homebound person with Alzheimer's disease or related dementia for whom the family unit is caring is sixty (60) years of age or older, requires assistance to remain in the home, and, without this assistance, would need to move to an assisted living facility or a nursing facility.

(4) The Department of Human Services shall promulgate rules and regulations to effectuate the purposes of Sections 1 through 4 of this act.

(5) The executive director of the department shall submit a report to the Legislature on or before January 1, 2023, and on or before January 1st of each year thereafter until the end of the pilot program period. The report shall include, but is not limited to, the following information:

- (a) Total spent on program funding;
- (b) The amount of administrative costs to operate the program;
- (c) The number of individuals and informal caregivers served by the program;
- (d) The income ranges of the individuals and informal caregivers participating in this program; and
- (e) The efficacy of the assistance program.

(6) This section does not create an entitlement to respite care services through the provisions of this program, and the services provided and the number of individuals served are subject to appropriations of federal funds for that purpose.

SECTION 5. (1) As used in this section, the term "regional food banks" means the three (3) Feeding America partner food banks that serve Mississippi, including Feeding the Gulf Coast, Mid-South Food Bank, and Mississippi Food Network, which are nonprofit organizations that solicit, warehouse and redistribute eligible food to agencies in Mississippi that feed families and individuals who qualify based on federal guidelines.

(2) Subject to the appropriation of federal funds for that purposes, the Department of Human Services shall establish a grant program for regional food banks to provide annual grant funding to the regional food banks for the purchase, transportation, storage and distribution of food in Mississippi. Grants shall be made from federal funds available to the department for such purpose. Grants made pursuant to the program shall be used only for the purchase of food or agricultural commodities for repackaging or processing, or both, of food for distribution to emergency food providers serving Mississippi and program participants residing in Mississippi.

(3) The department shall administer the program and shall use not more than one percent (1%) of the funds made available for the program for expenses of administering the program.

(4) All food purchases made through the use of program funds shall be made in accordance with the following standards:

- (a) Procurement from Mississippi-based food sources shall be given preference when available and at a reasonable cost;
- (b) Food shall be purchased at wholesale prices or competitive bid prices or better; and

(c) Funds for food and food provided through this program shall be used to supplement and not replace funds for food or food provided through the U.S. Department of Agriculture's federal commodities program.

(5) The department shall allocate money to regional food banks based on population, food insecurity rates, and county service areas. The annual percentage formula for each nonprofit food bank shall be calculated on a pro rata basis by dividing the total number of food insecure persons in the food bank's service area by the total number of food insecure persons in the state. The data for this formula shall be derived from the latest available data from Feeding America.

(6) Not more than seven percent (7%) of the grant funds made available through the program to a regional food bank shall be used by any regional food bank for the payment of administrative and incidental costs.

(7) No regional food bank shall charge any person who is eligible under the program for food or encourage any eligible person to contribute money in order to receive food under the program.

SECTION 6. From and after February 1, 2021, any community foundation holding funds appropriated by Section 2, Chapter 104, Laws of 2020, as amended by Section 1, Chapter 118, Laws of 2020, may (a) make grants in amounts to be determined by the foundations to any food pantry, regardless of whether the funds were designated for food pantries or nonprofit entities; or (b) transfer funds to another community foundation for the purpose described in paragraph (a). No community foundation or food pantry shall be subject to the provisions of Section 31-7-1 et seq., unless it is an agency of the State of Mississippi or its governing authority, since Section 31-7-1 et seq. applies only to state agencies and to governing authorities.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021, except for Section 6, which shall take effect and be in force from and after the passage of this act.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE MISSISSIPPI DEMENTIA CARE PROGRAM WITHIN THE DEPARTMENT OF HUMAN SERVICES AS A PILOT PROGRAM FOR THE PURPOSE OF RESPITE CARE SERVICES TO INFORMAL CAREGIVERS OF AND PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DEMENTIA; TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL ADMINISTER THE PROGRAM; TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL ESTABLISH A GRANT PROGRAM FOR REGIONAL FOOD THAT SERVE MISSISSIPPI TO PROVIDE ANNUAL GRANT FUNDING TO THE REGIONAL FOOD BANKS; TO PROVIDE A FORMULA TO CALCULATE THE ANNUAL PERCENTAGE OF FUNDS AWARDED TO EACH REGIONAL FOOD BANK; TO AUTHORIZE CERTAIN COMMUNITY FOUNDATION HOLDING CERTAIN APPROPRIATED FEDERAL FUNDS TO MAKE GRANTS TO FOOD PANTRIES; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2221** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. B. No. 2221.

Senator Hopson entered a motion to reconsider the vote whereby **H. B. No. 631** passed the Senate as amended.

H. B. No. 631: Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **H. B. No. 634** passed the Senate as amended.

H. B. No. 634: Firearms restriction; limit those by cities, counties and state agencies.

Senator Thomas entered a motion to reconsider the vote whereby **H. B. No. 488** passed the Senate.

H. B. No. 488: Libraries; authorize use of debit and credit cards.

Senator Suber entered a motion to reconsider the vote whereby **H. B. No. 382** passed the Senate as amended.

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures.

Senator Barnett moved that the rules be suspended to move to calendar item 76, **H. B. No. 1174**, and the motion prevailed.

Senator Barnett called up the following entitled bill:

H. B. No. 1174: Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Department of Corrections is authorized to provide for hospice care services for inmates who are confined in facilities under the jurisdiction of the department and who are terminally ill as defined in Section 41-85-3. The department may

have those hospice care services provided by properly qualified employees of the department or may contract for the providing of the hospice care services. If the department provides the hospice care services with department employees, the department is not required to have a license under the Mississippi Hospice Law.

SECTION 2. Section 41-85-5, Mississippi Code of 1972, is amended as follows:

41-85-5. (1) It is unlawful for a person to operate or maintain a hospice, use the title "hospice," or represent that the person provides a hospice program of care, without first obtaining a license therefor from the department.

(2) The license shall be displayed in a conspicuous place inside the hospice program office; shall be valid only in the possession of the person to which it is issued; shall not be subject to sale, assignment or other transfer, voluntary or involuntary; and shall not be valid for any hospice other than the hospice for which originally issued.

(3) Services provided by a hospital, nursing home or other health care facility or health care provider shall not be considered to constitute a hospice program of care unless such facility, provider or care giver establishes a freestanding or distinct hospice unit, staff, facility and services to provide hospice home care, homelike inpatient hospice care, or outpatient hospice care under the separate and distinct administrative authority of a hospice program.

(4) A license for a hospice program shall not be issued if the hospice is to be located in an area in violation of any local zoning ordinances or regulations.

(5) The Department of Corrections may provide hospice care services to inmates confined in facilities under the jurisdiction of the department as authorized under Section 1 of this act without a license issued under this chapter.

SECTION 3. Section 43-11-1, Mississippi Code of 1972, is amended as follows:

43-11-1. When used in this chapter, the following words shall have the following meaning:

(a) "Institutions for the aged or infirm" means a place either governmental or private that provides group living arrangements for four (4) or more persons who are unrelated to the operator and who are being provided food, shelter and personal care, whether any such place is organized or operated for profit or not. The term "institution for the aged or infirm" includes nursing homes, pediatric skilled nursing facilities, psychiatric residential treatment facilities, convalescent homes, homes for the aged * * *, adult foster care facilities * * * and special care facilities for paroled inmates, provided that these institutions fall within the scope of the definitions set forth above. The term "institution for the aged or infirm" does not include hospitals, clinics or mental institutions devoted primarily to providing medical service, and does not include any private residence in which the owner of the residence is providing personal care services to disabled or homeless veterans under an agreement with, and in compliance with the standards prescribed by, the United States Department of Veterans Affairs, if the owner of the residence also provided personal care services to disabled or homeless veterans at any time during calendar year 2008.

(b) "Person" means any individual, firm, partnership, corporation, company, association or joint-stock association, or any licensee herein or the legal successor thereof.

(c) "Personal care" means assistance rendered by personnel of the home to aged or infirm residents in performing one or more of the activities of daily living, which includes, but is not limited to, the bathing, walking, excretory functions, feeding, personal grooming and dressing of such residents.

(d) "Psychiatric residential treatment facility" means any nonhospital establishment with permanent facilities which provides a twenty-four-hour program of care by qualified therapists, including, but not limited to, duly licensed mental health professionals, psychiatrists, psychologists, psychotherapists and licensed certified social workers, for emotionally disturbed children and adolescents referred to such facility by a court, local school district or by the Department of Human Services, who are not in an acute phase of illness requiring the services of a psychiatric hospital, and are in need of such restorative treatment services. For purposes of this paragraph, the term "emotionally disturbed" means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

1. An inability to learn which cannot be explained by intellectual, sensory or health factors;
2. An inability to build or maintain satisfactory relationships with peers and teachers;
3. Inappropriate types of behavior or feelings under normal circumstances;
4. A general pervasive mood of unhappiness or depression; or
5. A tendency to develop physical symptoms or fears associated with personal or school problems. An establishment furnishing primarily domiciliary care is not within this definition.

(e) "Pediatric skilled nursing facility" means an institution or a distinct part of an institution that is primarily engaged in providing to inpatients skilled nursing care and related services for persons under twenty-one (21) years of age who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(f) "Licensing agency" means the State Department of Health.

(g) "Medical records" mean, without restriction, those medical histories, records, reports, summaries, diagnoses and prognoses, records of treatment and medication ordered and given, notes, entries, x-rays and other written or graphic data prepared, kept, made or maintained in institutions for the aged or infirm that pertain to residency in, or services rendered to residents of, an institution for the aged or infirm.

(h) "Adult foster care facility" means a home setting for vulnerable adults in the community who are unable to live independently due to physical, emotional, developmental or mental impairments, or in need of emergency and continuing protective social services for purposes of preventing further abuse or neglect and for safeguarding and enhancing the welfare of the abused or neglected vulnerable adult. Adult foster care programs shall be designed to meet the needs of vulnerable adults with impairments through individual plans of care, which provide a variety of health, social and related support services in a protective setting, enabling participants to live in the community. Adult foster care programs may be (i) traditional, where the foster care provider lives in the residence and is the primary caregiver to clients in the home; (ii) corporate, where the foster care home is operated by a corporation with shift staff delivering services to clients; or (iii) shelter, where the foster care home accepts clients on an emergency short-term basis for up to thirty (30) days.

(i) "Special Care Facility for Paroled Inmates" means a long-term care and skilled nursing facility licensed as a special care facility for medically frail paroled inmates, formed to ease the burden of prison overcrowding and provide compassionate release

and medical parole initiatives while impacting economic outcomes for the Mississippi Prison System. The facility shall meet all Mississippi Department of Health and federal Center for Medicaid Services (CMS) requirements and shall be regulated by both agencies. The facility will offer Physical, Occupational and Speech Therapy, Nursing Services, Wound Care, a dedicated COVID Services Unit, Individualized Patient Centered Plans of Care, Social Services, Spiritual Services, Physical Activities, Transportation, Medication, Durable Medical Equipment, Personalized Meal Plans by a Licensed Dietician and Security Services. The facility shall have not less than sixty (60) beds nor more than one hundred (100) beds.

SECTION 4. Section 43-11-13, Mississippi Code of 1972, is amended as follows:

43-11-13. (1) The licensing agency shall adopt, amend, promulgate and enforce such rules, regulations and standards, including classifications, with respect to all institutions for the aged or infirm to be licensed under this chapter as may be designed to further the accomplishment of the purpose of this chapter in promoting adequate care of individuals in those institutions in the interest of public health, safety and welfare. Those rules, regulations and standards shall be adopted and promulgated by the licensing agency and shall be recorded and indexed in a book to be maintained by the licensing agency in its main office in the State of Mississippi, entitled "Rules, Regulations and Minimum Standards for Institutions for the Aged or Infirm" and the book shall be open and available to all institutions for the aged or infirm and the public generally at all reasonable times. Upon the adoption of those rules, regulations and standards, the licensing agency shall mail copies thereof to all those institutions in the state that have filed with the agency their names and addresses for this purpose, but the failure to mail the same or the failure of the institutions to receive the same shall in no way affect the validity thereof. The rules, regulations and standards may be amended by the licensing agency, from time to time, as necessary to promote the health, safety and welfare of persons living in those institutions.

(2) The licensee shall keep posted in a conspicuous place on the licensed premises all current rules, regulations and minimum standards applicable to fire protection measures as adopted by the licensing agency. The licensee shall furnish to the licensing agency at least once each six (6) months a certificate of approval and inspection by state or local fire authorities. Failure to comply with state laws and/or municipal ordinances and current rules, regulations and minimum standards as adopted by the licensing agency, relative to fire prevention measures, shall be prima facie evidence for revocation of license.

(3) The State Board of Health shall promulgate rules and regulations restricting the storage, quantity and classes of drugs allowed in personal care homes and adult foster care facilities. Residents requiring administration of Schedule II Narcotics as defined in the Uniform Controlled Substances Law may be admitted to a personal care home. Schedule drugs may only be allowed in a personal care home if they are administered or stored utilizing proper procedures under the direct supervision of a licensed physician or nurse.

(4) (a) Notwithstanding any determination by the licensing agency that skilled nursing services would be appropriate for a resident of a personal care home, that resident, the resident's guardian or the legally recognized responsible party for the resident may consent in writing for the resident to continue to reside in the personal care home, if approved in writing by a licensed physician. However, no personal care home shall allow more than two (2) residents, or ten percent (10%) of the total number of residents in the facility, whichever is greater, to remain in the personal care home under the provisions of this subsection (4). This consent shall be deemed to be appropriately informed consent as described in the regulations promulgated by the licensing agency. After that written consent has been obtained, the resident shall have the right to continue to reside in the personal care home for as long as the resident meets the other conditions

for residing in the personal care home. A copy of the written consent and the physician's approval shall be forwarded by the personal care home to the licensing agency.

(b) The State Board of Health shall promulgate rules and regulations restricting the handling of a resident's personal deposits by the director of a personal care home. Any funds given or provided for the purpose of supplying extra comforts, conveniences or services to any resident in any personal care home, and any funds otherwise received and held from, for or on behalf of any such resident, shall be deposited by the director or other proper officer of the personal care home to the credit of that resident in an account that shall be known as the Resident's Personal Deposit Fund. No more than one (1) month's charge for the care, support, maintenance and medical attention of the resident shall be applied from the account at any one time. After the death, discharge or transfer of any resident for whose benefit any such fund has been provided, any unexpended balance remaining in his personal deposit fund shall be applied for the payment of care, cost of support, maintenance and medical attention that is accrued. If any unexpended balance remains in that resident's personal deposit fund after complete reimbursement has been made for payment of care, support, maintenance and medical attention, and the director or other proper officer of the personal care home has been or shall be unable to locate the person or persons entitled to the unexpended balance, the director or other proper officer may, after the lapse of one (1) year from the date of that death, discharge or transfer, deposit the unexpended balance to the credit of the personal care home's operating fund.

(c) The State Board of Health shall promulgate rules and regulations requiring personal care homes to maintain records relating to health condition, medicine dispensed and administered, and any reaction to that medicine. The director of the personal care home shall be responsible for explaining the availability of those records to the family of the resident at any time upon reasonable request.

(5) The State Board of Health and the Mississippi Department of Corrections shall jointly issue rules and regulations for the operation of the Special Care Facility for Paroled Inmates.

(* * *6) (a) For the purposes of this subsection (* * *6):

(i) "Licensed entity" means a hospital, nursing home, personal care home, home health agency, hospice or adult foster care facility;

(ii) "Covered entity" means a licensed entity or a health care professional staffing agency;

(iii) "Employee" means any individual employed by a covered entity, and also includes any individual who by contract provides to the patients, residents or clients being served by the covered entity direct, hands-on, medical patient care in a patient's, resident's or client's room or in treatment or recovery rooms. The term "employee" does not include health care professional/vocational technical students performing clinical training in a licensed entity under contracts between their schools and the licensed entity, and does not include students at high schools located in Mississippi who observe the treatment and care of patients in a licensed entity as part of the requirements of an allied-health course taught in the high school, if:

1. The student is under the supervision of a licensed health care provider; and

2. The student has signed an affidavit that is on file at the student's school stating that he or she has not been convicted of or pleaded guilty or nolo contendere to a felony listed in paragraph (d) of this subsection (* * *6), or that any such conviction or plea was reversed on appeal or a pardon was granted for the conviction or plea. Before any student may sign such an affidavit, the student's school shall provide

information to the student explaining what a felony is and the nature of the felonies listed in paragraph (d) of this subsection (* * *6).

However, the health care professional/vocational technical academic program in which the student is enrolled may require the student to obtain criminal history record checks. In such incidences, paragraph (a)(iii)1 and 2 of this subsection (* * *6) does not preclude the licensing entity from processing submitted fingerprints of students from healthcare-related professional/vocational technical programs who, as part of their program of study, conduct observations and provide clinical care and services in a covered entity.

(b) Under regulations promulgated by the State Board of Health, the licensing agency shall require to be performed a criminal history record check on (i) every new employee of a covered entity who provides direct patient care or services and who is employed on or after July 1, 2003, and (ii) every employee of a covered entity employed before July 1, 2003, who has a documented disciplinary action by his or her present employer. In addition, the licensing agency shall require the covered entity to perform a disciplinary check with the professional licensing agency of each employee, if any, to determine if any disciplinary action has been taken against the employee by that agency.

Except as otherwise provided in paragraph (c) of this subsection (* * *6), no such employee hired on or after July 1, 2003, shall be permitted to provide direct patient care until the results of the criminal history record check have revealed no disqualifying record or the employee has been granted a waiver. In order to determine the employee applicant's suitability for employment, the applicant shall be fingerprinted. Fingerprints shall be submitted to the licensing agency from scanning, with the results processed through the Department of Public Safety's Criminal Information Center. The fingerprints shall then be forwarded by the Department of Public Safety to the Federal Bureau of Investigation for a national criminal history record check. The licensing agency shall notify the covered entity of the results of an employee applicant's criminal history record check. If the criminal history record check discloses a felony conviction, guilty plea or plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault, or felonious abuse and/or battery of a vulnerable adult that has not been reversed on appeal or for which a pardon has not been granted, the employee applicant shall not be eligible to be employed by the covered entity.

(c) Any such new employee applicant may, however, be employed on a temporary basis pending the results of the criminal history record check, but any employment contract with the new employee shall be voidable if the new employee receives a disqualifying criminal history record check and no waiver is granted as provided in this subsection (* * *6).

(d) Under regulations promulgated by the State Board of Health, the licensing agency shall require every employee of a covered entity employed before July 1, 2003, to sign an affidavit stating that he or she has not been convicted of or pleaded guilty or nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, any sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust, aggravated assault, or felonious abuse and/or battery of a vulnerable adult, or that any such conviction or plea was reversed on appeal or a pardon was granted for the conviction or plea. No such employee of a covered entity hired before July 1, 2003, shall be permitted to provide direct patient care until the employee has signed the affidavit required by this paragraph (d). All such existing employees of covered entities must sign the affidavit required by this paragraph (d) within six (6) months of the final adoption of the regulations promulgated by the State Board of Health. If a person signs the affidavit required by this paragraph (d), and it is later determined that the person actually had been convicted of or pleaded guilty or nolo contendere to any of the offenses listed in this paragraph (d) and the conviction or plea

has not been reversed on appeal or a pardon has not been granted for the conviction or plea, the person is guilty of perjury. If the offense that the person was convicted of or pleaded guilty or nolo contendere to was a violent offense, the person, upon a conviction of perjury under this paragraph, shall be punished as provided in Section 97-9-61. If the offense that the person was convicted of or pleaded guilty or nolo contendere to was a nonviolent offense, the person, upon a conviction of perjury under this paragraph, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

(e) The covered entity may, in its discretion, allow any employee who is unable to sign the affidavit required by paragraph (d) of this subsection (** *6) or any employee applicant aggrieved by an employment decision under this subsection (** *6) to appear before the covered entity's hiring officer, or his or her designee, to show mitigating circumstances that may exist and allow the employee or employee applicant to be employed by the covered entity. The covered entity, upon report and recommendation of the hiring officer, may grant waivers for those mitigating circumstances, which shall include, but not be limited to: (i) age at which the crime was committed; (ii) circumstances surrounding the crime; (iii) length of time since the conviction and criminal history since the conviction; (iv) work history; (v) current employment and character references; and (vi) other evidence demonstrating the ability of the individual to perform the employment responsibilities competently and that the individual does not pose a threat to the health or safety of the patients of the covered entity.

(f) The licensing agency may charge the covered entity submitting the fingerprints a fee not to exceed Fifty Dollars (\$50.00), which covered entity may, in its discretion, charge the same fee, or a portion thereof, to the employee applicant. Any increase in the fee charged by the licensing agency under this paragraph shall be in accordance with the provisions of Section 41-3-65. Any costs incurred by a covered entity implementing this subsection (** *6) shall be reimbursed as an allowable cost under Section 43-13-116.

(g) If the results of an employee applicant's criminal history record check reveals no disqualifying event, then the covered entity shall, within two (2) weeks of the notification of no disqualifying event, provide the employee applicant with a notarized letter signed by the chief executive officer of the covered entity, or his or her authorized designee, confirming the employee applicant's suitability for employment based on his or her criminal history record check. An employee applicant may use that letter for a period of two (2) years from the date of the letter to seek employment with any covered entity without the necessity of an additional criminal history record check. Any covered entity presented with the letter may rely on the letter with respect to an employee applicant's criminal background and is not required for a period of two (2) years from the date of the letter to conduct or have conducted a criminal history record check as required in this subsection (** *6).

(h) The licensing agency, the covered entity, and their agents, officers, employees, attorneys and representatives, shall be presumed to be acting in good faith for any employment decision or action taken under this subsection (** *6). The presumption of good faith may be overcome by a preponderance of the evidence in any civil action. No licensing agency, covered entity, nor their agents, officers, employees, attorneys and representatives shall be held liable in any employment decision or action based in whole or in part on compliance with or attempts to comply with the requirements of this subsection (** *6).

(i) The licensing agency shall promulgate regulations to implement this subsection (** *6).

(j) The provisions of this subsection (** *6) shall not apply to:

(i) Applicants and employees of the University of Mississippi Medical Center for whom criminal history record checks and fingerprinting are obtained in accordance with Section 37-115-41; or

(ii) Health care professional/vocational technical students for whom criminal history record checks and fingerprinting are obtained in accordance with Section 37-29-232.

(** *7) The State Board of Health shall promulgate rules, regulations and standards regarding the operation of adult foster care facilities.

SECTION 5. Section 47-5-28, Mississippi Code of 1972, is amended as follows:

47-5-28. The commissioner shall have the following powers and duties:

(a) To implement and administer laws and policy relating to corrections and coordinate the efforts of the department with those of the federal government and other state departments and agencies, county governments, municipal governments, and private agencies concerned with providing offender services;

(b) To establish standards, in cooperation with other state agencies having responsibility as provided by law, provide technical assistance, and exercise the requisite supervision as it relates to correctional programs over all state-supported adult correctional facilities and community-based programs;

(c) To promulgate and publish such rules, regulations and policies of the department as are needed for the efficient government and maintenance of all facilities and programs in accord insofar as possible with currently accepted standards of adult offender care and treatment;

(d) To provide the Parole Board with suitable and sufficient office space and support resources and staff necessary to * * * conduct Parole Board business under the guidance of the Chairman of the Parole Board;

(e) To contract for transitional reentry center beds that will be used as noncorrections housing for offenders released from the department on parole, probation or post-release supervision but do not have appropriate housing available upon release. At least one hundred (100) but no more than eight hundred (800) transitional reentry center beds contracted by the department and chosen by the Parole Board shall be available for the Parole Board to place parolees without appropriate housing;

(f) To designate deputy commissioners while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department, to the status of peace officers anywhere in the state in any matter relating to the custody, control, transportation or recapture of such offender, and shall have the status of law enforcement officers and peace officers as contemplated by Sections 45-6-3, 97-3-7 and 97-3-19.

For the purpose of administration and enforcement of this chapter, deputy commissioners of the Mississippi Department of Corrections, who are certified by the Mississippi Board on Law Enforcement Officer Standards and Training, have the powers of a law enforcement officer of this state. Such powers shall include to make arrests and to serve and execute search warrants and other valid legal process anywhere within the State of Mississippi while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department

in any matter relating to the custody, control, transportation or recapture of such offender * * *;

(g) To make an annual report to the Governor and the Legislature reflecting the activities of the department and make recommendations for improvement of the services to be performed by the department;

(h) To cooperate fully with periodic independent internal investigations of the department and to file the report with the Governor and the Legislature;

(i) To make personnel actions for a period of one (1) year beginning July 1, 2016, that are exempt from State Personnel Board rules, regulations and procedures in order to give the commissioner flexibility in making an orderly, effective and timely reorganization and realignment of the department; * * *

(j) To contract with a licensed Special Care Facility for Paroled Inmates to provide authorized medical services and support services for medically frail inmates who have been paroled and committed to the custody of such facility; and

(* * *k) To perform such other duties necessary to effectively and efficiently carry out the purposes of the department as may be directed by the Governor.

SECTION 6. Section 47-7-4, Mississippi Code of 1972, is amended as follows:

47-7-4. (1) The commissioner and the medical director of the department may place an offender who has served not less than one (1) year of his or her sentence, except an offender convicted of a sex crime, on conditional medical release. However, a nonviolent offender who is bedridden may be placed on conditional medical release regardless of the time served on his or her sentence. Upon the release of a nonviolent offender who is bedridden, the state shall not be responsible or liable for any medical costs that may be incurred if such costs are acquired after the offender is no longer incarcerated due to his or her placement on conditional medical release. The commissioner shall not place an offender on conditional medical release unless the medical director of the department certifies to the commissioner that (a) the offender is suffering from a significant permanent physical medical condition with no possibility of recovery; (b) that his or her further incarceration will serve no rehabilitative purposes; and (c) that the state would incur unreasonable expenses as a result of his or her continued incarceration. Any offender placed on conditional medical release shall be supervised by the Division of Community Corrections of the department for the remainder of his or her sentence. An offender's conditional medical release may be revoked and the offender returned and placed in actual custody of the department if the offender violates an order or condition of his or her conditional medical release. An offender who is no longer bedridden shall be returned and placed in the actual custody of the department.

(2) (a) The State Parole Board may grant a medical parole and referral to a licensed Special Care Facility for Paroled Inmates for an inmate determined to be "medically frail" as defined in this subsection.

(b) For purposes of this subsection (2), the term "medically frail" means an individual who is a minimal threat to society as a result of his or her medical condition, whose ability to perform activities of daily living is significantly impaired, and who may have limited mobility as the result of one or more of the following conditions from which the individual is not expected to recover:

(i) A disabling mental disorder, including dementia, Alzheimer's or a similar degenerative brain disorder;

(ii) A serious and complex medical condition; or

(iii) A physical disability.

(c) The following conditions apply to a parole granted under this subsection (2):

(i) An inmate who has been sentenced to capital punishment is not eligible;

(ii) An inmate who has been convicted as a criminal sex offender is not eligible;

(iii) An inmate does not pose a public safety risk as determined by the State Parole Board;

(iv) If the prisoner is incapacitated, an individual legally entitled to agree to the inmate's placement agrees to the inmate's placement in a licensed Special Care Facility for Paroled Inmates or in a medical facility where medical care and treatment are determined to be appropriate for the parolee by the State Parole Board;

(v) An inmate shall agree to the release of his or her medical records that are directly relevant to the condition or conditions rendering the inmate medically frail to the prosecutor of the county from which the inmate was committed before the State Parole Board determines whether or not to grant parole under this subsection;

(vi) If the inmate is granted parole under this subsection (2), the inmate shall agree to the quarterly release of his or her medical records that are directly relevant to the condition or conditions rendering the inmate medically frail at the request of the prosecutor of the county from which the inmate was committed;

(vii) The parolee shall adhere to the terms of his or her parole for the length of his or her parole term, and the parole shall be for a term not less than the time necessary to reach the prisoner's earliest release date;

(viii) A parolee who violates the terms of his or her parole or is determined not to be eligible for parole under this subsection (2) may be transferred to a setting more appropriate for the medical needs of the parolee;

(ix) The Department of Corrections or the State Parole Board shall not retain authority over the medical treatment plan for the inmate granted parole under this subsection (2);

(x) The department and the State Parole Board shall ensure that the placement and terms and conditions of parole granted under this subsection (2) do not violate any other state or federal regulations;

(xi) A medical facility utilized by the department to facilitate parole under this subsection (2) shall be operated in a manner that ensures the safety of the residents of the facility.

(d) The Mississippi Department of Corrections may enter into contracts to facilitate the placement of paroled inmates under this subsection (2). The Mississippi Department of Corrections shall appoint a specialist in the appropriate field of medicine, who is not employed by the department, to evaluate the condition of the inmate considered for parole under this subsection (2) and to report on that condition to the department and the State Parole Board. The State Parole Board shall determine whether the inmate is medically frail in consultation with the Mississippi Department of Mental Health.

SECTION 7. The following shall be codified as Section 43-13-117.6, Mississippi Code of 1972:

43-13-117.6. (1) The Division of Medicaid shall apply to the federal Center for Medicaid Services (CMS) for necessary waivers to provide federal funding under the Medicaid program for providing reimbursement for authorized services to medically frail inmates who qualify for nursing home-level care and who the state deems are not public safety risks, provided through a Special Care Facility for Paroled Inmates licensed by the State Department of Health under contract with the Mississippi Department of Corrections, as specifically authorized under this act.

(2) The program for paroled inmates shall be funded from monies that are appropriated or otherwise made available to the division specifically to cover the cost of the paroled inmate program and shall not be a part of the division's regular appropriation for the operation of the federal-state Medicaid program. This program shall be a separate program within the Division of Medicaid as the administering agent.

SECTION 8. Section 41-7-191, Mississippi Code of 1972, is amended as follows:

41-7-191. (1) No person shall engage in any of the following activities without obtaining the required certificate of need:

(a) The construction, development or other establishment of a new health care facility, which establishment shall include the reopening of a health care facility that has ceased to operate for a period of sixty (60) months or more;

(b) The relocation of a health care facility or portion thereof, or major medical equipment, unless such relocation of a health care facility or portion thereof, or major medical equipment, which does not involve a capital expenditure by or on behalf of a health care facility, is within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility;

(c) Any change in the existing bed complement of any health care facility through the addition or conversion of any beds or the alteration, modernizing or refurbishing of any unit or department in which the beds may be located; however, if a health care facility has voluntarily delicensed some of its existing bed complement, it may later relicense some or all of its delicensed beds without the necessity of having to acquire a certificate of need. The State Department of Health shall maintain a record of the delicensing health care facility and its voluntarily delicensed beds and continue counting those beds as part of the state's total bed count for health care planning purposes. If a health care facility that has voluntarily delicensed some of its beds later desires to relicense some or all of its voluntarily delicensed beds, it shall notify the State Department of Health of its intent to increase the number of its licensed beds. The State Department of Health shall survey the health care facility within thirty (30) days of that notice and, if appropriate, issue the health care facility a new license reflecting the new contingent of beds. However, in no event may a health care facility that has voluntarily delicensed some of its beds be reissued a license to operate beds in excess of its bed count before the voluntary delicensure of some of its beds without seeking certificate of need approval;

(d) Offering of the following health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered:

- (i) Open-heart surgery services;
- (ii) Cardiac catheterization services;
- (iii) Comprehensive inpatient rehabilitation services;
- (iv) Licensed psychiatric services;

- (v) Licensed chemical dependency services;
- (vi) Radiation therapy services;
- (vii) Diagnostic imaging services of an invasive nature, i.e. invasive digital angiography;
- (viii) Nursing home care as defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h);
- (ix) Home health services;
- (x) Swing-bed services;
- (xi) Ambulatory surgical services;
- (xii) Magnetic resonance imaging services;
- (xiii) [Deleted]
- (xiv) Long-term care hospital services;
- (xv) Positron emission tomography (PET) services;

(e) The relocation of one or more health services from one physical facility or site to another physical facility or site, unless such relocation, which does not involve a capital expenditure by or on behalf of a health care facility, (i) is to a physical facility or site within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility where the health care service is located, or (ii) is the result of an order of a court of appropriate jurisdiction or a result of pending litigation in such court, or by order of the State Department of Health, or by order of any other agency or legal entity of the state, the federal government, or any political subdivision of either, whose order is also approved by the State Department of Health;

(f) The acquisition or otherwise control of any major medical equipment for the provision of medical services; however, (i) the acquisition of any major medical equipment used only for research purposes, and (ii) the acquisition of major medical equipment to replace medical equipment for which a facility is already providing medical services and for which the State Department of Health has been notified before the date of such acquisition shall be exempt from this paragraph; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(g) Changes of ownership of existing health care facilities in which a notice of intent is not filed with the State Department of Health at least thirty (30) days prior to the date such change of ownership occurs, or a change in services or bed capacity as prescribed in paragraph (c) or (d) of this subsection as a result of the change of ownership; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(h) The change of ownership of any health care facility defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h), in which a notice of intent as described in paragraph (g) has not been filed and if the Executive Director, Division of Medicaid, Office of the Governor, has not certified in writing that there will be no increase in allowable costs to Medicaid from revaluation of the assets or from increased interest and depreciation as a result of the proposed change of ownership;

(i) Any activity described in paragraphs (a) through (h) if undertaken by any person if that same activity would require certificate of need approval if undertaken by a health care facility;

(j) Any capital expenditure or deferred capital expenditure by or on behalf of a health care facility not covered by paragraphs (a) through (h);

(k) The contracting of a health care facility as defined in subparagraphs (i) through (viii) of Section 41-7-173(h) to establish a home office, subunit, or branch office in the space operated as a health care facility through a formal arrangement with an existing health care facility as defined in subparagraph (ix) of Section 41-7-173(h);

(l) The replacement or relocation of a health care facility designated as a critical access hospital shall be exempt from subsection (1) of this section so long as the critical access hospital complies with all applicable federal law and regulations regarding such replacement or relocation;

(m) Reopening a health care facility that has ceased to operate for a period of sixty (60) months or more, which reopening requires a certificate of need for the establishment of a new health care facility.

(2) The State Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to, or expansion of any health care facility defined in subparagraphs (iv) (skilled nursing facility) and (vi) (intermediate care facility) of Section 41-7-173(h) or the conversion of vacant hospital beds to provide skilled or intermediate nursing home care, except as hereinafter authorized:

(a) The department may issue a certificate of need to any person proposing the new construction of any health care facility defined in subparagraphs (iv) and (vi) of Section 41-7-173(h) as part of a life care retirement facility, in any county bordering on the Gulf of Mexico in which is located a National Aeronautics and Space Administration facility, not to exceed forty (40) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the health care facility that were authorized under this paragraph (a).

(b) The department may issue certificates of need in Harrison County to provide skilled nursing home care for Alzheimer's disease patients and other patients, not to exceed one hundred fifty (150) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facilities that were authorized under this paragraph (b).

(c) The department may issue a certificate of need for the addition to or expansion of any skilled nursing facility that is part of an existing continuing care retirement community located in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (c), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to

comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of beds that may be authorized under the authority of this paragraph (c) shall not exceed sixty (60) beds.

(d) The State Department of Health may issue a certificate of need to any hospital located in DeSoto County for the new construction of a skilled nursing facility, not to exceed one hundred twenty (120) beds, in DeSoto County. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (d).

(e) The State Department of Health may issue a certificate of need for the construction of a nursing facility or the conversion of beds to nursing facility beds at a personal care facility for the elderly in Lowndes County that is owned and operated by a Mississippi nonprofit corporation, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (e).

(f) The State Department of Health may issue a certificate of need for conversion of a county hospital facility in Itawamba County to a nursing facility, not to exceed sixty (60) beds, including any necessary construction, renovation or expansion. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (f).

(g) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hinds, Madison or Rankin County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (g).

(h) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hancock, Harrison or Jackson County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the facility that were authorized under this paragraph (h).

(i) The department may issue a certificate of need for the new construction of a skilled nursing facility in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (i), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section

41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (i) shall not exceed sixty (60) beds. If the skilled nursing facility authorized by the certificate of need issued under this paragraph is not constructed and fully operational within eighteen (18) months after July 1, 1994, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need, if it is still outstanding, and shall not issue a license for the skilled nursing facility at any time after the expiration of the eighteen-month period.

(j) The department may issue certificates of need to allow any existing freestanding long-term care facility in Tishomingo County and Hancock County that on July 1, 1995, is licensed with fewer than sixty (60) beds. For the purposes of this paragraph (j), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the long-term care facilities that were authorized under this paragraph (j).

(k) The department may issue a certificate of need for the construction of a nursing facility at a continuing care retirement community in Lowndes County. The total number of beds that may be authorized under the authority of this paragraph (k) shall not exceed sixty (60) beds. From and after July 1, 2001, the prohibition on the facility participating in the Medicaid program (Section 43-13-101 et seq.) that was a condition of issuance of the certificate of need under this paragraph (k) shall be revised as follows: The nursing facility may participate in the Medicaid program from and after July 1, 2001, if the owner of the facility on July 1, 2001, agrees in writing that no more than thirty (30) of the beds at the facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than thirty (30) patients in the facility in any month or for any patient in the facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the facility shall be a condition of licensure of the facility, and the agreement shall be fully binding on any subsequent owner of the facility if the ownership of the facility is transferred at any time after July 1, 2001. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the facility for participation in the Medicaid program. If the facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the written agreement.

(l) Provided that funds are specifically appropriated therefor by the Legislature, the department may issue a certificate of need to a rehabilitation hospital in Hinds County for the construction of a sixty-bed long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities including persons with spinal cord and closed-head injuries and ventilator dependent patients. The provisions of Section 41-7-193(1) regarding substantial compliance with projection of need as reported in the current State Health Plan are waived for the purpose of this paragraph.

(m) The State Department of Health may issue a certificate of need to a county-owned hospital in the Second Judicial District of Panola County for the conversion of not more than seventy-two (72) hospital beds to nursing facility beds, provided that the recipient of the certificate of need agrees in writing that none of the beds at the nursing facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement in the nursing facility in any day or for any patient in the nursing facility. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner

of the nursing facility if the ownership of the nursing facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify any of the beds in the nursing facility for participation in the Medicaid program. If the nursing facility violates the terms of the written agreement by admitting or keeping in the nursing facility on a regular or continuing basis any patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the nursing facility, at the time that the department determines, after a hearing complying with due process, that the nursing facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(n) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (n), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (n) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(o) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid

program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (o), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (o) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(p) The department may issue a certificate of need for the construction of a municipally owned nursing facility within the Town of Belmont in Tishomingo County, not to exceed sixty (60) beds, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (p), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(q) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next four (4) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each county in the state having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, in the manner provided in this paragraph (q). The total number of nursing facility beds that may be authorized by any certificate of need authorized under this paragraph (q) shall not exceed sixty (60) beds.

(ii) Subject to the provisions of subparagraph (v), during each of the next four (4) fiscal years, the department shall issue six (6) certificates of need for new nursing facility beds, as follows: During fiscal years 2000, 2001 and 2002, one (1) certificate of need shall be issued for new nursing facility beds in the county in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan that has the highest need in the district for those beds; and two (2) certificates of need shall be issued for new nursing facility beds in the two (2) counties from the state at large that have the highest need in the state for those beds, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. During fiscal year 2003, one (1) certificate of need shall be issued for new nursing facility beds in any county having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, that has not received a certificate of need under this paragraph (q) during the three (3) previous fiscal years. During fiscal year 2000, in addition to the six (6) certificates of need authorized in this subparagraph, the department also shall issue a certificate of need for new nursing facility beds in Amite County and a certificate of need for new nursing facility beds in Carroll County.

(iii) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in each Long-Term Care Planning District during each fiscal year shall first be available for nursing facility beds in the county in the district having the highest need for those beds, as shown in the fiscal year 1999 State Health Plan. If there are no applications for a certificate of need for nursing facility beds in the county having the highest need for those beds by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties in the district in descending order of the need for those beds, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county in the district.

(iv) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in the two (2) counties from the state at large during each fiscal year shall first be available for nursing facility beds in the two (2) counties that have the highest need in the state for those beds, as shown in the fiscal year 1999 State Health Plan, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. If there are no applications for a certificate of need for nursing facility beds in either of the two (2) counties having the highest need for those beds on a statewide basis by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties from the state at large in descending order of the need for those beds on a statewide basis, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county from the state at large.

(v) If a certificate of need is authorized to be issued under this paragraph (q) for nursing facility beds in a county on the basis of the need in the Long-Term Care Planning District during any fiscal year of the four-year period, a certificate of need shall not also be available under this paragraph (q) for additional nursing facility beds in that county on the basis of the need in the state at large, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in the state at large for that fiscal year. After a certificate of need has been

issued under this paragraph (q) for nursing facility beds in a county during any fiscal year of the four-year period, a certificate of need shall not be available again under this paragraph (q) for additional nursing facility beds in that county during the four-year period, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in succeeding fiscal years.

(vi) If more than one (1) application is made for a certificate of need for nursing home facility beds available under this paragraph (q), in Yalobusha, Newton or Tallahatchie County, and one (1) of the applicants is a county-owned hospital located in the county where the nursing facility beds are available, the department shall give priority to the county-owned hospital in granting the certificate of need if the following conditions are met:

1. The county-owned hospital fully meets all applicable criteria and standards required to obtain a certificate of need for the nursing facility beds; and

2. The county-owned hospital's qualifications for the certificate of need, as shown in its application and as determined by the department, are at least equal to the qualifications of the other applicants for the certificate of need.

(r) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next two (2) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan, to provide care exclusively to patients with Alzheimer's disease.

(ii) Not more than twenty (20) beds may be authorized by any certificate of need issued under this paragraph (r), and not more than a total of sixty (60) beds may be authorized in any Long-Term Care Planning District by all certificates of need issued under this paragraph (r). However, the total number of beds that may be authorized by all certificates of need issued under this paragraph (r) during any fiscal year shall not exceed one hundred twenty (120) beds, and the total number of beds that may be authorized in any Long-Term Care Planning District during any fiscal year shall not exceed forty (40) beds. Of the certificates of need that are issued for each Long-Term Care Planning District during the next two (2) fiscal years, at least one (1) shall be issued for beds in the northern part of the district, at least one (1) shall be issued for beds in the central part of the district, and at least one (1) shall be issued for beds in the southern part of the district.

(iii) The State Department of Health, in consultation with the Department of Mental Health and the Division of Medicaid, shall develop and prescribe the staffing levels, space requirements and other standards and requirements that must be met with regard to the nursing facility beds authorized under this paragraph (r) to provide care exclusively to patients with Alzheimer's disease.

(s) The State Department of Health may issue a certificate of need to a nonprofit skilled nursing facility using the Green House model of skilled nursing care and located in Yazoo City, Yazoo County, Mississippi, for the construction, expansion or conversion of not more than nineteen (19) nursing facility beds. For purposes of this paragraph (s), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this paragraph (s).

(t) The State Department of Health shall issue certificates of need to the owner of a nursing facility in operation at the time of Hurricane Katrina in Hancock County that was not operational on December 31, 2005, because of damage sustained from Hurricane Katrina to authorize the following: (i) the construction of a new nursing facility

in Harrison County; (ii) the relocation of forty-nine (49) nursing facility beds from the Hancock County facility to the new Harrison County facility; (iii) the establishment of not more than twenty (20) non-Medicaid nursing facility beds at the Hancock County facility; and (iv) the establishment of not more than twenty (20) non-Medicaid beds at the new Harrison County facility. The certificates of need that authorize the non-Medicaid nursing facility beds under subparagraphs (iii) and (iv) of this paragraph (t) shall be subject to the following conditions: The owner of the Hancock County facility and the new Harrison County facility must agree in writing that no more than fifty (50) of the beds at the Hancock County facility and no more than forty-nine (49) of the beds at the Harrison County facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than fifty (50) patients in the Hancock County facility in any month, or for more than forty-nine (49) patients in the Harrison County facility in any month, or for any patient in either facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the nursing facilities shall be a condition of the issuance of the certificates of need under this paragraph (t), and the agreement shall be fully binding on any later owner or owners of either facility if the ownership of either facility is transferred at any time after the certificates of need are issued. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifty (50) of the beds at the Hancock County facility or more than forty-nine (49) of the beds at the Harrison County facility for participation in the Medicaid program. If the Hancock County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifty (50) patients who are participating in the Medicaid program, or if the Harrison County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than forty-nine (49) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility that is in violation of the agreement, at the time that the department determines, after a hearing complying with due process, that the facility has violated the agreement.

(u) The State Department of Health shall issue a certificate of need to a nonprofit venture for the establishment, construction and operation of a skilled nursing facility of not more than sixty (60) beds to provide skilled nursing care for ventilator dependent or otherwise medically dependent pediatric patients who require medical and nursing care or rehabilitation services to be located in a county in which an academic medical center and a children's hospital are located, and for any construction and for the acquisition of equipment related to those beds. The facility shall be authorized to keep such ventilator dependent or otherwise medically dependent pediatric patients beyond age twenty-one (21) in accordance with regulations of the State Board of Health. For purposes of this paragraph (u), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived, and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. The beds authorized by this paragraph shall be counted as pediatric skilled nursing facility beds for health planning purposes under Section 41-7-171 et seq. There shall be no prohibition of or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized by this paragraph.

(3) The State Department of Health may grant approval for and issue certificates of need to any person proposing the new construction of, addition to, conversion of beds of or expansion of any health care facility defined in subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h). The total number of beds which may be authorized by such certificates of need shall not exceed three hundred thirty-four (334) beds for the entire state.

(a) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a privately owned psychiatric residential treatment facility in Simpson County for the conversion of sixteen (16) intermediate care facility for the mentally retarded (ICF-MR) beds to psychiatric residential treatment facility beds, provided that facility agrees in writing that the facility shall give priority for the use

of those sixteen (16) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(b) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric residential treatment facility beds in Warren County, not to exceed sixty (60) psychiatric residential treatment facility beds, provided that the facility agrees in writing that no more than thirty (30) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.) for the use of any patients other than those who are participating only in the Medicaid program of another state, and that no claim will be submitted to the Division of Medicaid for Medicaid reimbursement for more than thirty (30) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program for the use of any patients other than those who are participating only in the Medicaid program of another state. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Mississippi Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

The State Department of Health, on or before July 1, 2002, shall transfer the certificate of need authorized under the authority of this paragraph (b), or reissue the certificate of need if it has expired, to River Region Health System.

(c) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a hospital currently operating Medicaid-certified acute psychiatric beds for adolescents in DeSoto County, for the establishment of a forty-bed psychiatric residential treatment facility in DeSoto County, provided that the hospital agrees in writing (i) that the hospital shall give priority for the use of those forty (40) beds to Mississippi residents who are presently being treated in out-of-state facilities, and (ii) that no more than fifteen (15) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement for more than fifteen (15) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifteen (15) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifteen (15) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

(d) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric treatment facility beds, not to exceed thirty (30) psychiatric residential treatment facility beds, in either Alcorn, Tishomingo, Prentiss, Lee, Itawamba, Monroe, Chickasaw, Pontotoc, Calhoun, Lafayette, Union, Benton or Tippah County.

(e) Of the total number of beds authorized under this subsection (3) the department shall issue a certificate of need to a privately owned, nonprofit psychiatric residential treatment facility in Hinds County for an eight-bed expansion of the facility, provided that the facility agrees in writing that the facility shall give priority for the use of those eight (8) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(f) The department shall issue a certificate of need to a one-hundred-thirty-four-bed specialty hospital located on twenty-nine and forty-four one-hundredths (29.44) commercial acres at 5900 Highway 39 North in Meridian (Lauderdale County), Mississippi, for the addition, construction or expansion of child/adolescent psychiatric residential treatment facility beds in Lauderdale County. As a condition of issuance of the certificate of need under this paragraph, the facility shall give priority in admissions to the child/adolescent psychiatric residential treatment facility beds authorized under this paragraph to patients who otherwise would require out-of-state placement. The Division of Medicaid, in conjunction with the Department of Human Services, shall furnish the facility a list of all out-of-state patients on a quarterly basis. Furthermore, notice shall also be provided to the parent, custodial parent or guardian of each out-of-state patient notifying them of the priority status granted by this paragraph. For purposes of this paragraph, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of child/adolescent psychiatric residential treatment facility beds that may be authorized under the authority of this paragraph shall be sixty (60) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this paragraph or for the beds converted pursuant to the authority of that certificate of need.

(4) (a) From and after July 1, 1993, the department shall not issue a certificate of need to any person for the new construction of any hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the conversion of any other health care facility to a hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the addition of any child/adolescent psychiatric or child/adolescent chemical dependency beds in any hospital, psychiatric hospital or chemical dependency hospital, or for the conversion of any beds of another category in any hospital, psychiatric hospital or chemical dependency hospital to child/adolescent psychiatric or child/adolescent chemical dependency beds, except as hereinafter authorized:

(i) The department may issue certificates of need to any person for any purpose described in this subsection, provided that the hospital, psychiatric hospital or chemical dependency hospital does not participate in the Medicaid program (Section 43-13-101 et seq.) at the time of the application for the certificate of need and the owner of the hospital, psychiatric hospital or chemical dependency hospital agrees in writing that the hospital, psychiatric hospital or chemical dependency hospital will not at any time participate in the Medicaid program or admit or keep any patients who are participating in the Medicaid program in the hospital, psychiatric hospital or chemical dependency hospital. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital, psychiatric hospital or chemical dependency hospital, if the ownership of the facility is transferred at any time after the

issuance of the certificate of need. Agreement that the hospital, psychiatric hospital or chemical dependency hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subparagraph (i), and if such hospital, psychiatric hospital or chemical dependency hospital at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the hospital, psychiatric hospital or chemical dependency hospital who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital, psychiatric hospital or chemical dependency hospital, at the time that the department determines, after a hearing complying with due process, that the hospital, psychiatric hospital or chemical dependency hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph (i) and in the written agreement by the recipient of the certificate of need.

(ii) The department may issue a certificate of need for the conversion of existing beds in a county hospital in Choctaw County from acute care beds to child/adolescent chemical dependency beds. For purposes of this subparagraph (ii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(iii) The department may issue a certificate or certificates of need for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in Warren County. For purposes of this subparagraph (iii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

If by January 1, 2002, there has been no significant commencement of construction of the beds authorized under this subparagraph (iii), or no significant action taken to convert existing beds to the beds authorized under this subparagraph, then the certificate of need that was previously issued under this subparagraph shall expire. If the previously issued certificate of need expires, the department may accept applications for issuance of another certificate of need for the beds authorized under this subparagraph, and may issue a certificate of need to authorize the construction, expansion or conversion of the beds authorized under this subparagraph.

(iv) The department shall issue a certificate of need to the Region 7 Mental Health/Retardation Commission for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in any of the counties served by the commission. For purposes of this subparagraph (iv), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(v) The department may issue a certificate of need to any county hospital located in Leflore County for the construction or expansion of adult psychiatric beds or the conversion of other beds to adult psychiatric beds, not to exceed twenty (20) beds, provided that the recipient of the certificate of need agrees in writing that the adult psychiatric beds will not at any time be certified for participation in the Medicaid program and that the hospital will not admit or keep any patients who are participating in the Medicaid program in any of such adult psychiatric beds. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital if the ownership of the hospital is transferred at any time after the issuance of the certificate of need. Agreement that the adult psychiatric beds will not be certified for participation in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subparagraph (v), and if such hospital at any time after the issuance of the certificate of need, regardless of the ownership of the hospital, has any of such adult psychiatric beds certified for participation in the Medicaid program or admits or keeps any Medicaid patients in such adult psychiatric beds, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital at the time that the department determines, after a hearing complying with due process, that the hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph and in the written agreement by the recipient of the certificate of need.

(vi) The department may issue a certificate or certificates of need for the expansion of child psychiatric beds or the conversion of other beds to child psychiatric beds at the University of Mississippi Medical Center. For purposes of this subparagraph (vi), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed fifteen (15) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(b) From and after July 1, 1990, no hospital, psychiatric hospital or chemical dependency hospital shall be authorized to add any child/adolescent psychiatric or child/adolescent chemical dependency beds or convert any beds of another category to child/adolescent psychiatric or child/adolescent chemical dependency beds without a certificate of need under the authority of subsection (1)(c) of this section.

(5) The department may issue a certificate of need to a county hospital in Winston County for the conversion of fifteen (15) acute care beds to geriatric psychiatric care beds.

(6) The State Department of Health shall issue a certificate of need to a Mississippi corporation qualified to manage a long-term care hospital as defined in Section 41-7-173(h)(xii) in Harrison County, not to exceed eighty (80) beds, including any necessary renovation or construction required for licensure and certification, provided that the recipient of the certificate of need agrees in writing that the long-term care hospital will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the long-term care hospital who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the long-term care hospital, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the long-term care hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subsection (6), and if such long-term care hospital at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the long-term care hospital, at the time that the department determines, after a hearing complying with due process, that the facility has

failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subsection and in the written agreement by the recipient of the certificate of need. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(7) The State Department of Health may issue a certificate of need to any hospital in the state to utilize a portion of its beds for the "swing-bed" concept. Any such hospital must be in conformance with the federal regulations regarding such swing-bed concept at the time it submits its application for a certificate of need to the State Department of Health, except that such hospital may have more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program. Any hospital meeting all federal requirements for participation in the swing-bed program which receives such certificate of need shall render services provided under the swing-bed concept to any patient eligible for Medicare (Title XVIII of the Social Security Act) who is certified by a physician to be in need of such services, and no such hospital shall permit any patient who is eligible for both Medicaid and Medicare or eligible only for Medicaid to stay in the swing beds of the hospital for more than thirty (30) days per admission unless the hospital receives prior approval for such patient from the Division of Medicaid, Office of the Governor. Any hospital having more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program which receives such certificate of need shall develop a procedure to insure that before a patient is allowed to stay in the swing beds of the hospital, there are no vacant nursing home beds available for that patient located within a fifty-mile radius of the hospital. When any such hospital has a patient staying in the swing beds of the hospital and the hospital receives notice from a nursing home located within such radius that there is a vacant bed available for that patient, the hospital shall transfer the patient to the nursing home within a reasonable time after receipt of the notice. Any hospital which is subject to the requirements of the two (2) preceding sentences of this subsection may be suspended from participation in the swing-bed program for a reasonable period of time by the State Department of Health if the department, after a hearing complying with due process, determines that the hospital has failed to comply with any of those requirements.

(8) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to or expansion of a health care facility as defined in subparagraph (viii) of Section 41-7-173(h), except as hereinafter provided: The department may issue a certificate of need to a nonprofit corporation located in Madison County, Mississippi, for the construction, expansion or conversion of not more than twenty (20) beds in a community living program for developmentally disabled adults in a facility as defined in subparagraph (viii) of Section 41-7-173(h). For purposes of this subsection (8), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this subsection (8).

(9) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the establishment of, or expansion of the currently approved territory of, or the contracting to establish a home office, subunit or branch office within the space operated as a health care facility as defined in Section 41-7-173(h)(i) through (viii) by a health care facility as defined in subparagraph (ix) of Section 41-7-173(h).

(10) Health care facilities owned and/or operated by the state or its agencies are exempt from the restraints in this section against issuance of a certificate of need if such addition or expansion consists of repairing or renovation necessary to comply with the state licensure law. This exception shall not apply to the new construction of any building

by such state facility. This exception shall not apply to any health care facilities owned and/or operated by counties, municipalities, districts, unincorporated areas, other defined persons, or any combination thereof.

(11) The new construction, renovation or expansion of or addition to any health care facility defined in subparagraph (ii) (psychiatric hospital), subparagraph (iv) (skilled nursing facility), subparagraph (vi) (intermediate care facility), subparagraph (viii) (intermediate care facility for the mentally retarded) and subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h) which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, and the addition of new beds or the conversion of beds from one category to another in any such defined health care facility which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(12) The new construction, renovation or expansion of or addition to any veterans homes or domiciliaries for eligible veterans of the State of Mississippi as authorized under Section 35-1-19 shall not require the issuance of a certificate of need, notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(13) The repair or the rebuilding of an existing, operating health care facility that sustained significant damage from a natural disaster that occurred after April 15, 2014, in an area that is proclaimed a disaster area or subject to a state of emergency by the Governor or by the President of the United States shall be exempt from all of the requirements of the Mississippi Certificate of Need Law (Section 41-7-171 et seq.) and any and all rules and regulations promulgated under that law, subject to the following conditions:

(a) The repair or the rebuilding of any such damaged health care facility must be within one (1) mile of the pre-disaster location of the campus of the damaged health care facility, except that any temporary post-disaster health care facility operating location may be within five (5) miles of the pre-disaster location of the damaged health care facility;

(b) The repair or the rebuilding of the damaged health care facility (i) does not increase or change the complement of its bed capacity that it had before the Governor's or the President's proclamation, (ii) does not increase or change its levels and types of health care services that it provided before the Governor's or the President's proclamation, and (iii) does not rebuild in a different county; however, this paragraph does not restrict or prevent a health care facility from decreasing its bed capacity that it had before the Governor's or the President's proclamation, or from decreasing the levels of or decreasing or eliminating the types of health care services that it provided before the Governor's or the President's proclamation, when the damaged health care facility is repaired or rebuilt;

(c) The exemption from Certificate of Need Law provided under this subsection (13) is valid for only five (5) years from the date of the Governor's or the President's proclamation. If actual construction has not begun within that five-year period, the exemption provided under this subsection is inapplicable; and

(d) The Division of Health Facilities Licensure and Certification of the State Department of Health shall provide the same oversight for the repair or the rebuilding of the damaged health care facility that it provides to all health care facility construction projects in the state.

For the purposes of this subsection (13), "significant damage" to a health care facility means damage to the health care facility requiring an expenditure of at least One Million Dollars (\$1,000,000.00).

(14) The State Department of Health shall issue a certificate of need to any hospital which is currently licensed for two hundred fifty (250) or more acute care beds and is located in any general hospital service area not having a comprehensive cancer center, for the establishment and equipping of such a center which provides facilities and services for outpatient radiation oncology therapy, outpatient medical oncology therapy, and appropriate support services including the provision of radiation therapy services. The provisions of Section 41-7-193(1) regarding substantial compliance with the projection of need as reported in the current State Health Plan are waived for the purpose of this subsection.

(15) The State Department of Health may authorize the transfer of hospital beds, not to exceed sixty (60) beds, from the North Panola Community Hospital to the South Panola Community Hospital. The authorization for the transfer of those beds shall be exempt from the certificate of need review process.

(16) The State Department of Health shall issue any certificates of need necessary for Mississippi State University and a public or private health care provider to jointly acquire and operate a linear accelerator and a magnetic resonance imaging unit. Those certificates of need shall cover all capital expenditures related to the project between Mississippi State University and the health care provider, including, but not limited to, the acquisition of the linear accelerator, the magnetic resonance imaging unit and other radiological modalities; the offering of linear accelerator and magnetic resonance imaging services; and the cost of construction of facilities in which to locate these services. The linear accelerator and the magnetic resonance imaging unit shall be (a) located in the City of Starkville, Oktibbeha County, Mississippi; (b) operated jointly by Mississippi State University and the public or private health care provider selected by Mississippi State University through a request for proposals (RFP) process in which Mississippi State University selects, and the Board of Trustees of State Institutions of Higher Learning approves, the health care provider that makes the best overall proposal; (c) available to Mississippi State University for research purposes two-thirds (2/3) of the time that the linear accelerator and magnetic resonance imaging unit are operational; and (d) available to the public or private health care provider selected by Mississippi State University and approved by the Board of Trustees of State Institutions of Higher Learning one-third (1/3) of the time for clinical, diagnostic and treatment purposes. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(17) The State Department of Health shall issue a certificate of need for the construction of an acute care hospital in Kemper County, not to exceed twenty-five (25) beds, which shall be named the "John C. Stennis Memorial Hospital." In issuing the certificate of need under this subsection, the department shall give priority to a hospital located in Lauderdale County that has two hundred fifteen (215) beds. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person or entity receiving the certificate of need authorized under this subsection or for the beds constructed under the authority of that certificate of need.

(18) The planning, design, construction, renovation, addition, furnishing and equipping of a clinical research unit at any health care facility defined in Section 41-7-173(h) that is under the direction and control of the University of Mississippi Medical Center and located in Jackson, Mississippi, and the addition of new beds or the conversion of beds from one (1) category to another in any such clinical research unit, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(19) [Repealed]

(20) Nothing in this section or in any other provision of Section 41-7-171 et seq. shall prevent any nursing facility from designating an appropriate number of existing beds in the facility as beds for providing care exclusively to patients with Alzheimer's disease.

(21) Nothing in this section or any other provision of Section 41-7-171 et seq. shall prevent any health care facility from the new construction, renovation, conversion or expansion of new beds in the facility designated as intensive care units, negative pressure rooms, or isolation rooms pursuant to the provisions of Sections 41-14-1 through 41-14-11. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived.

(22) The Department of Health may issue a certificate of need for the construction or conversion and operation of a Special Care Facility for Paroled Inmates which is licensed by the State Department of Health and is under contract with the Mississippi Department of Corrections and the State Parole Board to provide services for medically frail inmates which are placed in such facility pursuant to the specific authority and conditions of this act.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO PROVIDE FOR HOSPICE CARE SERVICES FOR INMATES WHO ARE CONFINED IN FACILITIES UNDER THE JURISDICTION OF THE DEPARTMENT AND WHO ARE TERMINALLY ILL; TO AUTHORIZE THE DEPARTMENT TO HAVE THOSE HOSPICE CARE SERVICES PROVIDED BY PROPERLY QUALIFIED EMPLOYEES OF THE DEPARTMENT OR TO CONTRACT FOR THE PROVIDING OF THE HOSPICE CARE SERVICES; TO PROVIDE THAT IF THE DEPARTMENT PROVIDES THE HOSPICE CARE SERVICES WITH DEPARTMENT EMPLOYEES, THE DEPARTMENT IS NOT REQUIRED TO HAVE A LICENSE UNDER THE MISSISSIPPI HOSPICE LAW; TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTIONS 43-11-1 AND 43-11-13, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SPECIAL CARE FACILITY FOR PAROLED INMATES" AND PRESCRIBE CONDITIONS FOR LICENSURE BY THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTIONS 47-5-28 AND 47-7-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO ESTABLISH A PROGRAM TO GRANT MEDICAL PAROLE TO SUCH SPECIAL CARE FACILITY FOR MEDICALLY FRAIL INMATES AND TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR SUCH PAROLE; TO CODIFY SECTION 43-13-117.6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS FOR MEDICAID REIMBURSEMENT FOR SERVICES PROVIDED AT SUCH SPECIAL CARE FACILITY FOR PAROLED INMATES; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION, CONVERSION AND OPERATION OF A SPECIAL CARE FACILITY FOR PAROLED INMATES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1174 was adopted.

YEAS AND NAYS On H. B. No. 1174. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Willow Grace Brumbelow of Hernando, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Jerrie Slack of Ridgeland, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Spencer Rivers Ratcliff of Madison, MS.

Senator Thomas moved that when the Senate adjourns, it adjourn in memory of John Russell Lewis of Yazoo City, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Deloriese Shirley Davidson of Clarke County, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Bobby Jack Davis, Sr. and Jimmy U. Jackson of Enterprise, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Pam Warren Vance of Martin, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Joseph Andrew "Andy" Davis, Sr., Betty Louise Barton, Karen Nicole (Nikki) Williams Warren, Doris Imogene (Price) French, Rev. Dr. Charles "Chuck" Williams Engelbrecht, Sr. and LouAnn Watson of Meridian, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of William Edward Lee, Charlotte A. Coats and Victor Ian McLendon of Quitman, MS.

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Edwin Lamar Gunn of Stonewall, MS.

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

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Sarah Louise West of Vossburg, MS.

MESSAGE FROM THE HOUSE

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

S. B. No. 2098: State Board of Funeral Service; extend repealer on.

S. B. No. 2536: Athletics; provide that schools designate teams by biological sex.

S. B. No. 2809: Public records; extend repealer on provision requiring public access to records.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 949: Solid waste landfills; prohibit new landfill in county where 2 or more exist, unless referendum held.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 8, 2021.

The motion prevailed, and at 11:58 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 31: John Walter Rounsaville, Madison, Mississippi, Mississippi Development Authority as the Executive Director, term effective immediately and the appointee shall serve at the pleasure of the Governor. Do Advise and Consent.

HARKINS, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2879: AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE INSTITUTIONS OF HIGHER LEARNING – OFFICE OF STUDENT FINANCIAL AID FOR FISCAL YEAR 2021; THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2021; THE OFFICE OF ATTORNEY GENERAL FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; THE STATE FIRE ACADEMY FOR FISCAL YEAR 2021; THE MISSISSIPPI INSURANCE DEPARTMENT FOR FISCAL YEAR 2021; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; AND THE DEPARTMENT OF MARINE RESOURCES FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

S. C. R. No. 503: A CONCURRENT RESOLUTION COMMENDING MS. ASYA BRANCH UPON BEING CROWNED MISS USA 2020.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2221: AN ACT TO ESTABLISH THE MISSISSIPPI DEMENTIA CARE PROGRAM WITHIN THE DEPARTMENT OF HUMAN SERVICES AS A PILOT PROGRAM FOR THE PURPOSE OF RESPITE CARE SERVICES TO INFORMAL CAREGIVERS OF AND PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DEMENTIA; TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL ADMINISTER THE PROGRAM; TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL ESTABLISH A GRANT PROGRAM FOR REGIONAL FOOD BANKS THAT SERVE MISSISSIPPI TO PROVIDE ANNUAL GRANT FUNDING TO THE REGIONAL FOOD BANKS; TO PROVIDE A FORMULA TO CALCULATE THE ANNUAL PERCENTAGE OF FUNDS AWARDED TO EACH REGIONAL FOOD BANK; TO AUTHORIZE CERTAIN COMMUNITY FOUNDATION HOLDING CERTAIN APPROPRIATED FEDERAL FUNDS TO MAKE GRANTS TO FOOD PANTRIES; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 73: AN ACT TO REENACT SECTIONS 73-6-1 THROUGH 73-6-31, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF CHIROPRACTIC EXAMINERS AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED SECTION 73-6-15, MISSISSIPPI CODE OF 1972, TO MAKE SOME MINOR, NONSUBSTANTIVE CHANGES; TO AMEND SECTION 73-6-33, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 200: AN ACT TO AMEND SECTION 83-9-353, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT QUALIFYING PATIENTS FOR REMOTE PATIENT MONITORING SERVICES MUST HAVE HAD TWO OR MORE HOSPITALIZATIONS IN THE LAST TWELVE MONTHS; TO DELETE THE REQUIREMENT THAT A PRIOR AUTHORIZATION REQUEST FORM MUST BE SUBMITTED TO REQUEST TELEMONITORING SERVICES; TO PROVIDE THAT IF PRIOR AUTHORIZATION IS REQUIRED THE REQUEST FORM MUST INCLUDE CERTAIN INFORMATION; AND FOR RELATED PURPOSES.

H. B. No. 208: AN ACT TO REENACT SECTIONS 73-31-1 THROUGH 73-31-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE LICENSURE OF PSYCHOLOGISTS; TO AMEND REENACTED SECTION 73-31-5, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; TO AMEND REENACTED SECTION 73-31-13, MISSISSIPPI CODE OF 1972, TO REMOVE THE POSTDOCTORAL TRAINING REQUIREMENT FOR LICENSURE; TO AMEND SECTION 73-31-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 949: AN ACT TO AMEND SECTION 17-17-227, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO SOLID WASTE MANAGEMENT PLAN SHALL INCLUDE ANY PROPOSED NEW MUNICIPAL SOLID WASTE LANDFILL IF THE NEW LANDFILL IS LOCATED WITHIN A CERTAIN COUNTY HAVING TWO OR MORE EXISTING PERMITTED MUNICIPAL SOLID WASTE LANDFILLS AND SUCH NEW LANDFILL WILL BE LOCATED WITHIN A FIVE-MILE RADIUS OF AN EXISTING MUNICIPAL SOLID WASTE LANDFILL, UNLESS A REFERENDUM ELECTION HAS BEEN CONDUCTED AND APPROVED; TO AMEND SECTION 17-17-229, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FACILITY PERMIT GRANT OR LOAN MAY NOT BE ISSUED BY ANY AGENCY OF THE STATE FOR ANY NEW MUNICIPAL SOLID WASTE LANDFILL IF THE NEW LANDFILL IS LOCATED WITHIN A CERTAIN COUNTY HAVING TWO OR MORE EXISTING PERMITTED MUNICIPAL SOLID WASTE LANDFILLS AND SUCH NEW LANDFILL WILL BE LOCATED WITHIN A FIVE-MILE RADIUS OF AN EXISTING MUNICIPAL SOLID WASTE LANDFILL, UNLESS A REFERENDUM HAS BEEN CONDUCTED AND APPROVED; TO CREATE NEW SECTION 17-17-237, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REFERENDUM PROCESS; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

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

H. B. No. 1350: City of Ripley; extend repeal date on hotel/motel and restaurant tax. Local and Private.

H. B. No. 1433: Yalobusha County; authorize to loan funds to Oakland Yalobusha Natural Gas District to help pay off certain district debt. Local and Private.

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

H. B. No. 1365: Appropriation; Athletic Commission. Appropriations.

H. B. No. 1366: Appropriation; Barber Examiners, Board of. Appropriations.

H. B. No. 1367: Appropriation; Cosmetology, Board of. Appropriations.

H. B. No. 1368: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Appropriations.

H. B. No. 1369: Appropriation; Medical Licensure, Board of. Appropriations.

H. B. No. 1370: Appropriation; Nursing, Board of. Appropriations.

H. B. No. 1371: Appropriation; Nursing Home Administrators, Board of. Appropriations.

H. B. No. 1372: Appropriation; Optometry, Board of. Appropriations.

H. B. No. 1373: Appropriation; Physical Therapy Board. Appropriations.

H. B. No. 1374: Appropriation; Psychology, Board of. Appropriations.

H. B. No. 1375: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Appropriations.

H. B. No. 1376: Appropriation; Auctioneers Commission. Appropriations.

H. B. No. 1377: Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board. Appropriations.

H. B. No. 1378: Appropriation; District attorneys and staff. Appropriations.

H. B. No. 1379: Appropriation; Insurance, Department of. Appropriations.

H. B. No. 1380: Appropriation; Fire Academy. Appropriations.

H. B. No. 1381: Appropriation; Legislative expenses. Appropriations.

H. B. No. 1382: Appropriation; Capital Post-Conviction Counsel, Office of. Appropriations.

H. B. No. 1383: Appropriation; State Public Defender, Office of. Appropriations.

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services. Appropriations.

H. B. No. 1385: Appropriation; Attorney General. Appropriations.

H. B. No. 1386: Appropriation; Archives and History, Department of. Appropriations.

H. B. No. 1387: Appropriation; Education, Department of. Appropriations.

H. B. No. 1388: Appropriation; Educational Television, Authority for. Appropriations.

H. B. No. 1389: Appropriation; Arts Commission. Appropriations.

H. B. No. 1390: Appropriation; Library Commission. Appropriations.

H. B. No. 1391: Appropriation; reappropriation, DFA - Bureau of Building; FY21. Appropriations.

H. B. No. 1392: Appropriation; Environmental Quality, Department of. Appropriations.

H. B. No. 1393: Appropriation; Wildlife, Fisheries and Parks, Department of. Appropriations.

H. B. No. 1394: Appropriation; Grand Gulf Military Monument Commission. Appropriations.

H. B. No. 1395: Appropriation; Oil and Gas Board. Appropriations.

H. B. No. 1396: Appropriation; Public Service Commission. Appropriations.

H. B. No. 1397: Appropriation; Public Utilities Staff. Appropriations.

H. B. No. 1398: Appropriation; Human Services, Department of. Appropriations.

H. B. No. 1399: Appropriation; Rehabilitation Services, Department of. Appropriations.

H. B. No. 1400: Appropriation; Medicaid, Division of. Appropriations.

H. B. No. 1401: Appropriation; Health, Department of. Appropriations.

H. B. No. 1402: Appropriation; Foresters, Board of Registration for. Appropriations.

H. B. No. 1403: Appropriation; Forestry Commission. Appropriations.

H. B. No. 1404: Appropriation; Soil and Water Conservation Commission. Appropriations.

H. B. No. 1405: Appropriation; Pat Harrison Waterway District. Appropriations.

H. B. No. 1406: Appropriation; Pearl River Valley Water Supply District. Appropriations.

H. B. No. 1407: Appropriation; Port Authority, State. Appropriations.

H. B. No. 1408: Appropriation; Tombigbee River Valley Water Management District. Appropriations.

H. B. No. 1409: Appropriation; Yellow Creek State Inland Port Authority. Appropriations.

H. B. No. 1410: Appropriation; Public Employees' Retirement System. Appropriations.

H. B. No. 1411: Appropriation; Veterans' Home Purchase Board. Appropriations.

H. B. No. 1412: Appropriation; Marine Resources, Department of. Appropriations.

H. B. No. 1413: Appropriation; Transportation, Department of. Appropriations.

H. B. No. 1414: Appropriation; additional for various state agencies for Fiscal Year 2021. Appropriations.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Jerrie Slack, Willow Grace Brumbelow, Karen Nicole (Nikki) Williams Warren, Doris Imogene (Price) French, Rev. Dr. Charles "Chuck" Williams Engelbrecht, Sr., LouAnn Watson, William Edward Lee, Charlotte A. Coats, Victor Ian McLendon, Edwin Lamar Gunn, Hazel G. Russell, Eddie L. Jones, Spencer Rivers Ratcliff, Sarah Louise West, John Russell Lewis, Deloriese Shirley Davidson, Bobby Jack Davis, Sr., Jimmy U. Jackson, Pam Warren Vance, Joseph Andrew "Andy" Davis, Sr. and Betty Louise Barton.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, MARCH 4, 2021

S. B. No. 3074: Local and Private

AN ACT TO AMEND CHAPTER 947, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 920, LOCAL AND PRIVATE LAWS OF 2013, TO REVISE THE GEOGRAPHIC DESCRIPTION OF THE MARSHALL UTILITY SERVICES SEWER DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

S. B. No. 3075: Local and Private

AN ACT TO AMEND CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2008, AS AMENDED BY CHAPTER 917, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 923, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2025, THE REPEAL DATE ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE TOWN OF SARDIS, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS AND TO UTILIZE THE REVENUE FROM THE TAX TO ENHANCE TOURISM, INDUSTRIAL AND ECONOMIC DEVELOPMENT AND FOR THE PROVISION OF PARKS AND RECREATION FACILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th), Boyd

S. B. No. 3076: Local and Private

AN ACT TO AMEND CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 907, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEALER FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO JOIN WITH THE GOVERNING AUTHORITIES OF THE CITY OF PASCAGOULA, MISSISSIPPI, TO CREATE THE LAPOINTE-KREBS FOUNDATION, INC., FOR THE PRESERVATION, MAINTENANCE, UPKEEP AND OPERATION OF THE LAPOINTE-KREBS HOUSE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

S. B. No. 3077: Local and Private

AN ACT TO AMEND CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2008, AS AMENDED BY CHAPTER 917, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 923, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2025, THE REPEAL DATE ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE TOWN OF SARDIS, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS AND TO UTILIZE THE REVENUE FROM THE TAX TO ENHANCE TOURISM, INDUSTRIAL AND ECONOMIC DEVELOPMENT AND FOR THE PROVISION OF PARKS AND RECREATION FACILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 3078: Local and Private; Finance

AN ACT TO AMEND CHAPTER 955, LOCAL AND PRIVATE LAWS OF 1996, AS LAST AMENDED BY CHAPTER 1030, LOCAL AND PRIVATE LAWS OF 1999, TO AUTHORIZE THE BOARD OF SUPERVISORS OF TUNICA COUNTY, MISSISSIPPI, TO LEVY AN OCCUPANCY ASSESSMENT OF \$3.00 PER DAY, FOR THE BENEFIT OF THE TUNICA COUNTY CONVENTION CENTER COMPLEX, ON EACH OCCUPIED HOTEL AND MOTEL ROOM LOCATED IN A STRUCTURE BUILT ON THE SITE OF THE TUNICA COUNTY CONVENTION CENTER COMPLEX IN THE FUTURE, OR WITHIN THE SOUTHERN CELEBRATION URBAN RENEWAL DISTRICT; TO PROVIDE THAT THE ASSESSMENT SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL THE COUNTY SHALL BY RESOLUTION RESCIND IT, BUT THAT IT SHALL NOT BE RESCINDED IF ANY BONDS ISSUED UNDER THIS CHAPTER REMAIN OUTSTANDING; TO CREATE THE TUNICA COUNTY CONVENTION CENTER COMPLEX RESERVE FUND TO PAY A PORTION OF THE DEBT SERVICE OF ANY BONDS ISSUED OR LOANS MADE AND TO PROVIDE FUNDS FOR THE MAINTENANCE AND OPERATION OF THE FACILITY; AND FOR RELATED PURPOSES.

By Senator(s) Jackson (11th)

S. B. No. 3079: Local and Private

AN ACT TO AMEND CHAPTER 813, LOCAL AND PRIVATE LAWS OF 1989, AS LAST AMENDED BY CHAPTER 956, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW THAT ESTABLISHES THE GREENWOOD TOURISM COMMISSION AND AUTHORIZES THE CITY OF GREENWOOD TO IMPOSE A TAX ON HOTELS, MOTELS AND RESTAURANTS; AND FOR RELATED PURPOSES.

By Senator(s) Jordan, Jackson (11th), Chassaniol, Thomas

S. B. No. 3080: Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO ADOPT A VACANT COMMERCIAL BUILDING REGISTRATION ORDINANCE; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 3081: Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO EXECUTE AN AGREEMENT WITH THE VICKSBURG WARREN COUNTY ECONOMIC DEVELOPMENT FOUNDATION TO MAKE CONTRIBUTIONS TO THE VICKSBURG WARREN ECONOMIC DEVELOPMENT FOUNDATION FOR THE BENEFIT OF THE THAD COCHRAN MISSISSIPPI CENTER FOR INNOVATION AND TECHNOLOGY PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 3082: Local and Private

AN ACT TO AMEND CHAPTER 947, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 920, LOCAL AND PRIVATE LAWS OF 2013, TO

REVISE THE GEOGRAPHIC DESCRIPTION OF THE MARSHALL UTILITY SERVICES SEWER DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

S. B. No. 3083: Local and Private

AN ACT TO AMEND CHAPTER 917, LOCAL AND PRIVATE LAWS OF 2016, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE AMERICAN LEGION AUXILIARY GIRLS STATE PROGRAM; TO AMEND CHAPTER 908, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE TO THE STOREHOUSE COMMUNITY FOOD PANTRY; TO AMEND CHAPTER 937, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE TO THE READ BY THIRD GRADE, A TUTORIAL PROGRAM FOR AT-RISK STUDENTS; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

SIXTY-THIRD DAY, MONDAY, MARCH 8, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Absent--Chism, Hill, Horhn, Parks, Sojourner. Total--5.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Horhn.

The invocation was delivered by Senator Boyd, written by Reverend Eddie Rester, Oxford University Methodist Church, Oxford, MS.

Senator Jackson R. (11th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

The measures received and referred to committees on March 5, 2021, are listed on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2098: AN ACT TO REENACT SECTIONS 73-11-41 THROUGH 73-11-71, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF FUNERAL SERVICE AND PRESCRIBE ITS DUTIES AND POWERS; TO REENACT SECTION 73-11-73, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES REQUIREMENTS RELATING TO THE REMOVAL OF DEAD BODIES BY FUNERAL ESTABLISHMENTS; TO AMEND SECTION 73-11-33, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON SECTIONS OF LAW WHICH CREATE THE STATE BOARD OF FUNERAL SERVICE AND PRESCRIBE ITS DUTIES AND POWERS; AND FOR RELATED PURPOSES.

S. B. No. 2536: AN ACT TO REQUIRE ANY PUBLIC SCHOOL, PUBLIC INSTITUTION OF HIGHER LEARNING OR INSTITUTION OF HIGHER LEARNING THAT IS A MEMBER OF THE NCAA, NAIA, MHSAA OR NJCCA TO DESIGNATE ITS ATHLETIC TEAMS OR SPORTS ACCORDING TO BIOLOGICAL SEX; TO PROVIDE PROTECTION FOR ANY SCHOOL OR INSTITUTION OF HIGHER EDUCATION THAT MAINTAINS SEPARATE ATHLETIC TEAMS OR SPORTS FOR STUDENTS OF THE FEMALE SEX; TO CREATE PRIVATE CAUSES OF ACTION; AND FOR RELATED PURPOSES.

S. B. No. 2809: AN ACT TO REENACT AND AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE PROVISION REQUIRING PUBLIC ACCESS TO RECORDS AND A WRITTEN EXPLANATION WHEN PUBLIC RECORDS CANNOT BE PRODUCED WITHIN A SPECIFIED TIME; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

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

H. B. No. 1439: Mississippi Tax Freedom Act of 2021; create. Finance.

INTRODUCTIONS FOR FRIDAY, MARCH 5, 2021

S. B. No. 3084: Local and Private

AN ACT TO AMEND CHAPTER 966, LOCAL AND PRIVATE LAWS OF 1999, AS LAST AMENDED BY CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2016, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF JACKSON, MISSISSIPPI, TO CONTINUE TO PAY KEEP JACKSON BEAUTIFUL, INC., FOR ITS SERVICES IN REGARD TO A LITTER PREVENTION PROGRAM THROUGH CALENDAR YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Blount, Horhn, Frazier, Michel

S. C. R. No. 534: Rules

A CONCURRENT RESOLUTION DECLARING THAT SEPTEMBER 2021 IS "PROSTATE CANCER AWARENESS MONTH" IN MISSISSIPPI.

By Senator(s) Frazier

S. R. No. 27: Rules

A RESOLUTION RECOGNIZING THE LANDMARK PROFESSIONAL SPORTING EVENT BY BILOXI NATIVE AND NASHVILLE PREDATORS FORWARD MATHIEU OLIVIER AS HE SCORED THE FIRST NHL GOAL BY A PLAYER BORN IN MISSISSIPPI.

By Senator(s) Harkins

S. R. No. 28: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON STATE UNIVERSITY WOMEN'S BASKETBALL TEAM FOR WINNING THE 2019-2020 SOUTHWESTERN ATHLETIC CONFERENCE REGULAR SEASON CHAMPIONSHIP AND HEAD COACH TOMEKIA REED FOR BEING NAMED THE 2019-2020 COACH OF THE YEAR.

By Senator(s) Frazier, Norwood, Blount, Blackmon, Witherspoon, Horhn, Thomas, Simmons (12th), Kirby

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

MESSAGE FROM THE MS DEPARTMENT OF EDUCATION

March 8, 2021

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

Jean Cook, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning June 2020 and ending June 2023.

Carey M. Wright, Ed.D., State Superintendent of Education
MS DEPARTMENT OF EDUCATION

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

Jean Cook, Mississippi Charter School Authorizer Board, term beginning June 2020 and ending June 2023, Education.

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

The motion prevailed, and at 4:05 PM, the Senate stood in recess.

The Senate resumed business at 4:46 PM, pursuant to recess, with President Hosemann presiding.

Senator Harkins called up the following entitled bill:

H. B. No. 509: Unemployment compensation; allow withholding of state income tax.

YEAS AND NAYS On H. B. No. 509. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--Norwood. Total--1.

Absent and those not voting--Chism, Hill, Horhn, Parks, Sojourner. Total--5.

Senator Polk entered a motion to reconsider the vote whereby **H. B. No. 72** passed the Senate.

H. B. No. 72: Dentists; provide immunity for providing charitable and emergency services.

Senator Polk entered a motion to reconsider the vote whereby **H. B. No. 551** passed the Senate as amended.

H. B. No. 551: Driver's license; require Department of Public Safety to allow official identifying document of MDOC to suffice for.

Senator Polk entered a motion to reconsider the vote whereby **H. B. No. 1195** passed the Senate.

H. B. No. 1195: Electric bicycles; regulate.

Senators Blount and Wiggins entered a motion to reconsider the vote whereby **H. B. No. 287** passed the Senate as amended.

H. B. No. 287: Drug Intervention Courts; standardize references.

Senator Harkins called up the following entitled bill:

H. B. No. 511: Amusement ride operating permit decal; revise period for issuance.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-49-3, Mississippi Code of 1972, is amended as follows:

45-49-3. (1) An amusement ride may not be operated in this state unless the Mississippi Department of Revenue has issued an operating permit decal for the amusement ride to the owner or operator * * * for the current calendar year.

(2) An application for an operating permit decal must be submitted to the department not fewer than fifteen (15) business days before the first time the amusement ride is operated in the state, and must include the following:

(a) Certificate of insurance in the amount of not less than One Million Dollars (\$1,000,000.00) per occurrence that insures the owner or operator against liability for injury to persons and property arising out of the use or operation of the amusement ride;

(b) Payment of a fee not to exceed One Hundred Dollars (\$100.00); and

(c) Proof of satisfactory inspection of the ride by a qualified inspector, as defined in Section 45-49-5, conducted no earlier than fifteen (15) days before the submission of the application for an operating permit decal. The date of the inspection must be indicated on the proof of inspection.

(3) The operating permit decal shall be valid * * * until the end of the calendar year of the date of issue and must be in a manner and format as prescribed by the department.

(4) The operating permit decal must be affixed to the ride in a conspicuous location that is plainly visible to patrons.

(5) The department shall:

(a) Determine the manner and format of the operating permit decal, any forms to be used to apply for the decal, and any forms to be used to report serious injuries or illnesses;

(b) Make any forms and certifications available on the department's website and provide decals to owners or operators;

(c) Subject to the limitations of this act, determine the fee for the filing of an operating permit decal;

(d) Allow an owner or operator to apply for operating permit decals for multiple rides at one time, using one (1) form; and

(e) Charge one (1) fee for the filing of each application form, regardless of the number of rides listed on the application.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-49-3, MISSISSIPPI CODE OF 1972, TO CHANGE THE PERIOD FOR ISSUANCE OF AN AMUSEMENT RIDE OPERATING PERMIT DECAL FROM 12 MONTHS TO A CALENDAR YEAR; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 511 was adopted.

YEAS AND NAYS On H. B. No. 511. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting--Chism, Hill, Horhn, Parks, Sojourner. Total--5.

Senator Kirby entered a motion to reconsider the vote whereby **H. B. No. 277** passed the Senate.

H. B. No. 277: Tribal identification cards; recognize as legal means of personal identification.

Senator Kirby entered a motion to reconsider the vote whereby **H. B. No. 615** passed the Senate as amended.

H. B. No. 615: DUI suspension; clarify how the 120 days are counted.

Senator Kirby entered a motion to reconsider the vote whereby **H. B. No. 196** passed the Senate as amended.

H. B. No. 196: "Dignity for Incarcerated Women Act"; create.

Senator Wiggins called up the following entitled bill:

H. B. No. 354: Municipal judges; authorize to order a defendant to remedy real property ordinance violations within a reasonable time period.

YEAS AND NAYS On H. B. No. 354. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--DeBar. Total--1.

Absent and those not voting--Chism, Hill, Horhn, Parks, Sojourner. Total--5.

Senator DeBar entered a motion to reconsider the vote whereby **H. B. No. 357** passed the Senate.

H. B. No. 357: Bonding requirement for county purchase clerk; increase.

Senator DeBar entered a motion to reconsider the vote whereby **H. B. No. 290** passed the Senate as amended.

H. B. No. 290: Pre-trial Intervention; prohibit certain amount of public embezzlement for.

Senator DeBar entered a motion to reconsider the vote whereby **H. B. No. 1205** passed the Senate as amended.

H. B. No. 1205: Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services.

Senator Caughman called up the following entitled bill:

H. B. No. 352: Home inspector license; require applicants to undergo certain background checks.

YEAS AND NAYS On H. B. No. 352. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting--Chism, Hill, Horhn, Parks, Sojourner. Total--5.

Senator Caughman called up the following entitled bill:

H. B. No. 1075: MS Credit Availability Act, Title Pledge Act, and Check Cashers Act; extend or remove repealer on certain provisions of.

YEAS AND NAYS On H. B. No. 1075. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--37.

Nays--Barnett, Blackmon, Butler, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--10.

Absent and those not voting--Chism, Hill, Horhn, Parks, Sojourner. Total--5.

Senator Wiggins called up the following entitled bill:

H. B. No. 87: MDHS fraud investigators; provide they shall be law enforcement officers.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-1-23, Mississippi Code of 1972, is amended as follows:

43-1-23. (1) There is created within the State Department of Human Services a separate administrative unit to be known as the "Fraud Investigation Unit." The Fraud Investigation Unit shall be headed by a director appointed by the Executive Director of the department. The Director of the Fraud Investigation Unit, and all investigators shall be a * * * law enforcement officer, part-time law enforcement officer, or law enforcement trainee as defined in Section 45-6-3(c) through (e), Mississippi Code of 1972, and knowledgeable in the programs administered by the department. The Fraud Investigation Unit shall be responsible for:

(a) Conducting investigations for the purpose of aiding the department in the prevention of, detection of and verification of the perpetration of fraud or abuse of any program by any client, any vendor of services with whom the department has contracted, with any nonfederal entity in which the department has entered into an agreement with, or any employee of the department, and for the aiding of the department in the recoupment of any funds owed to the department as a result of fraud or abuse;

(b) The notification and forwarding of any information relevant to possible criminal violations to the appropriate prosecuting authority and assisting in the prosecution of any case referred to a prosecutor, if requested; and

(c) Such other duties as prescribed in regulations of the department.

(2) The Fraud Investigation Unit is authorized to employ such other investigative, technical, secretarial and support staff as may be necessary.

(3) In order to carry out the responsibilities of the Fraud Investigation Unit, the investigators may request and receive assistance from all state and local agencies, boards, commissions, and bureaus, including, without limitation, the * * * Department of Revenue, the Department of Public Safety, and all public and private agencies maintaining data banks, criminal or other records that would enable the investigators to make verification of fraud or abuse in violation of state or federal statutes. All records and information shall be confidential and shall be available only to the Fraud Investigation Unit, district or county attorneys, the Attorney General, and courts having jurisdiction in criminal proceedings.

(4) The department is authorized to enter into contracts with other agencies administering aid or benefits or services under any state or federally funded assistance program which need the assistance of the department's Fraud Investigation Unit.

(5) To accomplish the objectives and to carry out the duties prescribed in this section, the executive director, or his designee, in addition to the powers conferred by this

section, may issue subpoenas with the approval of, and returnable to, a judge of the circuit, county or chancery court, in termtime or in vacation, to examine the records, documents or other evidence of persons, firms, corporations or any other entities insofar as such records, documents or other evidence relate to dealings material to an investigation.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-1-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MISSISSIPPI DEPARTMENT OF HUMAN SERVICES FRAUD INVESTIGATORS HAVE LAW ENFORCEMENT AUTHORITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 87 was adopted.

YEAS AND NAYS On H. B. No. 87. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting--Chism, Hill, Horhn, Parks, Sojourner. Total--5.

Senator Wiggins called up the following entitled bill:

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-21-355, Mississippi Code of 1972, is amended as follows:

43-21-355. Any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, school attendance officer, public school district employee, nonpublic school employee, licensed professional counselor or any other person participating in the making of a required report pursuant to Section 43-21-353 or participating in * * * an investigation, evaluation or judicial proceeding resulting * * * from the report shall be presumed to be acting in good faith. Any person or institution reporting or participating in an investigation, evaluation or judicial proceeding resulting from the

report in good faith shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed.

SECTION 2. Section 43-15-51, Mississippi Code of 1972, is amended as follows:

43-15-51. (1) The district attorneys, the Department of Human Services or the Department of Child Protection Services may initiate formal cooperative agreements with the appropriate agencies to create multidisciplinary child protection teams in order to implement a coordinated multidisciplinary team approach to intervention in reports involving alleged commercial sexual exploitation, human trafficking, or severe or potential felony child physical or sexual abuse, exploitation, or maltreatment. The multidisciplinary team also may be known as a child abuse task force. The purpose of the team or task force shall be to assist in the evaluation and investigation of reports and to provide consultation and coordination for agencies involved in child protection cases. The agencies to be included as members of the multidisciplinary team are: the district attorney's office, city and county law enforcement agencies, county attorneys, youth court prosecutors, the Human Trafficking Coordinator or his or her designee and other agencies as appropriate. The Department of Child Protection Services shall be included as a member of the multidisciplinary team if the department does not initiate creation of the team.

(2) Except as otherwise provided in Section 43-26-3, to implement the multidisciplinary child abuse team, the team or task force must be authorized by court order from the appropriate youth court. The court order will designate which agencies will participate in the cooperative multidisciplinary team.

(3) (a) Teams created under this section may invite other persons to serve on the team who have knowledge of and experience in child abuse and neglect and commercial sexual exploitation and human trafficking matters. These persons may include licensed mental and physical health practitioners and physicians, dentists, representatives of the district attorney's office and the Attorney General's office, experts in the assessment and treatment of substance abuse or sexual abuse, the victim assistance coordinator of the district attorney's office, staff members of a child advocacy center, sexual assault nurse examiners and experts in providing services to commercial sexual exploitation and human trafficking victims. For purposes of this paragraph, the term "sexual assault nurse examiner" means a registered nurse who has received a documented forty (40) hours of training as a sexual assault nurse examiner.

(b) (i) A child advocacy center means an agency that advocates on behalf of children alleged to have been abused and assists in the coordination of the investigation of child abuse by providing a location for forensic interviews and promoting the coordination of services for children alleged to have been abused. A child advocacy center provides services that include, but are not limited to, forensic medical examinations, mental health and related support services, court advocacy, consultation, training for social workers, law enforcement training, and child abuse multidisciplinary teams, and staffing of multidisciplinary teams.

(ii) Child advocacy centers may provide a video-taped forensic interview of the child in a child friendly environment or separate building. The purpose of the video-taped forensic interview is to prevent further trauma to a child in the investigation and prosecution of child physical and sexual abuse cases. Child advocacy centers can also assist child victims by providing therapeutic counseling subsequent to the interview by a qualified therapist. Child advocacy centers can also assist law enforcement and prosecutors by acquainting child victim witnesses and their parents or guardians to the courtroom through child court school programs.

(4) A team or task force created under this section shall review records on cases referred to the team by the Department of Child Protection Services or law enforcement or the district attorney's office. The team shall meet at least monthly.

(5) No person shall disclose information obtained from a meeting of the multidisciplinary team unless necessary to comply with the Department of Child Protection Services regulations or conduct and proceeding in youth court or criminal court proceedings or as authorized by a court of competent jurisdiction.

(6) A child advocacy center or a member of the multidisciplinary team is not liable for civil damages while acting within the scope of official team duties if the member, in good faith, refers a report of alleged child abuse for investigation, conducts an investigation, makes an investigative judgment or disposition, or releases or uses information for the purpose of protecting a child. The limitation of civil liability does not apply if a multidisciplinary team member is not acting in good faith.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-21-355, MISSISSIPPI CODE OF 1972, TO EXPAND THE IMMUNITY FOR MAKING GOOD FAITH REPORTS OF CHILD ABUSE OR NEGLECT TO INCLUDE PERSONS WHO PARTICIPATE IN AN INVESTIGATION, EVALUATION OR JUDICIAL PROCEEDING RESULTING FROM THE REPORT; TO AMEND SECTION 43-15-51, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITED IMMUNITY FROM CIVIL LIABILITY TO CHILD ADVOCACY CENTERS AND MULTIDISCIPLINARY TEAM MEMBERS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 356 was adopted.

YEAS AND NAYS On H. B. No. 356. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Nays--Barnett, Blackmon, Blount, Butler, Jackson R. (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--12.

Absent and those not voting--Chism, Hill, Horhn, Parks, Sojourner. Total--5.

Senator Bryan called up the following entitled bill:

H. B. No. 294: Hospices; delete repealer on authority for prescribing certain drugs without in-person visit with a patient.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-137.1, Mississippi Code of 1972, is amended as follows:

41-29-137.1. The medical director of a licensed hospice, in his or her discretion, may prescribe controlled substances for a patient of the hospice for terminal disease pain without having an in-person face-to-face visit with the patient before issuing the prescription. The provisions of this section supersede the provisions of any rule or regulation of a licensing agency to the contrary. * * *

SECTION 2. Section 41-29-137, Mississippi Code of 1972, is amended as follows:

41-29-137. (a) (1) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in Schedule II, as set out in Section 41-29-115, may be dispensed without the written valid prescription of a practitioner. A practitioner shall keep a record of all controlled substances in Schedule I, II and III administered, dispensed or professionally used by him otherwise than by prescription.

(2) In emergency situations, as defined by rule of the State Board of Pharmacy, Schedule II drugs may be dispensed upon the oral valid prescription of a practitioner, reduced promptly to writing and filed by the pharmacy. Prescriptions shall be retained in conformity with the requirements of Section 41-29-133. No prescription for a Schedule II substance may be refilled unless renewed by prescription issued by a licensed medical doctor.

(b) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in Schedule III or IV, as set out in Sections 41-29-117 and 41-29-119, shall not be dispensed without a written or oral valid prescription of a practitioner. The prescription shall not be filled or refilled more than six (6) months after the date thereof or be refilled more than five (5) times, unless renewed by the practitioner.

(c) A controlled substance included in Schedule V, as set out in Section 41-29-121, shall not be distributed or dispensed other than for a medical purpose.

(d) An optometrist certified to prescribe and use therapeutic pharmaceutical agents under Sections 73-19-153 through 73-19-165 shall be authorized to prescribe oral analgesic controlled substances in Schedule IV or V, as pertains to treatment and management of eye disease by written prescription only.

(e) Administration by injection of any pharmaceutical product authorized in this section is expressly prohibited except when dispensed directly by a practitioner other than a pharmacy.

(f) (1) For the purposes of this article, Title 73, Chapter 21, and Title 73, Chapter 25, Mississippi Code of 1972, as it pertains to prescriptions for controlled substances, a "valid prescription" means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by:

(A) A practitioner who has conducted at least one (1) in-person medical evaluation of the patient, except as otherwise authorized by Section 41-29-137.1 through June 30, 2021; or

(B) A covering practitioner.

(2) (A) "In-person medical evaluation" means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals.

(B) "Covering practitioner" means a practitioner who conducts a medical evaluation other than an in-person medical evaluation at the request of a practitioner who has conducted at least one (1) in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine within the previous twenty-four (24) months and who is temporarily unavailable to conduct the evaluation of the patient.

(3) A prescription for a controlled substance based solely on a consumer's completion of an online medical questionnaire is not a valid prescription.

(4) Nothing in this subsection (f) shall apply to:

(A) A prescription issued by a practitioner engaged in the practice of telemedicine as authorized under state or federal law; or

(B) The dispensing or selling of a controlled substance pursuant to practices as determined by the United States Attorney General by regulation.

SECTION 3. Section 41-85-7, Mississippi Code of 1972, is amended as follows:

41-85-7. (1) The administration of this chapter is vested in the Mississippi Department of Health, which shall:

(a) Prepare and furnish all forms necessary under the provisions of this chapter in relation to applications for licensure or renewals thereof;

(b) Collect in advance at the time of filing an application for a license or at the time of renewal of a license a fee of One Thousand Dollars (\$1,000.00) for each site or location of the licensee; any increase in the fee charged by the department under this paragraph shall be in accordance with the provisions of Section 41-3-65;

(c) Levy a fee of Eighteen Dollars (\$18.00) per bed for the review of inpatient hospice care; any increase in the fee charged by the department under this paragraph shall be in accordance with the provisions of Section 41-3-65;

(d) Conduct annual licensure inspections of all licensees which may be the same inspection as the annual Medicare certification inspection; and

(e) Promulgate applicable rules and standards in furtherance of the purpose of this chapter and may amend such rules as may be necessary. The rules shall include, but not be limited to, the following:

(i) The qualifications of professional and ancillary personnel in order to adequately furnish hospice care;

(ii) Standards for the organization and quality of patient care;

(iii) Procedures for maintaining records; and

(iv) Provision for the inpatient component of hospice care and for other professional and ancillary hospice services.

(2) All fees collected by the department under this section shall be used by the department exclusively for the purposes of licensure, regulation, inspection, investigations and discipline of hospices under this chapter.

(3) The State Department of Health shall not process any new applications for hospice licensure or issue any new hospice licenses, except renewals * * *, except as follows:

(a) * * * The department shall process applications for new hospice licenses filed during the period from and including March 27, 2017, through and until July 1, 2017, and shall issue no more than five (5) new hospice licenses in accordance with this chapter so long as the related applicant can show good cause for the issuance of the hospice license(s) for which application is made (including specifically, without limitation, the capability and capacity to provide unique or otherwise unavailable services related to serving patients under eighteen (18) years of age in the service area to which such application relates). If the applicant at the time of filing holds one or more hospice licenses, the applicant must be in good standing with the department regarding those licenses. Not more than two (2) of the new hospice licenses issued under this * * * paragraph (a) shall be issued to the same applicant.

(b) The department shall process applications for new pediatric palliative care hospice licenses filed during the period from and including the effective date of this section through and until July 1, 2021, and shall issue no more than two (2) new pediatric palliative care hospice licenses in accordance with this chapter so long as the applicant can show good cause for the issuance of the hospice license for which application is made. If the applicant at the time of filing holds one or more hospice licenses, the applicant must be in good standing with the department regarding those licenses. At least one (1) of the new hospice licenses issued under this paragraph (b) shall be issued to an applicant that is located within the Second United States Congressional District as it exists on January 1, 2021. Not more than one (1) of the new hospice licenses issued under this paragraph (b) shall be issued to the same applicant.

This subsection (3) shall stand repealed on July 1, * * * 2027.

(4) The provisions of subsection (3) prohibiting the processing of any new applications for hospice licensure shall not be applicable to an application for license reinstatement by a hospice whose license was temporarily suspended as a result of a federal audit by the U.S. Department of Health and Human Services, Office of Inspector General (HHS-OIG), and the audit has been concluded without any penalty imposed by the federal agency.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-29-137.1, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE SECTION THAT AUTHORIZES MEDICAL DIRECTORS OF HOSPICES TO PRESCRIBE CONTROLLED SUBSTANCES FOR PATIENTS OF THE HOSPICE FOR TERMINAL DISEASE PAIN WITHOUT HAVING AN IN-PERSON FACE-TO-FACE VISIT WITH A PATIENT BEFORE ISSUING A PRESCRIPTION; TO AMEND SECTION 41-29-137, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; TO AMEND SECTION 41-85-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO ISSUE UP TO TWO NEW PEDIATRIC PALLIATIVE CARE HOSPICE LICENSES DURING A CERTAIN PERIOD OF TIME; TO REQUIRE THAT AT LEAST ONE OF THE NEW HOSPICE LICENSES BE ISSUED TO AN APPLICANT THAT IS LOCATED WITHIN THE SECOND UNITED STATES CONGRESSIONAL DISTRICT; TO EXTEND THE DATE OF THE REPEALER ON THE MORATORIUM ON THE ISSUANCE OF NEW HOSPICE LICENSES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 294 was adopted.

YEAS AND NAYS On H. B. No. 294. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting--Chism, Hill, Horhn, Parks, Sojourner. Total--5.

Senator Wiggins entered a motion to reconsider the vote whereby **H. B. No. 70** passed the Senate as amended.

H. B. No. 70: Autopsies; provide for confidentiality of photographs and video and audio recordings with exceptions.

Senator Wiggins entered a motion to reconsider the vote whereby **H. B. No. 429** passed the Senate.

H. B. No. 429: Contracts; authorize persons eighteen years of age or older to enter into for the purpose of investing in mutual funds.

Senator Harkins entered a motion to reconsider the vote whereby **H. B. No. 1230** passed the Senate.

H. B. No. 1230: Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs.

Senator DeBar entered a motion to reconsider the vote whereby **H. B. No. 493** passed the Senate as amended.

H. B. No. 493: Counties and municipalities; authorize to offer Medicare eligible employee benefits when employees secures Medicare under certain circumstances.

Senator DeBar entered a motion to reconsider the vote whereby **H. B. No. 312** passed the Senate.

H. B. No. 312: Central Market Board; abolish and transfer functions of to the Mississippi Department of Agriculture and Commerce.

Senator DeBar entered a motion to reconsider the vote whereby **H. B. No. 929** passed the Senate as amended.

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **H. B. No. 1075** passed the Senate.

H. B. No. 1075: MS Credit Availability Act, Title Pledge Act, and Check Cashers Act; extend or remove repealer on certain provisions of.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **H. B. No. 356** passed the Senate as amended.

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

Senator McCaughn entered a motion to reconsider the vote whereby **H. B. No. 1174** passed the Senate as amended.

H. B. No. 1174: Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness.

Senator McCaughn entered a motion to reconsider the vote whereby **H. B. No. 886** passed the Senate.

H. B. No. 886: Law enforcement officers; exempt from concealed firearms permit fees and renewal fees.

Senator McCaughn entered a motion to reconsider the vote whereby **H. B. No. 286** passed the Senate.

H. B. No. 286: Cemeteries; authorize to disinter and reinter dead human remains for next of kin instructions.

Senator Hopson entered a motion to reconsider the vote whereby **H. B. No. 550** passed the Senate as amended.

H. B. No. 550: Intermediate driver's license; delete all references to.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Andrew Cornelius Van Vulpen and Minnie Mae Taylor of Memphis, TN.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of F. Julian Carroll, Jr. and Daniel S. McNamara of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ronald Day Veazey of Madison, MS.

Senator Branning moved that when the Senate adjourns, it adjourn in memory of Barbara Mowdy of Philadelphia, MS.

Senators Branning and Tate moved that when the Senate adjourns, it adjourn in memory of Carolyn Evans of Preston, MS.

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

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Mr. Henry Weiss and Mrs. Dorothy Lois Kocher Porter of Columbus, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Lincoln Ellington, Evangeline Rose Ellington and John Matthew Ellington of Oxford, MS.

MESSAGE FROM THE HOUSE

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

S. B. No. 2474: Department of Health; allow charges between agencies for services provided under the medical marijuana program.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE GOVERNOR
March 8, 2021

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

Cammack A. (Cam) Roberds, Sr., Ocean Springs, Mississippi, Mississippi Advisory Commission on Marine Resources as the Recreational Sports Fisherman representative, term effective immediately and ending June 30, 2024.

Edgar Richard Gollott, Sr., Biloxi, Mississippi, Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, four year term effective immediately and ending June 30, 2024.

Col. Nick Paul Ardillo, Jr., Columbus, Mississippi, Mississippi State Personnel Board to represent the Third Supreme Court District, five year term beginning July 1, 2021 and ending June 30, 2026.

Tate Reeves
GOVERNOR

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

Cammack A. (Cam) Roberds, Sr., Mississippi Advisory Commission on Marine Resources as the Recreational Sports Fisherman representative, term effective immediately and ending June 30, 2024, Ports and Marine Resources.

Edgar Richard Gollott, Sr., Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, four year term effective immediately and ending June 30, 2024, Ports and Marine Resources.

Col. Nick Paul Ardillo, Jr., Mississippi State Personnel Board to represent the Third Supreme Court District, five year term beginning July 1, 2021 and ending June 30, 2026, Accountability, Efficiency, Transparency.

Senator Blackwell moved that the Senate adjourn until 10:00 AM, Tuesday, March 9, 2021.

The motion prevailed, and at 5:25 PM, the Senate stood adjourned in memory of Andrew Cornelius Van Vulpen, Minnie Mae Taylor, Mr. Henry Weiss, Mrs. Dorothy Lois Kocher Porter, Lincoln Ellington, Evangeline Rose Ellington, John Matthew Ellington, F. Julian Carroll, Jr., Daniel S. McNamara, Ronald Day Veazey, Barbara Mowdy, Carolyn Evans and Gordon Cotton.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, MARCH 8, 2021

SIXTY-FOURTH DAY, TUESDAY, MARCH 9, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

The invocation was delivered by Senator Norwood.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

H. B. No. 311: Sales tax; exempt certain transfers of motor vehicles involving partnerships, limited liability companies and corporations. Finance.

H. B. No. 514: Sales tax; exempt sales of tangible personal property or services to DeafBlind Community of Mississippi, Inc. Finance.

H. B. No. 1297: Bonds; authorize issuance for the Water Pollution Control Revolving Fund. Finance.

H. B. No. 1322: Income tax; authorize credit for certain railroad reconstruction/replacement expenditures. Finance.

H. B. No. 1351: Bonds; increase amount that may be issued for the Local Governments and Rural Water Systems Improvements Revolving Loan Fund. Finance.

H. B. No. 1356: Income tax and sales tax; revise deduction for depreciation, exempt sales of certain aircraft. Finance.

H. B. No. 1415: Bonds; authorize issuance for IHL and community colleges capital improvements. Finance.

H. B. No. 1416: Mississippi Flexible Tax Incentive Act: create. Finance.

H. B. No. 1420: Ad valorem tax; exempt property of certain not-for-profit corporations used to provide swimming lessons and training. Finance.

H. B. No. 1441: Income tax and insurance premium tax; authorize credit for costs of qualified alternative-fuel fueling stations. Finance.

H. B. No. 1446: Income tax; allow deduction for Back to Business Mississippi Grant Program eligible expenses. Finance.

REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 1: David Banister Russell, Flora, Mississippi, Public Procurement Review Board, term effective immediately and ending June 30, 2024. Do Advise and Consent.

S. N. No. 10: Michael Warren Boerner, Jackson, Mississippi, Mississippi Business Finance Corporation, term effective December 17, 2020 and ending March 31, 2026. Do Advise and Consent.

S. N. No. 15: Mark Talbot Buys, Sr., Vicksburg, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2026. Do Advise and Consent.

S. N. No. 22: Derek Royce Arrington, Hattiesburg, Mississippi, State Bond Attorney, term effective immediately and is concurrent with the Governor's term of office. Do Advise and Consent.

S. N. No. 30: William Green (Will Green) Poindexter, III, Inverness, Mississippi, State Tax Appeals Board as an associate member, six year term effective immediately and ending June 30, 2026. Do Advise and Consent.

S. N. No. 49: Philip Alan Chamblee, Madison, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective immediately and ending December 31, 2025. Do Advise and Consent.

HARKINS, Chairman

Senator Hopson called up the following entitled bill:

H. B. No. 106: State budget; revise provisions in several FY21 appropriation bills.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 14, Chapter 42, Laws of 2020, is amended as follows:

Section 14. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund be placed in a treasury fund effective July 1, 2020. Of the amounts appropriated in Section 2, an amount not exceeding * * * Six Million Dollars (\$6,000,000.00) shall be available for expenditure in the Inmate Welfare Fund.

SECTION 2. Section 8, Chapter 92, Laws of 2020, is amended as follows:

Section 8. Of the funds appropriated in Section 1, Nine Hundred Thousand Dollars (\$900,000.00) may be used to purchase accumulated compensatory time incurred before *** June 30, 2021, by employees whose activities are deemed essential to agency operations for responding to COVID-19.

SECTION 3. Section 35, Chapter 102, Laws of 2020, is amended as follows:

Section 35. Of the funds appropriated in Section 2, *** Three Million Two Hundred Forty Thousand Dollars (\$3,240,000.00) may be used to purchase accumulated compensatory time incurred before *** June 30, 2021, by employees *** who are activated under emergency orders in response to the COVID-19 pandemic.

SECTION 4. Section 18, Chapter 106, Laws of 2020, is amended as follows:

Section 18. Of the funds appropriated under the provisions of Section 2, Fifty-nine Million Six Hundred Eighty-seven Thousand Five Hundred Forty-five Dollars (\$59,687,545.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Gulf Coast Restoration Fund, as created in Section 57-119-1, Mississippi Code of 1972. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities. These funds will be reappropriated each year until the project is completed.

Of the funds appropriated in this section the following sums are provided for projects recommended by the department:

(a) To assist the City of Gautier with the Gautier Town Center Development	\$3,500,000.00.
(b) To assist Power Dynamics Innovations, LLC with Equipment and Facility Upgrades	\$1,550,000.00.
(c) To assist the City of Bay St. Louis with the Old Town Police Department.....	\$1,000,000.00.
(d) To assist the City of Bay St. Louis with the Old Town Depot Revitalization District.....	\$1,500,000.00.
(e) To assist the City of Diamondhead with the Commercial District Transformation Project.....	\$1,500,000.00.
(f) To assist the Stone County School District with the Stone County High School Career and Technical Education Center	\$3,200,000.00.
(g) To assist the University of Southern Mississippi with the Ocean Enterprise Phase I	\$7,000,000.00.
(h) To assist the Walter Anderson Museum Creative Complex Phase I and begin Phase II.....	\$ 750,000.00.
(i) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development.....	\$2,000,000.00.
(j) To assist the Gulfport School with a STEM Exploration Lab.....	\$ 100,000.00.
(k) To assist the City of Biloxi with downtown revitalization at the Saenger Theater	\$2,000,000.00.
(l) To assist Hancock County Port and Harbor Commission with the multiuser aero strip	

at Stennis Airport..... \$2,500,000.00.

Of the funds appropriated in this section, the following sums are provided for projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

- (a) To assist Harrison County with the Harrison County Law Enforcement Training Academy \$3,000,000.00.
- (b) To assist George Regional Health System with a multispecialty medical office complex \$2,157,035.00.
- (c) To assist George Regional Health System with a cafeteria expansion and renovation \$1,080,510.00.
- (d) To assist Mississippi State University with the Mississippi Cyber Center \$3,500,000.00.
- (e) To assist the Port of Pascagoula with the North Rail Connector \$6,600,000.00.
- (f) To assist Jackson County Economic Development Foundation with site development and related support of a defense supplier \$1,400,000.00.
- (g) To assist the Pascagoula Redevelopment Authority with the Innovation Center \$1,000,000.00.
- (h) To assist the Pascagoula Redevelopment Authority with the City Center \$4,000,000.00.
- (i) To assist the Institute for Marine Mammal Studies with Educational Classrooms and Dorms \$3,000,000.00.
- (j) To assist the City of Pass Christian with redevelopment and revitalization \$ 750,000.00.
- (k) To assist the City of Long Beach with development and revitalization \$2,000,000.00.
- (l) To assist the city of Long Beach with the Quarles House \$2,000,000.00.
- (m) To assist George County with a rail connection project:
 - (1) George County rail and highway improvements for Enviva project \$1,600,000.00.
 - (2) Mississippi Export Railroad for the Enviva project \$1,000,000.00.

SECTION 5. Section 28, Chapter 107, Laws of 2020, is amended as follows:

Section 28. Of the funds appropriated under the provisions of Section 2, Seventeen Million Two Hundred Forty-one Thousand Dollars (\$17,241,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the State BP Settlement Fund, as created in Section 27-103-302.1, Mississippi Code of 1972. These funds are appropriated for such purposes as follows:

- (a) To assist the Town of Walnut with improvements of city industrial park or recreational facilities \$ 175,000.00.
- (b) To assist the City of Lucedale with improvements to wastewater treatment plant \$ 376,000.00.
- (c) To assist the City of Flowood with Luckney Road improvements \$1,000,000.00.
- (d) To assist Lawrence County with construction and improvements to frontage road \$ 250,000.00.
- (e) To Create, Inc. for the benefit of the Windows of Amory \$ 200,000.00.
- (f) To Aberdeen Main Street to reimburse for improving Parkway Hotel Property \$ 100,000.00.
- (g) To assist Yazoo County with improvements to Carter Road \$ 750,000.00.
- (h) To assist the City of Philadelphia with construction of Fallen Veteran's memorial \$ 50,000.00.
- (i) To assist the City of Baldwin Veteran's

Park with parking improvements.....	\$ 35,000.00.
(j) To assist Itawamba County with improvements of Houston Kirkfield community schoolhouse pavilion.....	\$ 25,000.00.
(k) To assist Marshall County for the purpose of providing funding for the preservation and restoration of the Isaac Chapel Rosenwald School located in Marshall County, Mississippi	\$ 100,000.00.
(l) To assist the Town of Crenshaw with improvements to Jones Street	\$ 300,000.00.
(m) To the Mississippi Department of Archives and History for the purpose of providing historical markers in Holmes County designating the birthplace of the Church of God in Christ	\$ 10,000.00.
(n) To the Mississippi Department of Archives and History for expenses related to reopening museums	\$ 100,000.00.
(o) To the Mississippi Department of Archives and History for expenses related to the Commission to Redesign the Mississippi State Flag	\$ 50,000.00.
(p) To the Mississippi Department of Archives and History for exhibit commemorating 50th anniversary of Jackson State University shooting	\$ 10,000.00.
(q) To assist Lamar County with construction of live fire tower	\$ 300,000.00.
(r) To assist Claiborne County with Grand Gulf Road improvements	\$ 500,000.00.
(s) To assist Tippah County with * * * destruction of county-owned hospital	\$ 500,000.00.
(t) To assist the City of Pearl with construction of Pearl Richland intermodal connector	\$ 400,000.00.
(u) To assist Marshall County with construction of Chickasaw Trail industrial park emergency response center	\$ 400,000.00.
(v) To assist Pearl and Leaf Rivers Rails-To-Trails Recreational District with trail overlay or bridge repairs on the Longleaf Trace between Hattiesburg, Mississippi, and Prentiss, Mississippi	\$ 500,000.00.
(w) To assist the Town of Terry with construction of community emergency shelter	\$ 300,000.00.
(x) To assist the Town of Tishomingo with Improvements and upgrades to town hall	\$ 50,000.00.
(y) To assist the Town of Hickory with improvements to town square.....	\$ 35,000.00.
(z) To assist Rankin County for expansion of Sheriff Department's facility and shop.....	\$ 250,000.00.
(aa) To assist Walthall County with Courthouse repair and renovations.....	\$ 250,000.00.
(bb) To the Mississippi Symphony	\$ 25,000.00.
(cc) To assist the City of Horn Lake with road area improvements and bridge repair on Tulane Road.....	\$ 200,000.00.
(dd) To assist the Corinth-Alcorn County Recreation Commission in paying costs associated with repair and renovation of and upgrades, improvements and additions to recreation areas	

and facilities and field surfaces..... \$ 500,000.00.

(ee) To assist the City of Bruce, Mississippi,
in paying costs associated with water
system and sewer system upgrades and
improvements near school property in the
City of Bruce..... \$ 500,000.00.

(ff) To assist the City of Jackson, Mississippi,
in paying costs associated with the purchase of a
fire truck for the city fire department \$ 225,000.00.

(gg) To assist the Town of Friars Point,
Mississippi, in paying costs associated with
constructing a community center and
related facilities \$ 500,000.00.

(hh) To assist Kemper County, Mississippi,
in paying costs associated with the purchase
of a fire truck for the Preston Volunteer
Fire Department \$ 100,000.00.

(ii) To assist Winston County, Mississippi,
in paying costs associated with the purchase
of a fire truck for the Nanih Waiya Volunteer
Fire Department \$ 100,000.00.

(jj) To assist the Town of Raymond, Mississippi,
in paying costs associated with repair and
renovation of the Town of Raymond Police
Department building and related facilities \$ 150,000.00.

(kk) To assist the City of Hazlehurst,
Mississippi, in paying costs associated with
repairs, upgrades and improvements to
Lake Hazle Dam..... \$ 400,000.00.

(ll) To assist Grenada County, Mississippi,
in paying costs associated with upgrades
and improvements to water system
infrastructure \$ 500,000.00.

(mm) To assist in paying costs associated
with repair and renovation of and upgrades
and improvements to buildings and facilities
at the Mississippi School for Mathematics and
Science in Columbus, Mississippi..... \$ 200,000.00.

(nn) \$300,000 to the Town of Hickory Flat,
Mississippi, for the following purposes:

(1) Not more than \$250,000.00 to assist in paying costs associated with the
purchase of a fire truck for the town's fire department, and

(2) Not more than \$50,000.00 to assist in paying costs associated with the
purchase of equipment and other upgrades for the town's police department.

(oo) To assist the City of Hattiesburg, Mississippi,
in paying the costs of construction, furnishing
and equipping of an education center and related
facilities at the Hattiesburg Zoo in Hattiesburg,
Mississippi..... \$ 500,000.00.

(pp) To assist Marion County, Mississippi,
in paying costs associated with repairs,
resurfacing, upgrades and improvements to
roads and bridges in Marion County \$ 500,000.00.

(qq) To assist the City of Winona, Mississippi,
in paying costs associated with repairs
and overlay of Montgomery Street in the
City of Winona..... \$ 500,000.00.

(rr) To assist in paying costs associated with
the acquisition, storage and relocation of

artifacts and the design, fabrication and installation of permanent exhibits, including the development of all associated films and interactive components, for the Delta Blues Museum in Clarksdale, Mississippi..... \$ 200,000.00.

(ss) To assist the City of Charleston, Mississippi, in paying costs associated with the replacement of water pipes and upgrades and improvements to the city's water system and related infrastructure \$ 300,000.00.

(tt) To assist the City of Brandon, Mississippi, in paying costs associated with making improvements to and upgrades of sidewalks, streets, parking areas and water system infrastructure in the city's downtown area including, but not limited to, construction, repair, replacement and other improvements to and upgrades of sidewalks, streets, crosswalks, signage and water system infrastructure..... \$ 500,000.00.

(uu) To assist the City of Ripley, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to roads in the City of Ripley, water system improvements and sewer system improvements..... \$ 300,000.00.

(vv) To assist * * * the City of Ripley, Mississippi, in paying costs associated with construction of Veteran's Park in * * * the City of Ripley's City Park..... \$ 500,000.00.

(ww) To assist the Town of West, Mississippi, in paying costs associated with the acquisition of a generator and related equipment for the town's water system and related infrastructure \$ 100,000.00.

(xx) To assist the Leake County Economic Development Association in paying costs associated with a workforce development study..... \$ 50,000.00.

(yy) To assist in paying costs associated with the purposes described in Section 27-104-301(2)(mm)..... \$1,500,000.00.

(zz) To assist in paying costs associated with repair of and fencing for Bethesda Cemetery in the City of Senatobia, Mississippi, and any funds that are in excess of that needed to complete such project shall be used to assist in paying costs associated with repair of and fencing for Senatobia Memorial Cemetery \$ 300,000.00.

(aaa) To assist the City of Clinton, Mississippi, in paying costs associated with expansion of and upgrades and improvements to the city's water system and sewer system infrastructure and/or repairs, resurfacing and other improvements and upgrades to roads and streets in the City of Clinton..... \$1,000,000.00.

(bbb) To assist the Town of Flora, Mississippi, in paying costs associated with improvements to the town's water system and sewer system infrastructure \$ 100,000.00.

(ccc) To assist the Perry John's Post 6 American Legion in Alcorn County \$ 25,000.00.

(ddd) To assist Itawamba County with Houston Community Park..... \$ 25,000.00.

(eee) To assist * * * Richard's

Community Center in Pike County \$ 25,000.00.
(fff) To assist the American Legion Post 81
in Tippah County \$ 25,000.00.
(ggg) To assist the Veterans of Foreign Wars
Post 4881 in Tippah County \$ 25,000.00.
(hhh) To assist the City of Senatobia Fire
Department \$ 50,000.00.

SECTION 6. There is created in the State Treasury a special fund to be known as the State Fire Academy Workforce Program Fund. The fund shall consist of monies appropriated or otherwise made available by the Legislature and monies received by the State Fire Academy for workforce programs. The fund shall be expended by the State Fire Academy, upon appropriation by the Legislature, for such purposes as provided in the appropriation. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 7. Section 27-104-205, Mississippi Code of 1972, is amended as follows:

27-104-205. (1) From and after July 1, 2016, the expenses of the following enumerated state agencies shall be defrayed by appropriation of the Legislature from the State General Fund: the State Fire Marshal, the State Fire Academy (not including the State Fire Academy Workforce Program Fund), the Office of Secretary of State (not including the Preneed Contracts Loss Recovery Fund), the Mississippi Public Service Commission, the Mississippi Department of Information Technology Services, (not including the Mississippi Department of Information Technology Services Revolving Fund), the State Personnel Board, the Mississippi Department of Insurance (not including the Municipal Fire Protection Fund, Section 83-1-37, the County Volunteer Fire Department Fund, Section 83-1-39, and the Mississippi Propane Education and Research Fund, Section 75-57-119), the Mississippi Law Enforcement Officers' Minimum Standards Board, the Mississippi Gaming Commission, the Mississippi Department of Revenue - License Tag, the Office of the State Public Defender, the Mississippi Workers' Compensation Commission (not including the Second Injury Trust Fund) and the Office of Attorney General. Beginning July 1, 2016, any fees, assessments or other revenues charged for the support of the above-named state agencies shall be deposited into the State General Fund, and any special fund or depository established within the State Treasury for the deposit of such fees, assessments or revenues shall be abolished and the balance transferred to the State General Fund. Expenses heretofore drawn from such special funds or other depositories shall be drawn from the agencies General Fund Account.

(2) Beginning with the fiscal year ending June 30, 2016, the amount to be appropriated annually from the State General Fund for the support of each of the above-named state agencies shall not exceed the amount appropriated for such purpose in the preceding fiscal year, plus any increases in or additional fees, assessments or other charges authorized by act of the Legislature for the succeeding fiscal year.

(3) The provisions of this section shall not apply to any trust fund account that is maintained by any above-named agency.

(4) The provisions of this section shall not prohibit any of the above-named agencies from maintaining clearing accounts in approved depositories.

(5) The provisions of this section shall not apply to any trust fund accounts maintained by the Public Employees' Retirement System and protected under Section 272A of the Mississippi Constitution of 1890.

SECTION 8. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 14, CHAPTER 42, LAWS OF 2020, TO INCREASE THE AMOUNT IN THE FISCAL YEAR 2021 APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS THAT IS AUTHORIZED FOR EXPENDITURE IN THE INMATE WELFARE FUND; TO AMEND SECTION 8, CHAPTER 92, LAWS OF

2020, TO EXTEND THE PERIOD FOR WHICH FUNDS IN THE FISCAL YEAR 2021 APPROPRIATION TO THE DEPARTMENT OF EMPLOYMENT SECURITY MAY BE USED TO PURCHASE ACCUMULATED COMPENSATORY TIME BY EMPLOYEES WHOSE ACTIVITIES ARE DEEMED ESSENTIAL TO AGENCY OPERATIONS FOR RESPONDING TO COVID-19; TO AMEND SECTION 35, CHAPTER 102, LAWS OF 2020, TO EXTEND THE PERIOD FOR WHICH FUNDS IN THE FISCAL YEAR 2021 APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH MAY BE USED TO PURCHASE ACCUMULATED COMPENSATORY TIME BY EMPLOYEES WHOSE ACTIVITIES ARE DEEMED ESSENTIAL TO AGENCY OPERATIONS FOR RESPONDING TO COVID-19 AND TO INCREASE THE AMOUNT OF FUNDS THAT MAY BE USED FOR THAT PURPOSE; TO AMEND SECTION 18, CHAPTER 106, LAWS OF 2020, TO CLARIFY THE NAME OF A RECIPIENT OF PROJECT FUNDS FROM THE GULF COAST RESTORATION FUND IN THE FISCAL YEAR 2021 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY AND TO CORRECT THE PURPOSE OF ONE OF THE PROJECTS; TO AMEND SECTION 28, CHAPTER 107, LAWS OF 2020, TO CLARIFY THE NAMES OF TWO RECIPIENTS OF PROJECT FUNDS FROM THE BP SETTLEMENT FUND IN THE FISCAL YEAR 2021 APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE STATE FIRE ACADEMY WORKFORCE PROGRAM FUND, WHICH SHALL CONSIST OF MONIES MADE AVAILABLE BY THE LEGISLATURE AND MONIES RECEIVED BY THE STATE FIRE ACADEMY FOR WORKFORCE PROGRAMS; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO EXEMPT THE STATE FIRE ACADEMY WORKFORCE PROGRAM FUND FROM THE PROVISION REQUIRING THE STATE FIRE ACADEMY BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 106 was adopted.

YEAS AND NAYS On H. B. No. 106. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

H. B. No. 109: Budget process; update various sections relating to.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-103-125, Mississippi Code of 1972, is brought forward as follows:

27-103-125. The proposed budget of each state agency shall show the amounts required for operating expenses separately from the amounts required for permanent improvements. The overall budget shall show, separately by each source, the estimated amount of general fund revenue and of special fund revenues of general fund agencies. The total proposed expenditures in Part 1 of the overall budget shall not exceed the amount of estimated revenues that will be available in the general and special funds for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand in the general and special funds at the close of the then current fiscal year. The total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. However, for fiscal years 2010, 2011, 2012, 2016 and 2017 only, the total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed one hundred percent (100%) of the amount of the general fund revenue estimate for the succeeding fiscal year, and for fiscal year 2018, the total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-nine percent (99%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. The Legislative Budget Office may recommend additional taxes or sources of revenue if in its judgment those additional funds are necessary to adequately support the functions of the state government.

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is brought forward as follows:

27-103-139. On or before November 15 preceding each regular session of the Legislature, except the first regular session of a new term of office, the Governor shall submit to the members of the Legislature, the Legislative Budget Office or the members-elect, as the case may be, and to the executive head of each state agency a balanced budget for the succeeding fiscal year. The budget submitted shall be prepared in a format that will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. The total proposed expenditures from the State General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. However, for fiscal years 2010, 2011, 2012, 2016 and 2017 only, the total proposed expenditures from the State General Fund in the balanced budget shall not exceed one hundred percent (100%) of the amount of the general fund revenue estimate for the succeeding fiscal year, and for fiscal year 2018, the total proposed expenditures from the State General Fund in the balanced budget shall not exceed ninety-nine percent (99%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to fund the additional proposed expenditures, providing specific details regarding the sources and the total amount of those proposed revenues.

The Governor may employ a budget officer for the purpose of receiving information from the State Fiscal Officer and preparing his recommendations on the budget. If the Governor determines that information received from the State Fiscal Officer is not sufficient to enable him to prepare his budget recommendations, he may request an appropriation from the Legislature to provide additional staff within the Governor's office for that purpose. At the first regular session after his election for Governor, the Governor shall submit any budget recommendations plus the required revenue source recommendations no later than January 31 of that year.

SECTION 3. Section 27-103-203, Mississippi Code of 1972, is brought forward as follows:

27-103-203. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Working Cash-Stabilization Reserve Fund.

(2) The Working Cash-Stabilization Reserve Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Working Cash-Stabilization Reserve Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. If the Ayers Settlement Fund is created under Section 37-101-27(5), the first Five Million Dollars (\$5,000,000.00) of interest earned on those sums each fiscal year shall be deposited into that fund until a total of Seventy Million Dollars (\$70,000,000.00) has been deposited into the fund. The interest, or the remaining interest if the Ayers Settlement Fund is created, that is earned on those sums shall be deposited in the Working Cash-Stabilization Reserve Fund until the balance of principal and interest in the fund reaches ten percent (10%) of the total General Fund appropriations for the current fiscal year, and all interest earned in excess of amounts necessary to maintain the ten percent (10%) fund balance requirement shall be deposited by the State Treasurer into the State General Fund.

(3) The Working Cash-Stabilization Reserve Fund, except for Fifteen Million Dollars (\$15,000,000.00) and the amount of the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27, shall be used by the State Treasurer for cash flow needs throughout the year when the Executive Director of the Department of Finance and Administration certifies that in his opinion there will be cash flow deficiencies in the State General Fund. No borrowing of monies from other special funds for such purposes as authorized by Section 31-17-101 et seq., shall be made as long as an unencumbered balance in excess of Fifteen Million Dollars (\$15,000,000.00) and the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27 remains in the fund. The State Treasurer shall reimburse the fund for all sums borrowed for those purposes from General Fund revenues collected during the fiscal year in which those funds are used. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of the fund. Fifteen Million Dollars (\$15,000,000.00) in the Working Cash-Stabilization Reserve Fund shall remain available for exclusive use of the Ayers Endowment Trust created by Section 37-101-27. If the Ayers Settlement Fund is created under Section 37-101-27(5), beginning when a total of Fifty-five Million Dollars (\$55,000,000.00) has been deposited into the fund, for each annual deposit of interest to that fund under subsection (2) of this section, the Ayers Endowment Trust created under Section 37-101-27(1) shall be reduced by an equal amount annually until the Ayers Endowment Trust reaches Zero Dollars (\$0.00), at which time any requirements concerning the Ayers Endowment Trust in this section shall be null and void.

(4) The Working Cash-Stabilization Reserve Fund, except for Forty Million Dollars (\$40,000,000.00), shall also be used for the purpose of covering any projected deficits that may occur in the General Fund at the end of a fiscal year as a result of revenue shortfalls. If the Governor determines that a deficit in revenues from all sources may occur, it shall be the duty of the Executive Director of the Department of Finance and Administration to transfer such funds as necessary to the General Fund to alleviate the deficit in accordance with Sections 27-104-13 and 31-17-123; however, not more than Fifty Million Dollars (\$50,000,000.00) may be transferred from the fund for that purpose in any one (1) fiscal year with the exception of fiscal year 2016. However, for fiscal year 2017, not more than One Hundred Million Dollars (\$100,000,000.00) may be transferred from the fund for that purpose.

(5) The Working Cash-Stabilization Reserve Fund also shall be used to provide funds for the Disaster Assistance Trust Fund when those funds are immediately needed to provide for disaster assistance under Sections 33-15-301 through 33-15-317. Any transfer of funds from the Working Cash-Stabilization Reserve Fund to the Disaster Assistance Trust Fund shall be made in accordance with the provisions of subsection (5) of Section 33-15-307.

(6) The Department of Finance and Administration shall immediately send notice of any transfers made, or other action taken under authority of this section, to the Legislative Budget Office.

(7) Funds deposited in the Working Cash-Stabilization Reserve Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Working Cash-Stabilization Reserve Fund shall be made except by act of the Legislature making specific reference to the Working Cash-Stabilization Reserve Fund as the source of those funds.

(8) Any funds appropriated from the Working Cash-Stabilization Reserve Fund that are unexpended at the end of a fiscal year shall lapse into the Working Cash-Stabilization Reserve Fund.

SECTION 4. Section 27-103-211, Mississippi Code of 1972, is brought forward as follows:

27-103-211. The total sum appropriated by the Legislature from the State General Fund for any fiscal year shall not exceed ninety-eight percent (98%) of the general fund revenue estimate for that fiscal year developed by the Department of Revenue and the University Research Center and adopted by the Joint Legislative Budget Committee. The unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund under Section 27-103-203. However, for fiscal years 2010, 2011, 2012, 2015, 2016 and 2017 only, the total sum appropriated by the Legislature from the State General Fund shall not exceed one hundred percent (100%) of the amount of the general fund revenue estimate for that fiscal year, and for fiscal year 2018, the total sum appropriated by the Legislature from the State General Fund shall not exceed ninety-nine percent (99%) of the amount of the general fund revenue estimate adopted by the Joint Legislative Budget Committee for that fiscal year.

SECTION 5. Section 27-103-213, Mississippi Code of 1972, is brought forward as follows:

27-103-213. (1) The unencumbered cash balance in the General Fund in the State Treasury at the close of each fiscal year shall be distributed to the Municipal Revolving Fund, the Working Cash-Stabilization Reserve Fund and the Capital Expense Fund in the manner provided in this section, except for fiscal year 2014 in which the unencumbered cash balance at the close of fiscal year 2014 shall be distributed as provided in subsection

(4) of this section, and fiscal year 2016 in which the unencumbered cash balance at the close of fiscal year 2016 shall be distributed as provided in subsection (5) of this section.

(2) (a) At the end of each fiscal year, the Executive Director of the Department of Finance and Administration and the State Treasurer shall determine the extent of the unencumbered cash balance existing in the General Fund in the State Treasury.

(b) As used in this section, the term "unencumbered cash balance" or "unencumbered General Fund cash balance" means the amount in the State General Fund after deducting all appropriations and other expenditures. However, if the Legislature has authorized additional or deficit appropriations or transfers from the State General Fund for that fiscal year, those amounts shall be subtracted from the unencumbered cash balance in the General Fund before determining the amount available for distribution. The unencumbered General Fund cash balance shall not be determined until after August 31 of each year, and it shall not be made until the State Treasurer has received a certificate in writing from the Executive Director of the Department of Finance and Administration, with notification to the Legislative Budget Office, showing the amount of the unencumbered General Fund cash balance.

(3) If any unencumbered General Fund cash balance is available for distribution under this section, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, fifty percent (50%) of the amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a), not to exceed ten percent (10%) of the General Fund appropriations for the fiscal year that the unencumbered General Fund cash balance represents. For the purposes of this paragraph (b), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(c) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b).

(4) For fiscal year 2014, if any unencumbered General Fund cash balance is available for distribution under this section at the close of the fiscal year, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, the amount of the unencumbered General Fund cash balance not distributed under paragraph (a) until such time as the balance in the fund reaches Forty Million Dollars (\$40,000,000.00).

(c) To the Working Cash-Stabilization Reserve Fund, Two Hundred Eighty-six Million Nine Hundred Fifty-nine Thousand Seven Hundred Ninety-eight Dollars (\$286,959,798.00) of the amount of the unencumbered General Fund cash balance after

the distributions are made under paragraphs (a) and (b); however, if the amount of the unencumbered General Fund cash balance is less than Two Hundred Eighty-six Million Nine Hundred Fifty-nine Thousand Seven Hundred Ninety-eight Dollars (\$286,959,798.00), then the total amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b) shall be distributed to the Working Cash-Stabilization Reserve Fund. For the purposes of this paragraph (c), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(d) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a), (b) and (c).

(5) For fiscal year 2016, if any unencumbered General Fund cash balance is available for distribution under this section at the close of the fiscal year, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a).

SECTION 6. Section 27-103-303, Mississippi Code of 1972, is amended as follows:

27-103-303. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Capital Expense Fund.

(2) The Capital Expense Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Capital Expense Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. Interest earned on this fund shall be deposited by the State Treasurer into the State General Fund.

(3) The Capital Expense Fund shall be used for capital expense needs, repair and renovation of state-owned properties and specific expenditures authorized by the Legislature. The Legislature shall designate those capital expense projects, repair and renovation projects and other authorized projects in an appropriation act passed by the Legislature, which shall direct the Executive Director of the Department of Finance and Administration to administer the projects.

(4) In addition to the purposes specified in subsection (3) of this section, the Capital Expense Fund shall be used to provide funds for emergency repairs on state-owned buildings *** upon requisition of the Executive Director of the Department of Finance and Administration. Whenever the executive director determines that funds are immediately needed for emergency repairs on state-owned buildings ***, he or she shall requisition the funds needed from the Capital Expense Fund, which shall be subject to the limitations set forth in this subsection. At the same time he or she makes the requisition, the executive director shall notify the Lieutenant Governor, the Speaker of the House of Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Finance Committee, the House Appropriations Committee and the House Ways

and Means Committee and the Legislative Budget Office of his or her determination of the need for the funds, the amount that he or she has requisitioned and where the funds will be used. If the amount requisitioned is available in the Capital Expense Fund, is not allocated for any specific projects as authorized in subsection (3) of this section and is within the limitations set forth below in this subsection, then the executive director may escalate the budget of the Bureau of Building, Grounds and Real Property Management *** to use the full amount of the requisitioned funds for the emergency repairs ***, and transfer that amount to the bureau *** for that purpose. If the amount requisitioned is more than the amount available in the Capital Expense Fund or above the limitations set forth below in this subsection, then the executive director may escalate the budget of the bureau *** to use the amount that is available within the limitations for the emergency repairs ***, and transfer that amount to the bureau *** for that purpose. The maximum amount that may be transferred from the Capital Expense Fund to the bureau *** for any single emergency shall be One Million Dollars (\$1,000,000.00), and the maximum amount that may be transferred to the bureau *** for all emergencies during any fiscal year shall be Five Million Dollars (\$5,000,000.00).

(5) Funds deposited in the Capital Expense Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Capital Expense Fund shall be made except by act of the Legislature making specific reference to the Capital Expense Fund as the source of those funds.

(6) Unexpended funds in the Capital Expense Fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the fund for use under this section. Any funds appropriated from the Capital Expense Fund that are unexpended at the end of a fiscal year shall lapse into the Capital Expense Fund.

SECTION 7. During fiscal year 2021, the State Fiscal Officer shall transfer to the Capital Expense Fund out of the following enumerated funds, the amounts listed below from each fund:

FUND	FUND NUMBER	AMOUNT
General Fund	2999000000	\$1.00
Budget Contingency Fund	6117700000	\$1.00
TOTAL		\$2.00

SECTION 8. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211 AND 27-103-213, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE BUDGET PROCESS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-103-303, MISSISSIPPI CODE OF 1972, TO REMOVE THE AUTHORITY TO USE FUNDS FROM THE CAPITAL EXPENSE FUND FOR THE EMERGENCY PLUGGING OF ORPHANED WELLS IDENTIFIED BY THE OIL AND GAS BOARD; TO PROVIDE FOR CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND DURING THE FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 109 was adopted.

YEAS AND NAYS On H. B. No. 109. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 516: Department of Revenue; allow department appraisers to receive certain pay increases upon completing certain training.

YEAS AND NAYS On H. B. No. 516. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 519: Motor vehicle license tags; remove requirement for apportioned vehicles to have decal with expiration month/year on tag.

YEAS AND NAYS On H. B. No. 519. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than four percent (4%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages;

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen (18) hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen (18) hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. Land that is planned for mixed use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed and which land is located:

a. In a county that has voted to come out from under the dry law,

b. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

c. Within one (1) mile of a state institution of higher learning;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located.

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84.

23. Any tracts of land in Oktibbeha County, situated east of Mississippi Boulevard, north of Coliseum Boulevard and east of Montgomery Hill Road, and not located on the property of a state institution of higher learning.

24. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, located in a municipality, which is the seat of county government, situated South of Interstate Highway 10, traversed by U.S. Highway 90, is partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in subparagraph (iii) of this paragraph (o) as qualified resort areas does not require any declaration of same by the department.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily

from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this chapter unless on the date of the initial application for a license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

SECTION 2. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may

also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the

premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the

sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit

shall authorize the holder to sell alcoholic beverages, including native wines, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic

beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section 65-1-5(o)(iii)24.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 3. Section 67-1-37, Mississippi Code of 1972, is brought forward as follows:

67-1-37. The Department of Revenue, under its duties and powers with respect to the Alcoholic Beverage Control Division therein, shall have the following powers, functions and duties:

(a) To issue or refuse to issue any permit provided for by this chapter, or to extend the permit or remit in whole or any part of the permit monies when the permit cannot be used due to a natural disaster or act of God.

(b) To revoke, suspend or cancel, for violation of or noncompliance with the provisions of this chapter, or the law governing the production and sale of native wines, or any lawful rules and regulations of the department issued hereunder, or for other sufficient cause, any permit issued by it under the provisions of this chapter. The department shall also be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

(c) To prescribe forms of permits and applications for permits and of all reports which it deems necessary in administering this chapter.

(d) To fix standards, not in conflict with those prescribed by any law of this state or of the United States, to secure the use of proper ingredients and methods of manufacture of alcoholic beverages.

(e) To issue rules regulating the advertising of alcoholic beverages in the state in any class of media and permitting advertising of the retail price of alcoholic beverages.

(f) To issue reasonable rules and regulations, not inconsistent with the federal laws or regulations, requiring informative labeling of all alcoholic beverages offered for sale within this state and providing for the standards of fill and shapes of retail containers of alcoholic beverages; however, such containers shall not contain less than fifty (50) milliliters by liquid measure.

(g) Subject to the provisions of subsection (3) of Section 67-1-51, to issue rules and regulations governing the issuance of retail permits for premises located near or around schools, colleges, universities, churches and other public institutions, and specifying the distances therefrom within which no such permit shall be issued. The Alcoholic Beverage Control Division shall not issue a package retailer's or on-premises retailer's permit for the sale or consumption of alcoholic beverages in or on the campus of any public school, community or junior college, college or university.

(h) To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this chapter or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution and sale of alcoholic liquor, whether intended for

beverage or nonbeverage use in a manner not inconsistent with the provisions of this chapter or any other statute, including the native wine laws.

(i) To call upon other administrative departments of the state, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it may deem necessary in the performance of its duties.

(j) To prepare and submit to the Governor during the month of January of each year a detailed report of its official acts during the preceding fiscal year ending June 30, including such recommendations as it may see fit to make, and to transmit a like report to each member of the Legislature of this state upon the convening thereof at its next regular session.

(k) To inspect, or cause to be inspected, any premises where alcoholic liquors intended for sale are manufactured, stored, distributed or sold, and to examine or cause to be examined all books and records pertaining to the business conducted therein.

(l) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him to the Legislature of this state such amendments to this chapter, if any, as it may think desirable.

(m) To designate hours and days when alcoholic beverages may be sold in different localities in the state which permit such sale.

(n) To assign employees to posts of duty at locations where they will be most beneficial for the control of alcoholic beverages and to take any other action concerning persons employed under this chapter as authorized by law and taken in accordance with the rules, regulations and procedures of the State Personnel Board.

(o) To enforce the provisions made unlawful by Chapter 3, Title 67 and Section 97-5-49.

(p) To delegate its authority under this chapter to the Alcoholic Beverage Control Division, its director or any other officer or employee of the department that it deems appropriate.

(q) To prescribe and charge a fee to defray the costs of shipping alcoholic beverages, provided that such fee is determined in a manner provided by the department by rules and/or regulations adopted in accordance with the Mississippi Administrative Procedures Law.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO INCLUDE A CERTAIN AREA WITHIN A MUNICIPALITY, SITUATED SOUTH OF INTERSTATE HIGHWAY 10, TRAVERSED BY U.S. HIGHWAY 90, IS PARTIALLY BORDERED ON ONE SIDE BY THE PASCAGOULA RIVER AND HAVING ITS MOST SOUTHERN BOUNDARY BORDERED BY THE GULF OF MEXICO, WITH A POPULATION GREATER THAN 22,000 ACCORDING TO THE 2010 FEDERAL DECENNIAL CENSUS; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE

RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES IN CERTAIN MIXED-USED PROPERTY DEVELOPMENT IMPROVEMENTS IN A CERTAIN MUNICIPALITY; TO BRING FORWARD SECTION 67-1-37, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 572 was adopted.

YEAS AND NAYS On H. B. No. 572. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--Branning, Chism, Hill, Norwood, Parker, Tate. Total--6.
Absent and those not voting----None.

Senator Simmons D. T. (12th), who would have voted yea on H. B. No. 572, announced a pair with Senator Frazier, who would have voted nay.

Senator Harkins called up the following entitled bill:

H. B. No. 667: Alcoholic beverages; delete requirement for immediate permit revocation for certain prohibited sales.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-83, Mississippi Code of 1972, is amended as follows:

67-1-83. (1) It shall be unlawful for any permittee or * * * any employee or agent thereof to sell or furnish any alcoholic beverage to any person who is visibly intoxicated, or to any person who is known to habitually drink alcoholic beverages to excess, or to any person who is known to be an habitual user of narcotics or other habit-forming drugs. It shall also be unlawful for the holder of any package retailer's permit to sell any alcoholic beverages except by delivery in person to the purchaser at the place of business of the permittee.

(2) It shall be unlawful for any permittee or * * * any employee or agent thereof to sell or furnish any alcoholic beverage to any person to whom the * * * department has, after investigation, decided to prohibit the sale of those beverages because of an appeal to the * * * department so to do by the husband, wife, father, mother, brother, sister, child, or employer of the person. The interdiction in those cases shall last until removed by the * * * department, but no person shall be held to have violated this subsection unless he has been informed by the * * * department, by registered letter, that it is forbidden to

sell to that individual or unless that fact is otherwise known to the permittee or * * * its employee or agent.

(3) It shall be unlawful for any holder of a package retailer's permit, or any employee or agent thereof, engaged solely in the business of package retail sales under this chapter to sell or furnish any alcoholic beverage before 10:00 a.m. and after 10:00 p.m. or to sell alcoholic beverages on Sunday and Christmas Day.

(4) Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a term of not more than six (6) months, or by both that fine and imprisonment, in the discretion of the court. In addition to any other penalties prescribed by law, the commission * * * may immediately revoke the permit of any permittee who violates the provisions of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO MAKE DISCRETIONARY THE PROVISION REQUIRING THE DEPARTMENT OF REVENUE TO IMMEDIATELY REVOKE THE PERMIT OF ANY PERMITTEE WHO VIOLATES THE SECTION'S PROHIBITIONS ON ALCOHOLIC BEVERAGE SALES TO CERTAIN PERSONS OR AT CERTAIN TIMES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 667 was adopted.

YEAS AND NAYS On H. B. No. 667. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Horhn, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--42.

Nays--Branning, Chism, Hill, Norwood, Parker, Seymour, Tate. Total--7.

Absent and those not voting---None.

Voting Present--Jackson S. (32nd). Total--1.

Senator Simmons D. T. (12th), who would have voted yea on H. B. No. 667, announced a pair with Senator Frazier, who would have voted nay.

Senator Harkins called up the following entitled bill:

H. B. No. 499: Qualified equity investment tax credits; extend authority of Mississippi Development Authority to allocate.

YEAS AND NAYS On H. B. No. 499. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 520: Use tax; revise certain provisions regarding funds distributed to municipalities/counties for road improvements.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-67-35, Mississippi Code of 1972, is amended as follows:

27-67-35. (1) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(e) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the Department of Revenue to provide funds to assist municipalities in this state in paying costs associated with (i) repair, maintenance and/or reconstruction of roads, streets and bridges in municipalities * * *, (ii) repair, maintenance and/or other improvements to water infrastructure and sewer infrastructure and/or (iii) as a pledge to pay all or a portion of debt service on debt issued by a municipality for such purposes. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to municipalities under this subsection (1) shall be allocated and distributed to municipalities as follows:

1. Three Million Dollars (\$3,000,000.00) shall be allocated to all municipalities in equal shares, and

2. The remainder of the funds allocated as follows:

a. One-half (1/2) shall be allocated to municipalities based on the proportion that the population of a municipality according to the most recent federal decennial census bears to the total population of all municipalities in the state according to the most recent federal decennial census, and

b. One-half (1/2) shall be allocated to municipalities based on the proportion that the amount of sales tax revenue distributed to a municipality during the preceding fiscal year under Section 27-65-75(1)(a) bears to the total amount of sales tax revenue distributed to all municipalities during the preceding fiscal year under Section 27-65-75(1)(a). The Department of Revenue shall distribute funds under this

subsection (1) on a semiannual basis with distributions being made in the months of January and July.

(ii) In order to be eligible to receive the full amount of funds allocated for distribution to a municipality during a year under this subsection (1), the municipality must have expended an amount not less than the amount of base expenditures during the previous municipal fiscal year for the purposes described in paragraph (a) of this subsection (1). If a municipality fails to expend such required amount, then the amount of funds allocated for distribution to the municipality shall be reduced by the percentage by which the municipality failed to expend the amount of base expenditures. For the purposes of this subsection (1), "base expenditures" means the average annual expenditures made by a municipality for purposes described in paragraph (a) of this subsection (1) for the five-year period beginning October 1, 2013, and ending September 30, 2018. However, for the purposes of calculating the average annual expenditures for such five-year period, the year within the period with the highest annual expenditures for such purposes and the year within the period with the lowest annual expenditures for such purposes shall be excluded when calculating the average annual expenditures for the five-year period. Expenditure of grant proceeds, loan proceeds, or the proceeds of bonds issued by a municipality for the purposes described in paragraph (a) of this subsection (1) shall not be considered when calculating the base period. Beginning July 1, 2020, and each succeeding July 1 thereafter, the amount of the base expenditures shall be adjusted and compounded annually by increasing or decreasing such amount by a percentage amount equal to the United States inflation rate for the previous calendar year ending on December 31 as certified by the Department of Revenue. The United States inflation rate for a calendar year shall be the Consumer Price Index for the calendar year for urban consumers as calculated by the Bureau of Labor Statistics of the United States Department of Labor.

(c) The Department of Revenue and the Department of Audit shall have all powers necessary to ensure the proper implementation of this subsection (1).

(2) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(f) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the Department of Revenue to provide funds to assist counties in this state in paying costs associated with the repair, maintenance and/or reconstruction of roads, streets and bridges in counties and/or as a pledge to pay all or a portion of debt service on debt issued by a county for such purposes. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to counties under this subsection (2) shall be allocated and distributed to counties in the following proportions:

1. One-third (1/3) shall be allocated to all counties in equal shares,

2. One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state, and

3. One-third (1/3) shall be allocated to counties based on the proportion that the rural population of a county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

The Department of Revenue shall distribute funds under this subsection (2) on a semiannual basis with distributions being made in the months of January and July. Rural road miles and rural road population in the counties shall be determined in the same manner as they are determined for the purposes of the distribution formula in Section 65-9-3.

(ii) From and after July 1, 2020, of the funds allocated for distribution to a county during a year under this subsection (2), the maximum amount of such funds that may be distributed to the county during that year shall not exceed the amount of county funds expended by the county during the previous county fiscal year for purposes described in paragraph (a) of this subsection (2). Expenditure of the proceeds of bonds issued by a county to pay costs associated with the repair, maintenance and/or reconstruction of roads, streets and bridges shall not be considered when determining the amount of county funds expended by the county during the previous county fiscal year.

(c) The Department of Revenue and the Department of Audit shall have all powers necessary to ensure the proper implementation of this subsection (2).

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES SPECIAL FUNDS IN THE STATE TREASURY TO BE USED TO PROVIDE FUNDS TO ASSIST MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS AND TO ASSIST COUNTIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS, TO PROVIDE THAT A MUNICIPALITY OR COUNTY MAY USE SUCH FUNDS AS A PLEDGE TO PAY ALL OR A PORTION OF DEBT SERVICE ON DEBT ISSUED BY THE MUNICIPALITY OR COUNTY FOR SUCH PURPOSES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 520 was adopted.

YEAS AND NAYS On H. B. No. 520. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Harkins called up the following entitled bill:

H. B. No. 955: Abandoned mobile homes; establish a procedure to dispose of.

YEAS AND NAYS On H. B. No. 955. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--DeBar, Seymour. Total--2.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

H. B. No. 1135: Alcoholic beverages; create delivery service permit.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The holder of a delivery service permit under Section 67-1-51:

(a) May contract with the holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or the holder of a beer, light wine and light spirit product retail permit under Section 67-3-19 for the purpose of intrastate delivery of alcoholic beverages or beer, light wine and light spirit product, as authorized to be sold under the respective permits;

(b) May deliver alcoholic beverages or beer, light wine and light spirit product without a delivery contract, if the permittee holds a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or a beer, light wine and light spirit product retail permit under Section 67-3-19, respectively;

(c) May use its own employees or independent contractors who are at least twenty-one (21) years of age to deliver such alcoholic beverages, beer, light wine or light spirit product under this section, provided all delivery agents are trained and certified consistent with the training program submitted to the division as required by subsection (2)(d) of this section. If independent contractors are used, the delivery service permittee must enter into a contract with the retailer as required by subsection (2)(c) of this section;

(d) May facilitate orders by telephone, internet or other electronic means for the sale and delivery of alcoholic beverages, beer, light wine or light spirit product under this section. The full amount of each order must be handled in a manner that gives the retail permittee control over the ultimate receipt of payment from the consumer. The retail permittee shall remain responsible for the proper remittance of all applicable taxes on the sale of the product;

(e) May deliver only sealed containers of alcoholic beverages, beer, light wine or light spirit product to an individual in Mississippi;

(f) Shall obtain from the customer a confirmation that he or she is at least twenty-one (21) years of age at the time the order is placed;

(g) Shall place a stamp, print or label on the outside of the sealed package to indicate that the sealed package contains alcoholic beverages, beer, light wine or light spirit product;

(h) Shall require the recipient, at the time of delivery, to provide valid photo identification verifying he or she is at least twenty-one (21) years of age and to sign for the delivery;

(i) Shall possess identification scanning software technology or a state-of-the-art alternative at the point of delivery to verify the recipient is at least twenty-one (21) years of age and to collect the recipient's name and date of birth. Records relating to this verification shall be maintained for at least ninety (90) days and shall be subject to review by the division;

(j) Shall return all alcoholic beverages, beer, light wine or light spirit product to the retailer if the recipient is under the age of twenty-one (21) years, appears intoxicated, fails to provide proof of identification, fails or refuses to sign for delivery, fails to complete the identification verification process or declines to accept delivery, or if any circumstances in the delivery environment indicate illegal conduct, overconsumption of alcohol, or an otherwise unsafe environment for the consumption of alcohol;

(l) May not deliver any alcoholic beverage, beer, light wine or light spirit product to any person located within a jurisdiction that is dry for that product, as provided by the division's wet-dry map;

(m) May not deliver any alcoholic beverage, beer, light wine or light spirit product in a jurisdiction during times prohibited for lawful sale in that jurisdiction;

(n) May not deliver any alcoholic beverage, beer, light wine or light spirit product more than thirty (30) miles from the retailer's licensed premises;

(o) Shall permit the division to perform an audit of the licensee's records upon request and with sufficient notification; and

(p) Shall be deemed to have consented to the jurisdiction of the division or any law enforcement agency and the Mississippi courts concerning enforcement of this section and any related laws or rules.

(2) In order to receive a delivery service permit, an applicant shall:

(a) File an application with the division;

(b) Pay the privilege license tax of Five Hundred Dollars (\$500.00) as provided in Section 27-71-5;

(c) Provide to the division a sample contract that the applicant intends to enter into with a retailer for the delivery of alcoholic beverages, beer, light wine or light spirit product, unless the applicant is the retailer;

(d) Submit to the division an outline of an internal or external training and certification program for delivery service personnel that addresses topics such as identifying underage persons, intoxicated persons, and fake or altered identification;

(e) Provide an attestation that the applicant is at least twenty-one (21) years of age and has not been convicted of a felony in any state or federal courts;

(f) Shall provide proof of a general liability insurance policy in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence; and

(g) Shall be properly registered to conduct business in Mississippi.

(3) Nothing in this section shall be construed to require a technology services company to obtain a delivery service permit if the company does not employ or contract with delivery agents but merely provides software or a digital network application that connects consumers and licensed retailers for the delivery of alcoholic beverages from the licensed retailer. However, the act of connecting consumers to licensed retailers shall serve to grant jurisdiction to the State of Mississippi.

(4) The division may enforce the requirements of this section by the same administrative proceedings that apply to other alcoholic beverage licenses or permits, including, without limitation, any disciplinary action applicable to the package retailer's permittee, on-premises retailer's permittee, retail permittee for beer, light wine or light spirit product, or delivery service permittee resulting from any unlawful sale to a minor.

(5) The division may enforce the requirements of this section against the package retailer's permittee, on-premises retailer's permittee, retail permittee for beer, light wine or light spirit product, or delivery service permittee, and any employee or independent contractor of such permittee. If a package retailer permittee, an on-premises retailer's permittee, or a retail permittee for beer, light wine or light spirit product is also a delivery permittee, a violation of alcohol law by its employee or independent contractor during delivery will subject both the retailer permit and the delivery service permit to disciplinary action for the violation. Delivery to a minor shall be treated as furnishing to a minor and shall result in any applicable disciplinary action.

(6) Nothing in this section shall be construed to limit or otherwise diminish the ability of the division to enforce the provisions of Chapters 1 and 3, Title 67, Mississippi Code of 1972, with respect to the liability of any package retailer's permittee, on-premises retailer's permittee, retail permittee for beer, light wine or light spirit product, or delivery service permittee engaging in delivery activity authorized by this section.

(7) Nothing in this section shall be construed to authorize the direct shipment of alcoholic beverages, light wine, beer or light spirit product from any manufacturer or distributor holding a permit under this chapter, or under Title 67, Chapter 3, Mississippi Code of 1972, to consumers in this state.

SECTION 2. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons

outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most

southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a

catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The

permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this

paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 1 of this act, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to

subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 3. Section 67-1-37, Mississippi Code of 1972, is amended as follows:

67-1-37. The Department of Revenue, under its duties and powers with respect to the Alcoholic Beverage Control Division therein, shall have the following powers, functions and duties:

(a) To issue or refuse to issue any permit provided for by this chapter, or to extend the permit or remit in whole or any part of the permit monies when the permit cannot be used due to a natural disaster or act of God.

(b) To revoke, suspend or cancel, for violation of or noncompliance with the provisions of this chapter, or the law governing the production and sale of native wines, or any lawful rules and regulations of the department issued hereunder, or for other sufficient cause, any permit issued by it under the provisions of this chapter. The department shall also be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section

93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

(c) To prescribe forms of permits and applications for permits and of all reports which it deems necessary in administering this chapter.

(d) To fix standards, not in conflict with those prescribed by any law of this state or of the United States, to secure the use of proper ingredients and methods of manufacture of alcoholic beverages.

(e) To issue rules regulating the advertising of alcoholic beverages in the state in any class of media and permitting advertising of the retail price of alcoholic beverages.

(f) To issue reasonable rules and regulations, not inconsistent with the federal laws or regulations, requiring informative labeling of all alcoholic beverages offered for sale within this state and providing for the standards of fill and shapes of retail containers of alcoholic beverages; however, such containers shall not contain less than fifty (50) milliliters by liquid measure.

(g) Subject to the provisions of subsection (3) of Section 67-1-51, to issue rules and regulations governing the issuance of retail permits for premises located near or around schools, colleges, universities, churches and other public institutions, and specifying the distances therefrom within which no such permit shall be issued. The Alcoholic Beverage Control Division shall not issue a package retailer's or on-premises retailer's permit for the sale or consumption of alcoholic beverages in or on the campus of any public school, community or junior college, college or university.

(h) To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this chapter or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution, delivery and sale of alcoholic liquor, whether intended for beverage or nonbeverage use in a manner not inconsistent with the provisions of this chapter or any other statute, including the native wine laws.

(i) To call upon other administrative departments of the state, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it may deem necessary in the performance of its duties.

(j) To prepare and submit to the Governor during the month of January of each year a detailed report of its official acts during the preceding fiscal year ending June 30, including such recommendations as it may see fit to make, and to transmit a like report to each member of the Legislature of this state upon the convening thereof at its next regular session.

(k) To inspect, or cause to be inspected, any premises where alcoholic liquors intended for sale are manufactured, stored, distributed or sold, and to examine or cause to be examined all books and records pertaining to the business conducted therein.

(l) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to

the Governor and through him to the Legislature of this state such amendments to this chapter, if any, as it may think desirable.

(m) To designate hours and days when alcoholic beverages may be sold in different localities in the state which permit such sale.

(n) To assign employees to posts of duty at locations where they will be most beneficial for the control of alcoholic beverages and to take any other action concerning persons employed under this chapter as authorized by law and taken in accordance with the rules, regulations and procedures of the State Personnel Board.

(o) To enforce the provisions made unlawful by Chapter 3, Title 67 and Section 97-5-49.

(p) To delegate its authority under this chapter to the Alcoholic Beverage Control Division, its director or any other officer or employee of the department that it deems appropriate.

(q) To prescribe and charge a fee to defray the costs of shipping alcoholic beverages, provided that such fee is determined in a manner provided by the department by rules and/or regulations adopted in accordance with the Mississippi Administrative Procedures Law.

SECTION 4. Section 67-1-83, Mississippi Code of 1972, is amended as follows:

67-1-83. (1) It shall be unlawful for any permittee or other person to sell or furnish any alcoholic beverage to any person who is visibly intoxicated, or to any person who is known to habitually drink alcoholic beverages to excess, or to any person who is known to be an habitual user of narcotics or other habit-forming drugs. It shall also be unlawful for the holder of any package retailer's permit to sell any alcoholic beverages except by delivery in person to the purchaser at the place of business of the permittee, unless the holder of a package retailer's permit also holds a delivery service permit or uses a delivery service permittee to effect delivery.

(2) It shall be unlawful for any permittee or other person to sell or furnish any alcoholic beverage to any person to whom the commission has, after investigation, decided to prohibit the sale of those beverages because of an appeal to the commission so to do by the husband, wife, father, mother, brother, sister, child, or employer of the person. The interdiction in those cases shall last until removed by the commission, but no person shall be held to have violated this subsection unless he has been informed by the commission, by registered letter, that it is forbidden to sell to that individual or unless that fact is otherwise known to the permittee or other person.

(3) It shall be unlawful for any holder of a package retailer's permit, or any employee or agent thereof, engaged solely in the business of package retail sales under this chapter to sell or furnish any alcoholic beverage before 10:00 a.m. and after 10:00 p.m. or to sell alcoholic beverages on Sunday and Christmas Day.

(4) Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a term of not more than six (6) months, or by both that fine and imprisonment, in the discretion of the court. In addition, the commission shall immediately revoke the permit of any permittee who violates the provisions of this section.

SECTION 5. Section 67-3-5, Mississippi Code of 1972, is amended as follows:

67-3-5. (1) It shall be lawful, subject to the provisions set forth in this chapter and in Section 67-1-51, in this state to transport, store, sell, distribute, possess, receive, deliver and/or manufacture light wine, light spirit product and beer, and it is hereby declared that it is the legislative intent that this chapter privileges the lawful sale and manufacture, within this state, of such light wines, light spirit products and beer. In determining if a wine product is "light wine," or contains an alcoholic content of more than five percent (5%) by weight, or is not an "alcoholic beverage" as defined in the Local Option Alcoholic Beverage Control Law, Chapter 1 of Title 67, Mississippi Code of 1972, the alcoholic content of such wine product shall be subject to the same permitted tolerance as is allowed by the labeling requirements for light wine provided for in Section 27-71-509.

(2) Subject to the provisions set forth in this chapter and in Section 67-1-51, it shall be lawful in this state to transport, store, sell, distribute, possess, receive, deliver and/or manufacture beer of an alcoholic content of more than eight percent (8%) by weight, if the beer is manufactured to be sold legally in another state and is transported outside of this state for retail sale.

SECTION 6. Section 67-3-25, Mississippi Code of 1972, is amended as follows:

67-3-25. (1) Any permit issued authorizing the sale or delivery of light wines, light spirit products and/or beer for consumption shall be construed to authorize the sale or delivery of light wines, light spirit products and/or beer by the bottle, by the glass or by draught, and in or from the original package.

(2) The commissioner is authorized to establish, in his discretion, dates for the expiration of permits issued under this chapter.

(3) Except as otherwise provided in this section, permits shall be issued for twelve (12) months and shall be renewed annually on the first day of the month in which the permit expires. The commissioner may issue temporary permits for less than a full year. All permits shall show the effective date and expiration date of the permit, the business location, individual or business name and mailing address of the permittee.

SECTION 7. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's.....\$4,500.00

(b) Manufacturer's permit, Class 2, wine

Manufacturer.....\$1,800.00

(c) Manufacturer's permit, Class 3, native wine

manufacturer per ten thousand (10,000) gallons or part thereof produced.....\$ 10.00

(d) Native wine retailer's permit.....\$ 50.00

(e) Package retailer's permit, each.....\$ 900.00

(f) On-premises retailer's permit, except for clubs and common carriers, each	\$ 450.00
(g) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each	\$ 225.00
(h) On-premises retailer's permit for clubs	\$ 225.00
(i) On-premises retailer's permit for common carriers, per car, plane, or other vehicle	\$ 120.00
(j) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department	\$ 100.00
(k) Filing fee for each application except for an employee identification card	\$ 25.00
(l) Temporary permit, Class 1, each	\$ 10.00
(m) Temporary permit, Class 2, each	\$ 50.00
(n) (i) Caterer's permit	\$ 600.00
(ii) Caterer's permit for holders of on-premises retailer's permit	\$ 150.00
(o) Research permit	\$ 100.00
(p) Temporary permit, Class 3 (wine only)	\$ 10.00
(q) Special service permit	\$ 225.00
(r) Merchant permit	\$ 225.00
(s) Temporary alcoholic beverages charitable auction permit	\$ 10.00
(t) Event venue retailer's permit	\$ 225.00
(u) Temporary theatre permit, each	\$ 10.00
(v) Charter ship operator's permit	\$ 100.00
(w) Distillery retailer's permit	\$ 450.00
(x) Festival wine permit	\$ 10.00
(y) Delivery service permit	\$ 500.00

If a person approved for a manufacturer's permit, Class 1, distiller's permit produces a product with at least fifty-one percent (51%) of the finished product by volume being obtained from alcoholic fermentation of grapes, fruits, berries, honey and/or vegetables grown and produced in Mississippi, and produces all of the product by using not more than one (1) still having a maximum capacity of one hundred fifty (150) liters, the annual privilege license tax for such a permit shall be Ten Dollars (\$10.00) per ten thousand (10,000) gallons or part thereof produced. Bulk, concentrated or fortified ingredients used for blending may be produced outside this state and used in producing such a product.

In addition to the filing fee imposed by paragraph (k) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (x) of this subsection shall stand repealed from and after July 1, 2023.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor or a temporary permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(f), (g), (h), (m) and (t) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars (\$225.00) on

purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(n) and (r) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars (\$250.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars (\$5,000.00) purchases to the first Five Thousand Dollars (\$5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 8. If any section, paragraph, sentence, clause, phrase or any part of this act is declared by a court of competent jurisdiction to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts thereof shall be in no manner affected thereby but shall remain in full force and effect.

SECTION 9. Section 1 of this act shall be codified as a new section in Chapter 1, Title 67, Mississippi Code of 1972.

SECTION 10. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A DELIVERY SERVICE PERMIT TO ALLOW THE HOLDER TO CONTRACT FOR THE DELIVERY OF ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT FROM A LICENSED RETAILER TO A CONSUMER; TO ALLOW A LICENSED RETAILER TO DELIVER ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT TO A CONSUMER IF THE RETAILER ALSO HOLDS A DELIVERY SERVICE PERMIT; TO SPECIFY

CONDITIONS OF DELIVERY PURSUANT TO THE PERMIT; TO SET OUT APPLICATION REQUIREMENTS FOR THE PERMIT; TO SPECIFY THE ENFORCEMENT POWERS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO INCLUDE THE DELIVERY SERVICE PERMIT AMONG THE ALCOHOL PERMITS ISSUED BY THE DEPARTMENT OF REVENUE; TO PROVIDE THAT THE HOLDER OF A PACKAGE RETAILER'S PERMIT OR AN ON-PREMISES RETAILER'S PERMIT UNDER SECTION 67-1-51 OR OF A BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT RETAILER'S PERMIT UNDER SECTION 67-3-19 IS AUTHORIZED TO APPLY FOR A DELIVERY SERVICE PERMIT AS A PRIVILEGE SEPARATE FROM ITS EXISTING RETAIL PERMIT; TO AMEND SECTIONS 67-1-37, 67-1-83, 67-3-5, 67-3-25 AND 27-71-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1135 was adopted.

YEAS AND NAYS On H. B. No. 1135. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--41.

Nays--Branning, Chism, Norwood, Parker, Parks, Suber, Tate, Turner-Ford. Total--8.

Absent and those not voting---None.

Voting Present--Jackson S. (32nd). Total--1.

Senator Simmons D. T. (12th), who would have voted yea on H. B. No. 1135, announced a pair with Senator Frazier, who would have voted nay.

Senator Harkins called up the following entitled bill:

H. B. No. 1139: Income, sales and use taxes; remove requirement that certain taxpayers pay June tax liability on or before June 25.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-309, Mississippi Code of 1972, is amended as follows:

27-7-309. (1) (a) Except as otherwise provided in this subsection, every employer required to deduct and withhold from wages under this article shall, for each calendar quarter, on or before the fifteenth day of the month following the close of such calendar quarter, file a withholding return as prescribed by the commissioner and pay over to the commissioner the full amount required to be deducted and withheld from wages by such employer for the calendar quarter. Provided that the commissioner may, by regulation, provide that every such employer shall, on or before the fifteenth day of each month, pay over to the commissioner or a depository designated by the commissioner, the amount required to be deducted and withheld by such employer for the preceding month, if such amount is One Hundred Dollars (\$100.00) or more. Returns and payments placed in the

mail must be postmarked by the due date in order to be timely filed, except when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed.

(b) An employer having an average monthly withholding tax liability of at least Fifty Thousand Dollars (\$50,000.00) for the preceding calendar year shall pay to the Department of Revenue on or before June 25, 2014, and on or before the twenty-fifth day of June of each succeeding year thereafter through June 30, 2021, an amount equal to at least seventy-five percent (75%) of such employer's estimated withholding tax liability for the month of June of the current taxable year, or an amount equal to at least seventy-five percent (75%) of the employer's withholding tax liability for the month of June of the preceding taxable year. From and after July 1, 2021, through June 30, 2022, the payment required on or before the twenty-fifth day of June shall be equal to at least fifty percent (50%) of such employer's estimated withholding tax liability for the month of June of the current taxable year, or an amount equal to at least fifty percent (50%) of the employer's withholding tax liability for the month of June of the preceding taxable year. From and after July 1, 2022, through June 30, 2023, the payment required on or before the twenty-fifth day of June shall be equal to at least twenty-five percent (25%) of such employer's estimated withholding tax liability for the month of June of the current taxable year, or an amount equal to at least twenty-five percent (25%) of the employer's withholding tax liability for the month of June of the preceding taxable year. From and after July 1, 2024, no payment shall be required on or before the twenty-fifth day of June, but payment for the month of June shall be the same as for the other months of the year.

Payments required to be made before July 1, 2024, under this paragraph must be received by the Department of Revenue no later than June 25 in order to be considered timely made. An employer that fails to comply with the requirements of this paragraph may be assessed a penalty in an amount equal to ten percent (10%) of the difference between any amount the taxpayer pays pursuant to this paragraph and the employer's actual withholding tax liability for the month of June for which the estimated payment was required to be made. This paragraph shall not apply to any agency, department or instrumentality of the United States, any agency, department, institution, instrumentality or political subdivision of the State of Mississippi, or any agency, department, institution or instrumentality of any political subdivision of the State of Mississippi. Payments made pursuant to this paragraph for the month of June, less One Hundred Thousand Dollars (\$100,000.00) thereof to be retained by the Department of Revenue each year to defray the costs of collection, shall be deposited by the Department of Revenue into the State General Fund.

(c) The commissioner may promulgate rules and regulations to require or permit filing periods of any duration, in lieu of monthly or quarterly filing periods, for any taxpayer or group thereof.

(2) Notwithstanding any of the other provisions of this section, all transient employers and all employers engaged in any business which is seasonal shall make return and pay over to the commissioner on a monthly basis, the full amounts required to be deducted and withheld from the wages by such employer for the calendar month. Such returns and payments to the commissioner by such employers shall be made on or before the fifteenth day of the month following the month for which such amounts were deducted and withheld from the wages of his employees. The commissioner shall have the authority to issue reasonable rules and regulations designating or classifying those transient and seasonal employers.

(3) If the commissioner, in any case, has justifiable reason to believe that the collection of funds required to be withheld by any employer as provided herein is in jeopardy, he may require the employer to file a return and pay such amount required to be withheld at any time.

(4) Every employer who fails to withhold or pay to the commissioner any sums required by this article to be withheld and paid, shall be personally and individually liable therefor, except as provided in Section 27-7-307; and any sum or sums withheld in accordance with the provisions of this article shall be deemed to be held in trust for the State of Mississippi and shall be recorded by the employer in a ledger account so as to clearly indicate the amount of tax withheld and that the amount is the property of the State of Mississippi.

(5) Once an employer has become liable to a quarterly return of withholding, he must continue to file a quarterly report, even though no tax has been withheld, until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such quarterly returns.

(6) Once an employer has become liable to a monthly return of withholding, he must continue to file a monthly report, even though no tax has been withheld until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such monthly returns.

(7) Magnetic media reporting may be required in a manner to be determined by the commissioner.

SECTION 2. Section 27-65-33, Mississippi Code of 1972, is amended as follows:

27-65-33. (1) (a) Except as otherwise provided in this section, the taxes levied by this chapter shall be due and payable on or before the twentieth day of the month next succeeding the month in which the tax accrues, except as otherwise provided. Returns and payments placed in the mail must be postmarked by the due date in order to be considered timely filed, except when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed. The taxpayer shall make a return showing the gross proceeds of sales or the gross income of the business, and any and all allowable deductions, or exempt sales, and compute the tax due for the period covered.

(b) As compensation for collecting sales and use taxes, complying fully with the applicable statutes, filing returns and supplements thereto and paying all taxes by the twentieth of the month following the period covered, the taxpayer may discount and retain two percent (2%) of the liability on each return subject to the following limitations:

(i) The compensation or discount shall not apply to taxes levied under the provisions of Sections 27-65-19 and 27-65-21, or on charges for ginning cotton under Section 27-65-23.

(ii) The compensation or discount shall not apply to taxes collected by a county official or state agency.

(iii) The compensation or discount shall not exceed Fifty Dollars (\$50.00) per month, or Six Hundred Dollars (\$600.00) per calendar year, per business location on each state sales tax return, or on each use tax return.

(iv) The compensation or discount shall not apply to any wholesale tax, the rate of which is equal to or greater than the tax rate applicable to retail sales of the same property or service. The retailer of such items shall be entitled to the compensation based on the tax computed on retail sales before application of the credit for any tax paid to the wholesaler, jobber or other person.

(v) The compensation or discount allowed and taken for any filing period may be reassessed and collected when an audit of a taxpayer's records reveals a tax deficiency for that period.

(c) As compensation for collecting any tax imposed under the authority of a local and private law of the State of Mississippi which is collected and paid to the Department of Revenue in the same or similar manner that state sales taxes are collected and paid, complying fully with such applicable law, filing returns and supplements thereto and paying all taxes by the twentieth of the month following the period covered, the taxpayer may discount and retain two percent (2%) of the liability on each return subject to the following limitations:

(i) The compensation or discount shall not apply to taxes collected by a county official or state agency.

(ii) The compensation or discount shall not exceed Fifty Dollars (\$50.00) per month, or Six Hundred Dollars (\$600.00) per calendar year, per business location on each tax return.

(iii) The compensation or discount allowed and taken for any filing period may be reassessed and collected when an audit of a taxpayer's records reveals a tax deficiency for that period.

(2) A taxpayer required to collect sales taxes under this chapter and having an average monthly sales tax liability of at least Fifty Thousand Dollars (\$50,000.00) for the preceding calendar year shall pay to the Department of Revenue on or before June 25, 2014, and on or before the twenty-fifth day of June of each succeeding year thereafter through June 30, 2021, an amount equal to at least seventy-five percent (75%) of such taxpayer's estimated sales tax liability for the month of June of the current calendar year, or an amount equal to at least seventy-five percent (75%) of the taxpayer's sales tax liability for the month of June of the preceding calendar year. From and after July 1, 2021, through June 30, 2022, the payment required on or before the twenty-fifth day of June shall be equal to at least fifty percent (50%) of such employer's estimated sales tax liability for the month of June of the current taxable year, or an amount equal to at least fifty percent (50%) of the employer's sales tax liability for the month of June of the preceding taxable year. From and after July 1, 2022, through June 30, 2023, the payment required on or before the twenty-fifth day of June shall be equal to at least twenty-five percent (25%) of such employer's estimated sales tax liability for the month of June of the current taxable year, or an amount equal to at least twenty-five percent (25%) of the employer's sales tax liability for the month of June of the preceding taxable year. From and after July 1, 2024, no payment shall be required on or before the twenty-fifth day of June, but payment for the month of June shall be the same as for the other months of the year.

For the purposes of calculating a taxpayer's estimated sales tax liability for the month of June of the current calendar year, the taxpayer does not have to include taxes due on credit sales for which the taxpayer has not received payment before June 20. Payments required to be made before July 1, 2024, under this subsection must be received by the Department of Revenue no later than June 25 in order to be considered timely made. A taxpayer that fails to comply with the requirements of this subsection may be assessed a penalty in an amount equal to ten percent (10%) of the difference between any amount the taxpayer pays pursuant to this subsection and the taxpayer's actual sales tax liability for the month of June for which the estimated payment was required to be made. Payments made by a taxpayer under this subsection shall not be considered to be collected for the purposes of any sales tax diversions required by law until the taxpayer files a return for the actual sales taxes collected during the month of June. This subsection shall not apply to any agency, department or instrumentality of the United States, any agency, department, institution, instrumentality or political subdivision of the State of Mississippi, or any agency, department, institution or instrumentality of any political subdivision of the State of Mississippi.

(3) All returns shall be sworn to by the taxpayer, if made by an individual, or by the president, vice president, secretary or treasurer of a corporation, or authorized agent, if made on behalf of a corporation. If made on behalf of a partnership, joint venture,

association, trust, estate, or in any other group or combination acting as a unit, any individual delegated by such firm shall swear to the return on behalf of the taxpayer. The commissioner may prescribe methods by which the taxpayer may swear to his return.

(4) The commissioner may promulgate rules and regulations to require or permit filing periods of any duration, in lieu of monthly filing periods, for any taxpayer or group thereof.

(5) The commissioner may require the execution and filing by the taxpayer with the commissioner of a good and solvent bond with some surety company authorized to do business in Mississippi as surety thereon in an amount double the aggregate tax liability by such taxpayer for any previous three-month period within the last calendar year or estimated three (3) months' tax liability. The bond is to be conditioned for the prompt payment of such taxes as may be due for each such return.

(6) The commissioner, for good cause, may grant such reasonable additional time within which to make any return required under the provisions of this chapter as he may deem proper, but the time for filing any return shall not be extended beyond the twentieth of the month next succeeding the regular due date of the return without the imposition of interest at the rate of one-half of one percent ($1/2$ of 1%) per month or fractional part of a month from the time the return was due until the tax is paid.

(7) For persistent, willful or recurring failure to make any return and pay the tax shown thereby to be due by the time specified, there shall be added to the amount of tax shown to be due ten percent (10%) damages, or interest at the rate of one-half of one percent ($1/2$ of 1%) per month, or both.

(8) Any taxpayer may, upon making application therefor, obtain from the commissioner an extension of time for the payment of taxes due on credit sales until collections thereon have been made. When such extension is granted, the taxpayer shall thereafter include in each monthly or quarterly report all collections made during the preceding month or quarter, and shall pay the taxes due thereon at the time of filing such report. Such permission may be revoked or denied at the discretion of the commissioner when, in his opinion, a total sales basis will best reflect the taxable income or expedite examination of the taxpayer's records.

(9) Any taxpayer reporting credit sales before collection thereof has been made may take credit on subsequent returns or reports for bad debts actually charged off, if such amounts charged off have previously been included in taxable gross income or taxable gross proceeds of sales, as the case may be, and the tax paid thereon. However, any amounts subsequently collected on accounts that have been charged off as bad debts shall be included in subsequent reports and the tax shall be paid thereon.

(10) In cases where an extension of time has been granted by the commissioner for payment of taxes due on credit sales and the taxpayer thereafter discontinues the business, such taxpayer shall be required to file with the commissioner within ten (10) days, or such further time as the commissioner may direct, from the date of the discontinuance of such business, a special report showing the amounts of any credit sales which have not been included in determining the measure of the tax previously paid and any other information with reference to credit sales as the commissioner may require. The commissioner shall thereupon investigate the facts with reference to credit sales and the condition of the accounts, and shall determine, from the best evidence available, the value of all open accounts, notes or other evidence of debt arising from credit sales. The value of all notes, open accounts and other evidence of debt, as thus determined by the commissioner, shall be used in determining the amount of the tax for which such taxpayer shall be liable. When the amount of the tax shall have been ascertained, the taxpayer shall be required to pay the same within ten (10) days or such further time as the commissioner may allow, notwithstanding the fact that such note or accounts may still remain uncollected.

SECTION 3. Section 27-67-17, Mississippi Code of 1972, is amended as follows:

27-67-17. (1) Except as otherwise provided in this section, the commissioner shall collect the tax imposed by this article, and every person subject to its provisions shall remit to the commissioner, on or before the twentieth day of each month, the amount of tax due by such person for the preceding calendar month. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except that when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed. Every taxpayer shall file a return with his remittance, which return shall be prescribed by the commissioner and shall show for the calendar month preceding the tax payment date, the total sale or purchase price, or value of tangible personal property or specified digital products sold, used, stored or consumed by him for benefit received or service performed, and such other information as the commissioner may deem pertinent and necessary for determining the amount of tax due thereunder.

(2) The commissioner, in his discretion, may authorize in writing the filing of returns and the payment of tax on a quarterly basis by any person required or authorized to pay the tax imposed, such authority to be subject to revocation for good cause by the commissioner.

(3) In instances where it is impractical to file returns and pay the tax monthly or quarterly, the commissioner may authorize the filing of semiannual or annual returns.

(4) A taxpayer required to collect use taxes under this article and having an average monthly use tax liability of at least Fifty Thousand Dollars (\$50,000.00) for the preceding calendar year shall pay to the Department of Revenue on or before June 25, 2014, and on or before the twenty-fifth day of June of each succeeding year thereafter through June 30, 2021, an amount equal to at least seventy-five percent (75%) of such taxpayer's estimated use tax liability for the month of June of the current calendar year, or an amount equal to at least seventy-five percent (75%) of the taxpayer's use tax liability for the month of June of the preceding calendar year. From and after July 1, 2021, through June 30, 2022, the payment required on or before the twenty-fifth day of June shall be equal to at least fifty percent (50%) of such employer's estimated use tax liability for the month of June of the current taxable year, or an amount equal to at least fifty percent (50%) of the employer's use tax liability for the month of June of the preceding taxable year. From and after July 1, 2022, through June 30, 2023, the payment required on or before the twenty-fifth day of June shall be equal to at least twenty-five percent (25%) of such employer's estimated use tax liability for the month of June of the current taxable year, or an amount equal to at least twenty-five percent (25%) of the employer's use tax liability for the month of June of the preceding taxable year. From and after July 1, 2024, no payment shall be required on or before the twenty-fifth day of June, but payment for the month of June shall be the same as for the other months of the year.

Payments required to be made before July 1, 2024, under this subsection must be received by the Department of Revenue no later than June 25 in order to be considered timely made. A taxpayer that fails to comply with the requirements of this subsection may be assessed a penalty in an amount equal to ten percent (10%) of the difference between any amount the taxpayer pays pursuant to this subsection and the taxpayer's actual use tax liability for the month of June for which the estimated payment was required to be made. Payments made by a taxpayer under this subsection shall not be considered to be collected for the purposes of any use tax diversions required by law until the taxpayer files a return for the actual use taxes collected during the month of June. This subsection shall not apply to any agency, department or instrumentality of the United States, any agency, department, institution, instrumentality or political subdivision of the State of Mississippi, or any agency, department, institution or instrumentality of any political subdivision of the State of Mississippi.

(5) The commissioner, in his discretion, may authorize the computation of the tax on the basis of a formula in lieu of direct accounting of specific properties in instances where such method will expedite, simplify or provide a more equitable means of determining liability under this article. All formulas shall be subject to revocation for good cause by the commissioner.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO PHASE OUT, BY JULY 1, 2024, THE REQUIREMENT THAT EMPLOYERS WITH AN AVERAGE MONTHLY WITHHOLDING TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR REMIT, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE WITHHOLDING TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF THEIR JUNE WITHHOLDING TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; TO AMEND SECTION 27-65-33, MISSISSIPPI CODE OF 1972, TO PHASE OUT, BY JULY 1, 2024, THE REQUIREMENT THAT TAXPAYERS WITH AN AVERAGE MONTHLY SALES TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR REMIT, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE SALES TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF THEIR JUNE SALES TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO PHASE OUT, BY JULY 1, 2024, THE REQUIREMENT THAT EMPLOYERS WITH AN AVERAGE MONTHLY USE TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR REMIT, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE USE TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF THEIR JUNE USE TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1139 was adopted.

YEAS AND NAYS On H. B. No. 1139. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Harkins called up the following entitled bill:

H. B. No. 1095: Department of Revenue; authorize to compromise and settle certain tax liabilities.

YEAS AND NAYS On H. B. No. 1095. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled nomination:

S. N. No. 31: John Walter Rounsaville, Madison, Mississippi, Mississippi Development Authority as the Executive Director, term effective immediately and the appointee shall serve at the pleasure of the Governor.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 31 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--DeBar. Total--1.

Senator Bryan called up the following entitled nomination:

S. N. No. 14: Andrea Adkins Sanders, McComb, Mississippi, Mississippi Department of Child Protection Services as Commissioner of Child Protection Services, term effective November 9, 2020.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 14 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

H. B. No. 1312: State Board of Cosmetology; extend repealer on.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-7-1, Mississippi Code of 1972, is reenacted as follows:

73-7-1. There is hereby continued and reconstituted a State Board of Cosmetology, composed of five (5) members to be appointed by the Governor, with the advice and consent of the Senate, and whose term of office shall be four (4) years from the date of appointment except as otherwise provided herein. However, no more than two (2) members shall be appointed from each Supreme Court district.

There shall be a president of the board and such other officers as deemed necessary by the board elected by and from its membership, provided that the member elected as president shall have at least one (1) year of experience on the board. Any member appointed by the Governor and confirmed by the Senate for a term to begin on or after July 1, 1997, who was designated by the Governor to serve as president of the board, shall be fully qualified to serve on the board for a full term of office, but shall not serve as president of the board unless elected by the membership of the board as provided under this paragraph.

To be eligible for appointment as a member of the State Board of Cosmetology, the person applying shall have been a citizen of this state for a minimum of five (5) years immediately prior to appointment. Such person shall be at least thirty (30) years of age, possess a high school education or its equivalent, and shall have been a licensed cosmetologist with not less than ten (10) years' active practice in cosmetology. No member of the board shall be connected in any way with any school wherein cosmetology is taught, nor shall any two (2) members of the board be graduates of the same school of cosmetology.

However, in the event of vacancy by death or resignation of any member of the board, the Governor shall, within thirty (30) days, appoint a person possessing all qualifications required to serve the remainder of the term. Any member who shall not attend two (2) consecutive meetings of the board for reasons other than illness of such member shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when any such member has failed to attend two (2) consecutive regular meetings.

The salaries of all paid employees of the board shall be paid out of funds in the board's special fund in the State Treasury. Each member of the board, excepting the inspectors provided for herein, shall receive per diem as authorized by Section 25-3-69, and shall be reimbursed for such other expenses at the same rate and under the same conditions as other state employees as provided for in Section 25-3-41.

The board shall give reasonable public notice of all board meetings not less than ten (10) days prior to such meetings.

SECTION 2. Section 73-7-2, Mississippi Code of 1972, is reenacted as follows:

73-7-2. As used in this chapter, the following terms shall have the meanings ascribed herein unless the context otherwise requires:

- (a) "Board" means the State Board of Cosmetology.

(b) "Cosmetology" means any one (1) or a combination of the following practices if they are performed on a person's head, face, neck, shoulder, arms, hands, legs or feet for cosmetic purposes:

(i) Cutting, clipping or trimming hair and hair pieces.

(ii) Styling, arranging, dressing, curling, waving, permanent waving, straightening, cleansing, bleaching, tinting, coloring or similarly treating hair and hair pieces.

(iii) Cleansing, stimulating, manipulating, beautifying or applying oils, antiseptics, clays, lotions or other preparations, either by hand or by mechanical or electrical apparatus.

(iv) Arching eyebrows, to include tweezing, waxing, threading or any other methods of epilation, or tinting eyebrows and eyelashes.

(v) Removing superfluous hair by the use of depilation.

(vi) Manicuring and pedicuring.

(c) "Cosmetologist" means a person who for compensation, whether direct or indirect, engages in the practice of cosmetology.

(d) "Esthetics" means any one (1) or a combination of the following practices:

(i) Massaging the face or neck of a person.

(ii) Arching eyebrows to include trimming, tweezing, waxing, threading or any other method of epilation or tinting eyebrows and eyelashes.

(iii) Tinting eyelashes or eyebrows.

(iv) Waxing, stimulating, cleaning or beautifying the face, neck, arms or legs of a person by any method with the aid of the hands or any mechanical or electrical apparatus, or by the use of a cosmetic preparation.

The term "esthetics" shall not include the diagnosis, treatment or therapy of any dermatological condition.

(e) "Esthetician" means any person who, for compensation, either direct or indirect, engages in the practice of esthetics.

(f) "Instructor" means a person licensed to teach cosmetology, or manicuring and pedicuring, or esthetics, or all of those, pursuant to this chapter, and shall include those persons engaged in the instruction of student instructors.

(g) "Manicuring and pedicuring" means any one (1) or a combination of the following practices:

(i) Cutting, trimming, polishing, coloring, tinting, cleansing or otherwise treating a person's nails.

(ii) Applying artificial nails.

(iii) Massaging or cleaning a person's hands, arms, legs or feet.

(h) "Manicurist" means a person who for compensation, either direct or indirect, engages in the practice of manicuring and pedicuring.

(i) "Master" means a person holding a cosmetology, manicuring and esthetics license who has completed the minimum course of continuing education prescribed by Section 73-7-14.

(j) "Salon" means an establishment operated for the purpose of engaging in the practice of cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.

(k) "School" means an establishment, public or private, operated for the purpose of teaching cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.

SECTION 3. Section 73-7-3, Mississippi Code of 1972, is reenacted as follows:

73-7-3. The board shall be authorized to employ such clerical and stenographic assistance, bookkeepers, investigators and other agents as they may deem necessary to carry out the provisions of this chapter, and to fix their tenure of employment and compensation therefor. The members of the board shall file a bond with the Secretary of State in the sum of not less than Five Thousand Dollars (\$5,000.00) payable to the State of Mississippi for the faithful performance of their duties. The bond shall be made by a surety company authorized to do business in this state, the premium of the bond to be paid out of any money in the board's special fund in the State Treasury.

The office of the board shall be located in the greater metropolitan area of the City of Jackson, Mississippi, and in the event office space cannot be obtained in any state-owned building, the board is authorized to rent suitable office space and to pay therefor out of funds in the board's special fund. The board shall employ inspectors as needed, not to exceed seven (7), who shall be full-time employees and whose salaries and duties shall be fixed by the board.

The salaries of all paid employees of the board shall be paid out of the funds in the board's special fund. The inspectors shall, in addition to their salaries, be reimbursed for such expenses as are allowed other state employees under the provisions of Section 25-3-41. In addition to the paying of office rent, the board is authorized to purchase necessary office furniture and equipment, stationery, books, certificates and any other equipment necessary for the proper administration of this chapter.

SECTION 4. Section 73-7-5, Mississippi Code of 1972, is reenacted as follows:

73-7-5. (1) All fees and any other monies received by the board shall be deposited in a special fund that is created in the State Treasury and shall be used for the implementation and administration of this chapter when appropriated by the Legislature

for such purpose. The monies in the special fund shall be subject to all provisions of the state budget laws that are applicable to special fund agencies, and shall be disbursed by the State Treasurer only upon warrants issued by the State Fiscal Officer upon requisitions signed by the president of the board or another board member designated by the president, and countersigned by the secretary of the board. Any interest earned on this special fund shall be credited by the State Treasurer to the fund and shall not be paid into the State General Fund. Any unexpended monies remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund.

(2) The State Auditor shall audit the financial affairs of the board and the transactions involving the special fund at least once a year in the same manner as for other special fund agencies. In addition, the Governor, in his discretion, shall have the power from time to time to require an audit of the financial affairs of the board, the same to be made by the State Auditor upon request of the Governor. The Governor shall have the power to suspend any member of the board who shall be found in default in any account until such time as it shall be determined whether such default was a result of an act of dishonesty on the part of the member, and in the event it is found that such default is an act of dishonesty, misfeasance or nonfeasance on the part of the member, such member shall be immediately removed by the Governor from office.

SECTION 5. Section 73-7-7, Mississippi Code of 1972, is reenacted as follows:

73-7-7. (1) The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this chapter. The board shall set up a curriculum for operation of schools of cosmetology and the other professions it is charged to regulate in this state. The board shall receive and consider for adoption recommendations for rules and regulations, school curriculum, and related matters from the Mississippi Cosmetology Council, whose membership shall consist of, in addition to the board members, five (5) elected delegates from the Mississippi Cosmetology Association, five (5) elected delegates from the Mississippi Cosmetology School Association, five (5) elected delegates from the Mississippi Independent Beauticians Association, and five (5) elected delegates from the School Owners and Teachers Association. The board may revoke the license of any cosmetologist, esthetician, manicurist, instructor, school of cosmetology, or salon, or may refuse to issue a license to any cosmetologist, esthetician, manicurist, instructor, school of cosmetology, or salon that fails or refuses to comply with the provisions of this chapter and the rules and regulations of the board in carrying out the provisions of this chapter.

(2) The board shall have authority to prescribe reasonable rules and regulations governing sanitation of schools of cosmetology and beauty salons for the guidance of persons licensed under this chapter in the operation of schools of cosmetology, or a beauty salon, and in the practice of cosmetology, esthetics, manicuring and pedicuring, and wigology. However, any and all rules and regulations relating to sanitation shall, before adoption by the board, have the written approval of the State Board of Health. When the board has reason to believe that any of the provisions of this chapter or of the rules and regulations of the board have been violated, either upon receipt of a written complaint alleging such violations or upon the board's own initiative, the board, or any of its authorized agents, shall investigate same and shall have authority to enter upon the premises of a school of cosmetology or salon at any time during the regular business hours of that school or salon to conduct the investigation. Such investigation may include, but not be limited to, conducting oral interviews with the complaining party, school or salon owner(s) and/or students of the school, and reviewing records of the school or salon pertinent to the complaint and related to an area subject to the authority of the board. Such investigation shall not include written interviews or surveys of school employees or students, and the privacy of patrons shall be respected by any person making such investigation.

(3) On or before July 1, 2001, the board shall adopt regulations to ensure that all fingernail service products used by licensed cosmetologists, manicurists and other licensees do not contain methyl methacrylate (MMA) as a monomer agent for cosmetic nail applications.

(4) If the board finds that a violation of the provisions of this chapter or the rules and regulations of the board has occurred, it may cause a hearing to be held as set forth in Section 73-7-27.

SECTION 6. Section 73-7-9, Mississippi Code of 1972, is reenacted as follows:

73-7-9. No person required by this chapter to have a license shall conduct a beauty salon or school of cosmetology, or practice cosmetology, esthetics, manicuring and pedicuring, or practice as an instructor, unless such person has received a license or temporary permit therefor from the board. Students determined to have violated any of these rules or regulations prior to being licensed by the board shall be subject to the same discipline by the board as licensees. They may be disciplined and fined accordingly.

SECTION 7. Section 73-7-11, Mississippi Code of 1972, is reenacted as follows:

73-7-11. Each owner of a license issued by the board under the provisions of this chapter shall display the license in a conspicuous place in his or her principal office, place of business or employment, at all times.

Each practitioner and instructor license shall contain a head photograph of the license holder, the person's name, and the type of license held by the person. The requirements of this section shall apply at the time of issuance of a new license or at the time of renewal of an existing license.

SECTION 8. Section 73-7-12, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-12. * * * Effective January 1, 2020, the State Board of Cosmetology shall terminate its student testing contract with proper notice and shall conduct examinations for cosmetologists, estheticians, manicurists and instructors at such times and locations as determined by the board. The members of the board shall not personally administer or monitor the examinations, but the board shall contract for administrators of the examinations. A member of the board shall not receive any per diem compensation for any day that the member is present at the site where the examinations are being administered.

* * *

SECTION 9. Section 73-7-13, Mississippi Code of 1972, is reenacted as follows:

73-7-13. (1) The board shall admit to examination for a cosmetology license any person who has made application to the board in proper form, has paid the required fee, and who (a) is at least seventeen (17) years of age, (b) can read, write and speak English, (c) has successfully completed no less than fifteen hundred (1500) hours over a period of no less than nine (9) months in a licensed school of cosmetology, and (d) has a high school education or its equivalent or has been successfully enrolled in a community college.

(a) The board may, in its discretion, issue to any student who has completed the prescribed hours in a licensed school and paid the required fee a temporary permit until such time as the next examination may be held, but such student shall be issued only one (1) temporary permit. Application for an examination and license shall be accompanied by two (2) passport photographs of the applicant. No temporary permit will be issued to an applicant from any other state to operate a beauty salon or school of cosmetology in this state unless in case of emergency.

(b) Applicants for the cosmetologist examination, after having satisfactorily passed the prescribed examination, shall be issued a cosmetology license which until June 30, 2001, shall be valid for one (1) year, and after July 1, 2001, shall be valid for two (2) years, and all those licenses shall be subject to renewal.

(c) Any barber who can read, write and speak English and has successfully completed no less than fifteen hundred (1500) hours in a licensed barber school, and who holds a current valid certificate of registration to practice barbering and who holds a current valid license, is eligible to take the cosmetology examination to secure a cosmetology license upon successfully completing five hundred (500) hours in a licensed school of cosmetology. All fees for application, examination, registration and renewal thereof shall be the same as provided for cosmetologists.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

(3) Any licensed cosmetologist, esthetician, or manicurist who is registered but not actively practicing in the State of Mississippi at the time of making application for renewal, may apply for registration on the "inactive" list. Such "inactive" list shall be maintained by the board and shall set out the names and post office addresses of all persons registered but not actively practicing in this state, arranged alphabetically by name and also by the municipalities and states of their last-known professional or residential address. Only the cosmetologists, estheticians and manicurists registered on the appropriate list as actively practicing in the State of Mississippi shall be authorized to practice those professions. For the purpose of this section, any licensed cosmetologist, esthetician or manicurist who has actively practiced his or her profession for at least three (3) months of the immediately preceding license renewal period shall be considered inactive practice. No cosmetologist, esthetician, or manicurist shall be registered on the "inactive" list until the person has furnished a statement of intent to take such action to the board. Any licensed cosmetologist, esthetician, manicurist or wigologist registered on the "inactive" list shall not be eligible for registration on the active list until either of the following conditions have been satisfied:

(a) Written application shall be submitted to the State Board of Cosmetology stating the reasons for such inactivity and setting forth such other information as the board may require on an individual basis and completion of the number of clock hours of continuing education as approved by the board; or

(b) Evidence to the satisfaction of the board shall be submitted that they have actively practiced their profession in good standing in another state and have not been guilty of conduct that would warrant suspension or revocation as provided by applicable law; and

(c) Payment of the fee for processing such inactive license shall be paid biennially in accordance to board rules.

SECTION 10. Section 73-7-14, Mississippi Code of 1972, is reenacted as follows:

73-7-14. (1) Any person who holds a current, valid cosmetology, manicuring or esthetics license may be licensed as a master cosmetologist, manicurist or esthetician if he or she has been a licensed cosmetologist, manicurist or esthetician in this state for a period of not less than twelve (12) months, and has completed a minimum course of sixteen (16) hours' study in continuing education approved by the board within the licensing period preceding initial application for the license, and has paid the original license fee. Master cosmetologist, manicurist or esthetician licenses shall be renewable upon completion of a minimum course of eight (8) hours' study in continuing education approved by the board within a licensing period and payment of the required renewal fee. This is an optional license and persons who do not wish to complete the continuing education requirement may obtain a cosmetology license when renewing their license.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 11. Section 73-7-15, Mississippi Code of 1972, is reenacted as follows:

73-7-15. (1) The board shall admit to examination for a cosmetology instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

- (a) Is not less than twenty-one (21) years of age;
- (b) Can read, write and speak English;
- (c) Is a graduate of a licensed cosmetology school;
- (d) Has a high school education or its equivalent;
- (e) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology;
- (f) Has successfully completed six (6) semester hours in college courses approved by the board;
- (g) Holds a current, valid Mississippi cosmetology license; and
- (h) Has at least one (1) year active practical experience as a cosmetologist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology.

(2) The board shall admit to examination for an esthetics instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

- (a) Is not less than twenty-one (21) years of age;
- (b) Can read, write and speak English;

(c) Has a high school education or its equivalent;

(d) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught;

(e) Has successfully completed six (6) semester hours in college courses approved by the board;

(f) Holds a current, valid Mississippi esthetician's license; and

(g) Has had one (1) year of active practical experience as an esthetician or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught.

(3) The board shall admit to examination for a manicurist instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent;

(d) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught;

(e) Has successfully completed six (6) semester hours in college courses approved by the board;

(f) Holds a current, valid Mississippi manicurist's license; and

(g) Has had one (1) year of active practical experience as a manicurist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught.

(4) Applicants shall satisfactorily pass the examination prescribed by the board for licensing instructors prior to the issuance of the licenses provided for in this section. However, the board may, in its discretion, issue a temporary instructor's permit until such time as the next examination may be held, but such applicant shall be issued only one (1) temporary permit. All applications for an instructor's examination shall be accompanied by two (2) recent head photographs of the applicant.

(5) All instructors licensed pursuant to this section shall biennially obtain twenty-four (24) clock hours of continuing education in teacher training instruction in cosmetology or esthetics or manicuring, as the case may be, as approved by the board. Any instructor who fails to obtain the continuing education required by this subsection shall not be allowed to instruct nor enroll students under his or her license until such education requirement has been met. The board may issue an inactive instructor's license to such instructors, and an inactive license may be converted into an active license after

proof satisfactory to the board of completion of at least twenty-four (24) clock hours of approved continuing education required for teacher training instruction.

(6) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 12. Section 73-7-16, Mississippi Code of 1972, is reenacted as follows:

73-7-16. (1) All schools of cosmetology or school owners shall have a school license and shall pay to the board the required license fee biennially therefor. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a school license will be required to pay a delinquent fee in addition to the renewal fee. The board is hereby authorized and empowered to promulgate necessary and reasonable rules and regulations for the issuance and renewal of school licenses. However, the board shall not refuse to issue or renew a school's license because of the number of schools already in that area of the state, and any rule promulgated by the board for that purpose shall be null and void.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

(3) The board shall require all schools of cosmetology to only admit students who have not less than a Tenth-Grade education or a high school diploma or its equivalency.

SECTION 13. Section 73-7-17, Mississippi Code of 1972, is reenacted as follows:

73-7-17. (1) All salon owners shall have a salon license and shall pay to the board the required license fee therefor and pay the required renewal fee for renewal thereof. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days any applicant for the renewal of a salon license will be required to pay a delinquent fee in addition to the renewal fee. A salon license that has been expired for over one (1) year is nonrenewable and requires a new application. Prior to the initial issuance of such license, the board shall inspect the premises to determine if same qualifies with the law, upon payment by the applicant of the required inspection fee.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 14. Section 73-7-18, Mississippi Code of 1972, is reenacted as follows:

73-7-18. (1) The board shall admit to examination for an esthetician's license any person who has made application to the board in proper form, has paid the required fee, and who:

- (a) Is not less than seventeen (17) years of age;
- (b) Can read, write and speak English;
- (c) Has a high school education or its equivalent; and

(d) Has successfully completed a course of training in esthetics of not less than six hundred (600) hours in an accredited school in which the practice of esthetics is taught, including not less than one hundred (100) hours of theory and five hundred (500) hours of skill practice.

Any licensed esthetician wishing to acquire a cosmetology license may apply the six hundred (600) hours of esthetics training toward the requirements for a cosmetology license.

(2) Every person who has completed not less than three hundred fifty (350) hours of training in esthetics approved by the board in this or any other state prior to July 1, 1987, shall be registered with the board within a period not exceeding six (6) months after July 1, 1987, and shall be granted an esthetician's license by the board if such person presents satisfactory evidence to the board that he or she has fulfilled all the requirements to be admitted to examination except the training hours requirement.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 15. Section 73-7-19, Mississippi Code of 1972, is reenacted as follows:

73-7-19. (1) Except as provided in Section 33-1-39, all licenses shall be renewed biennially under the fee schedule in Section 73-7-29. Applications for renewal of licenses for cosmetologists, estheticians, manicurists and instructors must be accompanied by the required renewal fee. A grace period of sixty (60) days will be given in which to renew the license; and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a license will be required to pay the required renewal fee and a delinquent fee in addition to the renewal fee. The fees may be paid by either personal or certified check, cash or money order, under such safeguards, rules and regulations as the board may prescribe. Checks returned to the board because of insufficient funds shall result in nonrenewal of the license, which will require the penalty fee for insufficient fund checks plus all other amounts due for renewal of the license before the license may be renewed. After one (1) year has passed from the expiration date of the license, a delinquent fee must be paid for each year up to three (3) years, after which the required examination must be taken. All applications for examination required by this chapter shall expire ninety (90) days from the date thereof.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 16. Section 73-7-21, Mississippi Code of 1972, is reenacted as follows:

73-7-21. (1) The board shall admit to examination for a manicurist's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is at least seventeen (17) years of age;

(b) Can read, write and speak English;

(c) Has successfully completed no less than three hundred fifty (350) hours of practice and related theory in manicuring and pedicuring over a period of no less than nine (9) weeks in an accredited school of cosmetology in this or any other state; and

(d) Has a high school education or its equivalent.

(2) Licensed manicurists desiring to pursue additional hours to be eligible for a license as a cosmetologist may be credited with the three hundred fifty (350) hours acquired in studying and training to be a manicurist which may be applied to the number of hours required for a cosmetology license examination.

(3) The board shall adopt regulations governing the use of electric nail files for the purpose of filing false or natural nails.

(4) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 17. Section 73-7-23, Mississippi Code of 1972, is reenacted as follows:

73-7-23. (1) The board may, upon application, issue a license by reciprocity to any cosmetologist, esthetician or manicurist over the age of seventeen (17) years from any other state who has satisfactorily completed the required number of accredited hours in that state, provided the state board from which the applicant comes issues to cosmetologists, estheticians or manicurists, as the case may be, from the State of Mississippi a license under the same conditions. Applications must be accompanied by (a) proof satisfactory to the board that the required hours have been completed, and (b) the required reciprocity fee, which shall be paid to the board.

(2) An instructor from any other state may be qualified for a Mississippi instructor's license upon presenting a valid instructor's license and proof of a high school education or its equivalent, provided that the instructor (a) is not less than twenty-one (21) years of age, (b) has completed training equivalent to the State of Mississippi's training as provided in Section 73-7-15 or has three (3) years or more of experience as a licensed instructor prior to application, (c) can read, write and speak English, (d) has completed twelve (12) semester hours in college courses approved by the board, and (e) has completed a minimum of five (5) continuing education hours in Mississippi board laws, rules and regulations. Such application must be accompanied by two (2) recent passport photographs of the applicant. Applicants shall pay the required license fee.

(3) An applicant for a Mississippi instructor's license by reciprocity who has not completed the college courses requirement at the time of application may apply for a onetime temporary teaching permit, which shall be valid for six (6) months and shall be nonrenewable. Such application must be accompanied by proof of enrollment in college course(s), required permit fee, two (2) recent passport photographs of the applicant and other documentation as required for application for a Mississippi instructor's license by reciprocity. Upon proof of completion of college courses and payment of the required license fee, a Mississippi instructor's license shall be issued.

(4) The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

SECTION 18. Section 73-7-25, Mississippi Code of 1972, is reenacted as follows:

73-7-25. Every demonstrator in the field of cosmetology shall, before making demonstrations in a salon or school, apply for and obtain a permit from the board. For such permit, which shall be for one (1) year, the required fee shall be paid to the board. This section shall be construed to apply to demonstrators in salons and schools.

SECTION 19. Section 73-7-27, Mississippi Code of 1972, is reenacted as follows:

73-7-27. (1) Any complaint may be filed with the board by a member or agent of the board or by any person charging any licensee of the board with the commission of any of the offenses enumerated in subsection (2) of this section. Such complaint shall be in writing, signed by the accuser or accusers, and verified under oath, and such complaints shall be investigated as set forth in Section 73-7-7. If, after the investigation, the board through its administrative review agents determines that there is not

substantial justification to believe that the accused licensee has committed any of the offenses enumerated, it may dismiss the complaint or may prepare a formal complaint proceeding against the licensee as hereinafter provided. When used with reference to any complaint filed against a licensee herein, the term "not substantial justification" means a complaint that is frivolous, groundless in fact or law, or vexatious, as determined by unanimous vote of the board. In the event of a dismissal, the person filing the accusation and the accused licensee shall be given written notice of the board's determination. If the board determines there is reasonable cause to believe the accused has committed any of those offenses, the secretary of the board shall give written notice of such determination to the accused licensee and set a day for a hearing as provided in subsection (3) of this section.

(2) The board shall have the power to revoke, suspend or refuse to issue or renew any license or certificate provided for in this chapter, and to fine, place on probation and/or otherwise discipline a student or licensee or holder of a certificate, upon proof that such person: (a) has not complied with or has violated any of the rules and regulations promulgated by the board; (b) has not complied with or has violated any of the sections of this chapter; (c) has committed fraud or dishonest conduct in the taking of the examination herein provided for; (d) has been convicted of a felony; (e) has committed grossly unprofessional or dishonest conduct; (f) is addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or occupations set forth in this chapter; (g) has advertised by means of knowingly false or deceptive statements; or (h) has failed to display the license or certificate issued to him or her as provided for in this chapter; or (i) has been convicted of violating any of the provisions of this chapter. A conviction of violating any of the provisions of this chapter shall be grounds for automatic suspension of the license or certificate of such person.

(3) The board shall not revoke, suspend or refuse to issue or renew any license or certificate, or fine, place on probation or otherwise discipline any person in a disciplinary matter except after a hearing of which the applicant or licensee or holder of the certificate affected shall be given at least twenty (20) days' notice in writing, specifying the reason or reasons for denying the applicant a license or certificate of registration, or in the case of any other disciplinary action, the offense or offenses of which the licensee or holder of a certificate of registration is charged. Such notice may be served by mailing a copy thereof by United States first-class certified mail, postage prepaid, to the last-known residence or business address of such applicant, licensee or holder of a certificate. The hearing on such charges shall be at such time and place as the board may prescribe.

(4) At such hearings, all witnesses shall be sworn by a member of the board, and stenographic notes of the proceedings shall be taken. Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon payment to the board of such fees as it shall prescribe, not exceeding, however, the actual costs of transcription.

(5) The board is hereby authorized and empowered to issue subpoenas for the attendance of witnesses and the production of books and papers. The process issued by the board shall extend to all parts of the state and such process shall be served by any person designated by the board for such service. The person serving such process shall receive such compensation as may be allowed by the board, not to exceed the fee prescribed by law for similar services. All witnesses who shall be subpoenaed, and who shall appear in any proceedings before the board, shall receive the same fees and mileage as allowed by law.

(6) Where in any proceeding before the board any witness shall fail or refuse to attend upon subpoena issued by the board, shall refuse to testify, or shall refuse to produce any books and papers, the production of which is called for by the subpoena, the attendance of such witness and the giving of his testimony and the production of the books and papers shall be enforced by any court of competent jurisdiction of this state, in the same manner as are enforced for the attendance and testimony of witnesses in civil cases in the courts of this state.

(7) The board shall conduct the hearing in an orderly and continuous manner, granting continuances only when the ends of justice may be served. The board shall,

within sixty (60) days after conclusion of the hearing, reduce its decision to writing and forward an attested true copy thereof to the last-known residence or business address of such applicant, licensee or holder of a certificate, by way of United States first-class certified mail, postage prepaid. Such applicant, licensee, holder of a certificate, or person aggrieved shall have the right of appeal from an adverse ruling, or order, or decision of the board to the Chancery Court of the First Judicial District of Hinds County, Mississippi, upon forwarding notice of appeal to the board within thirty (30) days after the decision of the board is mailed in the manner here contemplated. An appeal will not be allowed in the event notice of appeal, together with the appeal bond hereinafter required, shall not have been forwarded to the board within the thirty-day period. Appeal shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi. The appeal shall thereupon be heard in due course by the court which shall review the record and make its determination thereon.

(8) The appellant shall, together with the notice of appeal, forward to and post with the board a satisfactory bond in the amount of Five Hundred Dollars (\$500.00) for the payment of any costs which may be adjudged against him.

(9) In the event of an appeal, the court shall dispose of the appeal and enter its decision promptly. The hearing on the appeal may, in the discretion of the chancellor, be tried in vacation. If there is an appeal, such appeal may, in the discretion of and on motion to the chancery court, act as a supersedeas. However, any fine imposed by the board under the provisions of this chapter shall not take effect until after the time for appeal has expired, and an appeal of the imposition of such a fine shall act as a supersedeas.

(10) Any fine imposed by the board upon a licensee or holder of a certificate shall be in accordance with the following schedule:

(a) For the first violation, a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for each violation.

(b) For the second and each subsequent violation, a fine of not less than One Hundred Dollars (\$100.00) nor more than Four Hundred Dollars (\$400.00) for each violation.

The power and authority of the board to impose such fines under this section shall not be affected or diminished by any other proceeding, civil or criminal, concerning the same violation or violations.

(11) In addition to the reasons specified in subsection (2) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 20. Section 73-7-29, Mississippi Code of 1972, is reenacted as follows:

73-7-29. The State Board of Cosmetology shall assess fees in the following amounts and for the following purposes:

(a) Initial license/renewal for cosmetologist,	
manicurist, esthetician, or wig specialist	\$ 50.00
(b) Instructor initial license/renewal	80.00
(c) Master cosmetologist license/renewal	70.00
(d) Delinquent renewal penalty - cosmetologist,	
manicurist, esthetician, wig specialist and instructor	50.00

There shall be no renewal fee for any licensee seventy (70) years of age or older.

(e) Salon application and initial inspection.....	85.00
(f) Salon reinspection	35.00
(g) Salon change of ownership or location, or both.....	85.00
(h) Salon renewal.....	60.00
(i) Salon delinquent renewal penalty	50.00
(j) Application and initial inspection for a new school	300.00
(k) New school reinspection.....	100.00
(l) School change of ownership.....	300.00
(m) School relocation	150.00
(n) School renewal	75.00
(o) School delinquent renewal penalty	100.00
(p) Duplicate license	10.00
(q) Penalty for insufficient fund checks.....	20.00
(r) Affidavit processing	15.00

The State Board of Cosmetology may charge additional fees for services which the board deems appropriate to carry out its intent and purpose. These additional fees shall not exceed the cost of rendering the service.

The board is fully authorized to make refunds of any deposits received by the board for services which are not rendered. Refunds will automatically be made on overpayment of fees. Refunds will be made on underpayments by written requests from applicants. If no request for refund is made within sixty (60) days, the fees will be forfeited.

SECTION 21. Section 73-7-31, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-31. Nothing in this * * * title shall apply to:

(a) Hairdressing, manicuring or facial treatments given in the home to members of family or friends for which no charge is made.

(b) Persons whose practice is limited to * * * makeup artistry standing alone, limited to practice of threading standing alone, or limited to the practice of applying or removing eyelash extensions standing alone.

(c) Barbers, and nothing in this chapter shall affect the jurisdiction of the State Board of Barber Examiners.

(d) Persons engaged in the practice of hair braiding as defined in Section 73-7-71 who have completed the self-test part of the brochure on infection control techniques prepared by the State Department of Health and who keep the brochure and completed self-test available at the location at which the person is engaged in hair braiding.

SECTION 22. Section 73-7-33, Mississippi Code of 1972, is reenacted as follows:

73-7-33. In addition to the rules and regulations that may be prescribed and promulgated by the board under authority of this chapter, the following rules and regulations shall be observed:

Every establishment must be kept sanitary, including all utensils and equipment, must be well ventilated and properly lighted. Each salon must be provided with hot and cold running water. Electrical appliances must be properly installed and grounded.

Cosmetologists shall be allowed to wear any type of clothing or apparel while at work as long as such clothing or apparel is sanitary.

Cosmetologists shall be allowed to use any type of hair roller as long as they do so in a sanitary manner.

Persons with a communicable disease or parasitic infection that is medically recognized to be a direct threat of transmission by the type of contact that practitioners have with clients are not to be permitted to practice in an establishment until their condition is no longer communicable under those circumstances. No work shall be performed on any patron having a visible disease unless the patron shall produce a certificate from a practicing physician stating that the patron is free from infectious,

contagious or communicable disease. A cosmetologist's license does not authorize such person to treat or prescribe for an infectious, contagious or any other disease.

A home salon must have a solid wall to the ceiling with an outside entrance, or if a door exists between the salon and the remainder of the house, the door must be kept closed at all times while service is being rendered.

SECTION 23. Section 73-7-35, Mississippi Code of 1972, is reenacted as follows:

73-7-35. (1) No person licensed pursuant to this chapter shall practice his or her profession except within the physical confines of a salon possessing and displaying a properly executed license issued pursuant to Section 73-7-17. However, this requirement shall not prevent a person from rendering his or her services to any person who may be confined to his or her home, a hospital, or other place as a result of illness, and cosmetologists shall be permitted to render their services to deceased persons away from their salons.

(2) No salon owner licensed pursuant to this chapter shall allow a cosmetologist, esthetician, or manicurist to practice his/her profession in the salon without possessing a valid license issued pursuant to this chapter.

SECTION 24. Section 73-7-37, Mississippi Code of 1972, is reenacted as follows:

73-7-37. (1) The violation of any of the provisions of this chapter, including the use of fraudulent statements to obtain any benefits or privileges under this chapter or practicing one (1) of these professions without a license, shall constitute a misdemeanor, punishable in any court of competent jurisdiction at the seat of government, and any person or firm convicted of the violation of any of the provisions of this chapter shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00). The court shall not be authorized to suspend or suspend the execution of the fine required under this section.

(2) If any person, firm or corporation violates any of the provisions of this chapter, the secretary of the board, upon direction of a majority of the board and in the name of the board, acting through the Attorney General or an attorney employed by the board, shall apply in the Chancery Court of the First Judicial District of Hinds County, Mississippi, for an order enjoining such violation or for an order enforcing compliance with the provisions of this chapter. Upon the filing of a verified petition in the chancery court and after notice as provided under the Mississippi Rules of Civil Procedure, such court, if satisfied by the sworn petition, by affidavit or otherwise, that such person has violated any of the provisions of this chapter, may issue an injunction without notice or bond, enjoining such continued violation and such injunction shall remain in force and effect until a final hearing. If at such hearing it is established that such person has violated or is violating any of the provisions of this chapter, the court may enter a decree permanently enjoining such violation or enforcing compliance with this chapter. In addition, the court may enter a judgment against such person for attorney's fees, court costs and the actual costs incurred by the board in investigating the actions of such person for which the board brought the suit for an injunction. In case of violation of any decree issued in compliance with this subsection, the court may punish the offender for contempt of court and the court shall proceed as in other cases.

(3) The proceedings in this section shall be in addition to and not in lieu of the other remedies and penalties provided in this chapter.

SECTION 25. Section 73-7-63, Mississippi Code of 1972, is amended as follows:

73-7-63. Sections 73-7-1 through 73-7-37, which create the State Board of Cosmetology and prescribe its duties and powers, shall stand repealed * * * on July 1, * * * 2024.

SECTION 26. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 73-7-1 THROUGH 73-7-37, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF COSMETOLOGY AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED SECTION

73-7-12, MISSISSIPPI CODE OF 1972, TO DELETE THE DUPLICATE REPEALER ON THE STATUTE REQUIRING THE STATE BOARD OF COSMETOLOGY TO CONDUCT STUDENT EXAMINATIONS INSTEAD OF CONTRACTING WITH A TESTING SERVICE; TO AMEND REENACTED SECTION 73-7-31, MISSISSIPPI CODE OF 1972, TO REVISE THE EXCEPTIONS TO THE APPLICABILITY OF TITLE 73; TO AMEND SECTION 73-7-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

Senator Bryan offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

AMEND by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-7-1, Mississippi Code of 1972, is reenacted as follows:

73-7-1. There is hereby continued and reconstituted a State Board of Cosmetology, composed of five (5) members to be appointed by the Governor, with the advice and consent of the Senate, and whose term of office shall be four (4) years from the date of appointment except as otherwise provided herein. However, no more than two (2) members shall be appointed from each Supreme Court district.

There shall be a president of the board and such other officers as deemed necessary by the board elected by and from its membership, provided that the member elected as president shall have at least one (1) year of experience on the board. Any member appointed by the Governor and confirmed by the Senate for a term to begin on or after July 1, 1997, who was designated by the Governor to serve as president of the board, shall be fully qualified to serve on the board for a full term of office, but shall not serve as president of the board unless elected by the membership of the board as provided under this paragraph.

To be eligible for appointment as a member of the State Board of Cosmetology, the person applying shall have been a citizen of this state for a minimum of five (5) years immediately prior to appointment. Such person shall be at least thirty (30) years of age, possess a high school education or its equivalent, and shall have been a licensed cosmetologist with not less than ten (10) years' active practice in cosmetology. No member of the board shall be connected in any way with any school wherein cosmetology is taught, nor shall any two (2) members of the board be graduates of the same school of cosmetology.

However, in the event of vacancy by death or resignation of any member of the board, the Governor shall, within thirty (30) days, appoint a person possessing all qualifications required to serve the remainder of the term. Any member who shall not attend two (2) consecutive meetings of the board for reasons other than illness of such member shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when any such member has failed to attend two (2) consecutive regular meetings.

The salaries of all paid employees of the board shall be paid out of funds in the board's special fund in the State Treasury. Each member of the board, excepting the inspectors provided for herein, shall receive per diem as authorized by Section 25-3-69, and shall be reimbursed for such other expenses at the same rate and under the same conditions as other state employees as provided for in Section 25-3-41.

The board shall give reasonable public notice of all board meetings not less than ten (10) days prior to such meetings.

SECTION 2. Section 73-7-2, Mississippi Code of 1972, is reenacted as follows:

73-7-2. As used in this chapter, the following terms shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Board" means the State Board of Cosmetology.

(b) "Cosmetology" means any one (1) or a combination of the following practices if they are performed on a person's head, face, neck, shoulder, arms, hands, legs or feet for cosmetic purposes:

(i) Cutting, clipping or trimming hair and hair pieces.

(ii) Styling, arranging, dressing, curling, waving, permanent waving, straightening, cleansing, bleaching, tinting, coloring or similarly treating hair and hair pieces.

(iii) Cleansing, stimulating, manipulating, beautifying or applying oils, antiseptics, lotions or other preparations, either by hand or by mechanical or electrical apparatus.

(iv) Arching eyebrows, to include tweezing, waxing, threading or any other methods of epilation, or tinting eyebrows and eyelashes.

(v) Removing superfluous hair by the use of depilation.

(vi) Manicuring and pedicuring.

(c) "Cosmetologist" means a person who for compensation, whether direct or indirect, engages in the practice of cosmetology.

(d) "Esthetics" means any one (1) or a combination of the following practices:

(i) Massaging the face or neck of a person.

(ii) Arching eyebrows to include trimming, tweezing, waxing, threading or any other method of epilation or tinting eyebrows and eyelashes.

(iii) Tinting eyelashes or eyebrows.

(iv) Waxing, stimulating, cleaning or beautifying the face, neck, arms or legs of a person by any method with the aid of the hands or any mechanical or electrical apparatus, or by the use of a cosmetic preparation.

The term "esthetics" shall not include the diagnosis, treatment or therapy of any dermatological condition.

(e) "Esthetician" means any person who, for compensation, either direct or indirect, engages in the practice of esthetics.

(f) "Instructor" means a person licensed to teach cosmetology, or manicuring and pedicuring, or esthetics, or all of those, pursuant to this chapter, and shall include those persons engaged in the instruction of student instructors.

(g) "Manicuring and pedicuring" means any one (1) or a combination of the following practices:

(i) Cutting, trimming, polishing, coloring, tinting, cleansing or otherwise treating a person's nails.

(ii) Applying artificial nails.

(iii) Massaging or cleaning a person's hands, arms, legs or feet.

(h) "Manicurist" means a person who for compensation, either direct or indirect, engages in the practice of manicuring and pedicuring.

(i) "Master" means a person holding a cosmetology, manicuring and esthetics license who has completed the minimum course of continuing education prescribed by Section 73-7-14.

(j) "Salon" means an establishment operated for the purpose of engaging in the practice of cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.

(k) "School" means an establishment, public or private, operated for the purpose of teaching cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.

SECTION 3. Section 73-7-3, Mississippi Code of 1972, is reenacted as follows:

73-7-3. The board shall be authorized to employ such clerical and stenographic assistance, bookkeepers, investigators and other agents as they may deem necessary to carry out the provisions of this chapter, and to fix their tenure of employment and compensation therefor. The members of the board shall file a bond with the Secretary of State in the sum of not less than Five Thousand Dollars (\$5,000.00) payable to the State of Mississippi for the faithful performance of their duties. The bond shall be made by a surety company authorized to do business in this state, the premium of the bond to be paid out of any money in the board's special fund in the State Treasury.

The office of the board shall be located in the greater metropolitan area of the City of Jackson, Mississippi, and in the event office space cannot be obtained in any state-owned building, the board is authorized to rent suitable office space and to pay therefor out of funds in the board's special fund. The board shall employ inspectors as needed, not to exceed seven (7), who shall be full-time employees and whose salaries and duties shall be fixed by the board.

The salaries of all paid employees of the board shall be paid out of the funds in the board's special fund. The inspectors shall, in addition to their salaries, be reimbursed for such expenses as are allowed other state employees under the provisions of Section 25-3-41. In addition to the paying of office rent, the board is authorized to purchase necessary office furniture and equipment, stationery, books, certificates and any other equipment necessary for the proper administration of this chapter.

SECTION 4. Section 73-7-5, Mississippi Code of 1972, is reenacted as follows:

73-7-5. (1) All fees and any other monies received by the board shall be deposited in a special fund that is created in the State Treasury and shall be used for the implementation and administration of this chapter when appropriated by the Legislature for such purpose. The monies in the special fund shall be subject to all provisions of the state budget laws that are applicable to special fund agencies, and shall be disbursed by the State Treasurer only upon warrants issued by the State Fiscal Officer upon requisitions signed by the president of the board or another board member designated by the president, and countersigned by the secretary of the board. Any interest earned on this special fund shall be credited by the State Treasurer to the fund and shall not be paid into the State General Fund. Any unexpended monies remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund.

(2) The State Auditor shall audit the financial affairs of the board and the transactions involving the special fund at least once a year in the same manner as for other special fund agencies. In addition, the Governor, in his discretion, shall have the power from time to time to require an audit of the financial affairs of the board, the same to be made by the State Auditor upon request of the Governor. The Governor shall have the power to suspend any member of the board who shall be found in default in any account until such time as it shall be determined whether such default was a result of an act of dishonesty on the part of the member, and in the event it is found that such default is an act of dishonesty, misfeasance or nonfeasance on the part of the member, such member shall be immediately removed by the Governor from office.

SECTION 5. Section 73-7-7, Mississippi Code of 1972, is reenacted as follows:

73-7-7. (1) The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this chapter. The board shall set up a curriculum for operation of schools of cosmetology and the other professions it is charged to regulate in this state. The board shall receive and consider for adoption recommendations for rules and regulations, school curriculum, and related matters from the Mississippi Cosmetology Council, whose membership shall consist of, in addition to the board members, five (5) elected delegates from the Mississippi Cosmetology Association, five (5) elected delegates from the Mississippi Cosmetology School Association, five (5) elected delegates from the Mississippi Independent Beauticians Association, and five (5) elected delegates from the School Owners and Teachers Association. The board may revoke the license of any cosmetologist, esthetician, manicurist, instructor, school of cosmetology, or salon, or may refuse to issue a license to any cosmetologist, esthetician, manicurist, instructor, school of cosmetology, or salon that fails or refuses to comply with the provisions of this chapter and the rules and regulations of the board in carrying out the provisions of this chapter.

(2) The board shall have authority to prescribe reasonable rules and regulations governing sanitation of schools of cosmetology and beauty salons for the guidance of persons licensed under this chapter in the operation of schools of cosmetology, or a beauty salon, and in the practice of cosmetology, esthetics, manicuring and pedicuring, and wigology. However, any and all rules and regulations relating to sanitation shall,

before adoption by the board, have the written approval of the State Board of Health. When the board has reason to believe that any of the provisions of this chapter or of the rules and regulations of the board have been violated, either upon receipt of a written complaint alleging such violations or upon the board's own initiative, the board, or any of its authorized agents, shall investigate same and shall have authority to enter upon the premises of a school of cosmetology or salon at any time during the regular business hours of that school or salon to conduct the investigation. Such investigation may include, but not be limited to, conducting oral interviews with the complaining party, school or salon owner(s) and/or students of the school, and reviewing records of the school or salon pertinent to the complaint and related to an area subject to the authority of the board. Such investigation shall not include written interviews or surveys of school employees or students, and the privacy of patrons shall be respected by any person making such investigation.

(3) On or before July 1, 2001, the board shall adopt regulations to ensure that all fingernail service products used by licensed cosmetologists, manicurists and other licensees do not contain methyl methacrylate (MMA) as a monomer agent for cosmetic nail applications.

(4) If the board finds that a violation of the provisions of this chapter or the rules and regulations of the board has occurred, it may cause a hearing to be held as set forth in Section 73-7-27.

SECTION 6. Section 73-7-9, Mississippi Code of 1972, is reenacted as follows:

73-7-9. No person required by this chapter to have a license shall conduct a beauty salon or school of cosmetology, or practice cosmetology, esthetics, manicuring and pedicuring, or practice as an instructor, unless such person has received a license or temporary permit therefor from the board. Students determined to have violated any of these rules or regulations prior to being licensed by the board shall be subject to the same discipline by the board as licensees. They may be disciplined and fined accordingly.

SECTION 7. Section 73-7-11, Mississippi Code of 1972, is reenacted as follows:

73-7-11. Each owner of a license issued by the board under the provisions of this chapter shall display the license in a conspicuous place in his or her principal office, place of business or employment, at all times.

Each practitioner and instructor license shall contain a head photograph of the license holder, the person's name, and the type of license held by the person. The requirements of this section shall apply at the time of issuance of a new license or at the time of renewal of an existing license.

SECTION 8. Section 73-7-12, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-12. * * * Effective January 1, 2020, the State Board of Cosmetology shall terminate its student testing contract with proper notice and shall conduct examinations for cosmetologists, estheticians, manicurists and instructors at such times and locations as determined by the board. The members of the board shall not personally administer or monitor the examinations, but the board shall contract for administrators of the examinations. A member of the board shall not receive any per diem compensation for any day that the member is present at the site where the examinations are being administered.

* * *

SECTION 9. Section 73-7-13, Mississippi Code of 1972, is reenacted as follows:

73-7-13. (1) The board shall admit to examination for a cosmetology license any person who has made application to the board in proper form, has paid the required fee, and who (a) is at least seventeen (17) years of age, (b) can read, write and speak English, (c) has successfully completed no less than fifteen hundred (1500) hours over a period of no less than nine (9) months in a licensed school of cosmetology, and (d) has a high school education or its equivalent or has been successfully enrolled in a community college.

(a) The board may, in its discretion, issue to any student who has completed the prescribed hours in a licensed school and paid the required fee a temporary permit until such time as the next examination may be held, but such student shall be issued only one (1) temporary permit. Application for an examination and license shall be accompanied by two (2) passport photographs of the applicant. No temporary permit will be issued to an applicant from any other state to operate a beauty salon or school of cosmetology in this state unless in case of emergency.

(b) Applicants for the cosmetologist examination, after having satisfactorily passed the prescribed examination, shall be issued a cosmetology license which until June 30, 2001, shall be valid for one (1) year, and after July 1, 2001, shall be valid for two (2) years, and all those licenses shall be subject to renewal.

(c) Any barber who can read, write and speak English and has successfully completed no less than fifteen hundred (1500) hours in a licensed barber school, and who holds a current valid certificate of registration to practice barbering and who holds a current valid license, is eligible to take the cosmetology examination to secure a cosmetology license upon successfully completing five hundred (500) hours in a licensed school of cosmetology. All fees for application, examination, registration and renewal thereof shall be the same as provided for cosmetologists.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

(3) Any licensed cosmetologist, esthetician, or manicurist who is registered but not actively practicing in the State of Mississippi at the time of making application for renewal, may apply for registration on the "inactive" list. Such "inactive" list shall be maintained by the board and shall set out the names and post office addresses of all persons registered but not actively practicing in this state, arranged alphabetically by name and also by the municipalities and states of their last-known professional or residential address. Only the cosmetologists, estheticians and manicurists registered on the appropriate list as actively practicing in the State of Mississippi shall be authorized to practice those professions. For the purpose of this section, any licensed cosmetologist, esthetician or manicurist who has actively practiced his or her profession for at least three (3) months of the immediately preceding license renewal period shall be considered inactive practice. No cosmetologist, esthetician, or manicurist shall be registered on the "inactive" list until the person has furnished a statement of intent to take such action to the board. Any licensed cosmetologist, esthetician, manicurist or wigologist registered on the "inactive" list shall not be eligible for registration on the active list until either of the following conditions have been satisfied:

(a) Written application shall be submitted to the State Board of Cosmetology stating the reasons for such inactivity and setting forth such other information as the board may require on an individual basis and completion of the number of clock hours of continuing education as approved by the board; or

(b) Evidence to the satisfaction of the board shall be submitted that they have actively practiced their profession in good standing in another state and have not been guilty of conduct that would warrant suspension or revocation as provided by applicable law; and

(c) Payment of the fee for processing such inactive license shall be paid biennially in accordance to board rules.

SECTION 10. Section 73-7-14, Mississippi Code of 1972, is reenacted as follows:

73-7-14. (1) Any person who holds a current, valid cosmetology, manicuring or esthetics license may be licensed as a master cosmetologist, manicurist or esthetician if he or she has been a licensed cosmetologist, manicurist or esthetician in this state for a period of not less than twelve (12) months, and has completed a minimum course of sixteen (16) hours' study in continuing education approved by the board within the licensing period preceding initial application for the license, and has paid the original license fee. Master cosmetologist, manicurist or esthetician licenses shall be renewable upon completion of a minimum course of eight (8) hours' study in continuing education approved by the board within a licensing period and payment of the required renewal fee. This is an optional license and persons who do not wish to complete the continuing education requirement may obtain a cosmetology license when renewing their license.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 11. Section 73-7-15, Mississippi Code of 1972, is reenacted as follows:

73-7-15. (1) The board shall admit to examination for a cosmetology instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Is a graduate of a licensed cosmetology school;

(d) Has a high school education or its equivalent;

(e) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology;

(f) Has successfully completed six (6) semester hours in college courses approved by the board;

(g) Holds a current, valid Mississippi cosmetology license; and

(h) Has at least one (1) year active practical experience as a cosmetologist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology.

(2) The board shall admit to examination for an esthetics instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent;

(d) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught;

(e) Has successfully completed six (6) semester hours in college courses approved by the board;

(f) Holds a current, valid Mississippi esthetician's license; and

(g) Has had one (1) year of active practical experience as an esthetician or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught.

(3) The board shall admit to examination for a manicurist instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent;

(d) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught;

(e) Has successfully completed six (6) semester hours in college courses approved by the board;

(f) Holds a current, valid Mississippi manicurist's license; and

(g) Has had one (1) year of active practical experience as a manicurist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught.

(4) Applicants shall satisfactorily pass the examination prescribed by the board for licensing instructors prior to the issuance of the licenses provided for in this section. However, the board may, in its discretion, issue a temporary instructor's permit until such time as the next examination may be held, but such applicant shall be issued only one (1) temporary permit. All applications for an instructor's examination shall be accompanied by two (2) recent head photographs of the applicant.

(5) All instructors licensed pursuant to this section shall biennially obtain twenty-four (24) clock hours of continuing education in teacher training instruction in cosmetology or esthetics or manicuring, as the case may be, as approved by the board. Any instructor who fails to obtain the continuing education required by this subsection shall not be allowed to instruct nor enroll students under his or her license until such education requirement has been met. The board may issue an inactive instructor's license to such instructors, and an inactive license may be converted into an active license after proof satisfactory to the board of completion of at least twenty-four (24) clock hours of approved continuing education required for teacher training instruction.

(6) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 12. Section 73-7-16, Mississippi Code of 1972, is reenacted as follows:

73-7-16. (1) All schools of cosmetology or school owners shall have a school license and shall pay to the board the required license fee biennially therefor. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a school license will be required to pay a delinquent fee in addition to the renewal fee. The board is hereby authorized and empowered to promulgate necessary and reasonable rules and regulations for the issuance and renewal of school licenses. However, the board shall not refuse to issue or renew a school's license because of the number of schools already in that area of the state, and any rule promulgated by the board for that purpose shall be null and void.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

(3) The board shall require all schools of cosmetology to only admit students who have not less than a Tenth-Grade education or a high school diploma or its equivalency.

SECTION 13. Section 73-7-17, Mississippi Code of 1972, is reenacted as follows:

73-7-17. (1) All salon owners shall have a salon license and shall pay to the board the required license fee therefor and pay the required renewal fee for renewal thereof. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days any applicant for the renewal of a salon license will be required to pay a delinquent fee in addition to the renewal fee. A salon license that has been expired for over one (1) year is nonrenewable and requires a new application. Prior to the initial issuance of such license, the board shall inspect the premises to determine if same qualifies with the law, upon payment by the applicant of the required inspection fee.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 14. Section 73-7-18, Mississippi Code of 1972, is reenacted as follows:

73-7-18. (1) The board shall admit to examination for an esthetician's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than seventeen (17) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent; and

(d) Has successfully completed a course of training in esthetics of not less than six hundred (600) hours in an accredited school in which the practice of esthetics is taught, including not less than one hundred (100) hours of theory and five hundred (500) hours of skill practice.

Any licensed esthetician wishing to acquire a cosmetology license may apply the six hundred (600) hours of esthetics training toward the requirements for a cosmetology license.

(2) Every person who has completed not less than three hundred fifty (350) hours of training in esthetics approved by the board in this or any other state prior to July 1, 1987, shall be registered with the board within a period not exceeding six (6) months after July 1, 1987, and shall be granted an esthetician's license by the board if such person presents satisfactory evidence to the board that he or she has fulfilled all the requirements to be admitted to examination except the training hours requirement.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 15. Section 73-7-19, Mississippi Code of 1972, is reenacted as follows:

73-7-19. (1) Except as provided in Section 33-1-39, all licenses shall be renewed biennially under the fee schedule in Section 73-7-29. Applications for renewal of licenses for cosmetologists, estheticians, manicurists and instructors must be accompanied by the required renewal fee. A grace period of sixty (60) days will be given in which to renew the license; and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a license will be required to pay the required renewal fee and a delinquent fee in addition to the renewal fee. The fees may be paid by either personal or certified check, cash or money order, under such safeguards, rules and regulations as the board may prescribe. Checks returned to the board because of insufficient funds shall result in nonrenewal of the license, which will require the penalty fee for insufficient fund checks plus all other amounts due for renewal of the license before the license may be renewed. After one (1) year has passed from the expiration date of the license, a delinquent fee must be paid for each year up to three (3) years, after which the required examination must be taken. All applications for examination required by this chapter shall expire ninety (90) days from the date thereof.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 16. Section 73-7-21, Mississippi Code of 1972, is reenacted as follows:

73-7-21. (1) The board shall admit to examination for a manicurist's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is at least seventeen (17) years of age;

(b) Can read, write and speak English;

(c) Has successfully completed no less than three hundred fifty (350) hours of practice and related theory in manicuring and pedicuring over a period of no less than nine (9) weeks in an accredited school of cosmetology in this or any other state; and

(d) Has a high school education or its equivalent.

(2) Licensed manicurists desiring to pursue additional hours to be eligible for a license as a cosmetologist may be credited with the three hundred fifty (350) hours acquired in studying and training to be a manicurist which may be applied to the number of hours required for a cosmetology license examination.

(3) The board shall adopt regulations governing the use of electric nail files for the purpose of filing false or natural nails.

(4) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 17. Section 73-7-23, Mississippi Code of 1972, is reenacted as follows:

73-7-23. (1) The board may, upon application, issue a license by reciprocity to any cosmetologist, esthetician or manicurist over the age of seventeen (17) years from any other state who has satisfactorily completed the required number of accredited hours in that state, provided the state board from which the applicant comes issues to cosmetologists, estheticians or manicurists, as the case may be, from the State of Mississippi a license under the same conditions. Applications must be accompanied by (a) proof satisfactory to the board that the required hours have been completed, and (b) the required reciprocity fee, which shall be paid to the board.

(2) An instructor from any other state may be qualified for a Mississippi instructor's license upon presenting a valid instructor's license and proof of a high school education or its equivalent, provided that the instructor (a) is not less than twenty-one (21) years of age, (b) has completed training equivalent to the State of Mississippi's training as provided in Section 73-7-15 or has three (3) years or more of experience as a licensed instructor prior to application, (c) can read, write and speak English, (d) has completed twelve (12) semester hours in college courses approved by the board, and (e) has completed a minimum of five (5) continuing education hours in Mississippi board laws, rules and regulations. Such application must be accompanied by two (2) recent passport photographs of the applicant. Applicants shall pay the required license fee.

(3) An applicant for a Mississippi instructor's license by reciprocity who has not completed the college courses requirement at the time of application may apply for a onetime temporary teaching permit, which shall be valid for six (6) months and shall be nonrenewable. Such application must be accompanied by proof of enrollment in college course(s), required permit fee, two (2) recent passport photographs of the applicant and other documentation as required for application for a Mississippi instructor's license by reciprocity. Upon proof of completion of college courses and payment of the required license fee, a Mississippi instructor's license shall be issued.

(4) The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

SECTION 18. Section 73-7-25, Mississippi Code of 1972, is reenacted as follows:

73-7-25. Every demonstrator in the field of cosmetology shall, before making demonstrations in a salon or school, apply for and obtain a permit from the board. For

such permit, which shall be for one (1) year, the required fee shall be paid to the board. This section shall be construed to apply to demonstrators in salons and schools.

SECTION 19. Section 73-7-27, Mississippi Code of 1972, is reenacted as follows:

73-7-27. (1) Any complaint may be filed with the board by a member or agent of the board or by any person charging any licensee of the board with the commission of any of the offenses enumerated in subsection (2) of this section. Such complaint shall be in writing, signed by the accuser or accusers, and verified under oath, and such complaints shall be investigated as set forth in Section 73-7-7. If, after the investigation, the board through its administrative review agents determines that there is not substantial justification to believe that the accused licensee has committed any of the offenses enumerated, it may dismiss the complaint or may prepare a formal complaint proceeding against the licensee as hereinafter provided. When used with reference to any complaint filed against a licensee herein, the term "not substantial justification" means a complaint that is frivolous, groundless in fact or law, or vexatious, as determined by unanimous vote of the board. In the event of a dismissal, the person filing the accusation and the accused licensee shall be given written notice of the board's determination. If the board determines there is reasonable cause to believe the accused has committed any of those offenses, the secretary of the board shall give written notice of such determination to the accused licensee and set a day for a hearing as provided in subsection (3) of this section.

(2) The board shall have the power to revoke, suspend or refuse to issue or renew any license or certificate provided for in this chapter, and to fine, place on probation and/or otherwise discipline a student or licensee or holder of a certificate, upon proof that such person: (a) has not complied with or has violated any of the rules and regulations promulgated by the board; (b) has not complied with or has violated any of the sections of this chapter; (c) has committed fraud or dishonest conduct in the taking of the examination herein provided for; (d) has been convicted of a felony; (e) has committed grossly unprofessional or dishonest conduct; (f) is addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or occupations set forth in this chapter; (g) has advertised by means of knowingly false or deceptive statements; or (h) has failed to display the license or certificate issued to him or her as provided for in this chapter; or (i) has been convicted of violating any of the provisions of this chapter. A conviction of violating any of the provisions of this chapter shall be grounds for automatic suspension of the license or certificate of such person.

(3) The board shall not revoke, suspend or refuse to issue or renew any license or certificate, or fine, place on probation or otherwise discipline any person in a disciplinary matter except after a hearing of which the applicant or licensee or holder of the certificate affected shall be given at least twenty (20) days' notice in writing, specifying the reason or reasons for denying the applicant a license or certificate of registration, or in the case of any other disciplinary action, the offense or offenses of which the licensee or holder of a certificate of registration is charged. Such notice may be served by mailing a copy thereof by United States first-class certified mail, postage prepaid, to the last-known residence or business address of such applicant, licensee or holder of a certificate. The hearing on such charges shall be at such time and place as the board may prescribe.

(4) At such hearings, all witnesses shall be sworn by a member of the board, and stenographic notes of the proceedings shall be taken. Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon payment to the board of such fees as it shall prescribe, not exceeding, however, the actual costs of transcription.

(5) The board is hereby authorized and empowered to issue subpoenas for the attendance of witnesses and the production of books and papers. The process issued by the board shall extend to all parts of the state and such process shall be served by any person designated by the board for such service. The person serving such process shall receive such compensation as may be allowed by the board, not to exceed the fee prescribed by law for similar services. All witnesses who shall be subpoenaed, and who

shall appear in any proceedings before the board, shall receive the same fees and mileage as allowed by law.

(6) Where in any proceeding before the board any witness shall fail or refuse to attend upon subpoena issued by the board, shall refuse to testify, or shall refuse to produce any books and papers, the production of which is called for by the subpoena, the attendance of such witness and the giving of his testimony and the production of the books and papers shall be enforced by any court of competent jurisdiction of this state, in the same manner as are enforced for the attendance and testimony of witnesses in civil cases in the courts of this state.

(7) The board shall conduct the hearing in an orderly and continuous manner, granting continuances only when the ends of justice may be served. The board shall, within sixty (60) days after conclusion of the hearing, reduce its decision to writing and forward an attested true copy thereof to the last-known residence or business address of such applicant, licensee or holder of a certificate, by way of United States first-class certified mail, postage prepaid. Such applicant, licensee, holder of a certificate, or person aggrieved shall have the right of appeal from an adverse ruling, or order, or decision of the board to the Chancery Court of the First Judicial District of Hinds County, Mississippi, upon forwarding notice of appeal to the board within thirty (30) days after the decision of the board is mailed in the manner here contemplated. An appeal will not be allowed in the event notice of appeal, together with the appeal bond hereinafter required, shall not have been forwarded to the board within the thirty-day period. Appeal shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi. The appeal shall thereupon be heard in due course by the court which shall review the record and make its determination thereon.

(8) The appellant shall, together with the notice of appeal, forward to and post with the board a satisfactory bond in the amount of Five Hundred Dollars (\$500.00) for the payment of any costs which may be adjudged against him.

(9) In the event of an appeal, the court shall dispose of the appeal and enter its decision promptly. The hearing on the appeal may, in the discretion of the chancellor, be tried in vacation. If there is an appeal, such appeal may, in the discretion of and on motion to the chancery court, act as a supersedeas. However, any fine imposed by the board under the provisions of this chapter shall not take effect until after the time for appeal has expired, and an appeal of the imposition of such a fine shall act as a supersedeas.

(10) Any fine imposed by the board upon a licensee or holder of a certificate shall be in accordance with the following schedule:

(a) For the first violation, a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for each violation.

(b) For the second and each subsequent violation, a fine of not less than One Hundred Dollars (\$100.00) nor more than Four Hundred Dollars (\$400.00) for each violation.

The power and authority of the board to impose such fines under this section shall not be affected or diminished by any other proceeding, civil or criminal, concerning the same violation or violations.

(11) In addition to the reasons specified in subsection (2) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 20. Section 73-7-29, Mississippi Code of 1972, is reenacted as follows:

73-7-29. The State Board of Cosmetology shall assess fees in the following amounts and for the following purposes:

(a) Initial license/renewal for cosmetologist, manicurist, esthetician, or wig specialist	\$ 50.00
(b) Instructor initial license/renewal	80.00
(c) Master cosmetologist license/renewal	70.00
(d) Delinquent renewal penalty - cosmetologist, manicurist, esthetician, wig specialist and instructor	50.00
There shall be no renewal fee for any licensee seventy (70) years of age or older.	
(e) Salon application and initial inspection	85.00
(f) Salon reinspection	35.00
(g) Salon change of ownership or location, or both	85.00
(h) Salon renewal	60.00
(i) Salon delinquent renewal penalty	50.00
(j) Application and initial inspection for a new school	300.00
(k) New school reinspection	100.00
(l) School change of ownership	300.00
(m) School relocation	150.00
(n) School renewal	75.00
(o) School delinquent renewal penalty	100.00
(p) Duplicate license	10.00
(q) Penalty for insufficient fund checks	20.00
(r) Affidavit processing	15.00

The State Board of Cosmetology may charge additional fees for services which the board deems appropriate to carry out its intent and purpose. These additional fees shall not exceed the cost of rendering the service.

The board is fully authorized to make refunds of any deposits received by the board for services which are not rendered. Refunds will automatically be made on overpayment of fees. Refunds will be made on underpayments by written requests from applicants. If no request for refund is made within sixty (60) days, the fees will be forfeited.

SECTION 21. Section 73-7-31, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-31. Nothing in this chapter shall apply to:

- (a) Hairdressing, manicuring or facial treatments given in the home to members of family or friends for which no charge is made.
- (b) Persons whose practice is limited to * * * only performing the following: makeup artistry, threading, or applying or removing eyelash extensions; however, a person may perform a combination of not more than three (3) such practices and still be exempt from application of this chapter.
- (c) Barbers, and nothing in this chapter shall affect the jurisdiction of the State Board of Barber Examiners.
- (d) Persons engaged in the practice of hair braiding as defined in Section 73-7-71 who have completed the self-test part of the brochure on infection control techniques prepared by the State Department of Health and who keep the brochure and completed self-test available at the location at which the person is engaged in hair braiding.

SECTION 22. Section 73-7-33, Mississippi Code of 1972, is reenacted as follows:

73-7-33. In addition to the rules and regulations that may be prescribed and promulgated by the board under authority of this chapter, the following rules and regulations shall be observed:

Every establishment must be kept sanitary, including all utensils and equipment, must be well ventilated and properly lighted. Each salon must be provided with hot and cold running water. Electrical appliances must be properly installed and grounded.

Cosmetologists shall be allowed to wear any type of clothing or apparel while at work as long as such clothing or apparel is sanitary.

Cosmetologists shall be allowed to use any type of hair roller as long as they do so in a sanitary manner.

Persons with a communicable disease or parasitic infection that is medically recognized to be a direct threat of transmission by the type of contact that practitioners have with clients are not to be permitted to practice in an establishment until their condition is no longer communicable under those circumstances. No work shall be performed on any patron having a visible disease unless the patron shall produce a certificate from a practicing physician stating that the patron is free from infectious, contagious or communicable disease. A cosmetologist's license does not authorize such person to treat or prescribe for an infectious, contagious or any other disease.

A home salon must have a solid wall to the ceiling with an outside entrance, or if a door exists between the salon and the remainder of the house, the door must be kept closed at all times while service is being rendered.

SECTION 23. Section 73-7-35, Mississippi Code of 1972, is reenacted as follows:

73-7-35. (1) No person licensed pursuant to this chapter shall practice his or her profession except within the physical confines of a salon possessing and displaying a properly executed license issued pursuant to Section 73-7-17. However, this requirement shall not prevent a person from rendering his or her services to any person who may be confined to his or her home, a hospital, or other place as a result of illness, and cosmetologists shall be permitted to render their services to deceased persons away from their salons.

(2) No salon owner licensed pursuant to this chapter shall allow a cosmetologist, esthetician, or manicurist to practice his/her profession in the salon without possessing a valid license issued pursuant to this chapter.

SECTION 24. Section 73-7-37, Mississippi Code of 1972, is reenacted as follows:

73-7-37. (1) The violation of any of the provisions of this chapter, including the use of fraudulent statements to obtain any benefits or privileges under this chapter or practicing one (1) of these professions without a license, shall constitute a misdemeanor, punishable in any court of competent jurisdiction at the seat of government, and any person or firm convicted of the violation of any of the provisions of this chapter shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00). The court shall not be authorized to suspend or suspend the execution of the fine required under this section.

(2) If any person, firm or corporation violates any of the provisions of this chapter, the secretary of the board, upon direction of a majority of the board and in the name of the board, acting through the Attorney General or an attorney employed by the board, shall apply in the Chancery Court of the First Judicial District of Hinds County, Mississippi, for an order enjoining such violation or for an order enforcing compliance with the provisions of this chapter. Upon the filing of a verified petition in the chancery court and after notice as provided under the Mississippi Rules of Civil Procedure, such court, if satisfied by the sworn petition, by affidavit or otherwise, that such person has violated any of the provisions of this chapter, may issue an injunction without notice or bond, enjoining such continued violation and such injunction shall remain in force and effect until a final hearing. If at such hearing it is established that such person has violated or is violating any of the provisions of this chapter, the court may enter a decree permanently enjoining such violation or enforcing compliance with this chapter. In addition, the court may enter a judgment against such person for attorney's fees, court costs and the actual costs incurred by the board in investigating the actions of such person for which the board brought the suit for an injunction. In case of violation of any decree issued in compliance with this subsection, the court may punish the offender for contempt of court and the court shall proceed as in other cases.

(3) The proceedings in this section shall be in addition to and not in lieu of the other remedies and penalties provided in this chapter.

SECTION 25. Section 73-7-63, Mississippi Code of 1972, is amended as follows:

73-7-63. Sections 73-7-1 through 73-7-37, which create the State Board of Cosmetology and prescribe its duties and powers, shall stand repealed * * * on July 1, * * * 2024.

SECTION 26. Section 73-5-41, Mississippi Code of 1972, is amended as follows:

73-5-41. (1) The following persons are exempt from the provisions of this chapter, wholly in the proper discharge of their professional duties, to wit:

(a) Persons authorized by the law of Mississippi to practice medicine and surgery.

(b) Commissioned medical or surgical officers of the United States Army, Navy or Marine hospital service.

(c) Registered nurses.

(d) Cosmetologists, and nothing in this chapter shall affect the jurisdiction of the State Board of Cosmetology.

(e) Persons whose practice is limited to only makeup artistry.

(2) The provision of this section shall not be construed to authorize any of the persons exempted to shave, trim the beard, or cut the hair of any person, or perform any other act that constitutes barbering, for cosmetic purposes, with the exception of persons licensed by the State Board of Cosmetology or persons whose practice is limited to only makeup artistry as listed in subsection (1) of this section.

SECTION 27. This act shall take effect and be in force from and after its passage.

FURTHER, AMEND the title to conform.

Substitute for Committee Amendment No. 1 to H. B. No. 1312 was adopted.

YEAS AND NAYS On H. B. No. 1312. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--McDaniel, Turner-Ford. Total--2.

Absent and those not voting----None.

Senator Carter called up the following entitled bill:

H. B. No. 632: "All Fuels Act of 2021"; establish.

YEAS AND NAYS On H. B. No. 632. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.
Absent and those not voting----None.
Voting Present--Simmons D. T. (12th). Total--1.

Senator Polk called up the following entitled bill:

H. B. No. 1177: General laws and journals of legislative sessions; copies of not provided to certain recipients of unless specifically requested.

YEAS AND NAYS On H. B. No. 1177. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 1213: State Personnel Board; require exempted agencies' reports to include quantifiable data and to be sent to SPB, PEER and LBO.

YEAS AND NAYS On H. B. No. 1213. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.
Absent and those not voting----None.

Senator Polk called up the following entitled bill:

H. B. No. 1263: Occupational licensing; provide for recognition of out-of-state licenses if applicants satisfy certain conditions.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 73-50-2, Mississippi Code of 1972:

73-50-2. (1) This section shall be known as the "Universal Recognition of Occupational Licenses Act."

(2) As used in this section, the term:

(a) "License" means any license (other than a privilege license), certificate, registration, permit or other evidence of qualification that an individual is required by the state to obtain before he or she may engage in or represent himself or herself to be a member of a particular profession or occupation.

(b) "Occupational licensing board" means any state board, commission, department or other agency in Mississippi that is established for the primary purpose of regulating the entry of persons into, and/or the conduct of persons within, a particular profession or occupation, and which is authorized to issue licenses. For the purposes of this section, the State Department of Education shall be considered an occupational licensing board when issuing teacher licenses under Section 37-3-2.

(3) Notwithstanding any other provision of law, an occupational licensing board shall issue a license or government certification in the discipline applied for and at the same practice level to a person who establishes residence in this state if, upon application to an occupational licensing board, the applicant satisfies the following conditions:

(a) The applicant holds a current and valid license in good standing in another state in an occupation with a similar scope of practice, as determined by the occupational licensing board in Mississippi, and has held this license from the occupational licensing board in the other state for at least one (1) year; and

(b) There were minimum education requirements and, if applicable, work experience, examination and clinical supervision requirements in effect, and the other state verifies that the applicant met those requirements in order to be licensed in that state; and

(c) The applicant has not committed any act in the other state that would have constituted grounds for refusal, suspension or revocation of a license to practice that occupation in Mississippi at the time the act was committed, and the applicant does not have a disqualifying criminal record as determined by the occupational licensing board in Mississippi under Mississippi law; and

(d) The applicant did not surrender a license because of negligence or intentional misconduct related to the applicant's work in the occupation in another state; and

(e) The applicant does not have a complaint, allegation or investigation pending before an occupational licensing board or other board in another state that relates to unprofessional conduct or an alleged crime. If the applicant has a complaint, allegation or investigation pending, the occupational licensing board in Mississippi shall not issue or deny a license to the applicant until the complaint, allegation or investigation is resolved, or the applicant otherwise satisfies the criteria for licensure in Mississippi to the satisfaction of the occupational licensing board in Mississippi; and

(f) The applicant pays all applicable fees in Mississippi.

(4) Notwithstanding any other law, the occupational licensing board shall issue a license to an applicant in the discipline applied for and at the same practice level, as determined by the occupational licensing board, to a person who establishes residence in this state based on work experience in another state, if all the following apply:

(a) The applicant worked in a state that does not use a license to regulate a lawful occupation, but Mississippi uses a license to regulate a lawful occupation with a similar scope of practice, as determined by the occupational licensing board;

(b) The applicant worked for at least three (3) years in the lawful occupation;
and

(c) The applicant satisfies the provisions of paragraphs (c) through (f) of subsection (3) of this section.

(5) An occupational licensing board may require an applicant to pass a jurisprudential examination specific to relevant state laws in Mississippi that regulate the occupation if the issuance of a license in Mississippi requires an applicant to pass a jurisprudential examination specific to relevant state statutes and administrative rules in Mississippi that regulate the occupation.

(6) For purposes of this act, residence may be established by demonstrating proof of a state-issued identification card or one (1) of the following:

(a) Current Mississippi residential utility bill with the applicant's name and address;

(b) Documentation of the applicant's current ownership, or current lease of a residence in Mississippi;

(c) Documentation of current in-state employment or notarized letter of promise of employment of the applicant or his or her spouse; or

(d) Any verifiable documentation demonstrating Mississippi residency.

(7) A person who receives a license under this section is subject to the laws regulating the person's practice in this state and is subject to the occupational licensing board's jurisdiction.

(8) A license issued under this section is valid only in this state and does not make the person eligible to be part of an interstate compact.

(9) The occupational licensing board shall issue or deny the license to the applicant within one hundred twenty days (120) days after receiving an application.

If the application requires longer than two (2) weeks to process, the occupational licensing board shall issue a temporary practice permit within thirty (30) days after receiving the application if the applicant submits an affidavit, under penalties of perjury, affirming that he or she satisfies the provisions of subsection (3) or subsection (4) and pays all applicable fees as required by subsection (3)(f) or subsection (4)(f).

The applicant may practice under the temporary permit until a license is granted, or until a notice to deny the license is issued, in accordance with rules adopted by the occupational licensing board. A temporary license will expire in three hundred sixty-five (365) days after its issuance if the applicant fails to satisfy the requirement for licensure in subsections (3) through (5), as applicable.

(10) (a) The applicant may appeal any of the following decisions of an occupational licensing board to a court of general jurisdiction:

(i) Denial of a license;

(ii) Determination of the occupation;

(iii) Determination of the similarity of the scope of practice of the license issued; or

(iv) Other determinations under this section.

(b) The court shall determine all questions of law, including the interpretation of a constitutional or statutory provision or a rule adopted by an occupational licensing board, without regard to any previous determination that may have been made on the question in any action before the occupational licensing board.

(11) An occupational licensing board shall prominently print the following on all license applications, any communication denying a license, and on the board's website: "Pursuant to the provisions of the Universal Recognition of Occupational Licenses Act, Mississippi shall recognize occupational licenses obtained from other states." An occupational licensing board shall prepare and place on the board's website an annual report detailing the number of applications submitted to the licensing board under this section during a calendar year and the actions taken by the board on the applications.

(12) An occupational licensing board shall adopt rules necessary to implement this section by January 1, 2022. In addition, an occupational licensing board shall make all reasonable efforts to issue a license to an applicant for a license under this section.

(13) Nothing in this section shall be construed to prohibit an applicant for licensure from proceeding under the existing licensure requirements established by an occupational licensing board in Mississippi.

(14) Nothing in this chapter shall be construed to prevent Mississippi from entering into a licensing compact or reciprocity agreement with another state, foreign province or foreign country. A license issued under this section is valid only in Mississippi. It does not make the person eligible to work in another state under an interstate compact or reciprocity agreement unless otherwise provided in Mississippi law.

(15) Nothing in this section shall be construed to apply to:

(a) The practice of law as regulated under Section 73-3-1 et seq.;

(b) Criteria for an applicant to obtain a license that is established under an interstate compact;

(c) The ability of an occupational licensing board to require an applicant to submit fingerprints in order to access state and federal criminal records information for noncriminal justice purposes;

(d) The practice of medicine by physicians as regulated under Section 73-25-1 et seq.;

(e) The provisions of the Military Family Freedom Act, Section 73-50-1; or

(f) An occupation regulated under Section 73-1-1 et seq. to the extent there is a conflict with a law granting licensure reciprocity under Section 73-1-1 et seq.

SECTION 2. Section 37-3-2, Mississippi Code of 1972, is amended as follows:

37-3-2. (1) There is established within the State Department of Education the Commission on Teacher and Administrator Education, Certification and Licensure and Development. It shall be the purpose and duty of the commission to make recommendations to the State Board of Education regarding standards for the certification and licensure and continuing professional development of those who teach or perform tasks of an educational nature in the public schools of Mississippi.

(2) (a) The commission shall be composed of fifteen (15) qualified members. The membership of the commission shall be composed of the following members to be appointed, three (3) from each of the four (4) congressional districts, as such districts existed on January 1, 2011, in accordance with the population calculations determined by the 2010 federal decennial census, including: four (4) classroom teachers; three (3) school administrators; one (1) representative of schools of education of public institutions of higher learning located within the state to be recommended by the Board of Trustees of State Institutions of Higher Learning; one (1) representative from the schools of education of independent institutions of higher learning to be recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the Mississippi Community College Board; one (1) local school board member; and four (4) laypersons. Three (3) members of the commission, at the sole discretion of the State Board of Education, shall be appointed from the state at large.

(b) All appointments shall be made by the State Board of Education after consultation with the State Superintendent of Public Education. The first appointments by the State Board of Education shall be made as follows: five (5) members shall be appointed for a term of one (1) year; five (5) members shall be appointed for a term of two (2) years; and five (5) members shall be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

(3) The State Board of Education when making appointments shall designate a chairman. The commission shall meet at least once every two (2) months or more often if needed. Members of the commission shall be compensated at a rate of per diem as authorized by Section 25-3-69 and be reimbursed for actual and necessary expenses as authorized by Section 25-3-41.

(4) (a) An appropriate staff member of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve as executive secretary and coordinator for the commission. No less than two (2) other appropriate staff members of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve on the staff of the commission.

(b) An Office of Educator Misconduct Evaluations shall be established within the State Department of Education to assist the commission in responding to infractions and violations, and in conducting hearings and enforcing the provisions of subsections (11), (12), (13), (14) and (15) of this section, and violations of the Mississippi Educator Code of Ethics.

(5) It shall be the duty of the commission to:

(a) Set standards and criteria, subject to the approval of the State Board of Education, for all educator preparation programs in the state;

(b) Recommend to the State Board of Education each year approval or disapproval of each educator preparation program in the state, subject to a process and schedule determined by the State Board of Education;

(c) Establish, subject to the approval of the State Board of Education, standards for initial teacher certification and licensure in all fields;

(d) Establish, subject to the approval of the State Board of Education, standards for the renewal of teacher licenses in all fields;

(e) Review and evaluate objective measures of teacher performance, such as test scores, which may form part of the licensure process, and to make recommendations for their use;

(f) Review all existing requirements for certification and licensure;

(g) Consult with groups whose work may be affected by the commission's decisions;

(h) Prepare reports from time to time on current practices and issues in the general area of teacher education and certification and licensure;

(i) Hold hearings concerning standards for teachers' and administrators' education and certification and licensure with approval of the State Board of Education;

(j) Hire expert consultants with approval of the State Board of Education;

(k) Set up ad hoc committees to advise on specific areas; and

(l) Perform such other functions as may fall within their general charge and which may be delegated to them by the State Board of Education.

(6) (a) Standard License - Approved Program Route. An educator entering the school system of Mississippi for the first time and meeting all requirements as established by the State Board of Education shall be granted a standard five-year license. Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements. Applicants for a standard license shall submit to the department:

(i) An application on a department form;

(ii) An official transcript of completion of a teacher education program approved by the department or a nationally accredited program, subject to the following: Licensure to teach in Mississippi prekindergarten through kindergarten classrooms shall require completion of a teacher education program or a Bachelor of Science degree with child development emphasis from a program accredited by the American Association of Family and Consumer Sciences (AAFCS) or by the National Association for Education of Young Children (NAEYC) or by the National Council for Accreditation of Teacher Education (NCATE). Licensure to teach in Mississippi kindergarten, for those applicants who have completed a teacher education program, and in Grade 1 through Grade 4 shall require the completion of an interdisciplinary program of studies. Licenses for Grades 4 through 8 shall require the completion of an interdisciplinary program of studies with two (2) or more areas of concentration. Licensure to teach in Mississippi Grades 7 through 12 shall require a major in an academic field other than education, or a combination of disciplines other than education. Students preparing to teach a subject shall complete a major in the respective subject discipline. All applicants for standard licensure shall demonstrate that such person's college preparation in those fields was in accordance with the standards set forth by the National Council for Accreditation of Teacher Education (NCATE) or the National Association of State Directors of Teacher Education and Certification (NASDTEC) or, for those applicants who have a Bachelor of Science degree with child development emphasis, the American Association of Family and Consumer Sciences (AAFCS). Effective July 1, 2016, for initial elementary education licensure, a teacher candidate must earn a passing score on a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles as approved by the State Board of Education;

(iii) A copy of test scores evidencing satisfactory completion of nationally administered examinations of achievement, such as the Educational Testing Service's teacher testing examinations;

(iv) Any other document required by the State Board of Education;
and

(v) From and after July 1, 2020, no teacher candidate shall be licensed to teach in Mississippi who did not meet the following criteria for entrance into an approved teacher education program:

1. An ACT Score of twenty-one (21) (or SAT equivalent); or

2. Achieve a qualifying passing score on the Praxis Core Academic Skills for Educators examination as established by the State Board of Education; or

3. A minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program.

(b) Standard License - Nontraditional Teaching Route. From and after July 1, 2020, no teacher candidate shall be licensed to teach in Mississippi under the alternate route who did not meet the following criteria:

(i) An ACT Score of twenty-one (21) (or SAT equivalent); or

(ii) Achieve a qualifying passing score on the Praxis Core Academic Skills for Educators examination as established by the State Board of Education; or

(iii) A minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program.

Beginning July 1, 2020, an individual who has attained a passing score on the Praxis Core Academic Skills for Educators or an ACT Score of twenty-one (21) (or SAT equivalent) or a minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program and a passing score on the Praxis Subject Assessment in the requested area of endorsement may apply for admission to the Teach Mississippi Institute (TMI) program to teach students in Grades 7 through 12 if the individual meets the requirements of this paragraph (b). The State Board of Education shall adopt rules requiring that teacher preparation institutions which provide the Teach Mississippi Institute (TMI) program for the preparation of nontraditional teachers shall meet the standards and comply with the provisions of this paragraph.

(i) The Teach Mississippi Institute (TMI) shall include an intensive eight-week, nine-semester-hour summer program or a curriculum of study in which the student matriculates in the fall or spring semester, which shall include, but not be limited to, instruction in education, effective teaching strategies, classroom management, state curriculum requirements, planning and instruction, instructional methods and pedagogy, using test results to improve instruction, and a one (1) semester three-hour supervised internship to be completed while the teacher is employed as a full-time teacher intern in a local school district. The TMI shall be implemented on a pilot program basis, with courses to be offered at up to four (4) locations in the state, with one (1) TMI site to be located in each of the three (3) Mississippi Supreme Court districts.

(ii) The school sponsoring the teacher intern shall enter into a written agreement with the institution providing the Teach Mississippi Institute (TMI) program, under terms and conditions as agreed upon by the contracting parties, providing that the school district shall provide teacher interns seeking a nontraditional provisional teaching

license with a one-year classroom teaching experience. The teacher intern shall successfully complete the one (1) semester three-hour intensive internship in the school district during the semester immediately following successful completion of the TMI and prior to the end of the one-year classroom teaching experience.

(iii) Upon completion of the nine-semester-hour TMI or the fall or spring semester option, the individual shall submit his transcript to the commission for provisional licensure of the intern teacher, and the intern teacher shall be issued a provisional teaching license by the commission, which will allow the individual to legally serve as a teacher while the person completes a nontraditional teacher preparation internship program.

(iv) During the semester of internship in the school district, the teacher preparation institution shall monitor the performance of the intern teacher. The school district that employs the provisional teacher shall supervise the provisional teacher during the teacher's intern year of employment under a nontraditional provisional license, and shall, in consultation with the teacher intern's mentor at the school district of employment, submit to the commission a comprehensive evaluation of the teacher's performance sixty (60) days prior to the expiration of the nontraditional provisional license. If the comprehensive evaluation establishes that the provisional teacher intern's performance fails to meet the standards of the approved nontraditional teacher preparation internship program, the individual shall not be approved for a standard license.

(v) An individual issued a provisional teaching license under this nontraditional route shall successfully complete, at a minimum, a one-year beginning teacher mentoring and induction program administered by the employing school district with the assistance of the State Department of Education.

(vi) Upon successful completion of the TMI and the internship provisional license period, applicants for a Standard License - Nontraditional Route shall submit to the commission a transcript of successful completion of the twelve (12) semester hours required in the internship program, and the employing school district shall submit to the commission a recommendation for standard licensure of the intern. If the school district recommends licensure, the applicant shall be issued a Standard License - Nontraditional Route which shall be valid for a five-year period and be renewable.

(vii) At the discretion of the teacher preparation institution, the individual shall be allowed to credit the twelve (12) semester hours earned in the nontraditional teacher internship program toward the graduate hours required for a Master of Arts in Teacher (MAT) Degree.

(viii) The local school district in which the nontraditional teacher intern or provisional licensee is employed shall compensate such teacher interns at Step 1 of the required salary level during the period of time such individual is completing teacher internship requirements and shall compensate such Standard License - Nontraditional Route teachers at Step 3 of the required salary level when they complete license requirements.

Implementation of the TMI program provided for under this paragraph (b) shall be contingent upon the availability of funds appropriated specifically for such purpose by the Legislature. Such implementation of the TMI program may not be deemed to prohibit the State Board of Education from developing and implementing additional alternative route teacher licensure programs, as deemed appropriate by the board. The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

A Standard License - Approved Program Route shall be issued for a five-year period, and may be renewed. Recognizing teaching as a profession, a hiring preference

shall be granted to persons holding a Standard License - Approved Program Route or Standard License - Nontraditional Teaching Route over persons holding any other license.

(c) Special License - Expert Citizen. In order to allow a school district to offer specialized or technical courses, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may grant a one-year expert citizen-teacher license to local business or other professional personnel to teach in a public school or nonpublic school accredited or approved by the state. Such person may begin teaching upon his employment by the local school board and licensure by the Mississippi Department of Education. The board shall adopt rules and regulations to administer the expert citizen-teacher license. A Special License - Expert Citizen may be renewed in accordance with the established rules and regulations of the State Department of Education.

(d) Special License - Nonrenewable. The State Board of Education is authorized to establish rules and regulations to allow those educators not meeting requirements in paragraph (a), (b) or (c) of this subsection (6) to be licensed for a period of not more than three (3) years, except by special approval of the State Board of Education.

(e) Nonlicensed Teaching Personnel. A nonlicensed person may teach for a maximum of three (3) periods per teaching day in a public school district or a nonpublic school accredited/approved by the state. Such person shall submit to the department a transcript or record of his education and experience which substantiates his preparation for the subject to be taught and shall meet other qualifications specified by the commission and approved by the State Board of Education. In no case shall any local school board hire nonlicensed personnel as authorized under this paragraph in excess of five percent (5%) of the total number of licensed personnel in any single school.

(f) Special License - Transitional Bilingual Education. Beginning July 1, 2003, the commission shall grant special licenses to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. Teachers of transitional bilingual education shall be compensated by local school boards at not less than one (1) step on the regular salary schedule applicable to permanent teachers licensed under this section. The commission shall grant special licenses to teachers of transitional bilingual education who present the commission with satisfactory evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the commission; and (v) are legally present in the United States and possess legal authorization for employment. A teacher of transitional bilingual education serving under a special license shall be under an exemption from standard licensure if he achieves the requisite qualifications therefor. Two (2) years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring a Standard Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in an appropriate field as approved by the State Department of Education to teach in a program in transitional bilingual education.

(g) In the event any school district meets the highest accreditation standards as defined by the State Board of Education in the accountability system, the State Board of Education, in its discretion, may exempt such school district from any restrictions in paragraph (e) relating to the employment of nonlicensed teaching personnel.

(h) Highly Qualified Teachers. Beginning July 1, 2006, any teacher from any state meeting the federal definition of highly qualified, as described in the No Child

Left Behind Act, must be granted a standard five-year license by the State Department of Education.

(7) Administrator License. The State Board of Education is authorized to establish rules and regulations and to administer the licensure process of the school administrators in the State of Mississippi. There will be four (4) categories of administrator licensure with exceptions only through special approval of the State Board of Education.

(a) Administrator License - Nonpracticing. Those educators holding administrative endorsement but having no administrative experience or not serving in an administrative position on January 15, 1997.

(b) Administrator License - Entry Level. Those educators holding administrative endorsement and having met the department's qualifications to be eligible for employment in a Mississippi school district. Administrator License - Entry Level shall be issued for a five-year period and shall be nonrenewable.

(c) Standard Administrator License - Career Level. An administrator who has met all the requirements of the department for standard administrator licensure.

(d) Administrator License - Nontraditional Route. The board may establish a nontraditional route for licensing administrative personnel. Such nontraditional route for administrative licensure shall be available for persons holding, but not limited to, a master of business administration degree, a master of public administration degree, a master of public planning and policy degree or a doctor of jurisprudence degree from an accredited college or university, with five (5) years of administrative or supervisory experience. Successful completion of the requirements of alternate route licensure for administrators shall qualify the person for a standard administrator license.

Individuals seeking school administrator licensure under paragraph (b), (c) or (d) shall successfully complete a training program and an assessment process prescribed by the State Board of Education. All applicants for school administrator licensure shall meet all requirements prescribed by the department under paragraph (b), (c) or (d), and the cost of the assessment process required shall be paid by the applicant.

(8) Reciprocity. (a) The department shall grant a standard license to any individual who possesses a valid standard license from another state and meets minimum Mississippi license requirements or equivalent requirements as determined by the State Board of Education. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(b) The department shall grant a nonrenewable special license to any individual who possesses a credential which is less than a standard license or certification from another state. Such special license shall be valid for the current school year plus one (1) additional school year to expire on June 30 of the second year, not to exceed a total period of twenty-four (24) months, during which time the applicant shall be required to complete the requirements for a standard license in Mississippi.

(9) Renewal and Reinstatement of Licenses. The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing a master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree.

(10) All controversies involving the issuance, revocation, suspension or any change whatsoever in the licensure of an educator required to hold a license shall be initially heard in a hearing de novo, by the commission or by a subcommittee established by the commission and composed of commission members, or by a hearing officer retained and appointed by the commission, for the purpose of holding hearings. Any complaint seeking the denial of issuance, revocation or suspension of a license shall be by sworn affidavit filed with the Commission on Teacher and Administrator Education, Certification and Licensure and Development. The decision thereon by the commission, its subcommittee or hearing officer, shall be final, unless the aggrieved party shall appeal to the State Board of Education, within ten (10) days, of the decision of the commission, its subcommittee or hearing officer. An appeal to the State Board of Education shall be perfected upon filing a notice of the appeal and by the prepayment of the costs of the preparation of the record of proceedings by the commission, its subcommittee or hearing officer. An appeal shall be on the record previously made before the commission, its subcommittee or hearing officer, unless otherwise provided by rules and regulations adopted by the board. The decision of the commission, its subcommittee or hearing officer shall not be disturbed on appeal if supported by substantial evidence, was not arbitrary or capricious, within the authority of the commission, and did not violate some statutory or constitutional right. The State Board of Education in its authority may reverse, or remand with instructions, the decision of the commission, its subcommittee or hearing officer. The decision of the State Board of Education shall be final.

(11) (a) The State Board of Education, acting through the commission, may deny an application for any teacher or administrator license for one or more of the following:

(i) Lack of qualifications which are prescribed by law or regulations adopted by the State Board of Education;

(ii) The applicant has a physical, emotional or mental disability that renders the applicant unfit to perform the duties authorized by the license, as certified by a licensed psychologist or psychiatrist;

(iii) The applicant is actively addicted to or actively dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens or other drugs having similar effect, at the time of application for a license;

(iv) Fraud or deceit committed by the applicant in securing or attempting to secure such certification and license;

(v) Failing or refusing to furnish reasonable evidence of identification;

(vi) The applicant has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this subparagraph (vi) of this paragraph (a), a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(vii) The applicant or licensee is on probation or post-release supervision for a felony or conviction, as defined by federal or state law. However, this disqualification expires upon the end of the probationary or post-release supervision period.

(b) The State Board of Education, acting through the commission, shall deny an application for any teacher or administrator license, or immediately revoke the current teacher or administrator license, for one or more of the following:

(i) If the applicant or licensee has been convicted, has pled guilty or entered a plea of nolo contendere to a sex offense as defined by federal or state law. For purposes of this subparagraph (i) of this paragraph (b), a "guilty plea" includes a plea of

guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(ii) The applicant or licensee is on probation or post-release supervision for a sex offense conviction, as defined by federal or state law;

(iii) The license holder has fondled a student as described in Section 97-5-23, or had any type of sexual involvement with a student as described in Section 97-3-95; or

(iv) The license holder has failed to report sexual involvement of a school employee with a student as required by Section 97-5-24.

(12) The State Board of Education, acting through the commission, may revoke, suspend or refuse to renew any teacher or administrator license for specified periods of time or may place on probation, reprimand a licensee, or take other disciplinary action with regard to any license issued under this chapter for one or more of the following:

(a) Breach of contract or abandonment of employment may result in the suspension of the license for one (1) school year as provided in Section 37-9-57;

(b) Obtaining a license by fraudulent means shall result in immediate suspension and continued suspension for one (1) year after correction is made;

(c) Suspension or revocation of a certificate or license by another state shall result in immediate suspension or revocation and shall continue until records in the prior state have been cleared;

(d) The license holder has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this paragraph, a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(e) The license holder knowingly and willfully committing any of the acts affecting validity of mandatory uniform test results as provided in Section 37-16-4(1);

(f) The license holder has engaged in unethical conduct relating to an educator/student relationship as identified by the State Board of Education in its rules;

(g) The license holder served as superintendent or principal in a school district during the time preceding and/or that resulted in the Governor declaring a state of emergency and the State Board of Education appointing a conservator;

(h) The license holder submitted a false certification to the State Department of Education that a statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System; or

(i) The license holder has failed to comply with the Procedures for Reporting Infractions as promulgated by the commission and approved by the State Board of Education pursuant to subsection (15) of this section.

For purposes of this subsection, probation shall be defined as a length of time determined by the commission, its subcommittee or hearing officer, and based on the severity of the offense in which the license holder shall meet certain requirements as prescribed by the commission, its subcommittee or hearing officer. Failure to complete the requirements in the time specified shall result in immediate suspension of the license for one (1) year.

(13) (a) Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense.

(b) Any offense committed or attempted in any other state shall result in the same penalty as if committed or attempted in this state.

(c) A person may voluntarily surrender a license. The surrender of such license may result in the commission recommending any of the above penalties without the necessity of a hearing. However, any such license which has voluntarily been surrendered by a licensed employee may only be reinstated by a majority vote of all members of the commission present at the meeting called for such purpose.

(14) (a) A person whose license has been suspended or surrendered on any grounds except criminal grounds may petition for reinstatement of the license after one (1) year from the date of suspension or surrender, or after one-half (1/2) of the suspended or surrendered time has lapsed, whichever is greater. A person whose license has been suspended or revoked on any grounds or violations under subsection (12) of this section may be reinstated automatically or approved for a reinstatement hearing, upon submission of a written request to the commission. A license suspended, revoked or surrendered on criminal grounds may be reinstated upon petition to the commission filed after expiration of the sentence and parole or probationary period imposed upon conviction. A revoked, suspended or surrendered license may be reinstated upon satisfactory showing of evidence of rehabilitation. The commission shall require all who petition for reinstatement to furnish evidence satisfactory to the commission of good character, good mental, emotional and physical health and such other evidence as the commission may deem necessary to establish the petitioner's rehabilitation and fitness to perform the duties authorized by the license.

(b) A person whose license expires while under investigation by the Office of Educator Misconduct for an alleged violation may not be reinstated without a hearing before the commission if required based on the results of the investigation.

(15) Reporting procedures and hearing procedures for dealing with infractions under this section shall be promulgated by the commission, subject to the approval of the State Board of Education. The revocation or suspension of a license shall be effected at the time indicated on the notice of suspension or revocation. The commission shall immediately notify the superintendent of the school district or school board where the teacher or administrator is employed of any disciplinary action and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. The State Board of Education may reverse or remand with instructions any decision of the commission, its subcommittee or hearing officer regarding a petition for reinstatement of a license, and any such decision of the State Board of Education shall be final.

(16) An appeal from the action of the State Board of Education in denying an application, revoking or suspending a license or otherwise disciplining any person under the provisions of this section shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi, on the record made, including a verbatim transcript of the testimony at the hearing. The appeal shall be filed within thirty (30) days after notification of the action of the board is mailed or served and the proceedings in chancery court shall be conducted as other matters coming before the court. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the proceedings by the State Board of Education, and the filing of a bond in the sum of Two Hundred Dollars (\$200.00) conditioned that if the action of the board be affirmed by the chancery court, the applicant or license holder shall pay the costs of the appeal and the action of the chancery court.

(17) All such programs, rules, regulations, standards and criteria recommended or authorized by the commission shall become effective upon approval by the State Board of Education as designated by appropriate orders entered upon the minutes thereof.

(18) The granting of a license shall not be deemed a property right nor a guarantee of employment in any public school district. A license is a privilege indicating minimal eligibility for teaching in the public school districts of Mississippi. This section shall in no way alter or abridge the authority of local school districts to require greater qualifications or standards of performance as a prerequisite of initial or continued employment in such districts.

(19) In addition to the reasons specified in subsections (12) and (13) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 3. Section 73-1-21, Mississippi Code of 1972, is amended as follows:

73-1-21. Any architect residing outside this state may obtain a certificate to practice in the State of Mississippi by complying with Section 73-1-13, and by paying the fees prescribed by the rules of the board; however, no such nonresident applicant shall receive a certificate to practice in this state unless the applicant furnishes evidence satisfactory to the board that the applicant holds a current and valid registration issued by a registration authority recognized by the board, holds a National Council of Architectural Registration Board's certificate, has never been restrained from practicing architecture, and has never had a certificate or license revoked. Each nonresident applicant shall submit, as a part of the application, a sworn affidavit stating that neither such applicant nor any person in, or agent of, the applicant's firm has practiced or is practicing architectural work in this state prior to the applicant having been licensed by the board unless such person or agent holds a license to practice architecture in this state. Failure to submit this affidavit is just cause for disapproval of the application. Every applicant for reciprocity registration shall comply fully with the requirements for resident applicants, except that nonresident applicants who met the requirements for issuance of a certificate of registration by the board prior to January 1, 1987, and who, on that date, held a current and valid registration by a registration authority recognized by the board or were qualified exam candidates in another jurisdiction recognized by the board, shall not be required to meet the degree requirements of Section 73-1-13. The board shall have the further right to exercise its discretion as to whether such nonresident architect shall be issued such certificate to practice.

The issuance of a certificate by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 4. Section 73-2-11, Mississippi Code of 1972, is amended as follows:

73-2-11. The board may exempt from examination any applicant who holds a license or certificate to practice landscape architecture issued to him upon examination

by a legally constituted board of examiners of any other state or Washington, D.C., or any other territory or possession under the control of the United States, provided that such requirements of the state in which the applicant is registered are equivalent to those of this state.

Each nonresident applicant shall submit, as part of the application, a sworn affidavit stating that neither such applicant nor any person in or agent of the applicant's firm has practiced or is practicing landscape architectural work in this state prior to the applicant having been licensed by the board unless such person or agent holds a license to practice landscape architecture in this state. Failure to submit this affidavit or submitting an affidavit which is false in any respect shall constitute just cause for denial of the application.

An applicant who is a licensed landscape architect but who was admitted in a jurisdiction which did not offer a written examination acceptable to the board or was admitted without the requirement of passing a written examination may be issued a license to practice landscape architecture in this state upon the taking and passing of any examination or procedure as may be adopted by the board, provided that such applicant meets all other requirements for issuance of a license to practice landscape architecture in this state.

The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 5. Section 73-4-23, Mississippi Code of 1972, is amended as follows:

73-4-23. Any auctioneer who is licensed in a state that (a) has requirements equal to the requirements of this chapter, (b) has requirements that have been approved by the commission, after a review of such state's licensing law, and (c) has entered into a reciprocal licensing agreement with the State of Mississippi through such state's regulatory authority over auctioneering, may apply for and be granted a license without examination. Applicants for a license through reciprocity shall furnish the commission by application the same information as that required of resident applicants. In addition to the biennial license fee, nonresidents shall pay to the commission a fee of Two Hundred Fifty Dollars (\$250.00). A nonresident auctioneer shall furnish to the commission a surety bond, obligated to the State of Mississippi, in the amount of Ten Thousand Dollars (\$10,000.00) prior to being issued a license. The bond shall be executed by the person seeking the license as principal and by a corporate surety, licensed to do business in this state, as surety. The bond shall otherwise be in accordance with the provisions of this chapter.

The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 6. Section 73-5-21, Mississippi Code of 1972, is amended as follows:

73-5-21. Any person possessed of the following qualifications shall, upon payment of the required fee, receive a certificate of registration as a registered barber:

- (a) Is at least eighteen (18) years old;
- (b) Is of good moral character and temperate habits; and

(c) Either has a license or certificate of registration as a practicing barber in another state or country that has substantially the same requirements for licensing or registration of barbers as are contained in this chapter, or can prove by sworn affidavits that he has lawfully practiced as a barber in another state or country for at least five (5)

years immediately before making application in this state, or can show to the satisfaction of the board that he had held a rating in a branch of the military service for two (2) or more years that required him to perform the duties of a barber. The issuance of a certificate of registration by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

In addition to the above, the board may require the applicant to successfully demonstrate sufficient knowledge of the Barber Law of the State of Mississippi, as well as sufficient practical skill by requiring the applicant to take a practical examination approved by the board.

SECTION 7. Section 73-6-13, Mississippi Code of 1972, is amended as follows:

73-6-13. (1) Any adult of good moral character who has (a) graduated from a school or college of chiropractic recognized by the State Board of Chiropractic Examiners, preceded by the successful completion of at least two (2) academic years at an accredited institution of higher learning, or accredited junior college, and (b) successfully completed parts 1, 2, 3 and 4 and the physical modality section of the examination prepared by the National Board of Chiropractic Examiners, shall be entitled to take the examination for a license to practice chiropractic in Mississippi. The State Board of Chiropractic Examiners shall keep on file a list of schools or colleges of chiropractic which are so recognized. No chiropractic school shall be approved unless it is recognized and approved by the Council on Chiropractic Education, its successor or an equivalent accrediting agency, offers an accredited course of study of not less than four (4) academic years of at least nine (9) months in length, and requires its graduates to receive not less than forty (40) clock hours of instruction in the operation of x-ray machinery and not less than forty (40) clock hours of instruction in x-ray interpretation and diagnosis.

(2) Except as otherwise provided in this section, the State Board of Health shall prescribe rules and regulations for the operation and use of x-ray machines.

(3) The examination to practice chiropractic used by the board shall consist of testing on the statutes and the rules and regulations regarding the practice of chiropractic in the State of Mississippi.

(4) Reciprocity privileges for a chiropractor from another state shall be granted at the board's option on an individual basis and by a majority vote of the State Board of Chiropractic Examiners to an adult of good moral character who (a) is currently an active competent practitioner for at least eight (8) years and holds an active chiropractic license in another state with no disciplinary proceeding or unresolved complaint pending anywhere at the time a license is to be issued by this state, (b) demonstrates having obtained licensure as a chiropractor in another state under the same education requirements which were equivalent to the education requirements in this state to obtain a chiropractic license at the time the applicant obtained the license in the other state, (c) satisfactorily passes the examination administered by the State Board of Chiropractic Examiners, and (d) meets the requirements of Section 73-6-1(3) pertaining to therapeutic modalities. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 8. Section 73-7-23, Mississippi Code of 1972, is amended as follows:

73-7-23. (1) The board may, upon application, issue a license by reciprocity to any cosmetologist, esthetician or manicurist over the age of seventeen (17) years from any other state who has satisfactorily completed the required number of accredited hours in that state, provided the state board from which the applicant comes issues to cosmetologists, estheticians or manicurists, as the case may be, from the State of Mississippi a license under the same conditions. Applications must be accompanied by

(a) proof satisfactory to the board that the required hours have been completed, and (b) the required reciprocity fee, which shall be paid to the board.

(2) An instructor from any other state may be qualified for a Mississippi instructor's license upon presenting a valid instructor's license and proof of a high school education or its equivalent, provided that the instructor (a) is not less than twenty-one (21) years of age, (b) has completed training equivalent to the State of Mississippi's training as provided in Section 73-7-15 or has three (3) years or more of experience as a licensed instructor prior to application, (c) can read, write and speak English, (d) has completed twelve (12) semester hours in college courses approved by the board, and (e) has completed a minimum of five (5) continuing education hours in Mississippi board laws, rules and regulations. Such application must be accompanied by two (2) recent passport photographs of the applicant. Applicants shall pay the required license fee.

(3) An applicant for a Mississippi instructor's license by reciprocity who has not completed the college courses requirement at the time of application may apply for a onetime temporary teaching permit, which shall be valid for six (6) months and shall be nonrenewable. Such application must be accompanied by proof of enrollment in college course(s), required permit fee, two (2) recent passport photographs of the applicant and other documentation as required for application for a Mississippi instructor's license by reciprocity. Upon proof of completion of college courses and payment of the required license fee, a Mississippi instructor's license shall be issued.

(4) The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 9. Section 73-9-24, Mississippi Code of 1972, is amended as follows:

73-9-24. (1) In addition to the method for obtaining a license to practice dentistry or dental hygiene by way of examination as provided by Section 73-9-23, the board, in its sole discretion, may grant a license to a candidate who meets the following criteria:

(a) Submit proof of graduation from a dental school or school of dental hygiene accredited by the Commission on Dental Accreditation of the American Dental Association (ADA), or its successor commission;

(b) Be engaged in the active practice of dentistry or dental hygiene or in full-time dental education or dental hygiene education for the past five (5) years;

(c) Currently hold a valid, unrestricted and unexpired license in a state whose standards for licensure are determined by the board as equivalent to Mississippi's standards, and which state grants reciprocity or licensure by credentials to licensees of the State of Mississippi;

(d) Provides an endorsement from all states in which he or she is currently licensed or has ever been licensed to practice dentistry or dental hygiene;

(e) Has not been the subject of pending or final disciplinary action in any state in which the applicant has been licensed;

(f) Is not the subject of a pending investigation in any other state or jurisdiction;

(g) Has passed a state or regional clinical licensure examination and, within the past five (5) years, has not failed a clinical licensure examination administered by another state, jurisdiction, or regional licensing board;

(h) Has not failed at any time, a licensure examination administered by the Mississippi State Board of Dental Examiners;

(i) Provides a written statement agreeing to appear for interviews at the request of the board;

(j) Has successfully completed all parts of the National Board Examinations of the Joint Commission on National Dental Examinations, or its successor commission, unless the applicant graduated from an accredited dental or dental hygiene school before 1960;

(k) Successfully passes a written jurisprudence examination;

(l) Provides payment of a nonrefundable application fee as provided in Section 73-9-43; and

(m) In addition, the State Board of Dental Examiners may consider the following in accepting, rejecting or denying an application for licensure by credentialing:

(i) Information from the National Practitioner Data Bank, the Healthcare Integrity and Protection Data Bank and/or the American Association of Dental Examiners Clearinghouse for Disciplinary Information.

(ii) Questioning under oath.

(iii) Results of peer review reports from constituent societies and/or federal dental services.

(iv) Substance abuse testing or treatment.

(v) Background checks for criminal or fraudulent activities.

(vi) Participation in continuing education.

(vii) A current certificate in cardiopulmonary resuscitation.

(viii) Recent patient case reports and/or oral defense of diagnosis and treatment plans.

(ix) No physical or psychological impairment that would adversely affect the ability to deliver quality dental care.

(x) Agreement to initiate practice in the credentialing jurisdiction within a reasonable period of time.

(xi) Proof of professional liability coverage and that the coverage has not been refused, declined, canceled, nonrenewed or modified.

(xii) Any additional information or documentation that the board may stipulate by rule or regulation as necessary to qualify for a license by credentialing.

(2) The board shall be granted sufficient time to conduct a complete inquiry into the applicant's qualifications for licensure by credentials, and the board may adopt such rules and regulations pertaining to the time needed to conduct investigations and the responsibility of applicants to produce verifiable documentation.

(3) Any applicant failing to meet the criteria in subsection (1) of this section shall not be eligible for a license based on credentials. Upon meeting the criteria in subsection (1) of this section, the Mississippi State Board of Dental Examiners may, in its discretion,

issue to the applicant a license to practice dentistry, or dental hygiene, unless grounds for denial of licensure exist as enumerated in Section 73-9-61. Evidence of falsification in the application for licensure through credentialing will result in revocation of the license.

(4) Any applicant applying for a specialty license by credentials must stay within his or her board recognized specialty and must practice only that specialty within the State of Mississippi. A specialty license holder must hold a general dentistry license before obtaining a specialty license.

(5) The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 10. Section 73-10-15, Mississippi Code of 1972, is amended as follows:

73-10-15. (1) A nonresident dietitian may practice dietetics in Mississippi for five (5) days per year with current other state's licensure or with current registration with the Commission on Dietetics Registration.

(2) The board may waive the prescribed examination for licensure and grant a license to any person who shall present proof of current licensure as a dietitian in another state, the District of Columbia, or territory of the United States which requires standards for licensure considered by the advisory council to be greater than or equal to the requirements for licensure of this chapter, if such state or territory extends reciprocity to licensees of the State of Mississippi. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 11. Section 73-11-51, Mississippi Code of 1972, is amended as follows:

73-11-51. (1) No person shall engage in the business or practice of funeral service, including embalming, and/or funeral directing or hold himself out as transacting or practicing or being entitled to transact or practice funeral service, including embalming, and/or funeral directing in this state unless duly licensed under the provisions of this chapter.

(2) The board is authorized and empowered to examine applicants for licenses for the practice of funeral service and funeral directing and shall issue the proper license to those persons who successfully pass the applicable examination and otherwise comply with the provisions of this chapter.

(3) To be licensed for the practice of funeral directing under this chapter, a person must furnish satisfactory evidence to the board that he or she:

(a) Is at least eighteen (18) years of age;

(b) Has a high school diploma or the equivalent thereof;

(c) Has served as a resident trainee for not less than twenty-four (24) months under the supervision of a person licensed for the practice of funeral service or funeral directing in this state;

(d) Has successfully passed a written and/or oral examination as prepared or approved by the board; and

(e) Is of good moral character.

(4) To be licensed for the practice of funeral service under this chapter, a person must furnish satisfactory evidence to the board that he or she:

(a) Is at least eighteen (18) years of age;

(b) Has a high school diploma or the equivalent thereof;

(c) Has successfully completed twelve (12) months or more of academic and professional instruction from an institution accredited by the United States Department of Education for funeral service education and have a certificate of completion from an institution accredited by the American Board of Funeral Service Education or any other successor recognized by the United States Department of Education for funeral service education;

(d) Has served as a resident trainee for not less than twelve (12) months, either before or after graduation from an accredited institution mentioned above, under the supervision of a person licensed for the practice of funeral service in this state and in an establishment licensed in this state;

(e) Has successfully passed the National Conference of Funeral Examiners examination and/or such other examination as approved by the board; and

(f) Is of good moral character.

(5) All applications for examination and license for the practice of funeral service or funeral directing shall be upon forms furnished by the board and shall be accompanied by an examination fee, a licensing fee and a nonrefundable application fee in amounts fixed by the board in accordance with Section 73-11-56. The fee for an initial license, however, may be prorated in proportion to the period of time from the date of issuance to the date of biennial license renewal prescribed in subsection (8) of this section. All applications for examination shall be filed with the board office at least sixty (60) days before the date of examination. A candidate shall be deemed to have abandoned the application for examination if he does not appear on the scheduled date of examination unless such failure to appear has been approved by the board.

(6) The practice of funeral service or funeral directing must be engaged in at a licensed funeral establishment, at least one (1) of which is listed as the licensee's place of business; and no person, partnership, corporation, association or other organization shall open or maintain a funeral establishment at which to engage in or conduct or hold himself or itself out as engaging in the practice of funeral service or funeral directing until such establishment has complied with the licensing requirements of this chapter. A license for the practice of funeral service or funeral directing shall be used only at licensed funeral establishments; however, this provision shall not prevent a person licensed for the practice of funeral service or funeral directing from conducting a funeral service at a church, a residence, public hall, lodge room or cemetery chapel, if such person maintains a fixed licensed funeral establishment of his own or is in the employ of or an agent of a licensed funeral establishment.

(7) Any person holding a valid, unrevoked and unexpired nonreciprocal license in another state or territory having requirements greater than or equal to those of this state as determined by the board may apply for a license to practice in this state by filing with the board a certified statement from the secretary of the licensing board of the state or territory in which the applicant holds his license certifying to his qualifications and good standing with that board. He/she must also successfully pass a written and/or oral examination on the Mississippi Funeral Service licensing law and rules and regulations as prepared or approved by the board, and must pay a nonrefundable application fee set by the board. If the board finds that the applicant has fulfilled aforesaid requirements and has fulfilled substantially similar requirements of those required for a Mississippi licensee, the board shall grant such license upon receipt of a fee in an amount equal to the renewal fee set by the board for a license for the practice of funeral service or funeral directing, as the case may be, in this state. The board may issue a temporary funeral service or funeral

directing work permit before a license is granted, before the next regular meeting of the board, if the applicant for a reciprocal license has complied with all requirements, rules and regulations of the board. The temporary permit will expire at the next regular meeting of the board. The issuance of a license or temporary permit by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(8) (a) Except as provided in Section 33-1-39, any person holding a license for the practice of funeral service or funeral directing may have the same renewed for a period of two (2) years by making and filing with the board an application on or before the due date. Payment of the renewal fee shall be in an amount set by the board in accordance with Section 73-11-56. The board shall mail the notice of renewal and the due date for the payment of the renewal fee to the last-known address of each licensee at least thirty (30) days before that date. It is the responsibility of the licensee to notify the board in writing of any change of address. An application will be considered late if the application and proper fees are not in the board's office or postmarked by the due date. Failure of a license holder to receive the notice of renewal shall not exempt or excuse a license holder from the requirement of renewing the license on or before the license expiration date.

(b) If the renewal fee is not paid on or postmarked by the due date, the license of such person shall by operation of law automatically expire and become void without further action of the board. The board may reinstate such license if application for licensure is made within a period of five (5) years, upon payment of the renewal fee for the current year, all renewal fees in arrears, and a reinstatement fee. After a period of five (5) years, the licensee must make application, pay the current renewal fee, all fees in arrears, and pass a written and/or oral examination as prepared or approved by the board.

(9) No license shall be assignable or valid for any person other than the original licensee.

(10) The board may, in its discretion, if there is a major disaster or emergency where human death is likely to occur, temporarily authorize the practice of funeral directing and funeral service by persons licensed to practice in another state but not licensed to practice in this state. Only persons licensed in this state, however, may sign death certificates.

(11) Any funeral service technology or mortuary science program accredited by the American Board of Funeral Service Education in the State of Mississippi, as well as students enrolled in such a program, shall be exempt from licensing under this chapter when embalming or otherwise preparing a deceased human body for disposition as part of a student practicum experience, when the student is directly supervised by an instructor or preceptor who holds a current funeral service license. This exemption shall apply to practicum experiences performed at an accredited institution of funeral service technology or mortuary science program or at a duly licensed funeral establishment or commercial mortuary service. Nothing in this subsection shall be construed to allow any funeral service technology or mortuary science program, or those students enrolled in such a program, to engage in practicum experiences for remuneration.

(12) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 12. Section 73-13-35, Mississippi Code of 1972, is amended as follows:

73-13-35. The board may, upon application therefor and the payment of a fee in accordance with Section 73-13-25, issue a certificate of licensure as a professional engineer to any person who holds a certificate of qualification or licensure issued to him by proper authority of any state or territory or possession of the United States, or of any country, provided that the applicant's qualifications meet the requirements of Sections 73-13-1 through 73-13-45 and the rules established by the board. The issuance of a

certificate of licensure by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 13. Section 73-14-25, Mississippi Code of 1972, is amended as follows:

73-14-25. The department may license as a hearing aid specialist, and furnish a certificate of licensure, to any applicant who presents evidence, satisfactory to the department of having passed an examination before a similar lawfully authorized examining agency or board of hearing aid specialists of another state or the District of Columbia, if the standards for registration of hearing aid specialists or for licensure as a hearing aid specialist in such state or district are determined by the department to be as high as those of this state, and if that jurisdiction affords licensees of this state reciprocity.

Any person making application for licensure under the provisions of this section may, at the discretion of the board, be required to pass an examination selected by the board.

The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 14. Section 73-15-19, Mississippi Code of 1972, is amended as follows:

73-15-19. (1) Registered nurse applicant qualifications. Any applicant for a license to practice as a registered nurse shall submit to the board:

- (a) An attested written application on a Board of Nursing form;
- (b) Written official evidence of completion of a nursing program approved by the Board of Trustees of State Institutions of Higher Learning, or one approved by a legal accrediting agency of another state, territory or possession of the United States, the District of Columbia, or a foreign country which is satisfactory to this board;
- (c) Evidence of competence in English related to nursing, provided the first language is not English;
- (d) Any other official records required by the board.

In addition to the requirements specified in paragraphs (a) through (d) of this subsection, in order to qualify for a license to practice as a registered nurse, an applicant must have successfully been cleared for licensure through an investigation that shall consist of a determination as to good moral character and verification that the prospective licensee is not guilty of or in violation of any statutory ground for denial of licensure as set forth in Section 73-15-29 or guilty of any offense specified in Section 73-15-33. To assist the board in conducting its licensure investigation, all applicants shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each applicant shall submit a full set of his or her fingerprints in a form and manner prescribed by the board, which shall be forwarded to the Mississippi Department of Public Safety (department) and the Federal Bureau of Investigation Identification Division for this purpose.

Any and all state or national criminal history records information obtained by the board that is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure, and shall be exempt from the Mississippi Public Records Act of 1983. Except when introduced into evidence in a hearing before the board to determine

licensure, no such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

The board shall provide to the department the fingerprints of the applicant, any additional information that may be required by the department, and a form signed by the applicant consenting to the check of the criminal records and to the use of the fingerprints and other identifying information required by the state or national repositories.

The board shall charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history records information on the applicant.

The board may, in its discretion, refuse to accept the application of any person who has been convicted of a criminal offense under any provision of Title 97 of the Mississippi Code of 1972, as now or hereafter amended, or any provision of this article.

(2) Licensure by examination. (a) Upon the board being satisfied that an applicant for a license as a registered nurse has met the qualifications set forth in subsection (1) of this section, the board shall proceed to examine such applicant in such subjects as the board shall, in its discretion, determine. The subjects in which applicants shall be examined shall be in conformity with curricula in schools of nursing approved by the Board of Trustees of State Institutions of Higher Learning, or one approved by a legal accrediting agency of another state, territory or possession of the United States, the District of Columbia, or a foreign country which is satisfactory to the board.

(b) The applicant shall be required to pass the written examination as selected by the board.

(c) Upon successful completion of such examination, the board shall issue to the applicant a license to practice as a registered nurse.

(d) The board may use any part or all of the state board test pool examination for registered nurse licensure, its successor examination, or any other nationally standardized examination identified by the board in its rules. The passing score shall be established by the board in its rules.

(3) Licensure by endorsement. The board may issue a license to practice nursing as a registered nurse without examination to an applicant who has been duly licensed as a registered nurse under the laws of another state, territory or possession of the United States, the District of Columbia, or a foreign country if, in the opinion of the board, the applicant meets the qualifications required of licensed registered nurses in this state and has previously achieved the passing score or scores on the licensing examination required by this state, at the time of his or her graduation. The issuance of a license by endorsement to a military-trained applicant***, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(4) Requirements for rewriting the examination. The board shall establish in its rules the requirements for rewriting the examination for those persons failing the examination on the first writing or subsequent rewriting.

(5) Fee. The applicant applying for a license by examination or by endorsement to practice as a registered nurse shall pay a fee not to exceed One Hundred Dollars (\$100.00) to the board.

(6) Temporary permit. (a) The board may issue a temporary permit to practice nursing to a graduate of an approved school of nursing pending the results of the examination in Mississippi, and to a qualified applicant from another state, territory or

possession of the United States, or District of Columbia, or pending licensure procedures as provided for elsewhere in this article. The fee shall not exceed Twenty-five Dollars (\$25.00).

(b) The board may issue a temporary permit for a period of ninety (90) days to a registered nurse who is currently licensed in another state, territory or possession of the United States or the District of Columbia and who is an applicant for licensure by endorsement. Such permit is not renewable except by board action. The issuance of a temporary permit to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(c) The board may issue a temporary permit to a graduate of an approved school of nursing pending the results of the first licensing examination scheduled after application. Such permit is not renewable except by board action.

(d) The board may issue a temporary permit for a period of thirty (30) days to any registered nurse during the time enrolled in a nursing reorientation program. This time period may be extended by board action. The fee shall not exceed Twenty-five Dollars (\$25.00).

(e) The board may adopt such regulations as are necessary to limit the practice of persons to whom temporary permits are issued.

(7) Temporary license. The board may issue a temporary license to practice nursing at a youth camp licensed by the State Board of Health to nonresident registered nurses and retired resident registered nurses under the provisions of Section 75-74-8.

(8) Title and abbreviation. Any person who holds a license or holds the privilege to practice as a registered nurse in this state shall have the right to use the title "registered nurse" and the abbreviation "R.N." No other person shall assume such title or use such abbreviation, or any words, letters, signs or devices to indicate that the person using the same is a registered nurse.

(9) Registered nurses licensed under a previous law. Any person holding a license to practice nursing as a registered nurse issued by this board which is valid on July 1, 1981, shall thereafter be deemed to be licensed as a registered nurse under the provisions of this article upon payment of the fee provided in Section 73-15-27.

(10) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 15. Section 73-15-21, Mississippi Code of 1972, is amended as follows:

73-15-21. (1) Licensed practical nurse applicant qualifications. Any applicant for a license to practice practical nursing as a licensed practical nurse shall submit to the board:

(a) An attested written application on a Board of Nursing form;

(b) A diploma from an approved high school or the equivalent thereof, as determined by the appropriate educational agency;

(c) Written official evidence of completion of a practical nursing program approved by the State Department of Education through its Division of Vocational Education, or one approved by a legal accrediting agency of another state, territory or possession of the United States, the District of Columbia, or a foreign country which is satisfactory to this board;

(d) Evidence of competence in English related to nursing, provided the first language is not English;

(e) Any other official records required by the board.

In addition to the requirements specified in paragraphs (a) through (e) of this subsection, in order to qualify for a license to practice practical nursing as a licensed practical nurse, an applicant must have successfully been cleared for licensure through an investigation that shall consist of a determination as to good moral character and verification that the prospective licensee is not guilty of or in violation of any statutory ground for denial of licensure as set forth in Section 73-15-29 or guilty of any offense specified in Section 73-15-33. To assist the board in conducting its licensure investigation, all applicants shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each applicant shall submit a full set of his or her fingerprints in a form and manner prescribed by the board, which shall be forwarded to the Mississippi Department of Public Safety (department) and the Federal Bureau of Investigation Identification Division for this purpose.

Any and all state or national criminal history records information obtained by the board that is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure, and shall be exempt from the Mississippi Public Records Act of 1983. Except when introduced into evidence in a hearing before the board to determine licensure, no such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

The board shall provide to the department the fingerprints of the applicant, any additional information that may be required by the department, and a form signed by the applicant consenting to the check of the criminal records and to the use of the fingerprints and other identifying information required by the state or national repositories.

The board shall charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history records information on the applicant.

The board may, in its discretion, refuse to accept the application of any person who has been convicted of a criminal offense under any provision of Title 97 of the Mississippi Code of 1972, as now or hereafter amended, or any provision of this article.

(2) Licensure by examination. (a) Upon the board being satisfied that an applicant for a license as a practical nurse has met the qualifications set forth in subsection (1) of this section, the board shall proceed to examine such applicant in such subjects as the board shall, in its discretion, determine. The subjects in which applicants shall be examined shall be in conformity with curricula in schools of practical nursing approved by the State Department of Education.

(b) The applicant shall be required to pass the written examination selected by the board.

(c) Upon successful completion of such examination, the board shall issue to the applicant a license to practice as a licensed practical nurse.

(d) The board may use any part or all of the state board test pool examination for practical nurse licensure, its successor examination, or any other nationally standardized examination identified by the board in its rules. The passing score shall be established by the board in its rules.

(3) Licensure by endorsement. The board may issue a license to practice practical nursing as a licensed practical nurse without examination to an applicant who has been duly licensed as a licensed practical nurse under the laws of another state, territory or possession of the United States, the District of Columbia, or a foreign country if, in the opinion of the board, the applicant meets the qualifications required of licensed practical nurses in this state and has previously achieved the passing score or scores on the licensing examination required by this state at the time of his or her graduation. The issuance of a license by endorsement to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(4) Licensure by equivalent amount of theory and clinical experience. In the discretion of the board, former students of a state-accredited school preparing students to become registered nurses may be granted permission to take the examination for licensure to practice as a licensed practical nurse, provided the applicant's record or transcript indicates the former student completed an equivalent amount of theory and clinical experiences as required of a graduate of a practical nursing program, and provided the school attended was, at the time of the student's attendance, an accredited school of nursing.

(5) Requirements for rewriting the examination. The board shall establish in its rules the requirements for rewriting the examination for those persons failing the examination on the first writing or subsequent writing.

(6) Fee. The applicant applying for a license by examination or by endorsement to practice as a licensed practical nurse shall pay a fee not to exceed Sixty Dollars (\$60.00) to the board.

(7) Temporary permit. (a) The board may issue a temporary permit to practice practical nursing to a graduate of an approved school of practical nursing pending the results of the examination in Mississippi, and to a qualified applicant from another state, territory or possession of the United States, or the District of Columbia, pending licensing procedures as provided for elsewhere in this article. The fee shall not exceed Twenty-five Dollars (\$25.00).

(b) The board may issue a temporary permit for a period of ninety (90) days to a licensed practical nurse who is currently licensed in another state, territory or possession of the United States or the District of Columbia and who is an applicant for licensure by endorsement. Such permit is not renewable except by board action. The issuance of a temporary permit to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(c) The board may issue a temporary permit to a graduate of an approved practical nursing education program or an equivalent program satisfactory to the board pending the results of the first licensing examination scheduled after application. Such permit is not renewable except by board action.

(d) The board may issue a temporary permit for a period of thirty (30) days to any licensed practical nurse during the time enrolled in a nursing reorientation program. This time period may be extended by board action. The fee shall not exceed Twenty-five Dollars (\$25.00).

(e) The board may adopt such regulations as are necessary to limit the practice of persons to whom temporary permits are issued.

(8) Title and abbreviation. Any person who holds a license or holds the privilege to practice as a licensed practical nurse in this state shall have the right to use the title

"licensed practical nurse" and the abbreviation "L.P.N." No other person shall assume such title or use such abbreviation, or any words, letters, signs or devices to indicate that a person using the same is a licensed practical nurse.

(9) Licensed practical nurses licensed under a previous law. Any person holding a license to practice nursing as a practical nurse issued by this board which is valid on July 1, 1981, shall thereafter be deemed to be licensed as a practical nurse under the provisions of this article upon payment of the fee prescribed in Section 73-15-27.

(10) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 16. Section 73-17-11, Mississippi Code of 1972, is amended as follows:

73-17-11. (1) From and after July 1, 2011, in order to be eligible to be licensed as a nursing home administrator, an individual must submit evidence satisfactory to the board that he or she:

(a) Is at least twenty-one (21) years of age;

(b) Is of good moral character, including evidence of a criminal background check within the last six (6) months, under Section 43-11-13 and Section G.407.3 of the Minimum Standards for Institutions for the Aged or Infirm;

(c) Is in good health;

(d) Has satisfied at least one (1) of the following requirements for education and experience:

(i) Has sixty-four (64) hours of college work from an accredited institution and has worked in a supervisory capacity in a Mississippi-licensed nursing home for a minimum of two (2) years immediately before making application for the Administrator-in-Training Program established by board rule;

(ii) Has an associate degree from an accredited institution and has worked in a supervisory capacity in a Mississippi-licensed nursing home for a minimum of two (2) years immediately before making application for the Administrator-in-Training Program established by board rule;

(iii) Has a bachelor's degree in any other field of study from an accredited institution before making application for the Administrator-in-Training Program established by board rule; or

(iv) Has a bachelor's degree in health care administration or a health care related field or business from an accredited institution before making application for the Administrator-in-Training Program established by board rule;

(e) Has (i) completed a nursing home Administrator-in-Training Program and successfully completed the National Association of Long-Term Care Administrator Board (NAB) examination, or (ii) completed an Administrator-in-Training Program in Long-Term Care Administration from an academic institution during which time the institution held National Association of Long-Term Care Administrator Board (NAB) Program Approval through the academic approval process, to the satisfaction of the board;

(f) Has successfully passed the National Association of Long-Term Care Administrator Board (NAB) examination and the Mississippi State Board of Nursing Home Administrators examination to test his or her proficiency and basic knowledge in the area

of nursing home administration. The board may establish the frequency of the offering of those examinations and the contents thereof; and

(g) Has met all of the requirements established by federal law.

(2) Reciprocity shall be extended to individuals holding licenses as nursing home administrators in other states, upon proper application and a finding on the part of the board that:

(a) The applicant possesses the basic qualifications listed in this chapter and in the rules and regulations adopted under federal law;

(b) The applicant has met all of the requirements established by federal law; and

(c) The standards for licensure in the other states are at least the substantial equivalent of those in this state, including education and experience, and the applicant has passed both the National Association of Long-Term Care Administrator Board (NAB) and the state exams.

The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(3) The board may prescribe appropriate fees for the taking of those examinations and for the issuance of licenses. Those fees shall be not more than the cost of the examinations and Five Hundred Dollars (\$500.00) for the issuance of a license. However, the fee for an initial license may be prorated in proportion to the period of time from the date of issuance and the date of biennial license renewal prescribed in subsection (4). All licenses issued under this chapter shall be for a maximum period of two (2) years.

(4) Except as provided in Section 33-1-39, the board may renew licenses biennially upon the payment of a fee to be established by the board, which shall be not more than Five Hundred Dollars (\$500.00), plus any administrative costs for late payment.

(5) Any person who is not licensed under this chapter on July 1, 2011, who makes application with the board on or before June 30, 2012, may qualify for a license under this chapter provided that on or before January 31, 2014, he or she demonstrates to the satisfaction of the board that he or she (a) meets the eligibility requirements for a nursing home administrator's license prescribed in this section as those requirements existed on June 30, 2011; (b) has successfully completed the Administrator-in-Training Program requirements existing on June 30, 2011; and (c) has paid all required fees for licensure.

(6) Current licensure by the Department of Mental Health under Section 41-4-7(r) as a mental health/intellectual disability program administrator shall exempt the licensee from the requirement of licensure as a nursing home administrator if the licensee is employed in the state mental health system as Administrator of Intermediate Care Facility or Facilities for Persons with Intellectual Disabilities (ICF/ID) no larger than sixteen (16) beds.

(7) This section shall stand repealed on July 1, 2021.

SECTION 17. Section 73-19-25, Mississippi Code of 1972, is amended as follows:

73-19-25. An applicant for a certificate of licensure who has been examined by the state board of another state which, through reciprocity, similarly accredits the holder of a certificate issued by the board of this state to the full privileges of practice within such state, on the payment of a fee of not more than Fifty Dollars (\$50.00) to the board and on filing in the office of the board a true and attested copy of the license, certified by the

president or secretary of the state board issuing the same, and showing also that the standard requirements adopted and enforced by the board are equal to that provided by this state, may, without further examination, receive a certificate of licensure, provided that such applicant has not previously failed at an examination held by the board of this state. The issuance of a certificate of licensure by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 18. Section 73-21-87, Mississippi Code of 1972, is amended as follows:

73-21-87. (1) To obtain a license to engage in the practice of pharmacy by reciprocity or license transfer, the applicant shall:

(a) Have submitted a written application on the form prescribed by the board;

(b) Be of good moral character;

(c) Have possessed at the time of initial licensure as a pharmacist such other qualifications necessary to have been eligible for licensure at that time in that state;

(d) Have presented to the board proof that any license or licenses granted to the applicant by any other states have not been suspended, revoked, cancelled or otherwise restricted for any reason except nonrenewal or the failure to obtain required continuing education credits; and

(e) Have paid all fees specified by the board for licensure.

(2) No applicant shall be eligible for licensure by reciprocity or license transfer unless the state in which the applicant was initially licensed also grants a reciprocal license or transfer license to pharmacists licensed by this state under like circumstances and conditions.

(3) The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(4) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 19. Section 73-23-51, Mississippi Code of 1972, is amended as follows:

73-23-51. (1) The board may license as a physical therapist or as a physical therapist assistant, and furnish a certificate of licensure without examination to, any applicant who presents evidence, satisfactory to the board, of having passed an examination before a similar lawfully authorized examining agency or board in physical therapy of another state or the District of Columbia, if the standards for registration in physical therapy or for licensure as a physical therapist assistant in such other state or district are determined by the board to be as high as those of this state. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(2) Any person who has been trained as a physical therapist in a foreign country and desires to be licensed under this chapter and who: (a) is of good moral character; (b) holds a diploma from an educational program for physical therapists approved by the board; (c) submits documentary evidence to the board that he has completed a course of professional instruction substantially equivalent to that obtained by an applicant for licensure; (d) demonstrates satisfactory proof of proficiency in the English language; and

(e) meets other requirements established by rules of the board, may make application on a form furnished by the board for examination as a foreign-trained physical therapist. At the time of making such application, the applicant shall pay the fee prescribed by the board, no portion of which shall be returned.

Any person who desires to be licensed under this subsection shall take an examination approved by the board and shall obtain a permanent license. If this requirement is not met, the license of the foreign-trained therapist may be revoked.

SECTION 20. Section 73-23-53, Mississippi Code of 1972, is amended as follows:

73-23-53. (1) A temporary license to practice as a physical therapist or physical therapist assistant may be granted to those persons meeting the requirements stated in Section 73-23-47 and who (a) have not taken the approved examination, or (b) have taken the approved examination but have not received the results of the examination. The temporary license shall be granted for a period not to exceed ninety (90) days. Any physical therapist granted a temporary license under the provisions of this subsection shall restrict his practice to the State of Mississippi and shall be under the direct supervision of a physical therapist licensed in Mississippi (physical therapy assistants shall be under the direct on-site supervision of a Mississippi licensed physical therapist). Documentation verifying the supervision shall be on file with the board before a temporary license is granted.

(2) The board may by rule provide for the issuance of a temporary license to a physical therapist or a physical therapist assistant licensed in another state who is moving into the state and has filed an application with the board for a permanent license in this state. This temporary license will be granted for a period not to exceed sixty (60) days. The issuance of a temporary license to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(3) Any person granted a temporary license who is required to take the approved examination and fails to take the exam as required by the board or does not pass the required exam shall have the temporary license automatically expire by operation of law and without further action of the board and no license of any type shall be issued until such person has passed an approved examination.

(4) Any person who has taken but not passed the required examination in this or another jurisdiction shall not be eligible for a license of any type until an approved examination is passed.

(5) Any person who has been trained as a physical therapist or physical therapist assistant in a foreign country and desires to be temporarily licensed under this subsection shall, in addition to satisfying such other requirements established by the board, demonstrate proficiency in the English language and meet the other requirements of Section 73-23-51(2) before such temporary license shall be issued.

(6) During a lawfully declared local, state or national disaster or emergency, the board may issue a temporary license to any otherwise qualified physical therapist or physical therapist assistant licensed and in good standing in another state or territory of the United States and who meets such other requirements as the board may prescribe by rule and regulation.

SECTION 21. Section 73-24-21, Mississippi Code of 1972, is amended as follows:

73-24-21. (1) The board shall grant a license to any person certified prior to July 1, 1988, as an Occupational Therapist Registered (OTR) or a Certified Occupational Therapy Assistant (COTA) by the American Occupational Therapy Association (AOTA). The board may waive the examination, education or experience requirements and grant

a license to any person certified by AOTA after July 1, 1988, if the board determines the requirements for such certification are equivalent to the requirements for licensure in this chapter.

(2) The board may waive the examination, education or experience requirements and grant a license to any applicant who shall present proof of current licensure as an occupational therapist or occupational therapy assistant in another state, the District of Columbia or territory of the United States which requires standards for licensure considered by the board to be equivalent to the requirements for licensure of this chapter. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(3) Foreign-trained occupational therapists and occupational therapy assistants shall satisfy the examination requirements of Section 73-24-19. The board shall require foreign-trained applicants to furnish proof of good moral character and completion of educational and supervised fieldwork requirements substantially equal to those contained in Section 73-24-19 before taking the examination.

SECTION 22. Section 73-25-21, Mississippi Code of 1972, is amended as follows:

73-25-21. The State Board of Medical Licensure may grant license to practice medicine without examination as to learning to graduates in medicine or osteopathic medicine who hold license to practice medicine from another state, provided the requirements in such state are equal to those required by the State Board of Medical Licensure. The State Board of Medical Licensure may affiliate with and recognize for the purpose of waiving examination diplomates of the National Board of Medical Examiners, or the National Board of Examiners for Osteopathic Physicians and Surgeons in granting license to practice medicine in Mississippi. In addition, the board may grant a license to practice medicine without examination to Licentiates of the Medical Council of Canada (LMCC) who are graduates of Canadian medical schools which are accredited by the Liaison Committee on Medical Education, as sponsored by the American Medical Association and the Association of American Medical Colleges, and by the Committee for Accreditation of Canadian Medical Schools, as sponsored by the Canadian Medical Association and the Association of Canadian Medical Colleges.

The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 23. Section 73-27-5, Mississippi Code of 1972, is amended as follows:

73-27-5. All applicants for license shall have attained the age of twenty-one (21) years, and shall be of good moral character; they shall have had at least four (4) years high school and be graduates of same; they shall have at least one (1) year prepodiatry college education and be graduates of some college of podiatry recognized as being in good standing by the State Board of Medical Licensure. No college of podiatry or chiropody shall be accredited by the board as a college of good standing that does not require for graduation a course of study of at least four (4) years (eight and one-half (8-1/2) months each) and be recognized by the Council on Education of the American Podiatry Association. However, all podiatrists actively engaged in the practice of podiatry in the State of Mississippi, prior to January 1, 1938, whether graduates or not, shall, upon furnishing proof thereof by displaying their state privilege tax license to the Secretary of the State Board of Medical Licensure, and upon payment of fee of Ten Dollars and Twenty-five Cents (\$10.25), be entitled to a license without an examination, and applications for the license shall be filed not later than sixty (60) days after February 17, 1938. Upon payment of a fee prescribed by the State Board of Medical Licensure, not to exceed Five Hundred Dollars (\$500.00), a license without examination may be issued to podiatrists of other states maintaining equal statutory requirements for the practice of

podiatry and extending the same reciprocal privileges to this state. The State Board of Medical Licensure may affiliate with the National Board of Chiropractic or Podiatry Licensure in granting licenses to practice podiatry in Mississippi, provided the written examination covers at least two-thirds (2/3) of the subjects set forth in Section 73-27-9. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

To qualify for a Mississippi podiatry license, an applicant must have successfully been cleared for licensure through an investigation that shall consist of a determination as to good moral character and verification that the prospective licensee is not guilty of or in violation of any statutory ground for denial of licensure as set forth in Section 73-27-13. To assist the board in conducting its licensure investigation, all applicants shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each applicant shall submit a full set of the applicant's fingerprints in a form and manner prescribed by the board, which shall be forwarded to the Mississippi Department of Public Safety (department) and the Federal Bureau of Investigation Identification Division for this purpose.

Any and all state or national criminal history records information obtained by the board that is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure, and shall be exempt from the Mississippi Public Records Act of 1983. Except when introduced into evidence in a hearing before the board to determine licensure, no such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

The board shall provide to the department the fingerprints of the applicant, any additional information that may be required by the department, and a form signed by the applicant consenting to the check of the criminal records and to the use of the fingerprints and other identifying information required by the state or national repositories.

The board shall charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history records information on the applicant.

Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 24. Section 73-29-19, Mississippi Code of 1972, is amended as follows:

73-29-19. An applicant who is a polygraph examiner licensed under the laws of another state or territory of the United States may be issued a license upon payment of a fee of Fifty Dollars (\$50.00) and the production of satisfactory proof that:

- (1) He is at least twenty-one (21) years of age;
- (2) He is a citizen of the United States;
- (3) He is of good moral character;
- (4) The requirements for the licensing of polygraph examiners in such particular state or territory of the United States were, at the date of the applicant's licensing therein, substantially equivalent to the requirements now in force in this state;

(5) The applicant had lawfully engaged in the administration of polygraph examinations under the laws of such state or territory for at least two (2) years prior to his application for license hereunder;

(6) Such other state or territory grants similar reciprocity to license holders of this state; and

(7) He has complied with Section 73-29-17.

The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 25. Section 73-30-15, Mississippi Code of 1972, is amended as follows:

73-30-15. The board shall enter into a reciprocal agreement with any state which licenses counselors if the board finds that such state has substantially the same requirements for licensure. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 26. Section 73-31-14, Mississippi Code of 1972, is amended as follows:

73-31-14. (1) Psychologists who are duly licensed in other jurisdictions and not currently under investigation by another licensure board may, upon application for licensure, apply for a temporary license, which shall be valid until the next administration of the oral examination. The temporary license shall be issued upon the applicant's passage of the Examination for Professional Practice of Psychology (EPPP) at the level established by the board in its rules and regulations and equivalent to that required for permanent licensure. Each applicant for a temporary license shall file an application upon a form and in the manner as the board prescribes, accompanied by a fee equal to the amount required for permanent licensure. A temporary license will lapse for any person who has failed the oral examination or has had his or her license suspended or revoked by the board. Procedures for the issuance of temporary licenses shall be established by the board in its rules and regulations. The issuance of a temporary license to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(2) Psychologists who are duly licensed in other jurisdictions may apply for a temporary practice certificate that allows them to practice psychology on a temporary basis in the State of Mississippi. That practice must be limited in scope and duration, not exceeding thirty (30) days during a consecutive twelve-month period. Applicants for a temporary practice certificate shall provide to the board the nature of the practice before providing that service, and shall make available to the board a current copy of his or her license or verification of a valid license in good standing. Psychologists who receive temporary practice certificates are subject to a jurisprudence examination at the request of the board. This authority for a temporary practice certificate does not apply to a psychologist who has been denied licensure in Mississippi, is a legal resident of Mississippi, or intends to practice full-time or a major portion of their time in Mississippi. Each applicant for a temporary practice certificate shall file an application upon a form and in the manner as the board prescribes, accompanied by a fee in an amount determined by the board, but not to exceed Three Hundred Dollars (\$300.00).

(3) Applicants awaiting licensure in Mississippi are prohibited from the practice of psychology without a temporary license issued by the board. For the purposes of this subsection, the practice of psychology shall be construed without regard to the means of service provision (e.g., face-to-face, telephone, Internet, telehealth).

SECTION 27. Section 73-31-15, Mississippi Code of 1972, is amended as follows:

73-31-15. (1) Upon application accompanied by the proper fee, the board may issue a license to any psychologist who furnishes, upon a form and in the manner as the board prescribes, evidence satisfactory to the board that he or she is a diplomate in good standing of the American Board of Examiners in Professional Psychology; or possesses a valid Certificate of Professional Qualification (CPQ) granted by the Association of State and Provincial Psychology Boards; or has at least twenty (20) years of licensure to practice in another state, territorial possession of the United States, District of Columbia, or Commonwealth of Puerto Rico or Canadian Province when that license was based on a doctoral degree; and

(a) Has had no disciplinary sanction during the entire period of licensure; and

(b) Is not currently under investigation by another licensure board; and

(c) Has demonstrated current qualification by successfully passing the oral examination and jurisprudence examination.

(2) The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 28. Section 73-33-9, Mississippi Code of 1972, is amended as follows:

73-33-9. The Mississippi State Board of Public Accountancy may, in its discretion, issue a reciprocal certified public accountant license to practice to any holder of any certified public accountant's certificate or license issued under the law of another state, which shall entitle the holder to use the abbreviation, "CPA," in this state provided that the state issuing the original certificate or license grants similar privileges to the certified public accountants of this state. The fee for a license shall be in such reasonable amount as determined by the board. Such license shall not allow the holder thereof to engage in the practice of public accounting as a certified public accountant unless the holder meets the requirements of the Mississippi State Board of Public Accountancy. This section shall apply only to a person who wishes to obtain a license issued by the State of Mississippi and shall not apply to those persons practicing in this state under Section 73-33-17. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 29. Section 73-34-51, Mississippi Code of 1972, is amended as follows:

73-34-51. (1) Each applicant for licensure under this chapter who is not a resident of this state shall submit, with his application, an irrevocable consent that legal action arising out of his activities as a real estate appraiser in this state may be commenced against him in the proper court of any county of this state in which a cause of action may arise or in which the plaintiff may reside by service of process or pleading authorized by laws of this state, by the Secretary of State, or by the Administrator of the Mississippi Real Estate Commission. The consent shall stipulate that the service of process or pleading shall be taken in all courts to be valid and binding as if personal service had been made upon the nonresident licensee in this state. The consent shall be duly acknowledged. Every nonresident licensee shall consent to have any hearings conducted by the board pursuant to Section 73-34-35 at a place designated by the board.

(2) Any service of process or pleading shall be served on the Administrator of the Mississippi Real Estate Commission by filing duplicate copies, one (1) of which shall be filed in the office of the board and the other forwarded by certified mail to the last-known principal address of the nonresident licensee against whom the process or pleading is directed.

(3) If, in the determination of the board, another state or territory or the District of Columbia is deemed to have substantially equivalent licensure laws for real estate appraisers, an applicant for licensure in this state who is licensed under the law of such other state, territory or district may obtain a license as a real estate appraiser in this state upon such terms and conditions as may be determined by the board provided that disciplinary proceedings are not pending against such applicant in his state of licensure. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 30. Section 73-35-7, Mississippi Code of 1972, is amended as follows:

73-35-7. Licenses shall be granted only to persons who present, and to corporations, partnerships, companies or associations whose officers, associates or partners present satisfactory proof to the commission that they are trustworthy and competent to transact the business of a real estate broker or real estate salesperson in such manner as to safeguard the interests of the public. Except as otherwise provided in this section, every person who applies for a resident license as a real estate broker: (a) shall be age twenty-one (21) years or over, and have his legal domicile in the State of Mississippi at the time he applies; (b) shall be subject to the jurisdiction of this state, subject to the income tax laws and other excise laws thereof, subject to the road and bridge privilege tax laws thereof; (c) shall not be an elector in any other state; (d) shall have held a license as an active real estate salesperson for twelve (12) months prior to making application for the broker's examination hereafter specified; (e) shall have successfully completed a minimum of one hundred twenty (120) hours of courses in real estate as hereafter specified; (f) shall have successfully completed the real estate broker's examination as hereafter specified; and (g) shall have successfully been cleared for licensure by the commission's background investigation as provided in Section 73-35-10; and (h) sign a form under penalty of perjury stating that the applicant will not hire any real estate salespersons for thirty-six (36) months from the date of approval of his or her active real estate salesperson's license. The real estate commission shall create a standard form to comply with the requirements of this section. Upon completion of such restriction provided in this paragraph (h) of this section, the real estate broker is authorized to employ any number of real estate salespersons.

The provisions of paragraph (h) shall not apply to an applicant who seeks to hire a real estate salesperson in less than thirty-six (36) months from the date of approval of his or her active real estate salesperson's license. Any person who desires to hire a real estate salesperson in less than thirty-six (36) months from the date of approval of his or her active real estate salesperson's license shall: (a) be age twenty-one (21) years or over, and have his or her legal domicile in the State of Mississippi at the time he or she applies; (b) be subject to the jurisdiction of this state, subject to the income tax laws and other excise laws thereof, subject to the road and bridge privilege tax laws thereof; (c) not be an elector in any other state; (d) have held a license as an active real estate salesperson for thirty-six (36) months prior to making application for the broker's examination hereafter specified; (e) have successfully completed a minimum of one hundred twenty (120) hours of courses in real estate as hereafter specified; (f) have successfully completed the real estate broker's examination as hereafter specified; and (g) have successfully been cleared for licensure by the commission's background investigation as provided in Section 73-35-10.

An applicant who has not held an active real estate salesperson's license for a period of at least thirty-six (36) months prior to submitting an application shall have successfully completed a minimum of one hundred fifty (150) classroom hours in real estate courses, which courses are acceptable for credit toward a degree at a college or university as approved by the Southern Association of Colleges and Schools.

Every applicant for a resident license as a real estate salesperson shall be age eighteen (18) years or over, shall be a bona fide resident of the State of Mississippi prior to filing his application, shall have successfully completed a minimum of sixty (60) hours in courses in real estate as hereafter specified, and shall have successfully completed the real estate salesperson's examination as hereafter specified.

The residency requirements set forth in this section shall not apply to those licensees of other states who qualify and obtain nonresident licenses in this state.

The commission is authorized to exempt from such prelicensing educational requirements, in whole or in part, a real estate licensee of another state who desires to obtain a license under this chapter, provided that the prelicensing educational requirements in the other state are determined by the commission to be equivalent to prelicensing educational requirements in this state and provided that such state extends this same privilege or exemption to Mississippi real estate licensees. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 31. Section 73-35-13, Mississippi Code of 1972, is amended as follows:

73-35-13. (1) In addition to proof of his honesty, trustworthiness and good reputation, the applicant shall take a written examination which shall be held at least four (4) times each year at regular intervals and on stated times by the commission and shall test reading, writing, spelling, elementary arithmetic and his general knowledge of the statutes of this state relating to real property, deeds, mortgages, agreements of sale, agency, contract, leases, ethics, appraisals, the provisions of this chapter and such other matters the commission certifies as necessary to the practice of real estate brokerage in the State of Mississippi. The examination for a broker's license shall differ from the examination for a salesperson's license, in that it shall be of a more exacting nature and require higher standards of knowledge of real estate. The commission shall cause examinations to be conducted at such times and places as it shall determine.

(2) In event the license of any real estate broker or salesperson is revoked by the commission subsequent to the enactment of this chapter, no new license shall be issued to such person unless he complies with the provisions of this chapter.

(3) No person shall be permitted or authorized to act as a real estate broker or salesperson until he has qualified by examination, except as hereinbefore provided. Any individual who fails to pass the examination for salesperson upon two (2) occasions, shall be ineligible for a similar examination, until after the expiration of three (3) months from the time such individual last took the examination. Any individual who fails to pass the broker's examination upon two (2) occasions, shall be ineligible for a similar examination until after the expiration of six (6) months from the time such individual last took the examination, and then only upon making application as in the first instance.

(4) If the applicant is a partnership, association or corporation, the examination shall be taken on behalf of the partnership, association or corporation by the member or officer thereof who is designated in the application as the person to receive a license by virtue of the issuing of a license to such partnership, association or corporation.

(5) Upon satisfactorily passing such examination and upon complying with all other provisions of law and conditions of this chapter, a license shall thereupon be issued to the successful applicant who, upon receiving such license, is authorized to conduct the business of a real estate broker or real estate salesperson in this state.

(6) The commission is authorized to exempt from such examination, in whole or in part, a real estate licensee of another state who desires to obtain a license under this chapter, provided that the examination administered in the other state is determined by

the commission to be equivalent to such examination given in this state and provided that such other state extends this same privilege or exemption to Mississippi real estate licensees. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 32. Section 73-36-31, Mississippi Code of 1972, is amended as follows:

73-36-31. A person not a resident of and having no established place of business in Mississippi, or who has recently become a resident, may use the title of registered forester in Mississippi, provided: (a) such person is legally licensed as a registered forester in his own state or county and has submitted evidence to the board that he is so licensed and that the requirements for registration are at least substantially equivalent to the requirements of this chapter; and (b) the state or county in which he is so licensed observes these same rules of reciprocity in regard to persons licensed under this chapter. Each person seeking the privileges of reciprocity granted under this chapter shall submit his application to the board and must receive a card or certificate from the board before exercising such privileges. The fee for obtaining a license through reciprocity shall be the same as charged a Mississippi licensee. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 33. Section 73-38-23, Mississippi Code of 1972, is amended as follows:

73-38-23. (1) The board may waive the examination for licensure of any applicant who presents proof of current licensure in another state, including the District of Columbia, or territory of the United States which maintains professional standards considered by the council to be equivalent to those set forth in this chapter. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(2) The board shall waive the examination for licensure of any person certified as clinically competent by ASHA in the area for which such person is applying for licensure.

SECTION 34. Section 73-39-71, Mississippi Code of 1972, is amended as follows:

73-39-71. (1) The board may issue a license by endorsement to an applicant who furnishes satisfactory proof that he is a graduate of an accredited college of veterinary medicine or the educational equivalence. The applicant must also show that he is a person of good moral character and is licensed to practice veterinary medicine in at least one (1) state, territory or district of the United States and has practiced veterinary medicine in one or more of those states without disciplinary action by any state or federal agency for at least the three (3) years immediately before filing the application.

(2) The board may examine any person qualifying for licensing under this section.

(3) The issuance of a license by endorsement to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 35. Section 73-53-13, Mississippi Code of 1972, is amended as follows:

73-53-13. The board shall issue the appropriate license to applicants who meet the qualifications of this section.

(a) A license as a "licensed social worker" shall be issued to an applicant who demonstrates to the satisfaction of the board that he or she meets the following qualifications:

(i) Has a baccalaureate degree in social work from a college or university accredited by the Council on Social Work Education or Southern Association of Colleges and Schools and has satisfactorily completed the Association for Social Work Boards (ASWB) examination for this license; or

(ii) Has a comparable license or registration from another state or territory of the United States of America that imposes qualifications substantially similar to those of this chapter.

(b) A license as a "licensed master's social worker" shall be issued to an applicant who demonstrates to the satisfaction of the board that he or she meets the following qualifications:

(i) Has a doctorate or master's degree from a school of social work accredited by the Council on Social Work Education; and

(ii) Has satisfactorily completed the ASWB examination for this license; or

(iii) Has a comparable license or registration from another state or territory of the United States of America that imposes qualifications substantially similar to those of this chapter.

(c) A license as a "licensed certified social worker" shall be issued to an applicant who demonstrates to the satisfaction of the board that he or she meets the following qualifications:

(i) Is licensed under this section as a "master's social worker"; and

(ii) Has twenty-four (24) months of professional supervision and clinical or macro social work practice experience acceptable to the board, under appropriate supervision; and

(iii) Has satisfactorily completed the ASWB examination for this license; or

(iv) Has a comparable license or registration from another state or territory of the United States of America that imposes qualifications substantially similar to those of this chapter.

(d) In addition to the above qualifications, an applicant for any of the above licenses must prove to the board's satisfaction:

(i) Age of at least twenty-one (21) years, and

(ii) Good moral character, which is a continuing requirement for licensure, and

(iii) United States of America citizenship or status as a legal resident alien, and

(iv) Absence of conviction of a felony related to the practice of social work for the last ten (10) years. Conviction, as used in this subparagraph, includes a deferred conviction, deferred prosecution, deferred sentence, finding or verdict of guilt, an admission of guilty, or a plea of nolo contendere, and

(v) That the applicant has not been declared mentally incompetent by any court, and if any such decree has ever been rendered, that the decree has since been changed, and

(vi) Freedom from dependency on alcohol or drugs, and

(vii) Complete criminal history records check, including a fingerprint and an acceptable sex offender check, by appropriate governmental authorities as prescribed by the board.

(e) Only individuals licensed as "certified social workers" shall be permitted to call themselves "clinical social workers."

The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 36. Section 73-54-23, Mississippi Code of 1972, is amended as follows:

73-54-23. The board shall issue a license by examination of credentials to any applicant licensed or certified as a marriage and family therapist in another state that has such requirements for the license or certificate that the board is of the opinion that the applicant is competent to engage in the practice of marriage and family therapy in this state, provided that the applicant submits an application on forms prescribed by the board, has passed the national Examination in Marital and Family Therapy, and pays the original licensure fee prescribed by Section 73-54-25. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 37. Section 73-60-25, Mississippi Code of 1972, is amended as follows:

73-60-25. A home inspector license may be issued to a home inspector from another state who satisfies one (1) of the following requirements: (a) holds a valid certificate of certification, registration or home inspector license in good standing issued by another state, which has requirements for licensure substantially identical to those of this state, or (b) has passed the examination offered by the American Society of Home Inspectors or the National Association of Home Inspectors. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 38. Section 73-63-39, Mississippi Code of 1972, is amended as follows:

73-63-39. (1) The board may sign agreements with boards of registration, licensure or certification in other states, and with other appropriate organizations and agencies, for the purposes of:

(a) Developing uniform standards for registration of professional geologists or enrollment of geologists-in-training;

(b) Accrediting educational programs;

(c) Establishing reciprocity, comity, temporary registration, or mutual recognition of registration or enrollment;

(d) Developing regional or national examinations;

- (e) Evaluating applicants; or
- (f) Other purposes consistent with this chapter.

(2) Any person holding a valid certificate of registration, licensure or certification for the practice of geology or a recognized specialty of geology, issued under the laws of any state or territory or possession of the United States, or any foreign country, shall be eligible for registration, without examination. The board may issue a certificate of registration to any person who has made application, provided proof of registration, licensure or certification under requirements which the board determines to be substantially similar to those established under this chapter and paid all applicable fees. The issuance of a certificate of registration by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 39. Section 73-65-7, Mississippi Code of 1972, is amended as follows:

73-65-7. (1) The board shall issue a license as a licensed professional art therapist to any person who files a completed application, accompanied by the required fees, and who submits satisfactory evidence that the applicant is at least twenty-one (21) years of age, is a registered art therapist as defined by the Art Therapy Credentials Board, Inc., demonstrates professional competency by satisfactorily passing the required examination, and is a board-certified art therapist as defined by the Art Therapy Credentials Board, Inc.

(2) The board may approve on a case-by-case basis applicants who have a master's degree or a doctoral degree from nonaccredited institutions.

(3) If an applicant has met all of the requirements for licensure except satisfactorily passing the required examination, the applicant shall be scheduled to take the next examination following the approval of the examination.

(4) The board may issue a license to an applicant without examination if the person possesses a valid regulatory document issued by the appropriate examining board under the laws of any other state or territory of the United States, the District of Columbia, or any foreign nation that in the judgment of the board has requirements substantially equivalent to or exceeding the requirements in this section. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(5) The board may issue provisional licensure as a professional art therapist to any person who has completed the educational requirements established by the Art Therapy Credentials Board, Inc., and has met all requirements for licensure as a professional art therapist, except the experience and/or examination requirements, and is under the supervision of a supervisor acceptable to the board.

(6) The board may set criteria for continuing education and supervisory experience.

SECTION 40. Section 73-67-25, Mississippi Code of 1972, is amended as follows:

73-67-25. (1) An applicant may be licensed by demonstrating proof that the applicant holds a valid, current license in another state with similar educational requirements to those required by this chapter, and that all other licensure requirements under this chapter are met. This is subject to investigation by the board and excludes grandfathering by other states.

(2) If an individual who is licensed in another state that has licensing standards substantially equivalent to the standards under this chapter applies for licensure, the board may issue a provisional permit authorizing the applicant to practice massage therapy pending completion of documentation that the applicant meets the requirements for licensure under this chapter. The provisional permit may reflect statutory limitations on the scope of practice. The provisional permit shall not be issued until an applicant has successfully passed the Mississippi State Law Examination.

(3) A current massage therapy license issued by the board shall at all times be prominently displayed in any place where massage therapy is being practiced.

(4) A license issued under this chapter is not transferable or assignable.

The issuance of a license or provisional permit by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 41. Section 73-69-11, Mississippi Code of 1972, is amended as follows:

73-69-11. (1) Any person employed by an alarm contracting company shall hold an individual license issued by the State Fire Marshal. Such license shall authorize its holder to engage in alarm contracting, only to the extent of the terms as further provided in this chapter.

(2) Such application shall be accompanied by:

(a) Two (2) suitable photographs of the applicant acceptable to the State Fire Marshal. The State Fire Marshal shall keep one (1) photograph on file and shall make the other photograph a part of any license subsequently issued to the applicant.

(b) Documentation that the applicant meets educational requirements applicable to the type of license for which he is applying, as follows:

(i) For a Class B license: a minimum of Electronic Security Association, Level 2 A and Level 2 B Burglar Alarm training course or the Electronic Security Association, Fire Alarm Installation Methods and Advanced Intrusion Systems training courses, or equivalent training approved by the State Fire Marshal, and documentation proving residency within a radius of one hundred fifty (150) miles of the office to which he is assigned.

(ii) For a Class C license: a minimum of Electronic Security Association Level 1 Certified Alarm/Security Technician training course, or equivalent training approved by the State Fire Marshal.

(iii) For a Class D license: a minimum of Electronic Security Association, Understanding Electronic Security Systems training course, or equivalent training approved by the State Fire Marshal.

(iv) For a Class H license: application a Class B or Class C license holder that they will provide direct supervision of the Class H licensee.

(c) (i) A statement by the applicant that he has not been convicted of a felony, received a first-time offender pardon for a felony, or entered a plea of guilty or nolo contendere to a felony charge. A felony that has been dismissed pursuant to the Mississippi Criminal Code or equivalent judicial dismissal shall not apply to this paragraph.

(ii) A conviction or a plea of guilty or nolo contendere to a felony charge or receipt of a first-time offender pardon shall not constitute an automatic disqualification as otherwise required pursuant to subparagraph (i) if ten (10) or more

years have elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication or period of probation or parole.

(iii) Subparagraph (ii) shall not apply to any person convicted of a felony crime of violence or a sex offense as defined within the Mississippi Criminal Code.

(d) The State Fire Marshal shall have the authority to conduct criminal history verification on a local, state or national level. Beginning on July 1, 2014, in order to assist the Office of the State Fire Marshal in determining an applicant's suitability for a license under this chapter, an applicant shall submit a set of fingerprints with the submission of an application for license. The Office of the State Fire Marshal shall forward the fingerprints to the Department of Public Safety for the purpose of conducting a criminal history record check. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Department of Public Safety to the Federal Bureau of Investigation for a national criminal history record check. Fees related to the criminal history record check shall be paid by the applicant to the State Fire Marshal and the monies from such fees shall be deposited in the special fund in the State Treasury designated as the Electronic Protection Licensing Fund.

(e) The application fee authorized by this chapter.

(3) The State Fire Marshal shall have the authority to determine if information submitted by an applicant is in a form acceptable to him. The State Fire Marshal shall verify or have another entity verify information submitted by each applicant.

(4) If the State Fire Marshal finds that an applicant has met the applicable requirements of the alarm licensing law, he shall issue the appropriate type of license to the applicant upon payment of the license fee authorized by this chapter.

(5) Each individual license holder shall maintain his license on his person while engaging in any type of alarm contracting as applicable. Each such license holder shall present his license for inspection upon demand by an employee of the Office of the State Fire Marshal or a law enforcement officer.

(6) Each individual license holder shall notify the State Fire Marshal, on a form specified and provided by the State Fire Marshal, within ten (10) days of the following:

(a) Any change in business or home address.

(b) Any separation from an employer or change in employer.

(c) Any conviction for a felony or entry of a plea of guilty or nolo contendere to a felony charge or receipt of a first-time offender pardon.

(7) No individual licensed under this chapter shall contract for his services as an independent contractor or agent without applying for and being issued a Class A license per Section 73-69-9. No alarm contracting company shall contract for the independent services of a holder of an individual license under this section.

(8) The State Fire Marshal may enter into reciprocal agreements with other states for mutual recognition of individual license holders, if the State Fire Marshal has established the criteria for acceptance of reciprocal agreements by rule or regulation. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(9) If the action by the State Fire Marshal is to nonrenew or to deny an application for license, the State Fire Marshal shall notify the applicant or licensee and advise, in writing, the applicant or licensee of the reason for the denial or nonrenewal of the

applicant's or licensee's license. The applicant or licensee may make written demand upon the State Fire Marshal within ten (10) days for a hearing before the State Fire Marshal to determine the reasonableness of the State Fire Marshal's action. The hearing shall be held within thirty (30) days.

SECTION 42. Section 73-71-21, Mississippi Code of 1972, is amended as follows:

73-71-21. The board may, at its discretion, issue a license without examination to an acupuncture practitioner who has been licensed, certified or otherwise formally legally recognized as an acupuncturist or acupuncture practitioner in any state or territory if all three (3) of the following conditions are met to its satisfaction:

(a) The applicant meets the requirements of practice in the state or territory in which the applicant is licensed, certified, or registered as an acupuncturist or acupuncture practitioner;

(b) The requirements for practice in the state or territory in which the applicant is licensed, certified or registered as an acupuncturist or acupuncture practitioner are at least as stringent as those of this state; and

(c) The state or territory in which the applicant is licensed, certified or legally recognized as an acupuncturist or acupuncture practitioner permits an acupuncture practitioner licensed in this state to practice acupuncture or acupuncture in that jurisdiction by credentials examination.

The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 43. Section 73-73-11, Mississippi Code of 1972, is amended as follows:

73-73-11. The board and IDAC may accept applications for Mississippi certification from an interior designer in another jurisdiction pursuant to Section 73-73-7 or 73-73-9. The issuance of a certification by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 44. Section 73-75-15, Mississippi Code of 1972, is amended as follows:

73-75-15. Waiver of eligibility requirements. The board may waive the examination for licensure of any applicant who presents proof of current licensure in another state, including the District of Columbia, or territory of the United States which maintains professional standards considered by the board to be equivalent to those set forth in this chapter. The issuance of a license by reciprocity to a military-trained applicant * * *, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 45. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE SECTION 73-50-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MISSISSIPPI OCCUPATIONAL LICENSING BOARDS SHALL ISSUE A LICENSE TO AN APPLICANT WHO ESTABLISHES RESIDENCE IN THIS STATE IF THE APPLICANT HOLDS A CURRENT LICENSE IN GOOD STANDING FROM ANOTHER STATE, HAS BEEN LICENSED BY THE OTHER STATE FOR AT LEAST ONE YEAR AND SATISFIES CERTAIN OTHER CONDITIONS; TO PROVIDE THAT THE

LICENSE ISSUED TO THE APPLICANT WILL BE IN THE DISCIPLINE APPLIED FOR AND AT THE SAME PRACTICE LEVEL AS DETERMINED BY THE OCCUPATIONAL LICENSING BOARD; TO AMEND SECTIONS 37-3-2, 73-1-21, 73-2-11, 73-4-23, 73-5-21, 73-6-13, 73-7-23, 73-9-24, 73-10-15, 73-11-51, 73-13-35, 73-14-25, 73-15-19, 73-15-21, 73-17-11, 73-19-25, 73-21-87, 73-23-51, 73-23-53, 73-24-21, 73-25-21, 73-27-5, 73-29-19, 73-30-15, 73-31-14, 73-31-15, 73-33-9, 73-34-51, 73-35-7, 73-35-13, 73-36-31, 73-38-23, 73-39-71, 73-53-13, 73-54-23, 73-60-25, 73-63-39, 73-65-7, 73-67-25, 73-69-11, 73-71-21, 73-73-11 and 73-75-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1263 was adopted.

YEAS AND NAYS On H. B. No. 1263. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Norwood. Total--1.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

H. B. No. 135: MS Critical Teacher Shortage Act of 1998; extend repealer on.

YEAS AND NAYS On H. B. No. 135. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

H. B. No. 487: County and public libraries; repeal certain provisions related to.

YEAS AND NAYS On H. B. No. 487. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

H. B. No. 504: Commission on School Accreditation; clarify membership composition.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-17-3, Mississippi Code of 1972, is amended as follows:

37-17-3. The Commission on School Accreditation created under this section is hereby continued and reconstituted as follows:

The State Board of Education shall appoint a "Commission on School Accreditation" to be composed of fifteen (15) qualified members. The membership of said commission shall be composed of the following: two (2) classroom teachers, two (2) principals of schools, one (1) administrator with expertise in special education representing exceptional schools and students, one (1) superintendent of a separate school district, one (1) superintendent of a county or other school district, one (1) local school board member from a separate school district; one (1) local school board member from a county or other school district; and * * * six (6) members who are not actively engaged in the education profession. Members of the commission serving on July 1, 1994, shall continue to serve until their term of office expires. No new appointments shall be made until such time as the expiration of a member's term has reduced the commission to less than fifteen (15) members, at which time new appointments shall be made from the categories specified hereinabove. The membership of said commission shall be appointed by the board upon recommendation of the State Superintendent of Public Education. In making the first appointments, five (5) members shall be appointed for a term of one (1) year, five (5) members shall be appointed for a term of two (2) years, five (5) members shall be appointed for a term of three (3) years, and five (5) members shall be appointed for a term of four (4) years. Thereafter, all members shall be appointed for a term of four (4) years. Said commission shall meet upon call of the State Superintendent of Public Education. * * * The commission shall consist of three (3) members * * * from each of the four (4) congressional districts, and three (3) members from the state at large. Each member of said commission shall receive the per diem authorized by Section 25-3-69, Mississippi Code of 1972, plus actual and necessary expenses and mileage as authorized by Section 25-3-41, Mississippi Code of 1972, for each day actually spent in attending the meetings of the commission. The expenses of said commission shall be paid out of any funds available for the operation of the central office of the State Department of Education.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-17-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THE COMPOSITION OF THE COMMISSION ON SCHOOL ACCREDITATION TO REFLECT THE FOUR CONGRESSIONAL DISTRICTS AND APPOINTMENT OF THREE MEMBERS FROM THE STATE AT LARGE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 504 was adopted.

YEAS AND NAYS On H. B. No. 504. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett called up the following entitled bill:

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-26, Mississippi Code of 1972, is amended as follows:

47-5-26. (1) The commissioner shall employ the following personnel:

(a) A Deputy Commissioner for Administration and Finance, who shall supervise and implement all fiscal policies and programs within the department, supervise and implement all hiring and personnel matters within the department, supervise the department's personnel director, supervise and implement all purchasing within the department and supervise and implement all data processing activities within the department, and who shall serve as the Chief Executive Officer of the Division of Administration and Finance. He shall possess either:

(i) A master's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and four (4) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision; or

(ii) A bachelor's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and six (6) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision. Certification by the

State of Mississippi as a certified public accountant may be substituted for one (1) year of the required experience.

(b) A Deputy Commissioner for Community Corrections, who shall initiate and administer programs, including, but not limited to, supervision of probationers, parolees and suspensioners, counseling, community-based treatment, interstate compact administration and enforcement, prevention programs, halfway houses and group homes, technical violation centers, restitution centers, presentence investigations, and work and educational releases, and shall serve as the Chief Executive Officer of the Division of Community Services. The Deputy Commissioner for Community Corrections is charged with full and complete cooperation with the State Parole Board and shall make monthly reports to the Chairman of the Parole Board in the form and type required by the chairman, in his discretion, for the proper performance of the probation and parole functions. After a plea or verdict of guilty to a felony is entered against a person and before he is sentenced, the Deputy Commissioner for Community Corrections shall procure from any available source and shall file in the presentence records any information regarding any criminal history of the person such as fingerprints, dates of arrests, complaints, civil and criminal charges, investigative reports of arresting and prosecuting agencies, reports of the National Crime Information Center, the nature and character of each offense, noting all particular circumstances thereof and any similar data about the person. The Deputy Commissioner for Community Corrections shall keep an accurate and complete duplicate record of this file and shall furnish the duplicate to the department. This file shall be placed in and shall constitute a part of the inmate's master file. The Deputy Commissioner for Community Corrections shall furnish this file to the State Parole Board when the file is needed in the course of its official duties. He shall possess either: (i) a master's degree in counseling, corrections psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(c) A Deputy Commissioner for Institutions, who shall administer institutions, reception and diagnostic centers, prerelease centers and other facilities and programs provided therein, and shall serve as the Chief Executive Officer of the Division of Institutions. He shall possess either: (i) a master's degree in counseling, criminal justice, psychology, guidance, social work, business or some related field, and at least four (4) years' full-time experience in corrections, including at least one (1) year of correctional management experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, four (4) years of which shall have been at the correctional management level.

(d) A Deputy Commissioner for Programs, Education, Re-entry, and Vocational Rehabilitation Services who shall initiate and administer programs, including but not limited to, education services, religious services, moral rehabilitation, alcohol and drug rehabilitation, and court re-entry. The Deputy Commissioner for Programs, Education, Re-entry, and Vocational Rehabilitation may coordinate with any educational institution to develop a program for moral rehabilitation with an emphasis on promoting effective programs for release. The Deputy Commissioner for Programs, Education, Re-entry, and Vocational Rehabilitation shall focus on re-entry programs aimed at reducing recidivism and adequately preparing offenders for employment upon their release. The programs shall incorporate a moral component focused on providing offenders with an opportunity to make positive changes while incarcerated that will enable them to be productive members of society upon their release. Such deputy commissioner shall possess either:

(i) A master's degree in counseling, corrections, psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or

(ii) A bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years full-time work in corrections, one (1) year of which shall have been at the supervisory level.

Out of the deputy commissioners employed under this subsection (1), as provided in paragraphs (a) through (d), the commissioner shall designate one (1) of the commissioners as an executive deputy commissioner who shall have the duties prescribed under Section 47-5-8.

(2) The commissioner shall employ an administrative assistant for parole matters who shall be selected by the State Parole Board who shall be an employee of the department assigned to the State Parole Board and who shall be located at the office of the State Parole Board, and who shall work under the guidance, supervision and direction of the board.

(3) The administrative assistant for parole matters shall receive an annual salary to be established by the Legislature. The salaries of department employees not established by the Legislature shall receive an annual salary established by the State Personnel Board.

(4) The commissioner shall employ a superintendent for the Parchman facility, Central Mississippi Correctional Facility and South Mississippi Correctional Institution of the Department of Corrections. The Superintendent of the Mississippi State Penitentiary shall reside on the grounds of the Parchman facility. Each superintendent shall appoint an officer in charge when he is absent.

Each superintendent shall develop and implement a plan for the prevention and control of an inmate riot and shall file a report with the Chairman of the Senate Corrections Committee and the Chairman of the House Penitentiary Committee on the first day of each regular session of the Legislature regarding the status of the plan.

In order that the grievances and complaints of inmates, employees and visitors at each facility may be heard in a timely and orderly manner, each superintendent shall appoint or designate an employee at the facility to hear grievances and complaints and to report grievances and complaints to the superintendent. Each superintendent shall institute procedures as are necessary to provide confidentiality to those who file grievances and complaints.

(5) For a one-year period beginning July 1, 2016, any person authorized for employment under this section shall not be subject to the rules, regulations and procedures of the State Personnel Board, except as otherwise provided under Section 25-9-127(5).

SECTION 2. Section 47-5-8, Mississippi Code of 1972, is amended as follows:

47-5-8. (1) There is created the Mississippi Department of Corrections, which shall be under the policy direction of the Governor. The chief administrative officer of the department shall be the Commissioner of Corrections.

(2) (a) There shall be an executive deputy commissioner who shall be directly responsible to the Commissioner of Corrections within the department who shall serve as the Commissioner of Corrections in the absence of the commissioner and shall assume all duties that the Commissioner of Corrections assigns, including, but not limited to, supervising all other deputy commissioners. The salary of the executive deputy commissioner shall not exceed the salary of the Commissioner of Corrections.

(** *b) There shall be a Division of Administration and Finance within the department, which shall have as its chief administrative officer a Deputy Commissioner

for Administration and Finance who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(** *c) There shall be a Division of Community Corrections within the department, which shall have as its chief administrative officer a Deputy Commissioner for Community Corrections, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner. The Probation and Parole Board shall continue to exercise the authority as provided by law, but after July 1, 1976, the Division of Community Corrections shall serve as the administrative agency for the Probation and Parole Board.

(3) The department shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Mississippi State Penitentiary and the Mississippi Probation and Parole Board, except the records of parole process and revocation and legal matters related thereto, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) agencies except as otherwise provided by law, and the department shall have general supervision of all the affairs of the two (2) agencies herein named except as otherwise provided by law, and the care and conduct of all buildings and grounds, business methods and arrangements of accounts and records, the organization of the administrative plans of each institution, and all other matters incident to the proper functioning of the two (2) agencies.

(4) The commissioner may lease the lands for oil, gas, mineral exploration and other purposes, and contract with other state agencies for the proper management of lands under such leases or for the provision of other services, and the proceeds thereof shall be paid into the General Fund of the state.

SECTION 3. Section 97-37-5, Mississippi Code of 1972, is amended as follows:

97-37-5. (1) It shall be unlawful for any person who has been convicted of a felony under the laws of this state, any other state, or of the United States to possess any firearm or any bowie knife, dirk knife, butcher knife, switchblade knife, metallic knuckles, blackjack, or any muffler or silencer for any firearm unless such person has received a pardon for such felony, has received a relief from disability pursuant to Section 925(c) of Title 18 of the United States Code, or has received a certificate of rehabilitation pursuant to subsection (3) of this section.

(2) Any person violating this section shall be guilty of a felony and, upon conviction thereof, shall be fined not more than Five Thousand Dollars (\$5,000.00), or committed to the custody of the State Department of Corrections for not less than one (1) year nor more than ten (10) years, or both.

(3) A person who has been convicted of a felony under the laws of this state, under the laws of another state, under federal law or in state military court may apply for a certificate of rehabilitation as provided in this section. If the person was convicted of a felony under the laws of this state, he or she may apply to the court in which he was convicted for a certificate of rehabilitation. If the person was convicted of a felony under the laws of another state, under federal law or in state military court, he or she may apply to the court in the person's county of residence for a certificate of rehabilitation. A person convicted of a felony under the laws of another state, under federal law or in state military court shall attach a certified copy of his or her judgment and a certified copy of his or her completion of sentence to the petition for a certificate of rehabilitation. The court may grant such certificate in its discretion upon a showing to the satisfaction of the court that the applicant has been rehabilitated and has led a useful, productive and law-abiding life

since the completion of his or her sentence and upon the finding of the court that he or she will not be likely to act in a manner dangerous to public safety.

(4) (a) A person who is discharged from court-ordered mental health treatment may petition the court which entered the commitment order for an order stating that the person qualifies for relief from a firearms disability.

(b) In determining whether to grant relief, the court must hear and consider evidence about:

(i) The circumstances that led to imposition of the firearms disability under 18 * * * USCS, Section 922(d)(4);

(ii) The person's mental history;

(iii) The person's criminal history; and

(iv) The person's reputation.

(c) A court may not grant relief unless it makes and enters in the record the following affirmative findings:

(i) That the person is no longer likely to act in a manner dangerous to public safety; and

(ii) Removing the person's disability to purchase a firearm is not against the public interest.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021, and shall be repealed from and after June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO DESIGNATE AN EXECUTIVE DEPUTY COMMISSIONER; TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DEPUTY COMMISSIONER SHALL BE DIRECTLY RESPONSIBLE TO THE COMMISSIONER OF CORRECTIONS; TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO EXPAND AUTHORIZATION FOR CERTIFICATES OF REHABILITATION FOR PERSONS CONVICTED OF CRIMES UNDER FEDERAL LAW, IN STATE MILITARY COURT OR IN OTHER STATES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 928 was adopted.

YEAS AND NAYS On H. B. No. 928. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Moran called up the following entitled bill:

H. B. No. 992: County port and harbor commission; provide that members hold appointment until successor appointed and installed.

Senator Moran offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 59-11-3, Mississippi Code of 1972, is amended as follows:

59-11-3. (1) Any county port and harbor commission created pursuant to Section 59-11-1 shall be appointed as follows: three (3) members shall be appointed by the Governor, one (1) from each of the three (3) municipalities of the county, which appointments shall be made from those persons recommended and nominated by the governing authorities of the municipalities, and shall be qualified electors of the county; and five (5) members shall be appointed by the board of supervisors of such county, each supervisor to recommend the appointment of one (1) member thereof. The members of the county port and harbor commission shall serve for terms concurrent with that of the Governor and the board of supervisors making such appointment, and shall hold that appointment until such time as their successor shall be appointed and installed as a commissioner upon taking the legally required oath of office.

(2) Each member of the county port and harbor commission shall receive per diem compensation in an amount up to Eighty-four Dollars (\$84.00) for each day engaged in attendance of meetings of the county port and harbor commission or when engaged in other duties of the county port and harbor commission, and shall be reimbursed for mileage and actual travel expenses at the rate authorized for county employees under Section 25-3-41.

SECTION 2. Unless otherwise provided by law, any appointed member of a board, commission or authority established by state statute shall hold that appointment until such time as their successor shall be appointed, qualified and installed in office.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 59-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT APPOINTMENTS TO ANY COUNTY PORT AND HARBOR COMMISSION SHALL HOLDOVER AND SERVE UNTIL THEIR SUCCESSOR IS APPOINTED AND SWORN AS A MEMBER; TO PROVIDE THAT UNLESS OTHERWISE PROVIDED BY LAW, ANY APPOINTED MEMBER OF A BOARD, COMMISSION OR AUTHORITY ESTABLISHED BY STATE STATUTE SHALL HOLD THAT APPOINTMENT UNTIL SUCH TIME AS THEIR SUCCESSOR SHALL BE APPOINTED, QUALIFIED AND INSTALLED IN OFFICE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 992 was adopted.

YEAS AND NAYS On H. B. No. 992. On motion of Senator Moran, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Moran called up the following entitled bill:

H. B. No. 1288: Charter vessel operator's permit; create to authorize the sale of alcoholic beverages by the holder of.

YEAS AND NAYS On H. B. No. 1288. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--41.

Nays--Barrett, Blackmon, Branning, Chism, Jordan, Norwood, Parker, Tate, Turner-Ford. Total--9.

Absent and those not voting----None.

Senator Simmons D. T. (12th), who would have voted yea on H. B. No. 1288, announced a pair with Senator Frazier, who would have voted nay.

Senator Barnett called up the following entitled bill:

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

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

AMEND by inserting the following after line 118:

(*) Fees withheld for any of the above reasons may not exceed fifty percent (50%) of the inmate's earned wages before payroll deductions required by law.

(*) Any person who has more than eighteen (18) months remaining on his or her sentence may not be considered a suitable candidate for work release employment. This does not prohibit persons with more than eighteen (18) months remaining on his or her

sentence from participation in education or rehabilitative programs as defined in this section.

Amendment No. 1 to H. B. No. 747 failed.

YEAS AND NAYS On H. B. No. 747. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

MESSAGE FROM THE HOUSE

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

S. B. No. 2759: Temporary Assistance for Needy Families; increase the monthly amount.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:59 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

Senator Jordan called up the following entitled bill:

H. B. No. 1034: Uniform Controlled Substances Act; revise schedules.

YEAS AND NAYS On H. B. No. 1034. On motion of Senator Jordan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Turner-Ford called up the following entitled bill:

H. B. No. 8: UMMC property; revise leasing authority by removing certain minimum requirements of improvements to development.

YEAS AND NAYS On H. B. No. 8. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Turner-Ford called up the following entitled bill:

H. B. No. 9: MS Law Enforcement Officers' Training Academy; name firing range as the "Lieutenant Colonel Pat Cronin Firing Range."

YEAS AND NAYS On H. B. No. 9. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Turner-Ford called up the following entitled bill:

H. B. No. 213: DFA; authorize Office of Surplus Property to administer the Federal Donation Program.

YEAS AND NAYS On H. B. No. 213. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson,

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

Nays--None.

Absent and those not voting----None.

Senator Tate called up the following entitled bill:

H. B. No. 1048: Qualification deadline; change to February 1 for certain statewide, state district, county and county district offices.

Senator Tate offered the following AMENDMENT NO. 1.

AMEND on line 446 by changing "brought forward" to "amended"

FURTHER, AMEND on lines 451 and 452 by changing "March" to the following:

February

FURTHER, AMEND on line 458 by changing "judge" to the following:

justice

FURTHER, AMEND on line 459 by adding "judge" after the word "Appeals"

FURTHER, AMEND the title on line 13 by adding the following after the semicolon:

TO AMEND SECTION 23-15-977, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFYING DEADLINE FROM MARCH 1 TO FEBRUARY 1 FOR SUPREME COURT JUSTICE, COURT OF APPEALS JUDGE, CIRCUIT JUDGE, CHANCELLOR, COUNTY JUDGE AND FAMILY COURT JUDGE;

FURTHER, AMEND the title on line 13 by deleting ", 23-15-977"

Amendment No. 1 to H. B. No. 1048 was adopted.

YEAS AND NAYS On H. B. No. 1048. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hill called up the following entitled bill:

H. B. No. 320: Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained.

Senator Hill offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-5-105, Mississippi Code of 1972, is amended as follows:

19-5-105. (1) To determine whether property or a parcel of land located within a county is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, the board of supervisors of any county is authorized and empowered to conduct a hearing on its own motion, or upon the receipt of a petition requesting the board of supervisors to act signed by a majority of the residents eighteen (18) years of age or older, residing upon any street or alley, within reasonable proximity of any property alleged to be in need of cleaning, or within seven hundred fifty (750) feet of the precise location of the alleged menace situated on any parcel of land which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning.

Notice shall be provided to the property owner by:

(a) United States mail two (2) weeks before the date of the hearing mailed to the address of the subject property and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least two (2) weeks before the date of a hearing on the property or parcel of land alleged to be in need of cleaning and at the county courthouse or another place in the county where such notices are posted.

The notice required by this section shall include language that informs the property owner that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the board of supervisors to reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing, if notice is posted on the property or parcel of land and at the county courthouse or another place in the county where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this section shall be recorded in the minutes of the board of supervisors in conjunction with the hearing required by this section.

If at such hearing the board of supervisors shall in its resolution adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the board of supervisors may, if the owner not do so himself, proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water. Thereafter, the board of supervisors may at its next regular meeting by resolution adjudicate the actual cost of cleaning the land and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty shall become an assessment against the property. The "cost assessed against the property" means either the cost to the county of using its own employees to do the work or the cost to the county of any contract executed by the county to have the work done, and administrative costs and legal costs of the county.

A county may reenter the property or parcel of land to maintain cleanliness without further notice of hearing no more than six (6) times in any twelve-month period with respect to removing dilapidated buildings, dilapidated fences and outside toilets, and no

more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land. The expense of cleaning the property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. The board of supervisors may assess the same penalty each time the property or land is cleaned as otherwise provided in this section.

The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a county clean a parcel owned by the State of Mississippi without first giving notice.

The assessment authorized by this section shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, upon order of the board of supervisors, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent taxes. Furthermore, the property owner whose land has been sold pursuant to this section shall have the same right of redemption as now provided by law for the sale of lands for delinquent taxes. All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from county boards.

(2) If private property or a parcel of land located within a county is a perpetual care cemetery subject to Section 41-43-1 et seq., a county may proceed pursuant to the same provisions of this chapter used to determine whether a property is a public health menace to instead determine if the perpetual care cemetery and all structures thereon are not being properly maintained and have become detrimental to the public health and welfare. A perpetual care cemetery that is "not being properly maintained and has become detrimental to the public health and welfare" means a perpetual care cemetery that shows signs of neglect, including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, unusable entrances and exits, excess rubbish or debris, or the disintegration of grave markers or boundaries. Upon notice and opportunity to be heard as provided in this chapter, the county may adjudicate the property or parcel of land in its then condition to be not properly maintained and, if the owner does not do so himself, may proceed to clean the land as set forth in this chapter. When performing maintenance pursuant to this subsection, the penalties provided above shall not be assessed against owners of perpetual care cemeteries.

(a) Any county performing maintenance or repair pursuant to this subsection may make application to the Secretary of State for an order directing the trustee of the perpetual care cemetery trust fund to release from accrued interest of the trust an amount sufficient to reimburse only actual cleanup costs incurred. The penalty provided above shall not be assessed against perpetual care cemeteries. The application to the Secretary of State shall include a statement by the county that the requirements of this section have been met.

(b) If the Secretary of State is satisfied that the notice and hearing requirements have been met and that the application for an order directing the trustee to release accrued interest does not threaten the ability of the trust to provide for the care and maintenance of the cemetery, then the Secretary of State may order the trustee to release accrued interest sufficient to reimburse the county for actual costs of cleanup performed.

SECTION 2. Section 21-19-11, Mississippi Code of 1972, is amended as follows:

21-19-11. (1) To determine whether property or parcel of land located within a municipality is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, a governing authority of any municipality shall conduct a hearing, on its own motion, or upon the receipt of a petition signed by a majority

of the residents residing within four hundred (400) feet of any property or parcel of land alleged to be in need of the cleaning. Notice shall be provided to the property owner by:

(a) United States mail two (2) weeks before the date of the hearing mailed to the address of the subject property, except where the land or structure(s) is apparently vacant, and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least two (2) weeks before the date of a hearing on the property or parcel of land alleged to be in need of cleaning and at city hall or another place in the municipality where such notices are posted.

Any notice required by this section shall include language that informs the property owner that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this section shall be recorded in the minutes of the governing authority in conjunction with the hearing required by this section.

If, at such hearing, the governing authority shall adjudicate the property or parcel of land in its then condition to be a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The governing authority may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and administrative costs and legal costs of the municipality. For subsequent cleaning within the one-year period after the date of the hearing at which the property or parcel of land was adjudicated in need of cleaning, upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipality's adjudication as authorized in this subsection (1), a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property, except as otherwise provided in this section for removal of hazardous substances, shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is more. The aggregate cost of removing hazardous substances will be the actual cost of such removal to the municipality and shall not be subject to the Twenty Thousand Dollars (\$20,000.00) limitation provided in this subsection. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. Upon written authority from the Secretary of State's office, for

state-owned properties, a municipality may forgo the notification process that is prescribed in this subsection and proceed to clean the properties and assess costs as prescribed in this subsection, except that penalties shall not be assessed against the State of Mississippi.

(2) When the fee or cost to clean property or a parcel of land that is one (1) acre or less does not exceed Two Hundred Fifty Dollars (\$250.00), excluding administrative costs, and the property or parcel is located within a municipality having a population over one thousand five hundred (1,500), the governing authority of the municipality may authorize one or more of its employees to determine whether the property or parcel of land is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and the determination made by the authorized municipal employee shall be set forth and recorded in the minutes of the governing authority. Notice of this determination shall be provided to the property owner by:

(a) United States mail seven (7) days before the date of cleaning of the property or parcel of land mailed to the address of the subject property, except where the land or structure(s) is apparently vacant, and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least seven (7) days before the cleaning of the property or parcel of land and at city hall or another place in the municipality where such notices are posted.

Any notice required by this subsection shall include language that informs the property owner that the appropriate municipal official has determined that the property or parcel of land is a menace to the public health, safety and welfare of the community and in need of cleaning and the municipality is authorized to enter the property for cleaning and that the municipality is further authorized to reenter the property or parcel of land for a period of two (2) years after this cleaning without any further hearing or action if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this subsection shall be recorded in the minutes of the governing authority in conjunction with the determination made by the municipal employee in this subsection (2).

If an authorized municipal employee determines that the condition of property or parcel of land is a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The governing authority shall by resolution adjudicate the actual cost of cleaning the property under this provision, provided the same does not exceed Two Hundred Fifty Dollars (\$250.00) and may also impose a penalty not to exceed One Hundred Dollars (\$100.00) or one hundred percent (100%) of the actual cost of cleaning the property, whichever is more. The cost and any penalty imposed may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and additionally may include administrative costs of the municipality not to exceed Fifty Dollars (\$50.00). For subsequent cleaning within the one-year period set forth in this subsection (2), upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipal official's determination as authorized in this subsection (2), a municipality may reenter the property

or parcel of land to maintain cleanliness without further notice or hearing under this subsection (2) no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property shall not exceed an aggregate amount of One Thousand Dollars (\$1,000.00) per year under this subsection (2). The governing authority may assess the same actual costs, administrative costs and penalty for each time the property or land is cleaned as otherwise provided in this subsection (2). The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. Upon written authority from the Secretary of State's office, for state-owned properties, a municipality may forgo the notification process that is prescribed in this subsection and proceed to clean the properties and assess costs as prescribed in this subsection, except that penalties shall not be assessed against the State of Mississippi. A determination made by an appropriate municipal employee under this subsection (2) that the state or condition of property or a parcel of land is a menace to the public health, safety and welfare of the community shall not subsequently be used to replace a hearing if subsection (1) of this section is later utilized by a municipality when the prerequisites of this subsection (2) are not satisfied.

(3) If the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in a court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned.

(4) (a) If the governing authority declares that the cost and any penalty shall be collected as an assessment against the property, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the chancery clerk of the county as other liens and encumbrances are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes. The lien against the property shall be an encumbrance upon the property and shall follow title of the property.

(b) (i) All assessments levied under the provisions of this section shall be included with municipal ad valorem taxes and payment shall be enforced in the same manner in which payment is enforced for municipal ad valorem taxes, and all statutes regulating the collection of other taxes in a municipality shall apply to the enforcement and collection of the assessments levied under the provisions of this section, including utilization of the procedures authorized under Sections 17-13-9(2) and 27-41-2.

(ii) All assessments levied under the provisions of this section shall become delinquent at the same time municipal ad valorem taxes become delinquent. Delinquencies shall be collected in the same manner and at the same time delinquent ad valorem taxes are collected and shall bear the same penalties as those provided for delinquent taxes. If the property is sold for the nonpayment of an assessment under this section, it shall be sold in the manner that property is sold for the nonpayment of delinquent ad valorem taxes. If the property is sold for delinquent ad valorem taxes, the assessment under this section shall be added to the delinquent tax and collected at the same time and in the same manner.

(5) All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken. However, an appeal from a decision of a municipal officer or official shall be made to the governing authority and such appeal shall be in writing, state the basis for the appeal and be filed with the city clerk no later than seven (7) days from the latest date of notice required under this section.

(6) Nothing contained under this section shall prevent any municipality from enacting criminal penalties for failure to maintain property so as not to constitute a menace to public health, safety and welfare.

(7) If private property or a parcel of land located within a municipality is a perpetual care cemetery subject to Section 41-43-1 et seq., a municipality may proceed pursuant to the same provisions of this chapter used to determine whether a property is a public health menace to instead determine if the perpetual care cemetery and all structures thereon are not being properly maintained and have become detrimental to the public health and welfare. A perpetual care cemetery that is "not being properly maintained and has become detrimental to the public health and welfare" means a perpetual care cemetery that shows signs of neglect, including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, unusable entrances and exits, excess rubbish or debris, or the disintegration of grave markers or boundaries. Upon notice and opportunity to be heard as provided in this chapter, the municipality may adjudicate the property or parcel of land in its then condition to be not properly maintained and has become detrimental to the public health and welfare and, if the owner does not do so himself, may proceed to clean the land as set forth in the provisions of this chapter. When performing maintenance pursuant to this subsection, the penalties provided above shall not be assessed against owners of perpetual care cemeteries.

(a) Any municipality performing maintenance pursuant to this subsection may make application to the Secretary of State for an order directing the trustee of the perpetual care cemetery trust fund to release from accrued interest of the trust an amount sufficient to reimburse only actual cleanup costs incurred. The application to the Secretary of State shall include a statement by the municipality that the requirements of this section have been met.

(b) If the Secretary of State is satisfied that the notice and hearing requirements have been met and that the application for an order directing the trustee to release accrued interest does not threaten the ability of the trust to provide for the care and maintenance of the cemetery, the Secretary of State may order the trustee to release accrued interest sufficient to reimburse the municipality for actual costs of cleanup performed. SECTION 3. Section 41-43-57, Mississippi Code of 1972, is amended as follows:

41-43-57. (1) In exceptional circumstances only, a perpetual care owner can make an application to the Secretary of State for an order directing the trustee to release trust principal for the extended care, maintenance or improvements to the perpetual care cemetery for which interest funds are insufficient. Before issuing such an order, the Secretary of State shall satisfy himself that the request is for a major capital expenditure that will advance the perpetual care life of the cemetery without undue risk to the solvency of the perpetual care trust fund. Consistent with this section, this shall be the only instance in which a perpetual care trust corpus may be utilized for cemetery maintenance and improvements. In the consideration of the application, the Secretary of State may require the production of any records deemed necessary and relevant to the application of the cemetery for a major capital expenditure.

(2) Subject to the provisions of Section 21-19-11(7) or Section 19-5-105(2), any municipality or county may also make application to the Secretary of State for an order directing the trustee to release trust interest for reimbursement to the county or municipality for actual costs of cleanup performed.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 19-5-105, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES TO ASSESS PENALTIES AGAINST OWNERS OF PERPETUAL CARE CEMETERIES; TO AMEND SECTION 21-19-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPALITIES TO ASSESS PENALTIES AGAINST OWNERS OF PERPETUAL CARE CEMETERIES; TO AMEND SECTION 41-43-57, MISSISSIPPI CODE OF 1972, TO ALLOW COUNTIES AND MUNICIPALITIES TO MAKE APPLICATIONS FOR RELEASE OF ACCRUED INTEREST FROM PERPETUAL CARE CEMETERY TRUST FUNDS FOR REIMBURSEMENT FOR ACTUAL COSTS OF CLEANUP PERFORMED UPON PERPETUAL CARE CEMETERIES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 320 was adopted.

YEAS AND NAYS On H. B. No. 320. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Carter called up the following entitled bill:

H. B. No. 74: Emergency Telecommunications Services (911); extend repealer on.

YEAS AND NAYS On H. B. No. 74. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Seymour called up the following entitled bill:

H. B. No. 761: State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND on line 130 by changing "its passage" to "July 1, 2021, and shall stand repealed on June 30, 2021"

Amendment No. 1 to H. B. No. 761 was adopted.

YEAS AND NAYS On H. B. No. 761. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator DeBar called up the following entitled bill:

H. B. No. 1047: Nationally certified licensed school employees; delete caps on nurses and speech pathologists and add athletic trainers for salary supplements.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-19-7, Mississippi Code of 1972, is amended as follows:

37-19-7. (1) The allowance in the Mississippi Adequate Education Program for teachers' salaries in each * * * public school district shall be determined and paid in accordance with the scale for teachers' salaries as provided in this subsection. For teachers holding the following types of licenses or the equivalent as determined by the State Board of Education, and the following number of years of teaching experience, the scale shall be as follows:

2019-2020 AND SUBSEQUENT SCHOOL YEARS MINIMUM SALARY SCHEDULE

Years

Exp.	AAAA	AAA	AA	A
0	40,608.00	39,444.00	38,280.00	35,890.00
1	40,608.00	39,444.00	38,280.00	35,890.00
2	40,608.00	39,444.00	38,280.00	35,890.00
3	41,402.00	40,171.00	38,940.00	36,385.00
4	42,196.00	40,898.00	39,600.00	36,880.00

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5	42,990.00	41,625.00	40,260.00	37,375.00
6	43,784.00	42,352.00	40,920.00	37,870.00
7	44,578.00	43,079.00	41,580.00	38,365.00
8	45,372.00	43,806.00	42,240.00	38,860.00
9	46,166.00	44,533.00	42,900.00	39,355.00
10	46,960.00	45,260.00	43,560.00	39,850.00
11	47,754.00	45,987.00	44,220.00	40,345.00
12	48,548.00	46,714.00	44,880.00	40,840.00
13	49,342.00	47,441.00	45,540.00	41,335.00
14	50,136.00	48,168.00	46,200.00	41,830.00
15	50,930.00	48,895.00	46,860.00	42,325.00
16	51,724.00	49,622.00	47,520.00	42,820.00
17	52,518.00	50,349.00	48,180.00	43,315.00
18	53,312.00	51,076.00	48,840.00	43,810.00
19	54,106.00	51,803.00	49,500.00	44,305.00
20	54,900.00	52,530.00	50,160.00	44,800.00
21	55,694.00	53,257.00	50,820.00	45,295.00
22	56,488.00	53,984.00	51,480.00	45,790.00
23	57,282.00	54,711.00	52,140.00	46,285.00
24	58,076.00	55,438.00	52,800.00	46,780.00
25	60,930.00	58,225.00	55,520.00	49,335.00
26	61,724.00	58,952.00	56,180.00	49,830.00
27	62,518.00	59,679.00	56,840.00	50,325.00
28	63,312.00	60,406.00	57,500.00	50,820.00
29	64,106.00	61,133.00	58,160.00	51,315.00
30	64,900.00	61,860.00	58,820.00	51,810.00
31	65,694.00	62,587.00	59,480.00	52,305.00
32	66,488.00	63,314.00	60,140.00	52,800.00
33	67,282.00	64,041.00	60,800.00	53,295.00
34	68,076.00	64,768.00	61,460.00	53,790.00

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& above	68,870.00	65,495.00	62,120.00	54,285.00
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It is the intent of the Legislature that any state funds made available for salaries of licensed personnel in excess of the funds paid for such salaries for the 1986-1987 school year shall be paid to licensed personnel pursuant to a personnel appraisal and compensation system implemented by the State Board of Education. The State Board of Education shall have the authority to adopt and amend rules and regulations as are necessary to establish, administer and maintain the system.

All teachers employed on a full-time basis shall be paid a minimum salary in accordance with the above scale. However, no school district shall receive any funds under this section for any school year during which the local supplement paid to any individual teacher shall have been reduced to a sum less than that paid to that individual teacher for performing the same duties from local supplement during the immediately preceding school year. The amount actually spent for the purposes of group health and/or life insurance shall be considered as a part of the aggregate amount of local supplement but shall not be considered a part of the amount of individual local supplement.

The level of professional training of each teacher to be used in establishing the salary allotment for the teachers for each year shall be determined by the type of valid teacher's license issued to those teachers on or before October 1 of the current school year. * * * However, * * * school districts are authorized, in their discretion, to negotiate the salary levels applicable to * * * licensed employees who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided above in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(2) (a) The following employees shall receive an annual salary supplement in the amount of Six Thousand Dollars (\$6,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

(i) Any licensed teacher who has met the requirements and acquired a Master Teacher certificate from the National Board for Professional Teaching Standards and who is employed by a local school board or the State Board of Education as a teacher and not as an administrator. Such teacher shall submit documentation to the State Department of Education that the certificate was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the teacher shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year.

(ii) A licensed nurse who has met the requirements and acquired a certificate from the National Board for Certification of School Nurses, Inc., and who is employed by a local school board or the State Board of Education as a school nurse and not as an administrator. The licensed school nurse shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school nurse shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. * * *

(iii) Any licensed school counselor who has met the requirements and acquired a National Certified School Counselor (NCSC) endorsement from the National Board of Certified Counselors and who is employed by a local school board or the State Board of Education as a counselor and not as an administrator. Such licensed school counselor shall submit documentation to the State Department of Education that

the endorsement was received prior to October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed school counselor shall submit such documentation to the State Department of Education prior to February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. However, any school counselor who started the National Board for Professional Teaching Standards process for school counselors between June 1, 2003, and June 30, 2004, and completes the requirements and acquires the Master Teacher certificate shall be entitled to the master teacher supplement, and those counselors who complete the process shall be entitled to a one-time reimbursement for the actual cost of the process as outlined in paragraph (b) of this subsection.

(iv) Any licensed speech-language pathologist and audiologist who has met the requirements and acquired a Certificate of Clinical Competence from the American Speech-Language-Hearing Association and any certified academic language therapist (CALT) who has met the certification requirements of the Academic Language Therapy Association and who is employed by a local school board * * *. The licensed speech-language pathologist and audiologist and certified academic language therapist shall submit documentation to the State Department of Education that the certificate or endorsement was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed speech-language pathologist and audiologist and certified academic language therapist shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. * * *

(v) Any licensed athletic trainer who has met the requirements and acquired Board Certification for the Athletic Trainer from the Board of Certification, Inc., and who is employed by a local school board or the State Board of Education as an athletic trainer and not as an administrator as further specified in subparagraph (vi) of this subsection (2)(a). The licensed athletic trainer shall submit documentation to the State Department of Education that the certificate was received before October 15 in order to be eligible for the full salary supplement in the current school year, or the licensed athletic trainer shall submit the documentation to the State Department of Education before February 15 in order to be eligible for a prorated salary supplement beginning with the second term of the school year. The total number of licensed athletic trainers eligible for a salary supplement under this subparagraph (v) may not exceed twenty (20).

(b) An employee shall be reimbursed for the actual cost of completing each component of acquiring the certificate or endorsement, excluding any costs incurred for postgraduate courses, not to exceed Five Hundred Dollars (\$500.00) for each component, not to exceed four (4) components, for a teacher, school counselor or speech-language pathologist and audiologist, regardless of whether or not the process resulted in the award of the certificate or endorsement. A local school district or any private individual or entity may pay the cost of completing the process of acquiring the certificate or endorsement for any employee of the school district described under paragraph (a), and the State Department of Education shall reimburse the school district for such cost, regardless of whether or not the process resulted in the award of the certificate or endorsement. If a private individual or entity has paid the cost of completing the process of acquiring the certificate or endorsement for an employee, the local school district may agree to directly reimburse the individual or entity for such cost on behalf of the employee.

(c) All salary supplements, fringe benefits and process reimbursement authorized under this subsection shall be paid directly by the State Department of Education to the local school district and shall be in addition to its * * * adequate education program allotments and not a part thereof in accordance with regulations promulgated by the State Board of Education. Local school districts shall not reduce the local supplement paid to any employee receiving such salary supplement, and the employee shall receive any local supplement to which employees with similar training and experience otherwise are entitled. However, an educational employee shall receive the salary supplement in the amount of Six Thousand Dollars (\$6,000.00) for only one (1) of the qualifying

certifications authorized under paragraph (a) of this subsection. No school district shall provide more than one (1) annual salary supplement under the provisions of this subsection to any one individual employee holding multiple qualifying national certifications.

(d) If an employee for whom such cost has been paid, in full or in part, by a local school district or private individual or entity fails to complete the certification or endorsement process, the employee shall be liable to the school district or individual or entity for all amounts paid by the school district or individual or entity on behalf of that employee toward his or her certificate or endorsement.

(3) The following employees shall receive an annual salary supplement in the amount of Four Thousand Dollars (\$4,000.00), plus fringe benefits, in addition to any other compensation to which the employee may be entitled:

Effective July 1, 2016, if funds are available for that purpose, any licensed teacher who has met the requirements and acquired a Master Teacher Certificate from the National Board for Professional Teaching Standards and who is employed in a public school district located in one (1) of the following counties: Claiborne, Adams, Jefferson, Wilkinson, Amite, Bolivar, Coahoma, Leflore, Quitman, Sharkey, Issaquena, Sunflower, Washington, Holmes, Yazoo and Tallahatchie. The salary supplement awarded under the provisions of this subsection (3) shall be in addition to the salary supplement awarded under the provisions of subsection (2) of this section.

Teachers who meet the qualifications for a salary supplement under this subsection (3) who are assigned for less than one (1) full year or less than full time for the school year shall receive the salary supplement in a prorated manner, with the portion of the teacher's assignment to the critical geographic area to be determined as of June 15th of the school year.

(4) (a) This section shall be known and may be cited as the "Mississippi Performance-Based Pay (MPBP)" plan. In addition to the minimum base pay described in this section, only after full funding of MAEP and if funds are available for that purpose, the State of Mississippi may provide monies from state funds to school districts for the purposes of rewarding * * * licensed teachers, administrators and nonlicensed personnel at individual schools showing improvement in student test scores. The MPBP plan shall be developed by the State Department of Education based on the following criteria:

(i) It is the express intent of this legislation that the MPBP plan shall utilize only existing standards of accreditation and assessment as established by the State Board of Education.

(ii) To ensure that all of Mississippi's teachers, administrators and nonlicensed personnel at all schools have equal access to the monies set aside in this section, the MPBP program shall be designed to calculate each school's performance as determined by the school's increase in scores from the prior school year. The MPBP program shall be based on a standardized scores rating where all levels of schools can be judged in a statistically fair and reasonable way upon implementation. At the end of each year, after all student achievement scores have been standardized, the State Department of Education shall implement the MPBP plan.

(iii) To ensure all teachers cooperate in the spirit of teamwork, individual schools shall submit a plan to the local school district to be approved before the beginning of each school year beginning July 1, 2008. The plan shall include, but not be limited to, how all teachers, regardless of subject area, and administrators will be responsible for improving student achievement for their individual school.

(b) The State Board of Education shall develop the processes and procedures for designating schools eligible to participate in the MPBP. State assessment

results, growth in student achievement at individual schools and other measures deemed appropriate in designating successful student achievement shall be used in establishing MPBP criteria. * * *

(5) (a) * * * If funds are available for that purpose, each school in Mississippi shall have mentor teachers, as defined by Sections 37-9-201 through 37-9-213, who shall receive additional base compensation provided for by the State Legislature in the amount of One Thousand Dollars (\$1,000.00) per each beginning teacher that is being mentored. The additional state compensation shall be limited to those mentor teachers that provide mentoring services to beginning teachers. For the purposes of such funding, a beginning teacher shall be defined as any teacher in any school in Mississippi that has less than one (1) year of classroom experience teaching in a public school. For the purposes of such funding, no full-time academic teacher shall mentor more than two (2) beginning teachers.

(b) To be eligible for this state funding, the individual school must have a classroom management program approved by the local school board.

(6) Effective with the 2014-2015 school year, the school districts participating in the Pilot Performance-Based Compensation System pursuant to Section 37-19-9 may award additional teacher and administrator pay based thereon.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOL DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1047 was adopted.

YEAS AND NAYS On H. B. No. 1047. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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

The motion prevailed, and at 2:08 PM, the Senate stood in recess.

The Senate resumed business at 2:53 PM, pursuant to recess, with President Hosemann presiding.

Senator McMahan entered a motion to reconsider the vote whereby **H. B. No. 747** passed the Senate.

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

Senator McCaughn entered a motion to reconsider the vote whereby **H. B. No. 1095** passed the Senate.

H. B. No. 1095: Department of Revenue; authorize to compromise and settle certain tax liabilities.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 29, **S. B. No. 2031**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 2031: City of Louisville; extend the hotel and motel tax repeal date to July 1, 2025.

YEAS AND NAYS On S. B. No. 2031. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill, McDaniel. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 30, **S. B. No. 2032**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 2032: City of Olive Branch; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation.

YEAS AND NAYS On S. B. No. 2032. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 32, **S. B. No. 2776**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 2776: Noxubee County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements.

YEAS AND NAYS On S. B. No. 2776. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--Hill. Total--1.

Absent and those not voting----None.

Voting Present--McCaughn, McDaniel. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 33, **S. B. No. 2881**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 2881: City of Brookhaven; extend repeal date on the tax upon room rentals of hotels, motels and bed-and-breakfast establishments.

YEAS AND NAYS On S. B. No. 2881. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill, McDaniel, Sojourner. Total--3.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 34, **S. B. No. 2882**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 2882: Lowndes County; increase amount that may be contributed to the United Way for fiscal years 2021-2023, and extend repealer.

YEAS AND NAYS On S. B. No. 2882. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 43, **S. B. No. 2974**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 2974: City of Byram; extend repeal date on hotel and motel tax.

YEAS AND NAYS On S. B. No. 2974. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill, McDaniel, Sojourner. Total--3.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 44, **S. B. No. 3032**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 3032: City of Pascagoula; extend the repeal date on tourism tax authorized to be levied on prepared food sold at restaurants.

YEAS AND NAYS On S. B. No. 3032. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 10, **H. B. No. 1284**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

H. B. No. 1284: Department of Revenue License Tag Acquisition Fund; revise certain provisions regarding.

YEAS AND NAYS On H. B. No. 1284. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting---None.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 11, **H. B. No. 82**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

H. B. No. 82: Community or junior colleges; authorize to administer construction contracts of \$1,000,000.00 or less, and exempt certain oversight.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-11-3, Mississippi Code of 1972, is amended as follows:

31-11-3. (1) The Department of Finance and Administration, for the purposes of carrying out the provisions of this chapter, in addition to all other rights and powers granted by law, shall have full power and authority to employ and compensate architects or other employees necessary for the purpose of making inspections, preparing plans and

specifications, supervising the erection of any buildings, and making any repairs or additions as may be determined by the Department of Finance and Administration to be necessary, pursuant to the rules and regulations of the State Personnel Board. The department shall have entire control and supervision of, and determine what, if any, buildings, additions, repairs, demolitions or improvements are to be made under the provisions of this chapter, subject to the regulations adopted by the Public Procurement Review Board.

(2) The department shall have full power to erect buildings, make repairs, additions or improvements, demolitions, to grant or acquire easements or rights-of-way, and to buy materials, supplies and equipment for any of the institutions or departments of the state subject to the regulations adopted by the Public Procurement Review Board. In addition to other powers conferred, the department shall have full power and authority, as directed by the Legislature, or when funds have been appropriated for its use for these purposes, to:

(a) Build a state office building;

(b) Build suitable plants or buildings for the use and housing of any state schools or institutions, including the building of plants or buildings for new state schools or institutions, as provided for by the Legislature;

(c) Provide state aid for the construction of school buildings;

(d) Promote and develop the training of returned veterans of the United States in all sorts of educational and vocational learning to be supplied by the proper educational institution of the State of Mississippi, and in so doing allocate monies appropriated to it for these purposes to the Governor for use by him in setting up, maintaining and operating an office and employing a state director of on-the-job training for veterans and the personnel necessary in carrying out Public Law No. 346 of the United States;

(e) Build and equip a hospital and administration building at the Mississippi State Penitentiary;

(f) Build and equip additional buildings and wards at the Boswell Retardation Center;

(g) Construct a sewage disposal and treatment plant at the Mississippi State Hospital, and in so doing acquire additional land as may be necessary, and to exercise the right of eminent domain in the acquisition of this land;

(h) Build and equip the Mississippi central market and purchase or acquire by eminent domain, if necessary, any lands needed for this purpose;

(i) Build and equip suitable facilities for a training and employing center for the blind;

(j) Build and equip a gymnasium at Columbia Training School;

(k) Approve or disapprove the expenditure of any money appropriated by the Legislature when authorized by the bill making the appropriation;

(l) Expend monies appropriated to it in paying the state's part of the cost of any street paving;

(m) Sell and convey state lands when authorized by the Legislature, cause said lands to be properly surveyed and platted, execute all deeds or other legal instruments, and do any and all other things required to effectively carry out the purpose

and intent of the Legislature. Any transaction which involves state lands under the provisions of this paragraph shall be done in a manner consistent with the provisions of Section 29-1-1;

(n) Collect and receive from educational institutions of the State of Mississippi monies required to be paid by these institutions to the state in carrying out any veterans' educational programs;

(o) Purchase lands for building sites, or as additions to building sites, for the erection of buildings and other facilities which the department is authorized to erect, and demolish and dispose of old buildings, when necessary for the proper construction of new buildings. Any transaction which involves state lands under the provisions of this paragraph shall be done in a manner consistent with the provisions of Section 29-1-1;

(p) Obtain business property insurance with a deductible of not less than One Hundred Thousand Dollars (\$100,000.00) on state-owned buildings under the management and control of the department; and

(q) In consultation with and approval by the Chairmen of the Public Property Committees of the Senate and the House of Representatives, enter into contracts for the purpose of providing parking spaces for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building.

(r) The department is hereby authorized to transfer up to One Million Dollars (\$1,000,000.00) of available bond funds to each community college requesting to be exempt from department control and supervision relating to the repair, renovation and improvement of existing facilities owned by the community colleges, including utility infrastructure projects; heating and air conditioning systems; and the replacement of furniture and equipment. The community colleges shall abide by all applicable statutes related to the purchase of the repair, renovation and improvement of such existing facilities.

(3) The department shall survey state-owned and state-utilized buildings to establish an estimate of the costs of architectural alterations, pursuant to the Americans With Disabilities Act of 1990, 42 USCS, Section 12111 et seq. The department shall establish priorities for making the identified architectural alterations and shall make known to the Legislative Budget Office and to the Legislature the required cost to effectuate such alterations. To meet the requirements of this section, the department shall use standards of accessibility that are at least as stringent as any applicable federal requirements and may consider:

(a) Federal minimum guidelines and requirements issued by the United States Architectural and Transportation Barriers Compliance Board and standards issued by other federal agencies;

(b) The criteria contained in the American Standard Specifications for Making Buildings Accessible and Usable by the Physically Handicapped and any amendments thereto as approved by the American Standards Association, Incorporated (ANSI Standards);

(c) Design manuals;

(d) Applicable federal guidelines;

(e) Current literature in the field;

(f) Applicable safety standards; and

(g) Any applicable environmental impact statements.

(4) The department shall observe the provisions of Section 31-5-23 in letting contracts and shall use Mississippi products, including paint, varnish and lacquer which contain as vehicles tung oil and either ester gum or modified resin (with rosin as the principal base of constituents), and turpentine shall be used as a solvent or thinner, where these products are available at a cost not to exceed the cost of products grown, produced, prepared, made or manufactured outside of the State of Mississippi.

(5) The department shall have authority to accept grants, loans or donations from the United States government or from any other sources for the purpose of matching funds in carrying out the provisions of this chapter.

(6) The department shall build a wheelchair ramp at the War Memorial Building which complies with all applicable federal laws, regulations and specifications regarding wheelchair ramps.

(7) The department shall review and preapprove all architectural or engineering service contracts entered into by any state agency, institution, commission, board or authority, regardless of the source of funding used to defray the costs of the construction or renovation project, for which services are to be obtained to ensure compliance with purchasing regulations and to confirm that the contracts are procured by a competitive qualification-based selection process except where such appointment is for an emergency project or for a continuation of a previous appointment for a directly related project. The provisions of this subsection (7) shall not apply to:

(a) Any architectural or engineering contract fully paid for by self-generated funds of any of the state institutions of higher learning;

(b) Any architectural or engineering contract that is self-administered at a state institution of higher learning as provided under Section 27-104-7(2)(b) or 37-101-15(m);

(c) Community college projects that are fully funded from local funds or other nonstate sources which are outside the Department of Finance and Administration's appropriations or as directed by the Legislature;

(d) Any construction or design projects of the State Military Department that are fully or partially funded from federal funds or other nonstate sources; and

(e) Any project of the State Department of Transportation.

(8) (a) The department shall have the authority to obtain annually from the state institutions of higher learning, the state community colleges and junior colleges, the Department of Mental Health, the Department of Corrections and the Department of Wildlife, Fisheries and Parks information on all renovation and repair expenditures for buildings under their operation and control, including duties, responsibilities and costs of any architect or engineer hired by any such institutions, and shall annually report the same to the Legislative Budget Office, the Chairman of the House Public Property Committee and the Chairman of the Senate Public Property Committee before September 1.

(b) All state agencies, departments and institutions are required to cooperate with the Department of Finance and Administration in carrying out the provisions of this subsection.

(c) Expenditures shall not include those amounts expended for janitorial, landscaping or administrative support, but shall include expenditures from both state and nonstate sources.

(d) Expenditures shall not include amounts expended by the department on behalf of state agencies, departments and institutions through the Department of Finance and Administration administered contracts, but shall include amounts transferred to the Department of Finance and Administration for support of such contracts.

(9) As an alternative to other methods of awarding contracts as prescribed by law, the department may elect to use the method of contracting for construction projects set out in Sections 31-7-13.1 and 31-7-13.2; however, the dual-phase design-build method of construction contracting authorized under Section 31-7-13.1 may be used only when the Legislature has specifically required or authorized the use of this method in the legislation authorizing a project.

(10) The department shall have the authority, for the purposes of carrying out the provisions of this chapter, and in addition to all other rights and powers granted by law, to create and maintain a list of suspended and debarred contractors and subcontractors. Consistent with this authority, the department may adopt regulations governing the suspension or debarment of contractors and subcontractors, which regulations shall be subject to the approval of the Public Procurement Review Board. A suspended or debarred contractor or subcontractor shall be disqualified from consideration for contracts with the department during the suspension or debarment period in accordance with the department's regulations.

(11) This section shall not apply to the Mississippi State Port Authority.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 31-11-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER UP TO ONE MILLION DOLLARS OF AVAILABLE BOND FUNDS TO COMMUNITY COLLEGES REQUESTING TO BE EXEMPT FROM DEPARTMENT OVERSIGHTS OF CERTAIN REPAIR, RENOVATIONS AND IMPROVEMENTS TO EXISTING FACILITIES OWNED BY COMMUNITY COLLEGES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 82 was adopted.

YEAS AND NAYS On H. B. No. 82. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 22, **H. B. No. 1137**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

H. B. No. 1137: Ad valorem tax; revise certain provisions regarding the determination of true value of land used for agricultural purposes.

YEAS AND NAYS On H. B. No. 1137. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Seymour. Total--1.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Moran moved that the rules be suspended for the immediate consideration of calendar item 99, **H. B. No. 1211**, and the motion prevailed.

Senator Moran called up the following entitled bill:

H. B. No. 1211: Administrative hearing procedures for Commission on Marine Resources; revise to authorize executive director of Department of Marine Resources to make final decisions during.

Senator Moran offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-401, Mississippi Code of 1972, is amended as follows:

49-15-401. It is the purpose of this article to establish an administrative hearing procedure for the *** Mississippi Department of Marine Resources to enforce the rules and regulations *** set forth in Title 22 Administrative Code and Sections 49-15-1 through 49-15-321, 49-27-1 through 49-27-71, 59-21-111, and such other statutes within the jurisdiction of the *** Department of Marine Resources. Unless specifically authorized, the *** department shall not seek both administrative and criminal penalties against violators of the statutes referred to herein for the same offense, except as provided in Section 49-15-63. ***

SECTION 2. Section 49-15-403, Mississippi Code of 1972, is amended as follows:

49-15-403. (1) When any allegation or charge in the form of a complaint has been made against a person for *** violations pursuant to the authorities outlined in Section 49-15-401 and such matter has been brought before the *** department for administrative penalty processing, the *** department shall:

(a) Cause the complaint to be in writing * * *, signed by the person and/or office making the charge and include the recommended fine;

(b) * * * Ensure that the complaint is filed * * * with the executive director;

(c) Cause the * * * executive director of the department, or his designee, to review the complaint; and

(d) Send or deliver a copy of the complaint and any supporting documents to the alleged violator along with a request for the alleged violator to respond to the allegations within thirty (30) days. The notification shall be accomplished by any of the methods provided for by the Mississippi Rules of Civil Procedure. Citations issued at the time of the alleged violation by marine enforcement officers shall constitute sufficient notice.

(2) Upon receipt of the response and any supporting documents from the alleged violator, the executive director, or his designee, shall review all information on file to determine the merit of the complaint. If the executive director, or his designee, determines that the complaint lacks merit, the executive director may recommend that the complaint be dismissed.

(3) If the executive director, or his designee, determines that there are reasonable grounds to indicate that a violation has occurred or if the alleged violator admits to the truth of the allegations upon which the complaint is based, the executive director may * * * impose a fine not to exceed Ten Thousand Dollars (\$10,000.00) for each violation. The executive director shall send a copy of the * * * imposition of fine to the alleged violator * * *.

(4) * * * The alleged violator shall have fifteen (15) days from receipt of the * * * finding and recommended fine of the executive director within which to file * * * a written request for an informal settlement conference with the executive director, or his designee. If the alleged violator requests a conference, the executive director, or his designee, shall meet with the alleged violator to discuss the proposed penalty and the possibility of an agreed settlement. The alleged violator may present evidence and written or oral comments at the executive director's conference. The alleged violator may be represented by legal counsel, at his or her own expense. If, in the judgment of the executive director, or his designee, a reasonable settlement is reached, the recommended penalty shall be revised accordingly. The executive director shall make the final decision regarding the penalty to be issued, which may include dismissal of the complaint, issuance of a warning in lieu of a penalty or a monetary penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each violation.

* * *

SECTION 3. Section 49-15-405, Mississippi Code of 1972, is amended as follows:

49-15-405. (1) * * * If the alleged violator requests a formal hearing within thirty (30) days from the receipt of the finding and recommended fine, the executive director shall designate a representative of the Attorney General's office to preside over the hearing and render a finding and recommendation as provided in this section.

* * *

(* * *2) A duly qualified court reporter shall be in attendance and shall make a full and complete transcript of the proceedings. The hearing shall be closed unless the alleged violator requests a public hearing. The * * * hearing officer shall have the right and duty to impose reasonable restrictions as * * * he may deem necessary or appropriate to ensure an orderly, expeditious and impartial proceedings, and shall admit all relevant

and material evidence except evidence which is unduly repetitious. Hearsay shall be admissible to the extent permitted by the *** hearing officer.

(** *3) For purposes of such hearing, the *** hearing officer is hereby empowered to require the attendance of witnesses, administer oaths and hear testimony, either oral or documentary, for and against the alleged violator. The *** hearing officer shall have the authority to issue subpoenas to compel the attendance of witnesses and the production of books, papers, records or other documentary evidence at a hearing. Subpoenas to be issued shall be delivered to the sheriff of the county where they are to be executed and the sheriff shall serve them. In case of the failure of any person to comply with any subpoena issued by the *** hearing officer, the *** hearing officer may invoke the aid of any court of general jurisdiction of this state. The court may thereupon order such person to comply with the requirements of the subpoena. Failure to comply with the order of the court may be treated as contempt thereof.

(** *4) At the conclusion of the hearing, the *** hearing officer shall issue a written *** recommendation incorporating *** his findings of facts and conclusions of law regarding whether a violation has occurred and *** the appropriate penalty, if any, that *** he may assess not to exceed Ten Thousand Dollars (\$10,000.00) per violation. ***

(5) The hearing officer's recommendation shall then be forwarded to the executive director who will make the final decision regarding whether a violation has occurred and the appropriate penalty, if any.

(6) The executive director's final decision shall be delivered to the alleged violator.

SECTION 4. Section 49-15-407, Mississippi Code of 1972, is amended as follows:

49-15-407. Failure of the alleged violator to request an informal settlement conference or a hearing, *** to respond to the complaint within thirty (30) shall constitute a waiver of the right to a hearing, and any penalties assessed by the *** executive director shall be due and payable as provided in Section 49-15-415.

SECTION 5. Section 49-15-409, Mississippi Code of 1972, is amended as follows:

49-15-409. The *** department shall have jurisdiction over all persons and property necessary to administer and enforce the provisions of this article and the *** authorities outlined in Section 49-15-401. The *** department may adopt rules and regulations to implement the provisions of this article.

SECTION 6. Section 49-15-411, Mississippi Code of 1972, is amended as follows:

49-15-411. (1) Any individual aggrieved by a final decision of the *** executive director shall be entitled to judicial review.

(2) Any appeal from the *** executive director's decision shall be filed in the Chancery Court of the Second Judicial District of Harrison County, Mississippi, on the record made, including a verbatim transcript of the testimony at the hearing held before the *** executive director. The appeal shall be filed within thirty (30) days after notification of the decision of the *** executive director is mailed or served, and the proceedings in chancery court shall be conducted as other matters coming before the court on appeal. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all estimated costs, including the cost of preparation of the record of the proceedings before the *** executive director, and the filing of a bond in the sum of Five Hundred Dollars (\$500.00) conditioned that if the *** executive director's final decision be affirmed by the chancery court, the aggrieved party shall pay the costs of the appeal to the chancery court.

(3) The scope of review of the chancery court in such cases shall be limited to a review of the record made before the * * * executive director's final decision to determine if the * * * decision is unlawful for the reason that it was:

- (a) Not supported by any substantial evidence;
- (b) Arbitrary or capricious; or
- (c) In violation of some statutory or constitutional right of the individual.

(4) No relief shall be granted based upon the court's finding of harmless error by the * * * executive director in complying with the procedural requirements of this article. If there is a finding of prejudicial error in the proceedings, the cause may be remanded for a rehearing consistent with the findings of the court.

(5) Any party aggrieved by action of the chancery court may appeal to the State Supreme Court in the manner provided by law.

SECTION 7. Section 49-15-413, Mississippi Code of 1972, is amended as follows:

49-15-413. Each violation of the rules and regulations * * * set forth in Title 22 of the Administrative Code or violations of the statutes set forth in Chapters 15 and 27 of Title 49, and Chapter 21 of Title 59, Mississippi Code of 1972, shall be subject to the imposition of a civil penalty up to Ten Thousand Dollars (\$10,000.00).

SECTION 8. Section 49-15-415, Mississippi Code of 1972, is amended as follows:

49-15-415. (1) Any penalty assessed by the * * * department shall be due and payable within forty-five (45) days of the notification of the decision. All sums of money collected as a result of criminal or civil penalties levied under this article shall be paid into the Seafood Fund created and described in Section 49-15-17.

(2) If the judgment is not paid within the forty-five (45) days, or within such additional time as the * * * department may allow, the * * * department may file suit in the chancery court of the county where the defendant resides or in the case of a nonresident defendant in the Chancery Court of the Second Judicial District of Harrison County or any other court with appropriate jurisdiction to enforce the decision of the * * * executive director and recover reasonable attorney's fees and all court costs.

(3) A copy of the notification sent by the * * * department to the violator shall be sufficient proof as to the judgment of the * * * department.

SECTION 9. Section 49-15-323, Mississippi Code of 1972, is amended as follows:

49-15-323. If any violation of any marine resources law or regulation is alleged to have been committed in the Gulf of Mexico outside of the state's territorial waters where the state has jurisdiction over the recreational or commercial fishing vessel, under the Magnuson-Stevens Fishery Conservation and Management Act, 16 USCS Section 1856, or any other provision of federal law, the * * * Department of Marine Resources shall have jurisdiction of the offense and may commence administrative enforcement action against alleged violators in accordance with the administrative procedures provisions of Section 49-15-401 et seq., Mississippi Code of 1972.

SECTION 10. Section 49-15-63, Mississippi Code of 1972, is amended as follows:

49-15-63. (1) (a) Any person, firm or corporation violating any of the provisions of this chapter or any ordinance duly adopted by the * * * department, unless otherwise specifically provided for herein, shall, on conviction, be fined not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00), for the first offense,

unless the first offense is committed during a closed season, in which case the fine shall be not less than Five Hundred Dollars (\$500.00), nor more than One Thousand Dollars (\$1,000.00); and not less than Five Hundred Dollars (\$500.00), nor more than One Thousand Dollars (\$1,000.00), for the second offense when such offense is committed within a period of three (3) years from the first offense; and not less than Two Thousand Dollars (\$2,000.00) nor more than Four Thousand Dollars (\$4,000.00), or imprisonment in the county jail for a period not exceeding thirty (30) days for any third or subsequent offense when such offense is committed within a period of three (3) years from the first offense.

(b) In addition, upon conviction of such third or subsequent offense, it shall be the duty of the court to revoke the license of the convicted party and of the boat or vessel used in such offense, and no further license shall be issued to such person and for said boat to engage in catching or taking of any seafoods from the waters of the State of Mississippi for a period of one (1) year following such conviction. Forfeiture of any equipment or nets used in a second or subsequent offense may be instituted pursuant to Sections 49-15-201 through 49-15-207. If the person in possession of or using the nets in the violation is not the owner or licensee of the nets, the department shall notify the owner or licensee of the nets. The nets shall be subject to forfeiture unless the nets were stolen and prosecution for the theft is initiated. Equipment as used in this section shall not mean boats or vessels.

(c) Any person convicted and sentenced under this section for a second or subsequent offense shall not be considered for reduction of sentence.

(d) Except as provided under subsection (5) of Section 49-15-45, any fines collected under this section shall be paid into the Seafood Fund.

(e) In addition to any other penalties, the * * * department may suspend the license of any person convicted of a violation of this chapter and may suspend the license of any vessel used in the violation for a period not to exceed five (5) days for the first offense. For a second offense, the * * * department may suspend the license of such person and vessel for a period not to exceed thirty (30) days.

(f) Upon conviction of five (5) seafood violations within a five-year period, the * * * department may revoke the license of the convicted party and the boat or vessel used in the offenses, and may prohibit indefinitely the issuance of a license to the person and boat or vessel to engage in catching or taking of any seafood from the waters of the State of Mississippi. The * * * department shall exercise this authority in accordance with the administrative procedures in Section 49-15-401 et seq.

(2) For any violation of this chapter, the individual registered as the captain shall be subject to the penalties provided in this chapter, if that individual is aboard the vessel. If that individual is not aboard the vessel, the individual designated as the alternate captain under Section 49-15-46 or substitute captain under Section 49-15-64.5 shall be subject to the penalties provided in this chapter. If no individual is designated under Section 49-15-46 or Section 49-15-64.5, the person, firm or corporation owning the vessel shall be subject to the penalties provided for boat captains.

(3) All citations issued to boat operators for not possessing the boat's registration card shall be dismissed, along with all related court costs, upon the presentment of the boat's proper registration card to the court or magistrate holding the trial or hearing.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-15-401, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF MARINE RESOURCES SHALL ENFORCE THE RULES AND REGULATIONS, ADMINISTRATIVE CODE AND OTHER STATUTES WITHIN THE JURISDICTION OF THE DEPARTMENT OF MARINE RESOURCES; TO AMEND SECTIONS 49-15-403 AND 49-15-405, MISSISSIPPI CODE OF 1972, TO REVISE THE ADMINISTRATIVE HEARING PROCESS FOR VIOLATIONS WITHIN THE JURISDICTION OF THE DEPARTMENT OF MARINE RESOURCES AND TO CLARIFY THE AUTHORITY OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT; TO PROVIDE THAT THE EXECUTIVE DIRECTOR SHALL MAKE THE FINAL DECISION REGARDING THE PENALTY, IF ANY, TO BE ISSUED; TO AMEND SECTION 49-15-407, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ALLEGED VIOLATOR'S FAILURE TO PRESENT EVIDENCE SHALL CONSTITUTE A WAIVER OF THE RIGHT TO A HEARING; TO AMEND SECTION 49-15-409, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF MARINE RESOURCES SHALL HAVE JURISDICTION OVER ALL PERSONS AND PROPERTY NECESSARY TO ADMINISTER AND ENFORCE THE ADMINISTRATIVE HEARING PROCEDURES FOR THE DEPARTMENT; TO AMEND SECTION 49-15-411, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INDIVIDUAL AGGRIEVED BY A FINAL DECISION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF MARINE RESOURCES SHALL BE ENTITLED TO JUDICIAL REVIEW; TO AMEND SECTIONS 49-15-413, 49-15-415, 49-15-323 AND 49-15-63, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

Senator Thompson offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-401, Mississippi Code of 1972, is amended as follows:

49-15-401. It is the purpose of this article to establish an administrative hearing procedure for the *** Mississippi Department of Marine Resources to enforce the rules and regulations *** set forth in Title 22 Administrative Code and Sections 49-15-1 through 49-15-321, 49-27-1 through 49-27-71, 59-21-111, and such other statutes within the jurisdiction of the *** Department of Marine Resources. Unless specifically authorized, the *** department shall not seek both administrative and criminal penalties against violators of the statutes referred to herein for the same offense, except as provided in Section 49-15-63. ***

SECTION 2. Section 49-15-403, Mississippi Code of 1972, is amended as follows:

49-15-403. (1) When any allegation or charge in the form of a complaint has been made against a person for *** violations pursuant to the authorities outlined in Section 49-15-401 and such matter has been brought before the *** department for administrative penalty processing, the *** department shall:

(a) Cause the complaint to be in writing *** , signed by the person and/or office making the charge and include the recommended fine;

(b) *** Ensure that the complaint is filed *** with the executive director;

(c) Cause the *** executive director of the department, or his designee, to review the complaint; and

(d) Send or deliver a copy of the complaint and any supporting documents to the alleged violator along with a request for the alleged violator to respond to the allegations within thirty (30) days. The notification shall be accomplished by any of the methods provided for by the Mississippi Rules of Civil Procedure. Citations issued at the time of the alleged violation by marine enforcement officers shall constitute sufficient notice.

(2) Upon receipt of the response and any supporting documents from the alleged violator, the executive director, or his designee, shall review all information on file to determine the merit of the complaint. If the executive director, or his designee, determines that the complaint lacks merit, the executive director may *** dismiss the complaint.

(3) If the executive director, or his designee, determines that there are reasonable grounds to indicate that a violation has occurred or if the alleged violator admits to the truth of the allegations upon which the complaint is based, the executive director may *** impose a fine not to exceed Ten Thousand Dollars (\$10,000.00) for each violation. The executive director shall send a copy of the *** recommended fine to the alleged violator ***.

(4) *** The alleged violator shall have fifteen (15) days from receipt of the *** finding and recommended fine of the executive director within which to file *** a written request for an informal settlement conference with the executive director, or his designee. If the alleged violator requests a conference, the executive director, or his designee, shall meet with the alleged violator to discuss the proposed penalty and the possibility of an agreed settlement. The alleged violator may present evidence and written or oral comments at the executive director's conference. The alleged violator may be represented by legal counsel, at his or her own expense. If, in the judgment of the executive director, or his designee, a reasonable settlement is reached, the recommended penalty shall be revised accordingly. The executive director shall make the final decision regarding the penalty to be issued, which may include dismissal of the complaint, issuance of a warning in lieu of a penalty or a monetary penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each violation. If a request for information settlement is not received within the timeframe provided, the executive director's recommended fine will be the final decision.

SECTION 3. Section 49-15-405, Mississippi Code of 1972, is amended as follows:

49-15-405. (1) *** If the alleged violator requests a formal hearing within thirty (30) days from the receipt of the finding and recommended fine, or within fifteen (15) days from the receipt of the executive director's decision following the information settlement, the executive director shall designate a representative of the Attorney General's office to preside over the hearing and render a finding and recommendation as provided in this section.

(**2) A duly qualified court reporter shall be in attendance and shall make a full and complete transcript of the proceedings. The hearing shall be closed unless the alleged violator requests a public hearing. The *** hearing officer shall have the right and duty to impose reasonable restrictions as *** he may deem necessary or appropriate to ensure an orderly, expeditious and impartial proceedings, and shall admit all relevant and material evidence except evidence which is unduly repetitious. Hearsay shall be admissible to the extent permitted by the *** hearing officer.

(***3) For purposes of such hearing, the *** hearing officer is hereby empowered to require the attendance of witnesses, administer oaths and hear testimony, either oral or documentary, for and against the alleged violator. The *** hearing officer

shall have the authority to issue subpoenas to compel the attendance of witnesses and the production of books, papers, records or other documentary evidence at a hearing. Subpoenas to be issued shall be delivered to the sheriff of the county where they are to be executed and the sheriff shall serve them. In case of the failure of any person to comply with any subpoena issued by the *** hearing officer, the *** hearing officer may invoke the aid of any court of general jurisdiction of this state. The court may thereupon order such person to comply with the requirements of the subpoena. Failure to comply with the order of the court may be treated as contempt thereof.

(***4) At the conclusion of the hearing, the *** hearing officer shall issue a written *** recommendation incorporating *** his findings of facts and conclusions of law regarding whether a violation has occurred and *** the appropriate penalty, if any, that *** he may assess not to exceed Ten Thousand Dollars (\$10,000.00) per violation. ***

(5) The hearing officer's recommendation shall then be forwarded to the executive director who will make the final decision regarding whether a violation has occurred and the appropriate penalty, if any.

(6) The executive director's final decision shall be delivered to the alleged violator.

SECTION 4. Section 49-15-407, Mississippi Code of 1972, is amended as follows:

49-15-407. Failure of the alleged violator to request an informal settlement conference ***, a hearing, or to respond to the complaint within thirty (30) days shall constitute a waiver of the right to a hearing, and any penalties assessed by the *** executive director shall be due and payable as provided in Section 49-15-415.

SECTION 5. Section 49-15-409, Mississippi Code of 1972, is amended as follows:

49-15-409. The *** department shall have jurisdiction over all persons and property necessary to administer and enforce the provisions of this article and the *** authorities outlined in Section 49-15-401. The *** department may adopt rules and regulations to implement the provisions of this article.

SECTION 6. Section 49-15-411, Mississippi Code of 1972, is amended as follows:

49-15-411. (1) Any individual aggrieved by a final decision of the *** executive director shall be entitled to judicial review.

(2) Any appeal from the *** executive director's decision shall be filed in the Chancery Court of the Second Judicial District of Harrison County, Mississippi, on the record made, including a verbatim transcript of the testimony at the hearing held before the *** hearing officer. The appeal shall be filed within thirty (30) days after notification of the final decision of the *** executive director is mailed or served, and the proceedings in chancery court shall be conducted as other matters coming before the court on appeal. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all estimated costs, including the cost of preparation of the record of the proceedings before the *** executive director, and the filing of a bond in the sum of Five Hundred Dollars (\$500.00) conditioned that if the *** executive director's final decision be affirmed by the chancery court, the aggrieved party shall pay the costs of the appeal to the chancery court.

(3) The scope of review of the chancery court in such cases shall be limited to a review of the record made before the *** executive director's final decision to determine if the *** decision is unlawful for the reason that it was:

(a) Not supported by any substantial evidence;

(b) Arbitrary or capricious; or

(c) In violation of some statutory or constitutional right of the individual.

(4) No relief shall be granted based upon the court's finding of harmless error by the *** executive director in complying with the procedural requirements of this article. If there is a finding of prejudicial error in the proceedings, the cause may be remanded for a rehearing consistent with the findings of the court.

(5) Any party aggrieved by action of the chancery court may appeal to the State Supreme Court in the manner provided by law.

SECTION 7. Section 49-15-413, Mississippi Code of 1972, is amended as follows:

49-15-413. Each violation of the rules and regulations *** set forth in Title 22 of the Administrative Code or violations of the statutes set forth in Chapters 15 and 27 of Title 49, and Chapter 21 of Title 59, Mississippi Code of 1972, shall be subject to the imposition of a civil penalty up to Ten Thousand Dollars (\$10,000.00).

SECTION 8. Section 49-15-415, Mississippi Code of 1972, is amended as follows:

49-15-415. (1) Any penalty assessed by the *** department shall be due and payable within forty-five (45) days of the notification of the decision. All sums of money collected as a result of criminal or civil penalties levied under this article shall be paid into the Seafood Fund created and described in Section 49-15-17.

(2) If the judgment is not paid within the forty-five (45) days, or within such additional time as the *** department may allow, the *** department may file suit in the chancery court of the county where the defendant resides or in the case of a nonresident defendant in the Chancery Court of the Second Judicial District of Harrison County or any other court with appropriate jurisdiction to enforce the decision of the *** executive director and recover reasonable attorney's fees and all court costs.

(3) A copy of the notification sent by the *** department to the violator shall be sufficient proof as to the judgment of the *** department.

SECTION 9. Section 49-15-323, Mississippi Code of 1972, is amended as follows:

49-15-323. If any violation of any marine resources law or regulation is alleged to have been committed in the Gulf of Mexico outside of the state's territorial waters where the state has jurisdiction over the recreational or commercial fishing vessel, under the Magnuson-Stevens Fishery Conservation and Management Act, 16 USCS Section 1856, or any other provision of federal law, the *** Department of Marine Resources shall have jurisdiction of the offense and may commence administrative enforcement action against alleged violators in accordance with the administrative procedures provisions of Section 49-15-401 et seq., Mississippi Code of 1972.

SECTION 10. Section 49-15-63, Mississippi Code of 1972, is amended as follows:

49-15-63. (1) (a) Any person, firm or corporation violating any of the provisions of this chapter or any ordinance duly adopted by the *** department, unless otherwise specifically provided for herein, shall, on conviction, be fined not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00), for the first offense, unless the first offense is committed during a closed season, in which case the fine shall be not less than Five Hundred Dollars (\$500.00), nor more than One Thousand Dollars (\$1,000.00); and not less than Five Hundred Dollars (\$500.00), nor more than One Thousand Dollars (\$1,000.00), for the second offense when such offense is committed within a period of three (3) years from the first offense; and not less than Two Thousand Dollars (\$2,000.00) nor more than Four Thousand Dollars (\$4,000.00), or imprisonment

in the county jail for a period not exceeding thirty (30) days for any third or subsequent offense when such offense is committed within a period of three (3) years from the first offense.

(b) In addition, upon conviction of such third or subsequent offense, it shall be the duty of the court to revoke the license of the convicted party and of the boat or vessel used in such offense, and no further license shall be issued to such person and for said boat to engage in catching or taking of any seafoods from the waters of the State of Mississippi for a period of one (1) year following such conviction. Forfeiture of any equipment or nets used in a second or subsequent offense may be instituted pursuant to Sections 49-15-201 through 49-15-207. If the person in possession of or using the nets in the violation is not the owner or licensee of the nets, the department shall notify the owner or licensee of the nets. The nets shall be subject to forfeiture unless the nets were stolen and prosecution for the theft is initiated. Equipment as used in this section shall not mean boats or vessels.

(c) Any person convicted and sentenced under this section for a second or subsequent offense shall not be considered for reduction of sentence.

(d) Except as provided under subsection (5) of Section 49-15-45, any fines collected under this section shall be paid into the Seafood Fund.

(e) In addition to any other penalties, the * * * department may suspend the license of any person convicted of a violation of this chapter and may suspend the license of any vessel used in the violation for a period not to exceed five (5) days for the first offense. For a second offense, the * * * department may suspend the license of such person and vessel for a period not to exceed thirty (30) days.

(f) Upon conviction of five (5) seafood violations within a five-year period, the * * * department may revoke the license of the convicted party and the boat or vessel used in the offenses, and may prohibit indefinitely the issuance of a license to the person and boat or vessel to engage in catching or taking of any seafood from the waters of the State of Mississippi. The * * * department shall exercise this authority in accordance with the administrative procedures in Section 49-15-401 et seq.

(2) For any violation of this chapter, the individual registered as the captain shall be subject to the penalties provided in this chapter, if that individual is aboard the vessel. If that individual is not aboard the vessel, the individual designated as the alternate captain under Section 49-15-46 or substitute captain under Section 49-15-64.5 shall be subject to the penalties provided in this chapter. If no individual is designated under Section 49-15-46 or Section 49-15-64.5, the person, firm or corporation owning the vessel shall be subject to the penalties provided for boat captains.

(3) All citations issued to boat operators for not possessing the boat's registration card shall be dismissed, along with all related court costs, upon the presentment of the boat's proper registration card to the court or magistrate holding the trial or hearing.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-15-401, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF MARINE RESOURCES SHALL ENFORCE THE RULES AND REGULATIONS, ADMINISTRATIVE CODE AND OTHER STATUTES WITHIN THE JURISDICTION OF THE DEPARTMENT OF MARINE RESOURCES; TO AMEND SECTION 49-15-403, MISSISSIPPI CODE OF 1972, TO REVISE THE ADMINISTRATIVE HEARING PROCESS FOR VIOLATIONS WITHIN THE

JURISDICTION OF THE DEPARTMENT OF MARINE RESOURCES AND TO CLARIFY THE AUTHORITY OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT; TO PROVIDE THAT THE EXECUTIVE DIRECTOR SHALL MAKE THE FINAL DECISION REGARDING THE PENALTY, IF ANY, TO BE ISSUED; TO AMEND SECTION 49-15-405, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A FORMAL HEARING CONCLUDED BY A REPRESENTATIVE OF THE ATTORNEY GENERAL; TO AMEND SECTION 49-15-407, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ALLEGED VIOLATOR'S FAILURE TO PRESENT EVIDENCE SHALL CONSTITUTE A WAIVER OF THE RIGHT TO A HEARING; TO AMEND SECTION 49-15-409, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF MARINE RESOURCES SHALL HAVE JURISDICTION OVER ALL PERSONS AND PROPERTY NECESSARY TO ADMINISTER AND ENFORCE THE ADMINISTRATIVE HEARING PROCEDURES FOR THE DEPARTMENT; TO AMEND SECTION 49-15-411, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INDIVIDUAL AGGRIEVED BY A FINAL DECISION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF MARINE RESOURCES SHALL BE ENTITLED TO JUDICIAL REVIEW; TO AMEND SECTIONS 49-15-413, 49-15-415, 49-15-323 AND 49-15-63, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1211 was adopted.

YEAS AND NAYS On H. B. No. 1211. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Moran moved that the rules be suspended for the immediate consideration of calendar item 101, **H. B. No. 594**, and the motion prevailed.

Senator Moran called up the following entitled bill:

H. B. No. 594: Coastal Wetlands Protection Act; revise definitions to include "ordinary high water mark".

Senator Moran offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-27-5, Mississippi Code of 1972, is amended as follows:

49-27-5. (a) "Coastal wetlands" means all publicly-owned lands subject to the ebb and flow of the tide; which are below the *** ordinary high *** water mark; all publicly-owned accretions above the *** ordinary high *** water mark and all

publicly-owned submerged water-bottoms below the * * * ordinary high * * * water mark and includes the flora and fauna on the wetlands and in the wetlands.

(b) "Department" means the Department of Marine Resources.

(c) "Regulated activity" means any of the following activities:

(i) The dredging, excavating or removing of soil, mud, sand, gravel, flora, fauna or aggregate of any kind from any coastal wetland;

(ii) The dumping, filling or depositing of any soil, stones, sand, gravel, mud, aggregate of any kind or garbage, either directly or indirectly, on or in any coastal wetlands;

(iii) Killing or materially damaging any flora or fauna on or in any coastal wetland;

(iv) The erection on coastal wetlands of structures which materially affect the ebb and flow of the tide; and

(v) The erection of any structure or structures on suitable sites for water dependent industry.

(d) "Dredging" means the removal or displacement by any means of soil, sand, gravel, shells or other material, whether of intrinsic value or not, from coastal wetlands.

(e) "Executive director" means the Executive Director of the Department of Marine Resources.

(f) "Filling" means either the displacement of waters by the deposition into coastal wetlands of soil, sand, gravel, shells or other material; or the artificial alteration of water levels or water currents by physical structures, drainage ditches or otherwise.

(g) "Person" means any natural person, partnership, joint stock company, corporation, unincorporated association or society, or the state and any agency thereof, or any county, municipality or political subdivision, or any other corporation of any character whatsoever.

(h) "Commission" means the Mississippi Advisory Commission on Marine Resources.

(i) "Water dependent industry" means those commercial, industrial or manufacturing activities which, for purposes basic to their existence must occur or locate on or adjacent to the estuaries, sounds, channels, shores or marshlands of the coast. "Suitable sites for water dependent industry" means those areas of land which are suitable for the development of water dependent industry because of their proximity to waters of navigable depth, size and configuration, topography, soil conditions and access to other means of transportation. After consultation with local governments, port authorities, development commissions, port and harbor commissions and other interested parties, and after full consideration of zoning ordinances duly adopted by local governments, the * * * department shall designate those sites it deems suitable for water dependent industry. The definition of "suitable sites for water dependent industry" shall be limited to, but not necessarily inclusive of, waterfront sites owned by county port authorities, development commissions and port and harbor commissions, and to areas that are now or are later made to be within one thousand (1,000) feet of the centerline of any natural or maintained channel having a depth of seven (7) feet or greater at mean low water. However, additional sites may be included in the definition of suitable sites for water dependent industry with the concurrence of the board of supervisors in the county affected.

(j) "Ordinary High Water Mark (OHWM)" means a mark on the shore determined by the department staff, established by fluctuations in water level and indicated by physical and biological characteristics, including, but not limited to, water stains, changes in the character of the soil, scour lines, presence of debris lines, changes in plant communities and other appropriate means that consider the characteristics of the surrounding area. The determination of OHWM shall not be made by the department staff during high tide where the above-referenced characteristics are not observable. OHWM is not the same as mean high water and shall not be used for determination of the boundary between private property and public trust tidelands.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-27-5, MISSISSIPPI CODE OF 1972, TO AMEND THE COASTAL WETLANDS PROTECTION ACT TO DEFINE "ORDINARY HIGH WATER MARK" TO MEAN A MARK ON THE SHORE DETERMINED BY THE DEPARTMENT STAFF, ESTABLISHED BY FLUCTUATIONS IN WATER LEVEL AND INDICATED BY PHYSICAL AND BIOLOGICAL CHARACTERISTICS, INCLUDING, BUT NOT LIMITED TO, WATER STAINS, CHANGES IN THE CHARACTER OF THE SOIL, SCOUR LINES, PRESENCE OF DEBRIS LINES, CHANGES IN PLANT COMMUNITIES AND OTHER APPROPRIATE MEANS THAT CONSIDER THE CHARACTERISTICS OF THE SURROUNDING AREA; TO REVISE THE DEFINITION OF "COASTAL WETLANDS" TO MEAN ALL PUBLICLY OWNED LANDS SUBJECT TO THE EBB AND FLOW OF THE TIDE WHICH ARE BELOW THE ORDINARY HIGH WATER MARK, ALL PUBLICLY OWNED ACCRETIONS ABOVE THE ORDINARY HIGH WATER MARK, AND ALL PUBLICLY OWNED SUBMERGED WATER BOTTOMS BELOW THE ORDINARY HIGH WATER MARK AND INCLUDES THE FLORA AND FAUNA ON THE WETLANDS AND IN THE WETLANDS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 594 was adopted.

YEAS AND NAYS On H. B. No. 594. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--England. Total--1.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator DeLano moved that the rules be suspended for the immediate consideration of calendar item 121, **H. B. No. 108**, and the motion prevailed.

Senator DeLano called up the following entitled bill:

H. B. No. 108: Wireless Communication Commission; remove ITS control over.

Senator DeLano offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-53-171, Mississippi Code of 1972, is amended as follows:

25-53-171. (1) There is hereby created the Wireless Communication Commission, which shall be responsible for promoting the efficient use of public resources to ensure that law enforcement personnel and essential public health and safety personnel have effective communications services available in emergency situations, and to ensure the rapid restoration of such communications services in the event of disruption caused by natural disaster, terrorist attack or other public emergency.

(2) The Wireless Communication Commission, hereafter referred to as the "commission," shall consist of the following:

- (a) The Executive Director of the Department of Transportation or his designee;
- (b) The Commissioner of Public Safety or his designee;
- (c) The Executive Director of the Department of Public Health or his designee;
- (d) The Executive Director of the Department of Information Technology Services or his designee;
- (e) The Executive Director of the Mississippi Emergency Management Agency or his designee;
- (f) The Executive Director of the Mississippi Office of Homeland Security or his designee;
- (g) The President of the Mississippi Sheriffs' Association or his designee;
- (h) The President of the Mississippi Association of Supervisors or his designee;
- (i) The President of the Mississippi Municipal Association or his designee;
- (j) The President of the Mississippi Association of Fire Chiefs or his designee;
- (k) The President of the Mississippi Association of Police Chiefs or his designee;
- (l) The Chief of the Mississippi Highway Safety Patrol or his designee;
- (m) The Commissioner of the Department of Corrections or his designee;
- (n) The Adjutant General of the Mississippi National Guard or his designee;
- (o) The Executive Director of the Mississippi Department of Environmental Quality or his designee; and

(p) The Executive Director of Wildlife, Fisheries and Parks or his designee.

All members of the commission shall serve a term of not less than four (4) years.

(3) *** The commission shall adopt rules which govern the time and place for meetings and governing the manner of conducting its business. The commission shall meet at least monthly, unless otherwise specified in the commission's rules, and maintain minutes of such meetings. A quorum shall consist of a majority of the membership of the commission.

(4) The commission *** shall have the sole authority to promulgate rules and regulations governing the operations of the wireless communications system described in paragraph (a) and shall be vested with all legal authority necessary and proper to perform this function including, but not limited to:

(a) Purchasing, leasing, acquiring and otherwise implementing a statewide wireless communications system to serve wireless users in state and local governments and those private entities that enter into a partnership with the commission. All purchases shall be made in accordance with public purchasing laws ***. This system shall enable interoperability between various wireless communications technologies.

(b) Ensuring that federal/state communications requirements are followed with respect to such wireless communications systems.

(c) Providing system planning with all public safety communications systems.

(d) Assisting with establishment of state and local wireless communications.

(e) *** Having the authority to permit state and local agencies use of the communications system under the terms and conditions established by the commission.

(f) Providing technical support to users and bearing the overall responsibility for the design, engineering, acquisition and implementation of the statewide communications system and for ensuring the proper operation and maintenance of all equipment common to the system.

(g) Seeking proposals for services through competitive processes where required by law and selecting service providers under procedures provided for by law.

(h) Establishing *** policies, procedures and standards which shall be incorporated into a comprehensive management plan for the operation of the statewide communications system.

(i) Having sign-off approval on all wireless communications systems within the state which are owned or operated by any state or local governmental entity, agency or department.

(j) Creating a standard user agreement.

(5) The commission *** shall exercise its powers and duties pursuant to this section to plan, manage and administer the wireless communications system. The commission may:

(a) In consultation with the advisory board ***, establish policies, procedures and standards to incorporate into a comprehensive management plan for use and operation of the communications system.

(b) Enter into mutual aid agreements among federal, state and local agencies for the use of the communications system.

(c) Establish the cost of maintenance and operation of the system and charge subscribers for access and use of the system.

(d) Assess charges for use of the system.

(e) Obtain space through rent or lease of space on any tower under state control. The commission may also rent, lease or sublease ground space as necessary to locate equipment to support antennae on the towers. The costs for use of such space shall be established by the owner/agent for each site when it is determined to be practicable and feasible to make space available.

(f) Provide space through rent or lease of space on any tower under the commission's control. The commission may also rent, lease or sublease ground space as necessary to locate equipment to support antennae on the towers. The costs for use of such space shall be established by the commission when it is determined to be practicable and feasible to make space available.

(g) Refuse to lease space on any tower at any site. All monies collected by the commission for such rents, leases or subleases shall be deposited directly into a special fund hereby created and known as the "Integrated Public Safety Communications Fund." This fund shall be administered by the * * * commission and may be used by the commission to construct, maintain and operate the system.

(h) Rent, lease or sublease ground space on lands acquired by the commission for the construction of privately owned or publicly owned towers. The commission, as part of such rental, lease or sublease agreement, may require space on such towers for antennae as may be necessary for the construction and operation of the wireless communications system.

(i) Enter into and perform use and occupancy agreements concerning the system.

(j) Exercise any power necessary to carry out the intent of this law.

(6) The Department of Transportation, the Department of Public Safety and other commission members may provide to the commission, on a full-time or part-time basis, personnel and technical support necessary and sufficient to effectively and efficiently carry out the requirements of this section.

(7) (a) Expenditures from the Integrated Public Safety Communications Fund shall be administered by the * * * commission * * *.

(b) The Integrated Public Safety Communications Fund may consist of the following:

(i) Appropriations from the Legislature;

(ii) Gifts;

(iii) Federal grants;

(iv) Fees and contributions from user agencies that the commission considers necessary to maintain and operate the system; and

(v) Monies from any other source permitted by law.

(c) Any monies remaining in the Integrated Public Safety Communications Fund at the end of the fiscal year shall not revert to the State General Fund, but shall remain in the Integrated Public Safety Communications Fund.

(8) Members of the commission shall not receive any compensation or per diem, but may receive travel reimbursement provided for under Section 25-3-41.

(9) There is hereby created the Wireless Communication Advisory Board for the purpose of advising the Mississippi Wireless Communication Commission in performance of its duties. The advisory board shall be composed of the following:

(a) The Chairman and Vice Chairman of the Senate * * * Energy Committee or their designees;

(b) The Chairman and Vice Chairman of the House of Representatives Public Utilities Committee or their designees;

(c) The Chairman of the Senate Appropriations Committee or his designee;

(d) The Chairman of the House of Representatives Appropriations Committee or his designee;

(e) The Chairman of the Senate Finance Committee or his designee; and

(f) The Chairman of the House of Representatives Ways and Means Committee or his designee.

Members of the advisory board shall receive per diem and expenses which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the advisory board shall be paid to legislative members while the Legislature is in session.

(10) It is the intent of the Legislature that all state and local government entities make available for purposes of this section all publicly owned wireless communications infrastructure, including, but not limited to, communications towers, transmission equipment, transmission frequencies and other related properties and facilities.

(11) Nothing in this section shall be construed or interpreted to provide for the regulation or oversight of commercial mobile radio services.

* * *

(* * *12) From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

(* * *13) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-53-171, MISSISSIPPI CODE OF 1972, TO REMOVE THE DEPARTMENT OF INFORMATION TECHNOLOGY'S CONTROL OVER THE WIRELESS COMMUNICATION COMMISSION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 108 was adopted.

YEAS AND NAYS On H. B. No. 108. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

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

Senator DeBar moved that the rules be suspended for the immediate consideration of calendar item 92, **H. B. No. 633**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

H. B. No. 633: Computer science curriculum; require State Department of Education to implement in K-12 public schools.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Computer Science and Cyber Education Equality Act."

SECTION 2. The Mississippi Legislature finds that:

(a) Education in computer science is a critical need for the students of Mississippi for the twenty-first century;

(b) More than half of high schools in Mississippi do not teach a computer science course; and

(c) The logical thinking skills taught by computer science are very valuable in many noncomputer science jobs, as technology has become embedded in most professions.

SECTION 3. As used in this act, the following terms shall have the meaning ascribed in this section:

(a) "Computer science" means the study of computers, algorithmic processes, coding, and logical thinking, including computer principles, their hardware and software designs, their implementation and their impact on society.

(b) "Computer science courses" means high school and middle school courses that teach computer science as stand-alone implementations; and elementary curriculum that provides instruction in computer science as stand-alone implementations or embedded in other subjects and focuses on how to create and understand technology, rather than simply using technology.

(c) "Offer" means providing instruction at the elementary level with licensed teachers, and at the high school and middle school level as a course taught by a computer science teacher:

(i) Who is onsite at the physical location of the school; or

(ii) Who is not onsite at the physical location of the school but conducts the course through virtual means with a proctor onsite at the physical location of the school.

SECTION 4. (1) The State Department of Education is authorized and directed to implement K-12 computer science curriculum based on the 2018 Mississippi College and Career-Readiness Standards for computer science, which includes instruction in, but not limited to:

(a) Computational thinking;

(b) Problem solving;

(c) Programming;

(d) Cyber security;

(e) Data science;

(f) Robotics;

(g) Artificial intelligence and machine learning; and

(h) Other computer science and cyber-related content.

(2) The State Department of Education shall work with the Center for Cyber Education at Mississippi State University to identify and develop K-12 computer science curriculum and delivery options.

(3) Beginning in the 2022-2023 school year:

(a) Each local school district shall provide that all middle schools in its school system offer instruction in foundations of computer science;

(b) Each local school district shall provide that fifty percent (50%) of elementary schools in its school system offer a minimum of one (1) hour of instruction in computer science each week;

(c) Each charter school that serves middle or high school students shall offer a course in computer science; and

(d) Each charter school that serves elementary school students shall offer instruction in computer science.

(4) Beginning in the 2023-2024 school year:

(a) Each local school district shall provide that at least fifty percent (50%) of the high schools in its school system offer a course in computer science;

(b) Each local school district shall provide that all elementary schools in its school system offer a minimum of one (1) hour of instruction in exploratory computer science each week.

(5) Beginning in the 2024-2025 school year, each local school district shall provide that all schools in its school system offer instruction in computer science.

SECTION 5. The State Department of Education shall review district-submitted courses to enable schools to utilize high quality online computer science courses to meet the needs of such schools as a result of this act.

SECTION 6. (1) Subject to appropriations made by the Legislature, the State Department of Education shall provide annual training for teachers, counselors and administrators in order to phase in the K-12 computer science curriculum. Preference should be given to districts who have the fewest number of teachers trained in computer science. The State Department of Education shall work with the Center for Cyber Education at Mississippi State University to develop and coordinate teacher training. The State Department of Education may contract with private and nonprofit providers for teacher training and for student instruction, and is encouraged to utilize available cost-free computer training, instruction and resources. Teachers may receive computer science instruction training through an online platform.

(2) The State Department of Education shall provide a report by January 1, 2022, to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairman of the Senate Education Committee and the Chairman of the House Education Committee. The report shall include a strategic plan for statewide computer science education initiatives including, but not limited to, the following:

(i) A summary of the current state landscape for K-12 computer science education;

(ii) A plan for expanding computer science education opportunities to every school in the state by the 2024-2025 school year;

(iii) A plan for the development of preservice and in-service teachers seeking a computer science endorsement or course specific license, in order to meet the timeline for course requirements;

(iv) The development of a vetted list of approved vendors in computer science education that are recognized as high quality computer science courses or instruction, which should weigh preference on cost and ease of implementation; and

(v) The identification of approved computer science courses that may fulfill at least four (4) units of academic credit for high school graduation. The State Department of Education shall work with the Board of Trustees of State Institutions of Higher Learning and the Mississippi Community College Board to approve these courses once identified.

(2) The State Department of Education shall submit a report by December 31 of each year through 2025 to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairman of the Senate Education Committee and the Chairman of the House Education Committee. The report shall include a list of schools

in each district teaching computer science and the number of computer science teachers trained in each district.

SECTION 7. The Board of Trustees of State Institutions of Higher Learning shall work with its member institutions to identify preservice teacher preparation programs to allow for certification in the computer science field.

SECTION 8. Section 37-13-171, Mississippi Code of 1972, is amended as follows:

37-13-171. (1) The local school board of every public school district shall adopt a policy to implement abstinence-only or abstinence-plus education into its curriculum by June 30, 2012, which instruction in those subjects shall be implemented not later than the start of the 2012-2013 school year or the local school board shall adopt the program which has been developed by the Mississippi Department of Human Services and the Mississippi Department of Health. The State Department of Education shall approve each district's curriculum for sex-related education and shall establish a protocol to be used by districts to provide continuity in teaching the approved curriculum in a manner that is age, grade and developmentally appropriate.

(2) Abstinence-only education shall remain the state standard for any sex-related education taught in the public schools. For purposes of this section, abstinence-only education includes any type of instruction or program which, at an appropriate age and grade:

(a) Teaches the social, psychological and health gains to be realized by abstaining from sexual activity, and the likely negative psychological and physical effects of not abstaining;

(b) Teaches the harmful consequences to the child, the child's parents and society that bearing children out of wedlock is likely to produce, including the health, educational, financial and other difficulties the child and his or her parents are likely to face, as well as the inappropriateness of the social and economic burden placed on others;

(c) Teaches that unwanted sexual advances are irresponsible and teaches how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances;

(d) Teaches that abstinence from sexual activity before marriage, and fidelity within marriage, is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases and related health problems. The instruction or program may include a discussion on condoms or contraceptives, but only if that discussion includes a factual presentation of the risks and failure rates of those contraceptives. In no case shall the instruction or program include any demonstration of how condoms or other contraceptives are applied;

(e) Teaches the current state law related to sexual conduct, including forcible rape, statutory rape, paternity establishment, child support and homosexual activity; and

(f) Teaches that a mutually faithful, monogamous relationship in the context of marriage is the only appropriate setting for sexual intercourse.

(3) A program or instruction on sex-related education need not include every component listed in subsection (2) of this section for abstinence-only education. However, no program or instruction under an abstinence-only curriculum may include anything that contradicts the excluded components. For purposes of this section, abstinence-plus education includes every component listed under subsection (2) of this section that is age and grade appropriate, in addition to any other programmatic or instructional component

approved by the department, which shall not include instruction and demonstrations on the application and use of condoms. Abstinence-plus education may discuss other contraceptives, the nature, causes and effects of sexually transmitted diseases, or the prevention of sexually transmitted diseases, including HIV/AIDS, along with a factual presentation of the risks and failure rates.

(4) Any course containing sex-related education offered in the public schools shall include instruction in either abstinence-only or abstinence-plus education.

(5) Local school districts, in their discretion, may host programs designed to teach parents how to discuss abstinence with their children.

(6) There shall be no effort in either an abstinence-only or an abstinence-plus curriculum to teach that abortion can be used to prevent the birth of a baby.

(7) At all times when sex-related education is discussed or taught, boys and girls shall be separated according to gender into different classrooms, sex-related education instruction may not be conducted when boys and girls are in the company of any students of the opposite gender.

(8) This section shall stand repealed on July 1, * * * 2024.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI COMPUTER SCIENCE AND CYBER EDUCATION EQUALITY ACT; TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF EDUCATION TO IMPLEMENT A MANDATORY K-12 COMPUTER SCIENCE CURRICULUM BASED ON THE MISSISSIPPI COLLEGE AND CAREER-READINESS STANDARDS FOR COMPUTER SCIENCE, WHICH INCLUDES INSTRUCTION IN, BUT NOT LIMITED TO, COMPUTATIONAL THINKING, CYBER-RELATED, PROGRAMMING, CYBER SECURITY, DATA SCIENCE, ROBOTICS AND OTHER COMPUTER SCIENCE AND CYBER-RELATED CONTENT; TO PRESCRIBE MINIMUM COMPONENTS OF THE CURRICULUM AT EACH GRADE LEVEL; AND TO PROVIDE FOR TEACHER TRAINING AS NEEDED AT ALL GRADE LEVELS; TO AMEND SECTION 37-13-171, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE STATUTE REQUIRING EVERY SCHOOL DISTRICT TO ADOPT A POLICY TO IMPLEMENT ABSTINENCE-ONLY OR ABSTINENCE-PLUS EDUCATION INTO ITS CURRICULUM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 633 was adopted.

YEAS AND NAYS On H. B. No. 633. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Jackson R. (11th), Norwood, Simmons D. T. (12th), Thomas. Total--4.

Absent and those not voting----None.

Senator DeBar moved that the rules be suspended for the immediate consideration of calendar item 93, **H. B. No. 754**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

H. B. No. 754: Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-173-9, Mississippi Code of 1972, is amended as follows:

37-173-9. (1) (a) The parent or legal guardian is not required to accept the offer of enrolling in another public school in lieu of requesting a Mississippi Dyslexia Therapy Scholarship to a nonpublic school. However, if the parent or legal guardian chooses the public school option, the student may continue attending a public school chosen by the parent or legal guardian until the student completes Grade 12.

(b) If the parent or legal guardian chooses a public school within the district, the school district shall provide transportation to the public school selected by the parent or legal guardian. However, if the parent or legal guardian chooses a public school in another district, the parent or legal guardian is responsible to provide transportation to the school of choice.

* * *

* * * These provisions do not prohibit a parent or legal guardian of a student diagnosed with dyslexia, at any time, from choosing the option of a Mississippi Dyslexia Therapy Scholarship which would allow the student to attend another public school or nonpublic special purpose school.

(* * *2) If the parent or legal guardian chooses the nonpublic school option and the student is accepted by the nonpublic school pending the availability of a space for the student, the parent or legal guardian of the student must notify the department thirty (30) days before the first scholarship payment and before entering the nonpublic school in order to be eligible for the scholarship when a space becomes available for the student in the nonpublic school.

(* * *3) The parent or legal guardian of a student may choose, as an alternative, to enroll the student in and transport the student to a public school in an adjacent school district which has available space and has a program with dyslexia services that provide daily dyslexia therapy sessions delivered by a department licensed dyslexia therapist, and that school district shall accept the student and report the student for purposes of the district's funding under the Mississippi Adequate Education Program.

SECTION 2. The following shall be codified as Section 37-173-16, Mississippi Code of 1972:

37-173-16. Each local school district shall make an initial determination of whether a student diagnosed with dyslexia meets the eligibility criteria under the Individuals with Disabilities Education Act (IDEA) to have an Individualized Education Program developed and to receive services. If a student's diagnosis of dyslexia does not result in an IDEA

eligibility determination then the district must proceed with their process for determining if the student is eligible for a 504 Plan under the Rehabilitation Act based on the presumption that proficiency in spelling, reading and writing are essential for the student to achieve appropriate educational progress. Each local school district shall develop interventions and strategies to address the needs of those students diagnosed with dyslexia which provide the necessary accommodations to enable the student to achieve appropriate educational progress. The interventions and strategies developed shall include, but not be limited to, the use of the 3-Tier Instructional Model and the utilization of provisions of the IDEA and Section 504 to address those needs.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-173-9, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN PROVISIONS RELATING TO SCHOOLS' DETERMINATION OF STUDENTS WITH DYSLEXIA; TO CREATE NEW SECTION 37-173-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THE STEPS SCHOOLS MUST TAKE FOR THE EDUCATION AND CARE OF STUDENTS WITH DYSLEXIA AND OTHER RELATED DISORDERS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 754 was adopted.

YEAS AND NAYS On H. B. No. 754. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--Turner-Ford. Total--1.

Absent and those not voting---None.

Senator DeBar moved that the rules be suspended for the immediate consideration of calendar item 115, **H. B. No. 1179**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

H. B. No. 1179: William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 37-106-36, Mississippi Code of 1972:

37-106-36. (1) There is established the "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program."

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Graduated from a baccalaureate degree-granting institution of higher learning which is regionally accredited by the Southern Association of Colleges and Schools (SACS) or a comparable accreditation body;

(b) Signed a contract as a full-time first-year teacher in a public school district in Mississippi;

(c) Obtained a standard five-year license. Persons with emergency licenses shall not be eligible applicants; and

(d) Outstanding qualifying undergraduate educational loans, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for undergraduate educational expense.

(3) Persons who have received funds from other forgivable loan programs established for teachers under Mississippi law, or who are presently in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Initial recipients shall be selected on a first-come, first-served basis of all eligible applicants. Priority consideration shall first be given to renewal applicants.

(5) Among first-time, first-year teacher recipients, priority consideration shall be given to persons who are teaching in a public school district designated as a geographical critical teacher shortage area by the State Board of Education.

(6) Awards for recipients who have signed a contract to teach in a public school district that is not designated as a geographical critical teacher shortage area shall be as follows:

(a) Two Thousand Five Hundred Dollars (\$2,500.00) for the first year of teaching;

(b) Three Thousand Five Hundred Dollars (\$3,500.00) for the second year of teaching; and

(c) Four Thousand Five Hundred Dollars (\$4,500.00) for the third year of teaching.

(7) Awards for recipients who have signed a contract to teach in a public school district that is designated as a geographical critical teacher shortage area shall be as follows:

(a) Four Thousand Five Hundred Dollars (\$4,500.00) for the first year of teaching;

(b) Five Thousand Five Hundred Dollars (\$5,500.00) for the second year of teaching, provided the recipient continues to teach in the same public school district or another public school district designated as a geographical shortage area by the State Board of Education; and

(c) Six Thousand Five Hundred Dollars (\$6,500.00) for the third year of teaching, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education.

(8) A first-year recipient who moves to another public school district shall be eligible to receive an award based on the amount allowed under the program in the new district where the teacher is employed.

(9) Awards shall be granted on a year-to-year basis, and recipients shall have no obligation to seek a future award.

(10) Awards shall be paid annually, after the expiration of the one-year teaching contract for which the award was granted, to the recipient's lender or loan service provider, and shall be applied to the outstanding balance. Monies paid on the recipient's behalf toward qualifying undergraduate educational loans prior to receiving payment of the award shall not be eligible for repayment through the program.

(11) During the teaching year for which the award is granted, a recipient must at all times keep the State Financial Aid Board informed of any changes to the recipient's current contact information and employment status.

(12) Recipients who fail to maintain a standard license or fail to fulfill the one-year teaching contract on which the award was based shall forfeit any right to the award.

(13) The State Financial Aid Board, in collaboration with the State Board of Education, shall track recipients of an award under this program through their fifth teaching year, unless the recipient shall leave teaching in a public school district at an earlier date. Data collected shall include recipients' undergraduate institution, school district, subject area/grade level in teaching and any other pertinent information necessary to determine the efficacy of the program in retaining teachers in their first three (3) years of teaching.

(14) The State Financial Aid Board shall promulgate regulations necessary for the proper administration of this section.

(15) There is established in the State Treasury a special fund to be designated the "William F. Winter and Jack Reed, Sr., Loan Repayment Program Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the loan repayment program established herein. Money in the fund at the end of the fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

SECTION 2. Section 37-106-35, Mississippi Code of 1972, which creates the Assistant Teacher Forgivable Loan Program, is repealed.

SECTION 3. Section 37-106-37, Mississippi Code of 1972, which creates the Teacher Education Scholars Forgivable Loan Program, is repealed.

SECTION 4. Section 37-106-57, Mississippi Code of 1972, which creates the William F. Winter Teacher Forgivable Loan Program, is repealed.

SECTION 5. Section 37-106-77, Mississippi Code of 1972, which creates the Mississippi Teaching Fellows Forgivable Loan Program, is repealed.

SECTION 6. Section 37-106-79, Mississippi Code of 1972, which creates the Teacher Education Alternate Route Certification Scholars Program, is repealed.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CODIFY NEW SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO CREATE THE "WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM" TO BE ADMINISTERED BY THE STATE FINANCIAL AID BOARD; TO PROVIDE FOR THE QUALIFICATIONS FOR APPLICANTS UNDER THE LOAN PROGRAM; TO ESTABLISH THE WILLIAM F. WINTER AND JACK REED, SR., LOAN REPAYMENT PROGRAM FUND; TO REPEAL SECTION 37-106-35, MISSISSIPPI CODE OF 1972, WHICH CREATES THE ASSISTANT TEACHER FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-37, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION SCHOLARS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-57, MISSISSIPPI CODE OF 1972, WHICH CREATES THE WILLIAM F. WINTER TEACHER FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-77, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TEACHING FELLOWS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-79, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION ALTERNATE ROUTE CERTIFICATION SCHOLARS PROGRAM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1179 was adopted.

YEAS AND NAYS On H. B. No. 1179. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Chism, McDaniel. Total--2.

Absent and those not voting----None.

Senator Simmons D. T. (12th) moved that the rules be suspended for the immediate consideration of calendar item 133, **H. B. No. 1245**, and the motion prevailed.

Senator Simmons D. T. (12th) called up the following entitled bill:

H. B. No. 1245: MDOT; require maintenance of rights-of-way of state highways inside municipal limits with 10,000 or less population.

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

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 65-1-75, Mississippi Code of 1972, is amended as follows:

65-1-75. (1) The Mississippi Transportation Commission is authorized and empowered to have the Transportation Department locate, construct, reconstruct and maintain any designated state highway under its jurisdiction to, through, across or around any municipality in the state, regardless of the width of the street between curbs; and in so locating it is fully empowered to follow the route of the existing street or to depart therefrom, as in its discretion it deems advisable, and to obtain and pay for the necessary rights-of-way, as provided in Section 65-1-47. The municipality in which such construction is to be undertaken is likewise authorized to acquire rights-of-way on any such streets or on any newly located routes, either by purchase, gift or condemnation. Such rights-of-way may be acquired by either the municipality or the Transportation Department, subject to the approval of the commission, and the cost thereof may be borne by either or both as may be mutually agreed upon. In any event such municipality may be required to save the commission and department harmless from any claims for damages arising from the construction of the highway through such municipality, including claims for rights-of-way, change of grade line, interference with public structures, and any and all damages so arising. Municipalities may secure additional improvements by payment of the additional cost of same. The commission may require such municipality to cause to be laid all water, sewer, gas or other pipelines or conduits, together with all necessary house or lot connections or services, to the curb line of such road or street to be constructed, and the commission is authorized to refuse to have the department lay such pipelines or conduits beneath such roads or streets until the municipality has laid same or entered into an agreement to reimburse the commission or department for the expense thereby incurred.

(2) All construction of state highways in or through municipalities, where done at the cost and expense of the state, whether heretofore or hereafter, shall be maintained in the same manner and to the same extent as is construction on state highways outside the limits of municipalities to the end that investment of the state in such highway so constructed may be preserved and maintained; and all reasonable rules and regulations with reference to the preservation and maintenance of such highways constructed at state expense, whether within or without municipal limits, may be promulgated by the commission, except that it shall have no power to promulgate police regulations contrary to existing law. On any municipal streets or parts or sections thereof taken over for regular maintenance and maintained by the department as a part of the state highway system, the municipality shall not be liable for negligence occasioned by the maintenance or repair of such streets thus apportioned to and of such width as is maintained by the department. The municipality shall have full control and responsibility beyond the curb lines of any designated highway or street, whether heretofore or hereafter so designated, (except the interstate system) located within its present or future expanded municipal corporate limits, regardless of the ownership of the right-of-way, including, but not limited to, the construction and maintenance of sidewalks, grass mowing and drainage systems; however, the department may utilize the right-of-way purchased by the commission without any additional cost or permission.

The municipality shall not allow any encroachments, signs or billboards to be erected or to remain on state-owned rights-of-way on any designated highway within its corporate limits without the consent of the commission. The municipality, at its own expense, shall provide street illumination and shall clean all streets, including storm sewer inlets and catch basins. The commission may enter into an agreement with the municipality or with a private entity to sweep and clean the designated highways within or without the corporate limits. The commission may, at state expense, provide illumination and may clean all interstate highways within the corporate limits of any municipality. The right of the municipality to grant franchises over, beneath and upon such streets is specifically retained, but the municipality shall require every grantee of a franchise to restore, repair and replace to its original condition any portion of any such street damaged or injured by it; however, permission to open the surface of any municipal street maintained by the department must be obtained from both the commission and the municipality concerned before any such opening is made. Each municipality shall retain

full police power over its streets, particularly as to regulating and enforcing traffic and parking restrictions on such streets, but any traffic control and parking regulations repugnant to state law shall be null and void. The commission shall have the department erect, control and maintain all highway route markers and directional signs on such streets at state expense. The commission, at state expense, shall have the department install, operate, maintain, control, and have full jurisdiction over, all traffic control devices, including, but not limited to, signals, signs, striping and lane markings on state highway streets in municipalities having a population of twenty thousand (20,000) or less according to the current United States census; but municipalities over twenty thousand (20,000) population according to such census shall install, operate, maintain and control such devices at their own expense, subject to approval of the executive director regarding operations, method of installation and type only. Municipalities having a population of five thousand (5,000) or more but less than twenty thousand (20,000) according to the most recent federal census shall only be responsible for electrical operating costs; and all other costs for the installation, operation and maintenance of traffic control devices, including the changing of signal bulbs in traffic signal lights, shall be the responsibility of the Transportation Department. The commission may purchase at state expense and install traffic control devices in municipalities over twenty thousand (20,000) population and donate them to the municipalities for operation and maintenance whenever it appears to the commission that, in the interest of safety or convenience of the motoring public, any of the devices should be upgraded, replaced or removed. Any revenue from parking meters on any such streets shall be controlled by and belong to the municipality.

(3) The maintenance of all streets within the limits of any municipality in this state, regardless of size, which are presently being regularly maintained, in whole or in part, by the department at state expense as a part or parts of any designated state highway shall be continued. Whenever any state highway runs into or through the corporate limits of any municipality, the municipal street or the street utilized and marked as a part of any such state highway may be a part of the state highway system and may be maintained by the department; however, such route through any municipality shall be selected by the commission by orders spread on its minutes describing all such routes, and such route or routes may be changed, relocated or abandoned by the commission from time to time, all under the provisions, terms and conditions herein provided, but the commission shall have the department maintain only one (1) route of any highway through a municipality. Upon relocation of such state highway or abandonment thereof, the municipal street formerly used as a state highway shall thereby return to the jurisdiction of, and maintenance by, the municipality.

(4) Notwithstanding any other provision of this section to the contrary, beginning on July 1, 2021, the department shall maintain grass mowing of rights-of-way for any state highways located within the municipal limits of any municipality in the state with a population of ten thousand (10,000) or less according to the latest federal decennial census that desires that the department perform grass mowing services, provided that it is in accordance with the department's annual mowing schedule and that the department shall not be required to maintain grass mowing for areas that are subject to a beautification permit or agreement.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 65-1-75, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO MAINTAIN GRASS MOWING OF RIGHTS-OF-WAY FOR ANY STATE HIGHWAYS LOCATED WITHIN THE MUNICIPAL LIMITS OF ANY MUNICIPALITY IN THE STATE WITH A POPULATION OF 10,000 OR LESS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1245 was adopted.

YEAS AND NAYS On H. B. No. 1245. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Seymour moved that the rules be suspended for the immediate consideration of calendar item 129, **H. B. No. 189**, and the motion prevailed.

Senator Seymour called up the following entitled bill:

H. B. No. 189: Mississippi Persian Gulf War Memorial; authorize MSVA to move to another appropriate location.

YEAS AND NAYS On H. B. No. 189. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk moved that the rules be suspended for the immediate consideration of calendar item 83, **H. B. No. 100**, and the motion prevailed.

Senator Polk called up the following entitled bill:

H. B. No. 100: MS Telephone Solicitation Act; extend repealer on requirement that fees be deposited into State General Fund.

YEAS AND NAYS On H. B. No. 100. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane,

Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Turner-Ford moved that the rules be suspended for the immediate consideration of calendar item 108, **H. B. No. 1018**, and the motion prevailed.

Senator Turner-Ford called up the following entitled bill:

H. B. No. 1018: State buildings; name DPS Gulf Coast Regional Forensics Laboratory as the "Gary T. Hargrove Memorial Forensic Laboratory."

Senator Turner-Ford offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Mississippi Department of Public Safety's Gulf Coast Regional Forensics Laboratory, located at 16743 Mississippi Highway 67 in Biloxi, Harrison County, Mississippi, shall be named the "Gary T. Hargrove Memorial Forensics Laboratory." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be placed in a prominent place within the building, that states the background, accomplishments and service to the state of Mr. Gary T. Hargrove. The Department of Finance and Administration, in conjunction with the Mississippi Department of Public Safety, shall erect or cause to be erected proper lettering or signage on the outdoor facade of the building facing Highway 67 displaying the official name of the building as the "Gary T. Hargrove Memorial Forensics Laboratory." Any and all funds necessary to accomplish this act will be appropriated by the Legislature for such purpose.

SECTION 2. (1) The Mississippi Board of Mental Health, acting on behalf of and through the Mississippi Department of Mental Health, is authorized to sell certain state-owned real property and any improvements thereon, which is under control and possession of the East Mississippi State Hospital and served as the former administrative offices for the Community Services (Group Homes) Division, located at 5800 North Hill Street in the City of Meridian, Lauderdale County, Mississippi, such property consisting of an approximately 8,000-square-foot facility situated on a 3.6-acre lot, and being more particularly described as follows:

Parcel 1

Part of the SE 1/4 of the NW 1/4, Section 35, Township 07 North, Range 15 East, Meridian, Lauderdale County, Mississippi, consisting of approximately 2.20 acres, more or less; recorded in Deed Book 2245, Page 003, Date 08/21/2007 and Deed Book 768, Page 16, Date 12/4/1974, of the records in the office of the Chancery Clerk of Lauderdale County, Mississippi.

Parcel 2

Part of the NE 1/4 of the SW 1/4, Section 35, Township 07 North, Range 15 East, Meridian, Lauderdale County, Mississippi, consisting of approximately 1.40 acres, more or less; recorded in Deed Book 2245, Page 003, Date 08/21/2007 and Deed Book 768, page 16,

Date 12/4/1974, of the records in the office of the Chancery Clerk of Lauderdale County, Mississippi.

(2) The real property and any improvements thereon described under subsection (1) of this section shall be sold for not less than the fair market value as determined by the average of at least two (2) appraisals by qualified appraisers, one (1) of which shall be selected by the Department of Finance and Administration, and both of whom shall be certified and licensed by the Mississippi Real Estate Appraiser Licensing and Certification Board.

(3) All monies derived from the sale of the property described in subsection (1) of this section shall be deposited into a special fund created in the State Treasury for the use and benefit of the East Mississippi State Hospital's Alcohol and Drug Unit. Unexpended amounts remaining in the special fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest earned on the amounts remaining in the special fund shall be deposited to the credit of the special fund.

(4) The Department of Finance and Administration may correct any discrepancies in the legal description provided in this section.

(5) The State of Mississippi shall retain all mineral rights to the property sold under this section.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO NAME THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY'S GULF COAST REGIONAL FORENSICS LABORATORY, LOCATED IN BILOXI, HARRISON COUNTY, MISSISSIPPI, THE "GARY T. HARGROVE MEMORIAL FORENSICS LABORATORY"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY, TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDING DISPLAYING THE OFFICIAL NAME AS THE "GARY T. HARGROVE MEMORIAL FORENSICS LABORATORY"; AND FOR RELATED PURPOSES.

POINT OF ORDER

A point of order was raised by Senator Seymour that Committee Amendment No. 1 is not germane.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken. The fundamental purpose of the amendment which provides for the conveyance of certain real property does not relate to the purpose of the original bill which provides for the naming of a public building.

YEAS AND NAYS On H. B. No. 1018. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Caughman moved that the rules be suspended for the immediate consideration of calendar item 96, **H. B. No. 953**, and the motion prevailed.

Senator Caughman called up the following entitled bill:

H. B. No. 953: Homeowners' associations; regulate managing agents of and require financial reviews by.

Senator Caughman offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) A managing agent who accepts or receives funds belonging to a homeowners association shall deposit those funds that are not placed into an escrow account with a bank or savings association or into an account under the control of the association, into a trust fund account maintained by the managing agent in a bank or savings association. All funds deposited by the managing agent in the trust fund account shall be kept in a financial institution and insured by the Federal Deposit Insurance Corporation, and shall be maintained there until disbursed in accordance with written instructions from the association entitled to the funds.

(2) At the written request of the board of the homeowners association, the funds the managing agent accepts or receives on behalf of the association may be deposited into a checking or interest-bearing account in a bank or savings association provided all of the following requirements are met:

(a) The account is in the name of the managing agent as trustee for the association or in the name of the association.

(b) All of the funds in the account are covered by insurance provided by the Federal Deposit Insurance Corporation.

(c) The funds in the account are kept separate, distinct, and apart from the funds belonging to the managing agent or to any other person for whom the managing agent holds funds in trust.

(d) The managing agent discloses to the board of the homeowners association the nature of the account, how interest will be calculated and paid, whether service charges will be paid to the depository and by whom, and any notice requirements or penalties for withdrawal of funds from the account.

(e) No interest earned on funds in the account shall inure directly or indirectly to the benefit of the managing agent or the managing agent's employees.

(f) Transfers of greater than Ten Thousand Dollars (\$10,000.00) of an association's total combined reserve and operating account deposits shall not be

authorized from the account without prior written approval from the board of the homeowners association.

(3) The managing agent shall maintain a separate record of the receipt and disposition of all funds described in this section, including any interest earned on the funds.

(4) Before every regular meeting of the homeowners association and any other time upon request of the association, the managing agent shall provide to the association all of the information described in Section 2 of this act.

(5) The managing agent shall not commingle the funds of the association with the managing agent's own money or with the money of others that the managing agent receives or accepts. If the managing agent has commingled funds on July 1, 2021, the managing agent shall, no later than September 1, 2021, separate the commingled funds into separate accounts.

(6) The prevailing party in an action to enforce this section shall be entitled to recover reasonable legal fees and court costs.

(7) As used in this act, "association" means a homeowners association duly organized as a nonprofit corporation organized under the Mississippi Nonprofit Corporation Act, Section 79-11-101 et seq., and which is exempt from taxation under the federal Income Tax Code.

(8) As used in this act, "managing agent" is any person who, for compensation or in expectation of compensation, exercises control over the assets of a homeowners association. A "managing agent" does not include a regulated financial institution operating within the normal course of its regulated business practice.

SECTION 2. (1) Unless the governing documents of the homeowners association impose more stringent standards, the board of a homeowners association shall do all of the following at all regularly scheduled meetings:

(a) Review a current reconciliation of the association's operating accounts.

(b) Review a current reconciliation of the association's reserve accounts.

(c) Review the current year's actual operating revenues and expenses compared to the current year's budget.

(d) Review the latest account statements prepared by the financial institutions where the association has its operating and reserve accounts.

(e) Review a receipts and disbursements statement for the association's operating and reserve accounts.

(f) Review the check register, monthly general ledger, and delinquent assessment receivable reports.

(2) Unless prohibited by the governing documents of the homeowners association, the board may hold any special or regularly scheduled meeting, or any special or regularly scheduled member meeting, by electronic transmission or other means of remote communication, or by a combination thereof.

(3) For purposes of this section, "remote communication" means communication via electronic communication, conference telephone, videoconference, the internet, or such other means by which persons not physically present in the same location may communicate with each other on a substantially concurrent basis.

SECTION 3. The review requirements of Section 2 of this act may be met when every individual member of the board, or a subcommittee of the board consisting of the treasurer and at least one (1) other board member, reviews the documents and statements described in Section 2 of this act independent of a board meeting, so long as the review is ratified at the board meeting subsequent to the review and that ratification is reflected in the minutes of that meeting.

SECTION 4. Notwithstanding any other law to the contrary, transfers of greater than Ten Thousand Dollars (\$10,000.00) of a homeowners association's total combined reserve and operating account deposits shall not be authorized from the association's reserve or operating accounts without prior written board approval. This section shall apply in addition to any other applicable requirements of this act.

SECTION 5. (1) Unless the governing documents of the homeowners association require greater coverage amounts, the homeowners association shall maintain fidelity bond coverage for its directors, officers, and employees in an amount that is equal to or more than the combined amount of the reserves of the association and total assessments for the highest balance during the previous year. The association's fidelity bond shall also include computer fraud and funds transfer fraud, which is not required to include cyber coverage. If the association uses a managing agent, the association's fidelity bond coverage must additionally include dishonest acts by that person or entity and its employees.

(2) Notwithstanding the provisions of subsection (1) of this section, if a majority of the members of a homeowners association at a regular or special meeting of the association vote not to maintain fidelity bond coverage for its directors, officers, or employees, the provisions of subsection (1) shall not apply to the association.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REGULATE MANAGING AGENTS OF HOMEOWNERS ASSOCIATIONS REGARDING THEIR DEPOSIT AND MANAGEMENT OF ASSOCIATION FUNDS; TO PROVIDE CERTAIN DEFINITIONS FOR THE ACT; TO REQUIRE TRANSFERS OF FUNDS ABOVE A CERTAIN AMOUNT TO BE AUTHORIZED BY PRIOR WRITTEN BOARD APPROVAL; TO PROHIBIT THE MANAGING AGENT FROM COMMINGLING THE FUNDS OF THE ASSOCIATION WITH THE MANAGING AGENTS OWN MONEY OR WITH THE MONEY OF OTHERS THAT THE MANAGING AGENT RECEIVES OR ACCEPTS; TO PROVIDE THAT CURRENTLY COMMINGLED FUNDS SHALL BE SEPARATED BY A CERTAIN DATE; TO REQUIRE THE MANAGING AGENT TO PROVIDE TO THE HOMEOWNERS ASSOCIATION CERTAIN FINANCIAL INFORMATION RELATING TO THE FUNDS OF THE ASSOCIATION BEFORE EVERY REGULAR MEETING AND UPON REQUEST OF THE ASSOCIATION; TO PROVIDE THE BOARD OF A HOMEOWNERS ASSOCIATION TO CONDUCT CERTAIN PERIODIC FINANCIAL REVIEWS; TO AUTHORIZE SPECIAL OR REGULARLY SCHEDULED MEETINGS TO BE HELD BY ELECTRONIC TRANSMISSION OR BY OTHER MEANS OF REMOTE COMMUNICATION; TO REQUIRE HOMEOWNERS ASSOCIATIONS TO MAINTAIN FIDELITY BOND COVERAGE FOR ITS DIRECTORS AND OFFICERS; TO PROVIDE THAT IF THE ASSOCIATION USES A MANAGING AGENT OR MANAGEMENT COMPANY, THE ASSOCIATION'S FIDELITY BOND COVERAGE SHALL ADDITIONALLY INCLUDE DISHONEST ACTS BY THAT PERSON OR ENTITY AND ITS EMPLOYEES; TO PROVIDE THAT THE BOND REQUIREMENT SHALL NOT APPLY IF A MAJORITY OF THE MEMBERS OF THE ASSOCIATION VOTE NOT TO HAVE IT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 953 was adopted.

YEAS AND NAYS On H. B. No. 953. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Suber entered a motion to reconsider the vote whereby **H. B. No. 1312** passed the Senate as amended.

H. B. No. 1312: State Board of Cosmetology; extend repealer on.

Senator Turner-Ford entered a motion to reconsider the vote whereby **H. B. No. 213** passed the Senate.

H. B. No. 213: DFA; authorize Office of Surplus Property to administer the Federal Donation Program.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Dorothy Duncan Jones Walcott and Rose Marie Bowie of Greenwood, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Kay Snow of Fort Worth, TX.

Senator Blount moved that when the Senate adjourns, it adjourn in memory of John Christopher Scott of Jackson, MS.

Senators Frazier, Horhn, Norwood, Blount and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Attorney Phillip Johnson Brookins of Jackson, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Wanda Kaye Tira of Pascagoula, MS.

Senators Thompson, England, DeLano and Carter moved that when the Senate adjourns, it adjourn in memory of Elizabeth Ann Tillson of Vancleave, MS.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Ernest George Thomas of Vicksburg, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Tim Marsalis Hill, II of Bude, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Jo Ann Herrington of Natchez, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Grady Carl Boozer and Betty Jean Richardson of Pulaski, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Serlena Dennis of Polkville, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Steve Pace of Newton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Barbara Crain, John W. Craven, Pamela Rogers, Gladys Rodgers and Amos J. Johnson of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Randall Gainey of Wicker Mill Community, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Keith Haralson and James Reid of Forest, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Curtis Horn, Sr. of Harpersville, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Leonard Jones, Margaret Evans, Charles Ray Hamil, William Douglas Russell, Joan Richardson, Rev. Carroll Reid and Darlene Virginia Entrekin of Union, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Eda Ruth Reece of Rock Branch, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Donald L. Nicholas and Betty Smith Kilpatrick of Duffee, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Dale Round of Conehatta, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Martin Hayes McMahan of Newton County, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Ellen Jeanette Bethany of Lawrence, MS.

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

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Francis Albert Embrey of Hickory, MS.

MESSAGE FROM THE HOUSE

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

S. B. No. 2107: Firearms; prohibit local governments and state agencies from restricting possession.

S. B. No. 2223: Arrest warrants; authorize issuance for sex offenses against children upon oral testimony.

S. B. No. 2313: Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness.

S. B. No. 2419: State Medical Examiner fees; extend repealer on.

S. B. No. 2420: Temporary license for social workers; authorize to practice in nonprofit facilities.

S. B. No. 2750: Pharmacy practice; revise definition of "written guideline or protocol" regarding location of delegated prescribing functions.

S. B. No. 2751: Mississippi Professional Massage Therapy Act; provide new requirements and extend the repealer thereon.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 508: AN ACT TO CREATE NEW SECTION 67-1-32, MISSISSIPPI CODE OF 1972, TO ALLOW RETIRING LAW ENFORCEMENT OFFICERS OF THE DEPARTMENT OF REVENUE TO RETAIN SIDEARM ISSUED BY THE DEPARTMENT; AND FOR RELATED PURPOSES.

H. B. No. 510: AN ACT TO AMEND SECTION 63-21-17, MISSISSIPPI CODE OF 1972, TO LIMIT THE PERIOD FOR WHICH THE MISSISSIPPI DEPARTMENT OF REVENUE IS REQUIRED TO RETAIN MOTOR VEHICLE CERTIFICATES OF TITLE TO FIFTEEN YEARS FROM THE DATE OF ISSUANCE; AND FOR RELATED PURPOSES.

H. B. No. 695: AN ACT TO AMEND SECTION 93-21-107, MISSISSIPPI CODE OF 1972, TO REMOVE THE MATCHING FUNDS REQUIREMENT FOR THE STATE DOMESTIC VIOLENCE FUND; AND FOR RELATED PURPOSES.

H. B. No. 746: AN ACT TO AMEND SECTION 63-17-55, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS FOR THE MISSISSIPPI MOTOR VEHICLE COMMISSION LAW; TO AMEND SECTION 63-17-85, MISSISSIPPI CODE OF 1972, TO REVISE THE REASONS FOR WHICH THE MOTOR VEHICLE COMMISSION MAY REJECT OR ACCEPT A LICENSE; TO CREATE NEW SECTION 63-17-86, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE OBLIGATIONS OF MANUFACTURERS, DISTRIBUTORS AND MOTOR VEHICLE DEALERS; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

Senator Blackwell moved that the Senate adjourn until 10:00 AM, Wednesday, March 10, 2021.

The motion prevailed, and at 4:06 PM, the Senate stood adjourned in memory of Dorothy Duncan Jones Walcott, Rose Marie Bowie, Grady Carl Boozer, Betty Jean Richardson, Serlena Dennis, Steve Pace, Barbara Crain, John W. Craven, Pamela Rogers, Gladys Rodgers, Amos J. Johnson, Kay Snow, Randall Gainey, Keith Haralson, James Reid, Curtis Horn, Sr., Leonard Jones, Margaret Evans, Charles Ray Hamil, William Douglas Russell, Joan Richardson, Rev. Carroll Reid, John Christopher Scott, Darlene Virginia Entrekin, Eda Ruth Reece, Donald L. Nicholas, Betty Smith Kilpatrick, Dale Round, Martin Hayes McMahan, Ellen Jeanette Bethany, John Garvin, Francis Albert Embrey, Attorney Phillip Johnson Brookins, Wanda Kaye Tira, Elizabeth Ann Tillson, Ernest George Thomas, Tim Marsalis Hill, II and Jo Ann Herrington.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, MARCH 9, 2021

S. R. No. 29: Rules

A RESOLUTION RECOGNIZING AND CONGRATULATING BILOXI ELEMENTARY SCHOOL AND D'IBERVILLE ELEMENTARY SCHOOL FOR RECEIVING THE 2020 NATIONAL BLUE RIBBON SCHOOL AWARD IN ACKNOWLEDGEMENT OF ACADEMIC PERFORMANCE.

By Senator(s) DeLano, Seymour

SIXTY-FIFTH DAY, WEDNESDAY, MARCH 10, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Horhn. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Horhn.

The invocation was delivered by Senator Williams, written by Rev. Nathan Phillips, First United Methodist Church, Eupora, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. C. R. No. 10: A CONCURRENT RESOLUTION HONORING THE LIFE, LEGACY AND CONTRIBUTIONS OF MR. ARTHUR JAMES "JOBIE" ANDERSON, SR., AND EXPRESSING SINCEREST SYMPATHY UPON HIS PASSING.

H. C. R. No. 11: A CONCURRENT RESOLUTION COMMENDING THE MAGEE HIGH SCHOOL TROJANS FOOTBALL TEAM AND HEAD COACH TEDDY DYESS FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 3A STATE FOOTBALL CHAMPIONSHIP.

H. C. R. No. 20: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN

FROM PANOLA, REPRESENTATIVE NOLAN METTETAL, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE UPON HIS PASSING.

H. C. R. No. 22: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING

H. C. R. No. 25: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM RANKIN, REPRESENTATIVE NOLAN "RAY" R. ROGERS, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE UPON HIS PASSING.

H. C. R. No. 27: A CONCURRENT RESOLUTION COMMENDING THE GALLANT SERVICE, LIFE AND LEGACY OF MISSISSIPPI HIGHWAY PATROL LIEUTENANT TROY MORRIS AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 30: A CONCURRENT RESOLUTION COMMENDING THE OUTSTANDING ACCOMPLISHMENTS OF AND CONGRATULATING THE SIX STELLAR HIGH SCHOOL ATHLETES WHO WERE NAMED RECIPIENTS OF THE 2020 MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA) MR. FOOTBALL AWARD.

H. C. R. No. 33: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MRS. RUBY KATE WOOLRIDGE BOWLES.

H. C. R. No. 34: A CONCURRENT RESOLUTION COMMENDING THE LIFE AND LEGACY OF MR. JAMES "DAVID" ALFORD, SR., AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 3075: Town of Sardis; extend repeal date on hotel, motel and restaurant tax. Title Sufficient. Do Pass.

S. B. No. 3079: City of Greenwood; extend the repeal date on the tourism tax and the Greenwood Tourism Commission. Title Sufficient. Do Pass.

S. B. No. 3076: Jackson County and the City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, Inc. Title Sufficient. Do Pass.

S. B. No. 3083: City of Vicksburg; extend repealers on authority to contribute to various organizations. Title Sufficient. Do Pass.

S. B. No. 3080: City of Vicksburg; authorize adoption of vacant commercial building registration ordinance. Title Sufficient. Committee Substitute. Do Pass.

MCMAHAN, Chairman

Senator Hopson called up the following entitled bill:

H. B. No. 1290: Attorney General; allow salaries of assistants to exceed statutory limitation under certain circumstances.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 7-5-3, Mississippi Code of 1972, is amended as follows:

7-5-3. There shall be no more than two (2) deputy attorneys general whose qualifications shall be the same as that of the Attorney General, who shall be appointed by the Attorney General to serve at his will and pleasure and whose compensation shall be fixed by the Legislature. The Attorney General may, in writing filed with the office of the Secretary of State, designate the deputy attorneys general to perform any duties and powers conferred on the Attorney General and to serve in his place and stead on any nonconstitutional board or commission for a particular meeting or series of called or regular meetings; and on such boards or commissions the deputy attorney general's vote, decision or signature thereon shall have the full force and effect and shall be legal and binding on the State of Mississippi as if the Attorney General had personally participated in such meeting or meetings. The State Personnel Board, based upon its findings of fact, may exempt deputy attorneys general from the provisions of Section 25-3-39(2) when the acquisition of such professional services is precluded based on the prevailing wage in the relevant labor market. The two (2) deputy attorneys general shall not be paid a salary or compensation, directly or indirectly, greater than one hundred twenty percent (120%) of the salary fixed in Section 25-3-31 for the Attorney General.

SECTION 2. Section 7-5-5, Mississippi Code of 1972, is amended as follows:

7-5-5. (1) The Attorney General shall appoint nine (9) competent attorneys, each of whom shall be designated as an assistant attorney general. The assistants shall each possess all of the qualifications required by law of the Attorney General and shall have power and authority under the direction and supervision of the Attorney General to perform all of the duties required by law of that officer; and each shall be liable to the pains and penalties to which the Attorney General is liable. The assistants shall serve at the will and pleasure of the Attorney General, and they shall devote their entire time and attention to the duties pertaining to the department of justice as required by the general laws. The compensation of all assistants authorized by law shall be fixed by the Attorney General not to exceed the compensation fixed by law. However, the State Personnel Board, based upon its findings of fact, may exempt assistant and special assistant attorneys general from the provisions of Section 25-3-39(2) when the acquisition of attorneys with the same level of expertise is precluded based on the prevailing wage in the relevant labor market, provided that the compensation paid to those assistant and special assistant attorneys general shall not, directly or indirectly, be in excess of the compensation authorized to be paid to the deputy attorneys general in Section 7-5-3. The assistant and special assistant attorneys general shall not be paid a salary or compensation, directly or indirectly, greater than one hundred twenty percent (120%) of the salary fixed in Section 25-3-31 for the Attorney General.

(2) (a) The Attorney General shall designate three (3) of the assistant attorneys general authorized under subsection (1) of this section to devote their time and attention primarily to defending and aiding in the defense in all courts of any suit, filed or threatened,

against the State of Mississippi, against any subdivision thereof, or against any agency or instrumentality of the state or subdivision, including all elected officials and any other officer or employee thereof. When the circumstances permit, the assistants may perform any of the Attorney General's powers and duties, including, but not limited to, engaging in lawsuits outside the state when in his opinion this would help bring about the equal application of federal laws and court decisions in every state and guaranteeing equal protection of the laws as guaranteed every citizen by the United States Constitution.

(b) The Attorney General may employ outside counsel as special assistant attorneys general on a fee or contract basis; the Attorney General shall be the sole judge of the compensation in such cases except as otherwise provided in Section 7-5-8.

(i) Any contract for services of outside counsel shall require current and complete written time and expense records that describe in detail the time, in increments of no greater than one tenth (1/10) of an hour, and money spent each day in performance of the contract.

(ii) On conclusion of the matter for which the outside legal services were obtained, outside counsel shall provide a complete written statement of all fees and expenses, and the final complete time and expense records.

(3) The Attorney General may discharge any assistant attorney general or special assistant attorney general at his pleasure and appoint another in his stead. The assistant attorneys general shall devote their entire time and attention to the duties pertaining to the Department of Justice under the control and supervision of the Attorney General.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 7-5-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE PERSONNEL BOARD MAY EXEMPT DEPUTY ATTORNEYS GENERAL FROM THE STATUTORY MAXIMUM COMPENSATION LIMITATION WHEN THE ACQUISITION OF ATTORNEYS WITH THE SAME LEVEL OF EXPERTISE IS PRECLUDED BASED ON THE PREVAILING WAGE IN THE RELEVANT LABOR MARKET, AND TO LIMIT THEIR SALARY TO 120% OF THE ATTORNEY GENERAL SALARY; TO AMEND SECTION 7-5-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE PERSONNEL BOARD MAY EXEMPT ASSISTANT AND SPECIAL ASSISTANT ATTORNEYS GENERAL FROM THE STATUTORY MAXIMUM COMPENSATION LIMITATION WHEN THE ACQUISITION OF ATTORNEYS WITH THE SAME LEVEL OF EXPERTISE IS PRECLUDED BASED ON THE PREVAILING WAGE IN THE RELEVANT LABOR MARKET, AND TO LIMIT THEIR SALARY TO 120% OF THE ATTORNEY GENERAL SALARY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1290 was adopted.

YEAS AND NAYS On H. B. No. 1290. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th),

Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Williams, Witherspoon, Younger. Total--44.

Nays--Bryan, Jackson R. (11th), Jordan, Wiggins. Total--4.

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

Voting Present--Butler, Simmons D. T. (12th), Turner-Ford. Total--3.

Senator Harkins called up the following entitled bill:

H. B. No. 136: Individual bond; require for public officers and employees handling or having the custody of public funds.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Notwithstanding any other provision of law to the contrary, any public officer or employee handling or having the custody of public funds, by virtue of his or her office or employment, shall give an individual bond. Such bond for the public officer or employee shall be in the amount of Twenty-five Thousand Dollars (\$25,000.00), unless a specific amount is otherwise required by law. The provisions of this section shall not apply to any public officer or employee whose activity of handling or having custody of public funds is incidental to his or her employment or job duties, as defined by the regulations of the State Auditor's office.

(2) All individual bonds as required by this section shall follow the form and content as provided in Section 25-1-15.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE ANY PUBLIC OFFICER OR EMPLOYEE HANDLING OR HAVING THE CUSTODY OF PUBLIC FUNDS, BY VIRTUE OF HIS OR HER OFFICE OR EMPLOYMENT, TO GIVE BOND IN A CERTAIN AMOUNT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 136 was adopted.

YEAS AND NAYS On H. B. No. 136. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--40.

Nays--Barnett, Blackmon, Bryan, Butler, Jackson R. (11th), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--11.

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

Senator Hopson entered a motion to reconsider the vote whereby **H. B. No. 1290** passed the Senate as amended.

H. B. No. 1290: Attorney General; allow salaries of assistants to exceed statutory limitation under certain circumstances.

Senator Harkins called up the following entitled bill:

H. B. No. 512: ABC agents/inspectors; revise certain provisions regarding powers of.

YEAS AND NAYS On H. B. No. 512. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--Norwood, Simmons D. T. (12th). Total--2.

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

Senator Harkins called up the following entitled bill:

H. B. No. 425: Ad valorem tax; revise certain provisions regarding when an application for change of property assessment may be made.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-35-143, Mississippi Code of 1972, is amended as follows:

27-35-143. (1) The board of supervisors of each county shall have power, upon application of the party interested, or by the assessor on behalf of such party, or otherwise as prescribed in Sections 27-35-145 through 27-35-149, to change, cancel or decrease an assessment in the manner herein provided at any time after the assessment roll containing such assessment has been finally approved by the * * * Department of Revenue, and, except as otherwise provided in subsection (2) of this section, prior to the last Monday in August next, under the following circumstances and no other:

* * *(a) When the same property has been assessed more than once to one or more persons.

* * *(b) When a clerical error has been made in transcribing the assessment from the tax list to the assessment roll, or from the assessment roll to the copies, or in

amending the original assessment roll, in making the equalization of assessments, or in carrying out the instructions of the * * * Department of Revenue.

* * *(c) When an error in addition or multiplication has been made in the compilation of the tax list, roll or copy of the roll.

* * *(d) When there is an assessment of property which never existed, or was not owned by or in the possession of the party to whom assessed, on the next preceding tax lien date.

* * *(e) When the assessment is in the name of another than the owner of the property on the next preceding tax lien date.

* * *(f) When the assessment is so indefinite as to give a vague or imperfect description of the property assessed.

* * *(g) When the property assessed is nontaxable, or was not subject to taxation on the next preceding tax lien date.

* * *(h) When the property is not liable to a special district tax levy for which it has been assessed.

* * *(i) When the property, after the next preceding tax lien date, but before the payment of taxes due thereon, has ceased to exist, on account of death or destruction by fire, explosion, storm, flood, earthquake, lightning, or other inevitable accident or act of Providence; or has depreciated in value on account of any such accident or occurrence as the foregoing.

Provided, however, that where property has been insured the amount collected as insurance by reason of such loss shall be taken into account by the board in reducing the assessment, or refunding any tax payment thereon.

* * *(j) When the assessment does not show the correct number of acres, actually in the property described, or the correct quantity of any property.

* * *(k) When lands have been assessed and incorrectly classified; or when buildings and improvements have been assessed which were not on the land, at the preceding tax lien date; or where the buildings and improvements, at the preceding tax lien date, were exempt from assessment and taxation.

* * *(l) When the property has been assessed for more than its actual value; but in such cases the board shall require proof, under oath, of such excessive assessment by two (2) or more competent witnesses who know of their own personal knowledge that the property is assessed for a higher sum than its true value.

* * *(m) When the property has been assessed as subject to state taxes and is exempt; or when the property has been assessed as subject to county and district taxes and is exempt from such taxes.

* * *(n) When buildings and improvements have been assessed with the land, but are owned by someone other than the owner of the land.

(2) The assessor shall make an application on behalf of the party interested if the assessor has knowledge of any circumstance or occurrence described in subsection (1)(i) of this section regardless of whether the party interested has made such an application. If the assessor fails to make such application, the party interested may make an application with the board of supervisors not later than six (6) months after the date of the accident or occurrence described in subsection (1)(i) of this section, and the board of supervisors may change, cancel or decrease the assessment.

SECTION 2. Section 27-35-135, Mississippi Code of 1972, is brought forward as follows:

27-35-135. When the land roll is ordered by the board to be declared in force for the year following the year in which it was made, the assessor shall assemble, for presentation to the board, all necessary information which is obtainable with respect to the taxable real property in the county, and shall present to the board at its July meeting his recommendation of the changes which include the addition of buildings not on the roll, changes in ownership, subdivisions of tracts of land, and destruction of buildings, and other information which is pertinent to the circumstances enumerated in Sections 27-35-143 and 27-35-147, or as may be requested by the board, to enable it to make such changes as will cause the taxes to be charged to the person or property liable therefor, and to fix the assessments of property according to the value thereof, to the end that all property shall be assessed and taxed uniformly and equally. The board shall proceed to consider the land assessment roll along with the personal property assessment roll as is required by Sections 27-35-83 and 27-35-87, Mississippi Code of 1972, in the same manner as is done in the year in which the land roll is made. The board shall make a record of its changes, and if expedient the board may prepare, or have prepared, new pages to replace any page or pages in the roll where changes are so numerous as to cause confusion and uncertainty in the description of any property and of any individual assessment. The pages which are replaced shall be marked void by the clerk, who shall place the new pages in the roll at the place in the roll immediately following the pages marked void, and shall certify copies of the new pages, one (1) to the tax collector, and one (1) to the Tax Commission. The tax collector and the Tax Commission shall place the pages received in their respective copies of the roll.

The board shall publish a notice to the taxpayers as required by Section 27-35-83 that the roll is open for inspection and shall meet and hear objections as provided by Sections 27-35-89 and 27-35-93. When all objections have been heard, the board shall approve finally, by order, the roll as so corrected and revised, and the clerk of the board shall prepare a new recapitulation and a new certificate for the corrected roll and deliver one (1) copy to the tax collector and one (1) copy to the State Tax Commission. The roll so approved shall be the legal roll, and the values thus fixed shall be the legal value of the property described for the payment of taxes, and it shall be the duty of each and every taxpayer to pay his taxes thereon according to such value.

SECTION 3. Section 27-35-145, Mississippi Code of 1972, is brought forward as follows:

27-35-145. Any person desiring a change in assessment as provided in Section 27-35-143 shall make, in writing, an application in duplicate to the board of supervisors of the county where such assessment is made (or the tax assessor of the county may make such applications for him) on the forms prescribed, setting forth the grounds for the reduction, change, or cancellation claimed. At any meeting, either regular, special, or adjourned, the board of supervisors may hear and determine the matter and shall require such evidence as, in its opinion, is necessary to substantiate the application. If the board approves the application it shall adopt an order setting forth its conclusions, which order shall be dealt with as hereinafter provided. The State Tax Commission shall prescribe and furnish the forms necessary for complying with the provisions of this section.

SECTION 4. Section 27-35-149, Mississippi Code of 1972, is brought forward as follows:

27-35-149. It shall be the duty of the board of supervisors in carrying out the provisions of Sections 27-35-143 through 27-35-147 to make such changes in assessments as will cause the taxes to be charged to the person or property liable therefor, and to fix the assessments of property according to the true value thereof, to the end that all property shall be assessed and taxed equally and uniformly. In all cases, the

board shall adopt an order and enter the same on its minutes, and shall show in its order the page and line of the assessment roll where such change or correction is made.

Upon receipt of the order (and application, if one be required), the clerk of the board of supervisors shall transmit a certified copy of the order to the tax collector of his county and shall file the application as a record in his office. No assessment shall be increased or decreased and no credit to or charge against the tax collector of any county on account of such increase or decrease shall be entered by the Auditor of Public Accounts or by the county auditor except as shown by an order adopted by the board of supervisors as provided herein. All changes in assessment made under the provisions hereof shall be entered on the proper line and page of the assessment roll in force, and the clerk and tax collector shall keep the proper record of all such changes, increases or decreases. Nothing in this and Sections 27-35-143 through 27-35-147 shall be construed to affect or modify any law with reference to the assessing of property which has escaped taxation in former years.

SECTION 5. Section 27-37-27, Mississippi Code of 1972, is brought forward as follows:

27-37-27. When the assessor and chancery clerk shall receive the roll or schedule of land from the State Tax Commission, as provided by Section 27-37-21 of this article, in the years in which land is not assessed, or after the completion of the roll in land assessment years, they shall present the same to the board of supervisors, and the board shall carefully compare it with the land assessment roll of the county. It shall be the duty of the board of supervisors of each county in which any of such lands are located, to require the assessor to prepare proper petitions for the cancellation or change of assessments as provided by Section 27-35-143, Mississippi Code of 1972, and the board shall proceed to adopt proper orders as required by Section 27-35-149, Mississippi Code of 1972, so as to cancel all assessments against land owned by the United States for the purposes set forth in this article, and to assess to the proper owners any lands which are taxable to individual owners. All such petitions prepared by the assessor shall be acted upon by the board, proper orders adopted, as herein provided, and the same submitted to the tax commission for its approval or disapproval, to the end that all lands which are exempt from assessment shall be so shown on the roll, and all parties properly assessed with the lands owned, and the tax collector credited with any assessments with which he may be charged, and which are cancelled or reduced.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-35-143, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A TAX ASSESSOR HAS KNOWLEDGE OF CERTAIN CIRCUMSTANCES OR OCCURRENCES THAT MAY AFFECT AN ASSESSMENT OF PROPERTY FOR AD VALOREM TAX PURPOSES, THE TAX ASSESSOR SHALL MAKE AN APPLICATION ON BEHALF OF THE INTERESTED PARTY WITH THE BOARD OF SUPERVISORS TO CHANGE, CANCEL OR DECREASE THE ASSESSMENT; TO BRING FORWARD SECTIONS 27-35-135, 27-35-145, 27-35-149 AND 27-37-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE CHANGE OF ASSESSMENTS OF PROPERTY FOR AD VALOREM TAX PURPOSES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senators Harkins and Johnson offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 203 before the period by inserting ", and shall stand repealed on June 30, 2021"

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 425 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 425 was adopted.

YEAS AND NAYS On H. B. No. 425. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Harkins called up the following entitled bill:

H. B. No. 945: Light wine, beer and light spirit product; revise number of qualified electors required to petition for election to prohibit or authorize.

YEAS AND NAYS On H. B. No. 945. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--42.

Nays--Branning, Chism, Hill, Norwood, Parker, Sparks, Tate. Total--7.

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

Senator Simmons D. T. (12th), who would have voted yea on H. B. No. 945, announced a pair with Senator Frazier, who would have voted nay.

Senator Harkins called up the following entitled bill:

H. B. No. 997: Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-3-31, Mississippi Code of 1972, is brought forward as follows:

27-3-31. (1) It shall specifically be the duty of the Commissioner of Revenue, and he shall have power and authority:

(a) To adopt, amend or repeal those rules or regulations necessary and proper to effectively administer the Department of Revenue and implement the duties assigned to the commissioner in this section and in any other statute as well as any duties assigned to the Department of Revenue.

(b) To develop, implement and decide questions of policy as it relates to the operation of the Department of Revenue and/or any law which the commissioner or the Department of Revenue is required to administer.

(c) To supervise and direct all administrative and technical activities of the Department of Revenue.

(d) To organize the offices, bureaus and divisions of the Department of Revenue.

(e) To coordinate the activities of the various offices, bureaus and divisions of the Department of Revenue.

(f) To delegate such administrative functions, duties or powers as he deems necessary to carry out the efficient operation of the Department of Revenue.

(g) To make, execute and effectuate any and all agreements or contracts, including contracts for the purchase of goods and services, as are necessary.

(h) To enter into long-term or multiyear leases of real property with other state agencies.

(i) To appeal any decision of the Board of Tax Appeals that he determines should be appealed.

(j) To defend, pursue and/or appeal any suit or appeal brought by or against the Department of Revenue and/or by or against the Commissioner of Revenue in his official capacity.

(k) To confer with and advise assessing officers, boards of supervisors and other county officers as to their duties relative to ad valorem taxation under the law; and to advise them in the collection, filing and preservation of data relative to matters of assessment.

(l) To become familiar with property values and general conditions in the counties of the state and to direct the collection and preservation of data and information pertaining to the quantity and value of property in each county in the state, subject to assessment, necessary to enable the commissioner to determine the assessed value of classes of property and whether assessments comply with acceptable performance standards as required by Section 27-35-113.

(m) To direct the collection, preparation and preservation of data and information pertaining to the quantity, value and location of property belonging to railroads, persons, corporations and associations which is required to be assessed by the commissioner.

(n) To supervise and direct the preparation of forms for the assessment of property of railroads and public service corporations assessed by the commissioner, and the filing of their rolls or schedules of assessment.

(o) To determine the location of all property subject to assessment by the commissioner in the various counties of the state, the municipalities and taxing districts therein, and to ascertain and report as far as practicable the value and ownership of all such property.

(p) To keep informed of the work of the assessors and supervisors of the various counties of the state as required by Section 27-3-51, and to have charge of the details necessary to the equalization by the commissioner of assessments among the various counties pursuant to Section 27-35-113.

(q) To prepare all forms for tax lists, assessment rolls and perform other duties relating thereto.

(r) To prepare data and statistics relating to property assessments which are deemed advisable for publication or which may be required by the Legislature.

(s) To confer with assessors, supervisors and other local taxing officials who may have business with the Department of Revenue.

(t) To consider and approve or disapprove all orders of boards of supervisors granting homestead exemptions.

(u) To administer and enforce the "Local Option Alcoholic Beverage Control Law," being Section 67-1-1 et seq.

(v) To adopt and enforce rules and regulations prescribing the manner and method by which tax returns and documents may be filed with the Department of Revenue as provided under Section 27-3-83.

(2) The Commissioner of Revenue and any agent duly authorized by the commissioner are empowered to administer and certify oaths.

SECTION 2. Section 67-1-37, Mississippi Code of 1972, is brought forward as follows:

67-1-37. The Department of Revenue, under its duties and powers with respect to the Alcoholic Beverage Control Division therein, shall have the following powers, functions and duties:

(a) To issue or refuse to issue any permit provided for by this chapter, or to extend the permit or remit in whole or any part of the permit monies when the permit cannot be used due to a natural disaster or act of God.

(b) To revoke, suspend or cancel, for violation of or noncompliance with the provisions of this chapter, or the law governing the production and sale of native wines, or any lawful rules and regulations of the department issued hereunder, or for other sufficient cause, any permit issued by it under the provisions of this chapter. The department shall also be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section

93-11-157 or Section 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

(c) To prescribe forms of permits and applications for permits and of all reports which it deems necessary in administering this chapter.

(d) To fix standards, not in conflict with those prescribed by any law of this state or of the United States, to secure the use of proper ingredients and methods of manufacture of alcoholic beverages.

(e) To issue rules regulating the advertising of alcoholic beverages in the state in any class of media and permitting advertising of the retail price of alcoholic beverages.

(f) To issue reasonable rules and regulations, not inconsistent with the federal laws or regulations, requiring informative labeling of all alcoholic beverages offered for sale within this state and providing for the standards of fill and shapes of retail containers of alcoholic beverages; however, such containers shall not contain less than fifty (50) milliliters by liquid measure.

(g) Subject to the provisions of subsection (3) of Section 67-1-51, to issue rules and regulations governing the issuance of retail permits for premises located near or around schools, colleges, universities, churches and other public institutions, and specifying the distances therefrom within which no such permit shall be issued. The Alcoholic Beverage Control Division shall not issue a package retailer's or on-premises retailer's permit for the sale or consumption of alcoholic beverages in or on the campus of any public school, community or junior college, college or university.

(h) To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this chapter or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution and sale of alcoholic liquor, whether intended for beverage or nonbeverage use in a manner not inconsistent with the provisions of this chapter or any other statute, including the native wine laws.

(i) To call upon other administrative departments of the state, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it may deem necessary in the performance of its duties.

(j) To prepare and submit to the Governor during the month of January of each year a detailed report of its official acts during the preceding fiscal year ending June 30, including such recommendations as it may see fit to make, and to transmit a like report to each member of the Legislature of this state upon the convening thereof at its next regular session.

(k) To inspect, or cause to be inspected, any premises where alcoholic liquors intended for sale are manufactured, stored, distributed or sold, and to examine or cause to be examined all books and records pertaining to the business conducted therein.

(l) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him to the Legislature of this state such amendments to this chapter, if any, as it may think desirable.

(m) To designate hours and days when alcoholic beverages may be sold in different localities in the state which permit such sale.

(n) To assign employees to posts of duty at locations where they will be most beneficial for the control of alcoholic beverages and to take any other action concerning persons employed under this chapter as authorized by law and taken in accordance with the rules, regulations and procedures of the State Personnel Board.

(o) To enforce the provisions made unlawful by Chapter 3, Title 67 and Section 97-5-49.

(p) To delegate its authority under this chapter to the Alcoholic Beverage Control Division, its director or any other officer or employee of the department that it deems appropriate.

(q) To prescribe and charge a fee to defray the costs of shipping alcoholic beverages, provided that such fee is determined in a manner provided by the department by rules and/or regulations adopted in accordance with the Mississippi Administrative Procedures Law.

SECTION 3. Section 67-1-41, Mississippi Code of 1972, is brought forward as follows:

67-1-41. (1) The department is hereby created a wholesale distributor and seller of alcoholic beverages, not including malt liquors, within the State of Mississippi. It is granted the right to import and sell alcoholic beverages at wholesale within the state, and no person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than the department except as authorized in subsections (4), (9) and (12) of this section. The department may establish warehouses, purchase alcoholic beverages in such quantities and from such sources as it may deem desirable and sell the alcoholic beverages to authorized permittees within the state including, at the discretion of the department, any retail distributors operating within any military post or qualified resort areas within the boundaries of the state, keeping a correct and accurate record of all such transactions and exercising such control over the distribution of alcoholic beverages as seem right and proper in keeping with the provisions or purposes of this chapter.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this chapter, or as otherwise provided by law for native wines.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than as provided in this chapter, or as otherwise provided by law for native wines.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries and distillers of alcoholic beverages or from the department. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of native wines sold by the department, so that those wines may be delivered to the retailer at the native winery instead of via shipment from the department's warehouse.

(11) [Through June 30, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30) days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for

delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this chapter, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this chapter upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 4. Section 67-1-43, Mississippi Code of 1972, is brought forward as follows:

67-1-43. Any authorized retail distributor who shall purchase or receive intoxicating liquor from any source except from the department, unless authorized by rules and regulations of the department promulgated under Section 67-1-41, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), nor more than Two Thousand Dollars (\$2,000.00), to which may be added imprisonment in the county jail for not more than six (6) months. Any authorization of such person to sell intoxicating beverages may be revoked as provided by law.

SECTION 5. Section 67-1-45, Mississippi Code of 1972, is brought forward as follows:

67-1-45. No manufacturer, rectifier or distiller of alcoholic beverages shall sell or attempt to sell any such alcoholic beverages, except malt liquor, within the State of Mississippi, except to the department, or as provided in Section 67-1-41, or pursuant to Section 67-1-51. A producer of native wine may sell native wines to the department or to consumers at the location of the native winery or its immediate vicinity.

Any violation of this section by any manufacturer, rectifier or distiller shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), and not more than Two Thousand Dollars (\$2,000.00), to which may be added imprisonment in the county jail not to exceed six (6) months.

SECTION 6. The Legislature shall appropriate funds for necessary upgrades to the Alcoholic Beverage Control Division warehouse.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTIONS 27-3-31, 67-1-37, 67-1-41, 67-1-43 AND 67-1-45, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO PROVIDE THAT THE LEGISLATURE SHALL APPROPRIATE FUNDS FOR NECESSARY UPGRADES TO THE ALCOHOLIC BEVERAGE CONTROL DIVISION WAREHOUSE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 997 was adopted.

YEAS AND NAYS On H. B. No. 997. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

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

Voting Present--Chism, Jackson S. (32nd). Total--2.

Senator Harkins called up the following entitled bill:

H. B. No. 1091: Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-71-301, Mississippi Code of 1972, is amended as follows:

27-71-301. When used in this article the words and terms hereafter mentioned shall have the following definitions:

(a) "State Auditor" means the State Auditor of Public Accounts of the State of Mississippi or any legally appointed deputy, clerk or agent.

(b) "Person" includes all natural persons or corporations, a partnership, an association, a joint venture, an estate, a trust, or any other group or combination acting as a unit and shall include the plural as well as the singular unless an intention to give another meaning thereto is disclosed in the context.

(c) "Consumer" means a person who comes into the possession of beer, light spirit product or light wine, the sale of which is authorized by Chapter 3 of Title 67, Mississippi Code of 1972, for the purpose of consuming it, giving it away or otherwise disposing of it in any manner except by sale, barter or exchange.

(d) "Retailer" means any person who comes into the possession of such light wines, light spirit products or beer for the purpose of selling it to the consumer, or giving it away, or exposing it where it may be taken or purchased or acquired in any other manner by the consumer. The term "retailer" shall include small craft breweries and microbreweries; however, the term "retailer" shall not include a person who offers and provides beer on the premises of a brewery for the purpose of tasting or sampling as authorized in Section 67-3-47.

(e) "Wholesaler" means any person who comes into possession of such light wine, light spirit product or beer for the purpose of selling, distributing, or giving it away to retailers or other wholesalers or dealers inside or outside of this state.

(f) "Commissioner" means the Commissioner of Revenue of the Department of Revenue or his duly appointed agents or employees.

(g) "Sale" includes the exchange of such light wines, light spirit products or beer for money, or giving away or distributing any such light wines, light spirit products or beer for anything of value; however, the term "sale" shall not include beer offered and provided on the premises of a brewery for the purpose of tasting or sampling as authorized in Section 67-3-47.

(h) "Light wines, light spirit products or beer" means beer, light spirit products and light wines legalized for sale by the provisions of Chapter 3 of Title 67, Mississippi Code of 1972.

(i) "Distributor" includes every person who receives either from within or from without this state, from a brewery, a winery or any other source, light wines, light spirit products or beer as defined in Chapter 3 of Title 67, Mississippi Code of 1972, for the purpose of distributing or otherwise disposing of such light wines, light spirit products or beer to a wholesaler or retailer of such light wines, light spirit products or beer.

(j) "Brewpub" means the premises of any location in which light wine, light spirit product or beer is manufactured or brewed, for retail sale if the total amount of light

wine, light spirit product or beer produced on the premises does not exceed the production limitation imposed in Section 67-3-22, and the light wine, light spirit product or beer is produced for consumption on the premises, although without prohibition on sales for off-premises consumption.

(k) "Hospitality cart" means a mobile cart from which alcoholic beverages and light wine, light spirit product and beer are sold on a golf course and for which a hospitality cart permit has been issued under Section 67-1-51.

(l) "Small craft brewery" shall have the meaning ascribed to such term in Section 67-3-3.

(m) "Manufacturer" means a person who brews beer at a brewery; however, the term does not include "brewpubs."

(n) "Microbrewery" shall have the meaning ascribed to such term in Section 67-3-3.

SECTION 2. Section 27-71-303, Mississippi Code of 1972, is amended as follows:

27-71-303. Upon each person approved for a permit to engage in the business of selling light wines, light spirit products or beer there is hereby imposed, levied and assessed, to be collected and paid as herein provided, annual privilege taxes in the following amounts:

(a) Retailers--for each place of

business.....\$ 30.00

(b) Wholesalers or distributors--for each

county\$ 100.00

(c) Manufacturers--for each place of

business.....\$1,000.00

(d) Brewpubs--for each place of

business.....\$1,000.00

(e) Microbrewery--for each place of

business.....\$1,000.00

(f) Small craft brewery--for each

place of business.....\$1,000.00

Upon each person operating an airline, bus, boat or railroad car upon which light wines, light spirit products or beer may be sold there is hereby imposed, levied and

assessed, to be collected and paid, annual privilege taxes of Thirty Dollars (\$30.00) for each airplane, bus, boat or railroad car so operated in this state.

Provided, however, the amount of the privilege tax to be paid for a permit issued for a period of less than twelve (12) months shall be that proportionate amount of the annual privilege tax that the number of months, or part of a month, remaining until its expiration date bears to twelve (12) months, but in no case shall the privilege tax be less than Ten Dollars (\$10.00).

SECTION 3. Section 27-71-307, Mississippi Code of 1972, is amended as follows:

27-71-307. (1) (a) In addition to the specific tax imposed in Section 27-71-303, there is hereby imposed, levied, assessed and shall be collected, as hereinafter provided, an excise or privilege tax upon each person engaged or continuing in the business of wholesaler or distributor of light wines, light spirit products or beer equivalent to Forty-two and Sixty-eight One-hundredths Cents (42.68¢) per gallon upon all light wines, light spirit products and beer acquired for sale or distribution in this state. The excise or privilege tax is also imposed at the same rate upon each gallon of light wine, light spirit product or beer manufactured by brewpubs, each of which shall accurately and reliably measure the quantity of light wine, light spirit product and beer produced by using a measuring device such as a meter or gauge glass or any other suitable method approved by the commissioner. The excise or privilege tax is also imposed at the same rate upon each gallon of light wine, light spirit product or beer provided by a small craft brewery or microbrewery for sale as authorized under Section 67-3-48 and upon each gallon of light wine, light spirit product or beer provided for tasting or sampling under Section 67-3-47. The tax is hereby imposed as an additional tax for the privilege of engaging or continuing in business.

(b) The excise tax imposed in this section shall be paid to the Department of Revenue monthly on or before the fifteenth day of the month following the month in which the beer, light spirit product or light wine was manufactured or received in this state. Monthly report forms shall be furnished by the commissioner to the wholesalers, distributors, brewpubs, microbreweries and small craft breweries.

(c) Provided that persons operating a railroad dining car, club car or other car in interstate commerce upon which light wines, light spirit products or beer may be sold and who are licensed under the provisions of Section 67-3-27 and any other law relating to the sale of such beverages shall keep such records of the sales of such light wines, light spirit products and beer in this state as the commissioner shall prescribe and shall submit monthly reports of such sales to the commissioner within fifteen (15) days after the end of each month on a form prescribed therefor by the commissioner, and shall pay the tax due under the provisions of this section at the time such reports are filed.

No official crowns, lids, labels or stamps with the word "MISSISSIPPI" or "MS" imprinted thereon or any other evidence of tax payment is required by this section, or may be required under rule or regulation promulgated by the commissioner, to be affixed on or to any part of a beer, light wine, light spirit product or malt cooler bottle, can or other light wine, light spirit product or malt cooler container. For purposes of this section, malt cooler products shall be defined as a flavored malt beverage made from a base of malt beverage and flavored with fruit juices, aromatics and essences of other flavoring in quantities and proportions such that the resulting product possesses a character and flavor distinctive from the base malt beverage and distinguishable from other malt beverages.

(2) A licensed wholesaler or distributor of beer, light spirit product or light wine may not import beer, light spirit product or light wine from any source other than a brewer or importer authorized by the commissioner to sell such beer, light spirit product or light wine in Mississippi. Any person who violates the provisions of this subsection, upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court and shall be subject to license forfeiture following an appropriate hearing before the Department of Revenue.

(3) The wholesaler, distributor, microbrewery or small craft brewery shall be allowed credit for tax paid on beer, light spirit product or light wine which is no longer marketable and which is destroyed by same when such destruction is witnessed by an agent of the commissioner and when the amount of the excise tax exceeds One Hundred Dollars (\$100.00). No other loss will be allowed.

A brewpub shall be allowed credit for light wine, light spirit product or beer which has passed through the meter, gauge glass or other approved measuring device and which has been soured or damaged. The brewpub shall record the removal of sour or damaged light wine, light spirit product or beer and may take credit after the destruction is witnessed by an agent of the commissioner and when the amount of excise tax exceeds Twenty-five Dollars (\$25.00). No other loss shall be allowed.

(4) All manufacturers, brewers and importers of beer, light spirit product or light wine shall file monthly reports as prescribed by the commissioner listing sales to each wholesaler or distributor by date, invoice number, quantity and container size, and any other information deemed necessary.

(5) All small craft breweries and microbreweries shall file monthly reports as prescribed by the commissioner regarding the sale of light wine, light spirit product or beer authorized under Section 67-3-48.

(6) Manufacturers who offer and provide limited amounts of beer for tasting or sampling under Section 67-3-47 shall file monthly reports as prescribed by the commissioner regarding the beer provided for such tasting or sampling.

(7) All administrative provisions of the Mississippi Sales Tax Law, including those which fix damages, penalties and interest for nonpayment of taxes and for noncompliance with the provisions of such chapter, and all other requirements and duties imposed upon taxpayers, shall apply to all persons liable for taxes under the provisions of this chapter, and the commissioner shall exercise all the power and authority and perform all the duties with respect to taxpayers under this chapter as are provided in the sales tax law except where there is conflict, then the provisions of this chapter shall control.

SECTION 4. Section 27-71-509, Mississippi Code of 1972, is amended as follows:

27-71-509. It shall be unlawful for any brewer, manufacturer, distributor or retailer of light wines, light spirit products or beer to whom a permit has been issued under the provisions of Sections 67-3-15 and 67-3-23, Mississippi Code of 1972, to write or print on any label or container of either of the above-named commodities any matter relating to the alcoholic content of such beverage or beverages, except a statement, to the effect that the contents of the vessel or container in which light wine shall be sold does not contain alcohol in excess of five percent (5%) of the contents thereof, by weight, that the contents of the vessel or container in which light spirit product shall be sold does not contain alcohol in excess of * * * six and one-half percent (6-1/2%) of the contents thereof, by weight, and that the contents of the vessel or container in which beer shall be sold does not contain alcohol in excess of eight percent (8%) of the contents thereof, by weight. It shall be unlawful for any such brewer, wholesaler, distributor or retailer to sell any such commodity with any statement in conflict with the provisions of this section, with reference to the alcoholic content of such beverage or beverages, except that a statement of alcoholic content may be expressed on any light wine, light spirit product or beer label in terms of volume or weight, at the manufacturer's option; and such statement, if by volume, shall be subject to the same permitted tolerance allowed for wine containing fourteen percent (14%) alcohol by volume or less by Section 4.36(b)(1) of the Federal Labeling Requirements for Wine, 27 CFR Part 4, subpart D, and Section 7.71(c) 27 CFR Part 7, subpart G, and, if by weight, shall be subject to an equivalent permitted tolerance, determined in terms of alcohol by weight.

SECTION 5. Section 67-3-3, Mississippi Code of 1972, is amended as follows:

67-3-3. When used in this chapter, unless the context indicates otherwise:

(a) "Commissioner" means the Commissioner of Revenue of the Department of Revenue of the State of Mississippi, and his authorized agents and employees.

(b) "Person" means one or more persons, a company, a corporation, a partnership, a syndicate or an association.

(c) "Brewpub" shall have the meaning ascribed to such term in Section 27-71-301.

(d) "Beer" means a malt beverage as defined in the Federal Alcohol Administration Act and any rules and regulations adopted pursuant to such act of an alcoholic content of not more than eight percent (8%) by weight.

(e) "Light wine" means wine of an alcoholic content of not more than five percent (5%) by weight.

(f) "Small craft brewery" means a person having a permit under this chapter to manufacture or brew light wine, light spirit product or beer in this state and who manufactures or brews not more than sixty thousand (60,000) barrels of light wine, light spirit product or beer at all breweries that such person or its affiliates, subsidiary or parent company owns or controls or with whom such person contracts with for the manufacture of light wine, light spirit product or beer. For purposes of this paragraph, contract-brewed beer manufactured by a person having a permit under this chapter to manufacture or brew light wine, light spirit product or beer shall be included in the sixty-thousand-barrel limitation.

(g) "Growler" means a sealed container that holds not more than one hundred twenty-eight (128) ounces of light wine, light spirit product or beer. A growler must have a label on it stating what it contains.

(h) "Manufacturer" shall have the meaning ascribed to such term in Section 27-71-301.

(i) "Contract-brewed beer" means beer brewed by a manufacturer who:

(i) Makes the beer pursuant to a written contract with another beer manufacturer, and neither entity has a controlling interest in the other entity;

(ii) Makes the beer in accordance with a recipe that is a trade secret of the beer manufacturer having its beer made under contract; and

(iii) Has no right to sell the beer to any other beer manufacturer, importer or wholesaler other than the beer manufacturer who contracted for the beer.

(j) "Light spirit product" means a beverage of an alcoholic content of not more than four percent (4%) by weight and containing one or more distilled spirits, as defined in Section 67-1-5. It shall also mean a beverage of an alcoholic content in excess of four percent (4%) by weight but shall not exceed six and one-half percent (6-1/2%) alcohol by weight and is limited to containers of five hundred (500) milliliters or less for those products over four percent (4%) by weight but not exceeding six and one-half percent (6-1/2%) by weight.

(k) "Microbrewery" means a person having a permit under this chapter to manufacture or brew light wine, light spirit product or beer in this state and who manufactures or brews not more than three thousand (3,000) barrels of light wine, light spirit product or beer at its permitted location.

SECTION 6. Section 67-3-48, Mississippi Code of 1972, is amended as follows:

67-3-48. (1) A small craft brewery may sell at retail light wine, light spirit product or beer produced at its brewery for consumption on the premises of the brewery and consumption off the premises of the brewery if the sales are made on the premises of the brewery and the light wine, light spirit product or beer products offered for sale are also made available for sale to wholesalers.

(2) (a) A small craft brewery shall not sell at retail more than * * * twenty-five percent (25%) of the light wine, light spirit product or beer produced annually at its brewery or more than * * * two thousand five hundred (2,500) barrels of light wine, light spirit product or beer produced at the brewery annually, whichever is the lesser amount. For purposes of this subsection, contract-brewed beer shall not be included in the amount of beer produced annually at the brewery. The light wine, light spirit product or beer must be sold at a price approximating retail prices generally charged for identical beverages in the county where the brewery is located.

(b) A small craft brewery shall not make retail sales of more than * * * six hundred seventy (670) ounces, in the aggregate, of light wine, light spirit product or beer to any one (1) individual for consumption off the premises of the brewery within a twenty-four-hour period.

(c) The limits on sales provided for in this subsection shall not apply to beer provided pursuant to Section 67-3-47.

(d) A microbrewery shall not sell at retail more than eighty percent (80%) of light wine, light spirit product or beer produced annually at its brewery. The light wine, light spirit product or beer must be sold at a price approximating prices generally charged for identical beverages in the county where the microbrewery is located.

(3) A small craft brewery or microbrewery shall take commercially reasonable steps to ensure that light wine, light spirit product or beer products sold for consumption off the premises of the brewery are being sold for personal use and not for resale and are not being sold to anyone holding a retail permit for the purpose of resale in their establishment.

(4) A small craft brewery or microbrewery shall not make retail sales of contract-brewed beer.

(5) A small craft brewery or microbrewery shall not mail or ship light wine, light spirit product or beer to a consumer.

SECTION 7. Section 67-3-49, Mississippi Code of 1972, is amended as follows:

67-3-49. (1) Except as otherwise provided in this section, it shall be unlawful for any brewer or manufacturer or distributor or wholesale dealer of or in light wines, light spirit products and/or beer to manufacture or knowingly bring upon his premises or keep thereon any wine of an alcoholic content of more than five percent (5%) by weight, any light spirit product of an alcoholic content of more than * * * six and one-half percent (6-1/2%) by weight, any beer of an alcoholic content of more than eight percent (8%) by weight, or any distilled spirits of any alcoholic content whatsoever. Any person that shall add to or mix with any beer, light spirit product or light wine any alcoholic or other liquid, or any alcohol cube or cubes, or any other ingredient or ingredients that will increase or tend to increase the alcoholic content of such liquor, or any person that shall knowingly offer for sale any liquor so treated, shall be guilty of a misdemeanor and punished as hereinafter provided in this chapter. The commissioner shall take any action he considers necessary to ensure that light wine, light spirit product and/or beer manufactured at a brewpub complies with the provisions of this section.

(2) A brewer or manufacturer of light wine, light spirit product or beer may manufacture and keep upon his premises beer of an alcoholic content of more than eight percent (8%) by weight if the beer is manufactured for legal sale in another state.

SECTION 8. Section 67-3-55, Mississippi Code of 1972, is amended as follows:

67-3-55. (1) Except as otherwise provided in Section 67-1-41, it shall be unlawful for any retailer to possess for purpose of sale, to sell, or to offer to sell any light wine, light spirit product or beer which was not purchased from a wholesaler in this state who has a permit to sell such light wine, light spirit product or beer, except for beer, light spirit product or light wine that was brewed on the premises of the retailer who holds a permit as a brewpub pursuant to Article 3, Chapter 71, Title 27, Mississippi Code of 1972.

(2) It shall be unlawful for any wholesaler to possess for purpose of sale, to sell, or to offer to sell any light wine, light spirit product or beer which was not purchased from a manufacturer or importer of a foreign manufacturer authorized to sell such light wine, light spirit product or beer in this state.

(3) This section shall not apply to:

(a) Beer offered and provided on the premises of a brewery for the purpose of tasting or sampling as authorized in Section 67-3-47; or

(b) Light wine, light spirit product or beer sold on the premises of a small craft brewery or microbrewery as authorized in Section 67-3-48.

SECTION 9. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or

redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and light spirit products, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder

exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit

shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a

private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 10. Section 67-3-9, Mississippi Code of 1972, is amended as follows:

67-3-9. Any city in this state, having a population of not less than two thousand five hundred (2,500) according to the latest federal decennial census; or any city in this state having a population of not less than one thousand five hundred (1,500) according to the latest federal decennial census and located within three (3) miles of a city or county that permits the sale, receipt, storage and transportation for the purpose of sale of beer, light spirit product or light wine; or any city or town in this state having a population of not less than one thousand (1,000) according to the latest federal decennial census and located in a county that has no city or town with a population of more than two thousand five hundred (2,500); or any city, town or village that is a county seat and has voted to come out from under the dry law under Section 67-1-14; at an election held for the purpose, under the election laws applicable to such city, may either prohibit or permit, except as otherwise provided under Section 67-9-1, the sale and the receipt, storage and transportation for the purpose of sale of beer, light spirit product and light wine. An election to determine whether such sale shall be permitted in cities wherein its sale is prohibited by law shall be ordered by the city or town council or mayor and board of aldermen or other governing body of such city or town for such city or town only, upon the presentation of a petition for such city or town to such governing board containing the names of twenty percent (20%) of the duly qualified voters of such city or town asking for such election. In like manner, an election to determine whether such sale shall be prohibited in cities wherein its sale is permitted by law shall be ordered by the city council or mayor and board of aldermen or other governing board of such city for such city only, upon the presentation of a petition to such governing board containing the names of twenty percent (20%) of the duly qualified voters of such city asking for

such election. No election on either question shall be held by any one (1) city more often than once in five (5) years.

Thirty (30) days' notice shall be given to the qualified electors of such city or town in the manner prescribed by law upon the question of either permitting or prohibiting such sale, and the notice shall contain a statement of the question to be voted on at the election. The tickets to be used in the election shall have the following words printed thereon: "For the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than * * * six and one-half percent (6-1/2%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight"; and the words "Against the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than * * * six and one-half percent (6-1/2%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight," next below. In making up his or her ticket the voter shall make a cross (X) opposite the words of his choice.

If in the election a majority of the qualified electors voting in the election shall vote "For the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than * * * six and one-half percent (6-1/2%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight," then the city or town council or mayor and board of aldermen or other governing body shall pass the necessary order permitting the legal sale of such light wine, light spirit product and beer in such city or town. If in the election a majority of the qualified electors voting in the election shall vote "Against the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than * * * six and one-half percent (6-1/2%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight," then the city council or mayor and board of aldermen or other governing body shall pass the necessary order prohibiting the sale of such light wine, light spirit product and beer in such city.

All laws or parts of laws in conflict with this section are hereby repealed to the extent of such conflict only, this section being cumulative and supplementary.

SECTION 11. Section 67-3-17, Mississippi Code of 1972, is amended as follows:

67-3-17. (1) Any person desiring to engage in any business taxable under Sections 27-71-303 through 27-71-317, Mississippi Code of 1972, either as a retailer, or as a wholesaler or distributor, or as a manufacturer, of light wines, light spirit products or beer, shall file with the commissioner an application for a permit allowing him to engage in such business. The application for a permit shall contain a statement showing the name of the business, and if a partnership, firm, association or limited liability company, the name of each partner or member, and if a corporation the names of two (2) principal officers, the post office address, and the nature of business in which engaged. In case any business is conducted at two (2) or more separate places, a separate permit for each place of business shall be required. The commissioner shall prescribe the form of the application and designate who is required to sign the application. The application shall be signed under penalty of perjury.

(2) The application shall include a statement that the applicant will not, except as otherwise authorized in this chapter, allow any alcoholic beverages as defined in Section 67-1-5, any beer having an alcoholic content of more than eight percent (8%) by weight, any spirit product having an alcoholic content of more than * * * six and one-half percent (6-1/2%) by weight, or any wine having an alcoholic content of more than five percent (5%) by weight, to be kept, stored or secreted in or on the premises described in such permit or license, and that the applicant will not otherwise violate any law of this state, or knowingly allow any other person to violate any such law, while in or on such premises.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 12. Section 67-3-28, Mississippi Code of 1972, is amended as follows:

67-3-28. (1) Any person desiring to engage in business as a brewpub shall file with the commissioner, along with the application required by Section 67-3-17, Mississippi Code of 1972, a certificate issued by a licensed testing laboratory indicating

that such laboratory has tested a sample of the applicant's beer, light spirit product or light wine, or a combination thereof, and that the alcohol content of such sample of beer does not exceed eight percent (8%) by weight, and the alcohol content of such sample of light spirit product does not exceed * * * six and one-half percent (6-1/2%) by weight, and the alcoholic content of such sample of light wine does not exceed five percent (5%) by weight.

(2) Every brewpub shall be required to submit to random testing by the commissioner to determine whether any beer being manufactured, sold, kept, stored or secreted by the license holder contains an alcohol content greater than eight percent (8%) by weight, and light spirit product being manufactured, sold, kept, stored or secreted by the license holder contains an alcoholic content greater than * * * six and one-half percent (6-1/2%) by weight, and any light wine being manufactured, sold, kept, stored or secreted by the license holder contains an alcoholic content greater than five percent (5%) by weight. The commissioner shall establish and administer testing standards and procedures to be used in such random testing. The brewpub licensee shall be responsible for all costs incurred by the commissioner in conducting random testing under this section.

SECTION 13. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine * * * and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and light spirit products. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than four percent (4%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages. "Distilled spirits" does not include certain light spirit products in excess of four percent (4%) alcohol by weight as defined in Section 67-3-3.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies

of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal

decennial census; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages;

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen (18) hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

- a. Consist of at least eight thousand (8,000) square feet being heated and cooled,
 - b. For a fee is used to host events,
 - c. Is used for the purpose of culinary arts courses, and/or outdoor recreation and leadership courses;
- 13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;
- 14. The clubhouse and associated eighteen (18) hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;
- 15. Land that is planned for mixed use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed and which land is located:
 - a. In a county that has voted to come out from under the dry law,
 - b. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and
 - c. Within one (1) mile of a state institution of higher learning;
- 16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;
- 17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;
- 18. Land that is owned by a state institution of higher learning and:
 - a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and
 - b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;
- 19. Any facility and related property:
 - a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and
 - b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;
- 20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

20, and

- a. A county traversed by Interstate 55 and Interstate
- b. A judicial district that has not voted to come out

from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; however, the governing authorities of such a municipality may by ordinance:

- a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;
- b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and
- c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located.

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84.

23. Any tracts of land in Oktibbeha County, situated east of Mississippi Boulevard, north of Coliseum Boulevard and east of Montgomery Hill Road, and not located on the property of a state institution of higher learning.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in subparagraph (iii) of this paragraph (o) as qualified resort areas does not require any declaration of same by the department.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this chapter unless on the date of the initial application for a license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an

established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

SECTION 14. Section 67-3-47, Mississippi Code of 1972, is brought forward as follows:

67-3-47. (1) A person having a permit to manufacture or brew beer under this chapter and who operates a brewery may offer and provide limited amounts of beer on the premises of the brewery for the purpose of tasting or sampling, subject to the following conditions:

(a) The beer provided for tasting or sampling must be manufactured in the State of Mississippi by the holder of the permit;

(b) The beer may be provided only to persons on the premises of the brewery at no cost and for consumption on the premises of the brewery;

(c) The beer may be provided for tasting or sampling between the hours of 8:00 a.m. and 10:00 p.m. on the same day and only in conjunction with a structured tour of the brewery and related facilities which must include the entire manufacturing and brewing processes and methods used at the brewery;

(d) No one under twenty-one (21) years of age may participate in the tasting or sampling, and a sign indicating that prohibition shall be placed in a visible location at the entrance to the area where the tasting or sampling will be conducted;

(e) An individual size sample of beer shall not exceed six (6) ounces, and no more than six (6) samples of beer may be provided to an individual within a twenty-four-hour period; and

(f) The holder of the license operating the brewery shall keep an accurate accounting of the various beers provided and consumed as samples.

(2) For the purposes of this section, the term 'brewery' means and has the same definition as that term has in 26 USCS 5402.

SECTION 15. Section 67-3-48.1, Mississippi Code of 1972, is brought forward as follows:

67-3-48.1. (1) In the event a small craft brewery is acquired by an entity that manufactures light wine, light spirit product or beer that does not fall within the definition of the term "small craft brewery," the entity that acquired the small craft brewery may continue to operate the brewery as a small craft brewery for as long as the acquired facility meets the definition of the term "small craft brewery"; however, the limit in Section 67-3-3 on the amount of barrels of light wine, light spirit product or beer that a small craft brewery may produce shall not apply to light wine, light spirit product or beer that is not produced by the acquired small craft brewery.

(2) In the event a small craft brewery acquires an entity that manufactures light wine, light spirit product or beer that does not fall within the definition of the term "small craft brewery," the small craft brewery that acquired the entity may continue to operate as a small craft brewery for as long as the brewery meets the definition of the term "small craft brewery." The light wine, light spirit product or beer produced by the entity that is acquired by a small craft brewery shall not apply to the limit in Section 67-3-3 on the amount of light wine, light spirit product or beer that the small craft brewery may produce.

(3) A small craft brewery described in subsections (1) and (2) of this section may continue to sell at retail brands the small craft brewery produces on its premises at all locations at which it was selling the brands at retail at the time of the acquisition; however, the small craft brewery may not sell at retail brands produced by the entity that acquired it or by the entity it acquires, as the case may be.

SECTION 16. Section 67-3-53, Mississippi Code of 1972, is brought forward as follows:

67-3-53. In addition to any act declared to be unlawful by this chapter, or by Sections 27-71-301 through 27-71-347, and Sections 67-3-17, 67-3-27, 67-3-29 and 67-3-57, it shall be unlawful for the holder of a permit authorizing the sale of beer, light spirit product or light wine at retail or a small craft brewery selling light wine, light spirit product or beer at retail pursuant to Section 67-3-48 or for the employee of the holder of such a permit or the employee of such a brewery:

(a) To sell or give to be consumed in or upon any licensed premises or in or upon the premises of a small craft brewery any beer, light spirit product or light wine between the hours of midnight and seven o'clock the following morning or during any time the licensed premises may be required to be closed by municipal ordinance or order of the board of supervisors; however, in areas where the sale of alcoholic beverages is legal under the provisions of the Local Option Alcoholic Beverage Control Law and the hours for selling those alcoholic beverages have been extended beyond midnight for on-premises permittees under Section 67-1-37, the hours for selling beer, light spirit products or light wines are likewise extended in areas where the sale of beer, light spirit products and light wines is legal in accordance with the provisions of this chapter.

(b) To sell, give or furnish any beer, light spirit product or light wine to any person visibly or noticeably intoxicated, or to any habitual drunkard, or to any person under the age of twenty-one (21) years.

(c) To permit in the premises any lewd, immoral or improper entertainment, conduct or practices.

(d) To permit loud, boisterous or disorderly conduct of any kind upon the premises or to permit the use of loud musical instruments if either or any of the same may disturb the peace and quietude of the community in which the business is located.

(e) To permit persons of ill repute, known criminals, prostitutes or minors to frequent the licensed premises or the premises of the small craft brewery, except minors accompanied by parents or guardians, or under proper supervision.

(f) To permit or suffer illegal gambling or the operation of illegal games of chance upon the licensed premises or the premises of the small craft brewery.

(g) To receive, possess or sell on the licensed premises or, except as otherwise authorized by this chapter, on the premises of the small craft brewery any beverage of any kind or character containing more than five percent (5%) of alcohol by weight except any beer containing not more than eight percent (8%) of alcohol by weight, unless the licensee also possesses an on-premises or manufacturer's permit under the Local Option Alcoholic Beverage Control Law.

(h) To accept as full or partial payment for any product any coupons that are redeemed directly or indirectly from a manufacturer, wholesaler or distributor of light wine, light spirit product or beer.

SECTION 17. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-71-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "RETAILER" AND TO DEFINE THE TERM "MICROBREWERY" FOR PURPOSES OF THE LAWS THAT RELATE TO LICENSE AND EXCISE TAXES ON LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER; TO AMEND SECTION 27-71-303, MISSISSIPPI CODE OF 1972, TO IMPOSE A PRIVILEGE TAX ON HOLDERS OF MICROBREWERY AND SMALL CRAFT BREWERY PERMITS; TO AMEND SECTION 27-71-307, MISSISSIPPI CODE OF 1972, TO IMPOSE AN EXCISE TAX ON LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PROVIDED BY MICROBREWERIES; TO AMEND SECTION 27-71-509, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT FOR LIGHT SPIRIT PRODUCTS THAT MAY BE MANUFACTURED, DISTRIBUTED AND SOLD; TO AMEND SECTION 67-3-3, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT PERTAINING TO THE DEFINITION OF THE TERM "LIGHT

SPIRIT PRODUCT," AND TO DEFINE THE TERM "MICROBREWERY" FOR PURPOSES OF THE LAWS REGULATING THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER; TO AMEND SECTION 67-3-48, MISSISSIPPI CODE OF 1972, TO REVISE THE AMOUNT OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PRODUCED AT A SMALL CRAFT BREWERY THAT THE BREWERY MAY SELL AT RETAIL; TO LIMIT THE AMOUNT OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PRODUCED AT A MICROBREWERY THAT THE MICROBREWERY MAY SELL AT RETAIL; TO AMEND SECTION 67-3-49, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT FOR LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER THAT MAY BE LAWFULLY MANUFACTURED AND DISTRIBUTED; TO AMEND SECTION 67-3-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROHIBITIONS RELATING TO THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER SHALL NOT APPLY TO LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER SOLD ON THE PREMISES OF A MICROBREWERY; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SMALL CRAFT BREWERIES AND MICROBREWERIES TO OBTAIN ON-PREMISES RETAILER'S PERMITS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, AND TO ALLOW HOLDERS OF PACKAGE RETAILER'S PERMITS TO SELL LIGHT SPIRIT PRODUCTS; TO AMEND SECTIONS 67-3-9, 67-3-17 AND 67-3-28, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE INCREASED ALCOHOL CONTENT FOR LIGHT SPIRIT PRODUCTS; TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "ALCOHOLIC BEVERAGE" TO INCLUDE LIGHT SPIRIT PRODUCTS, AND TO AMEND THE DEFINITION OF "DISTILLED SPIRITS" TO EXCLUDE CERTAIN LIGHT SPIRIT PRODUCTS IN EXCESS OF 4% ALCOHOL BY WEIGHT; TO BRING FORWARD SECTIONS 67-3-47, 67-3-48.1 AND 67-3-53, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF LAW REGULATING THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1091 was adopted.

YEAS AND NAYS On H. B. No. 1091. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--43.

Nays--Branning, Chism, Norwood, Parker, Tate. Total--5.

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

Voting Present--Jackson S. (32nd). Total--1.

Senator Simmons D. T. (12th), who would have voted yea on H. B. No. 1091, announced a pair with Senator Frazier, who would have voted nay.

Senator Harkins called up the following entitled bill:

H. B. No. 1197: Dual-phase design-build method of construction contracting; revise certain provisions of.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-13.1, Mississippi Code of 1972, is amended as follows:

31-7-13.1. (1) The method of contracting for construction described in this section shall be known as the " *** design-build method" of construction contracting. This method of construction contracting may be used *** on residential buildings, residential mixed-use developments, parking garages and other prescriptive type facilities. The design-build method of construction contracting may only be used when the Department of Finance and Administration or a governing authority has determined that it satisfies the public interest better than traditional design-bid or when the Legislature has specifically required or authorized the use of this method in the legislation authorizing a project. At a minimum, the determination must include a detailed explanation of why using the *** design-build method for a particular project satisfies the public need better than the traditional design-bid-build method based on the following criteria:

(a) The project provides a savings in time or cost over traditional methods;
and

(b) The size and type of the project is suitable for design-build.

(2) For each proposed *** design-build project, either a *** fixed firm price or guaranteed maximum price contract must be adopted. *** Before solicitation of *** proposals, the agency or governing authority shall develop *** a scope of work statement that provides prospective offerors with sufficient information regarding the requirements of the agency or governing authority. The scope of work statement must include, but is not limited to, the following information:

(a) *** Location and nature of proposed site(s) that include preliminary geotechnical information from borings as well as survey drawings that show topography, adjacent buildings and utilities;

(b) *** Any mandatory requirements such as minimum number and types of spaces, any minimum or maximum building area(s) or height(s), applicable energy codes and/or efficiency targets, applicable zoning regulations and any aesthetic or character defining standards;

(c) *** Any mandatory material and/or system performance requirements and/or specifications; and

(d) *** General budget parameters, schedule or delivery requirements, relevant criteria for evaluation of proposals, and any other information necessary to enable the design-builders to submit proposals that meet the needs of the agency or governing authority.

(3) The agency or governing authority shall cause to be published once a week, for at least two (2) consecutive weeks in a regular newspaper published in the county in which the project is to be located, or a newspaper with statewide circulation, a notice inviting proposals for the *** design-build construction project. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall post the notice on the Mississippi Procurement Portal or mail written notice to, or provide electronic notification to, the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. The proposals shall not be opened in less than fifteen (15) working days after the last notice is published. The notice must inform potential offerors of how to obtain the scope of work statement developed for the

project, and the notice must contain such other information to describe adequately the general nature and scope of the project so as to promote full, equal and open competition.

(4) The agency or governing authority shall accept initial proposals only from entities able to provide an experienced and qualified design-build team that includes, at a minimum, an architectural or engineering firm licensed and registered in Mississippi and a contractor properly licensed and domiciled in Mississippi for the type of work required. * * *

(5) * * * Proposals that include criteria other than cost only shall be evaluated by an evaluation committee established by the procuring entity. The evaluation committee shall be composed of not less than three (3) people, at least one (1) of which shall be an architect or engineer licensed and registered in Mississippi. Selection criteria of the evaluation committee shall be limited to the following:

(a) The bidder's knowledge and experience in executing projects of similar size and complexity;

(b) The experience and qualifications of the proposed office and construction management personnel;

(c) The experience and qualifications of the subcontractors proposed;

(d) The experience and qualifications of the architect or engineer and consultants;

(e) Schedule control; and

(f) Cost factors.

Cost as an evaluation factor shall be given the highest criteria weighting and at least thirty-five percent (35%) out of the one hundred percent (100%) total weight of all the other evaluation factors.

(6) If the agency or governing authority accepts a proposal other than the * * * proposal with the lowest costs that was actually submitted, the agency or governing authority shall enter on its minutes detailed calculations and a narrative summary showing why the accepted proposal was determined to provide the best value, and the agency or governing authority shall state specifically on its minutes the justification for its award.

(7) All facilities that are governed by this section shall be designed and constructed to comply with standards equal to or exceeding the minimum building code standards employed by the state as required under Section 31-11-33 in force at the time of contracting. All private contractors or private entities contracting or performing under this section must comply at all times with all applicable laws, codes and other legal requirements pertaining to the project.

(8) * * * An agency or governing authority may not award a stipulated fee * * * to an offeror for preparation costs to submit a response to the request for proposals.

(9) This section shall not authorize the awarding of construction contracts according to any contracting method that does not require the contractor to satisfactorily perform, at a minimum, both any balance of design, using an independent professional licensed in Mississippi, and construction of the project for which the contract is awarded.

(10) The provisions of this section shall not affect any procurement by the Mississippi Transportation Commission.

(11) The provisions of this section shall not apply to procurement authorized in Section 59-5-37(3).

SECTION 2. Section 31-11-3, Mississippi Code of 1972, is amended as follows:

31-11-3. (1) The Department of Finance and Administration, for the purposes of carrying out the provisions of this chapter, in addition to all other rights and powers granted by law, shall have full power and authority to employ and compensate architects or other employees necessary for the purpose of making inspections, preparing plans and specifications, supervising the erection of any buildings, and making any repairs or additions as may be determined by the Department of Finance and Administration to be necessary, pursuant to the rules and regulations of the State Personnel Board. The department shall have entire control and supervision of, and determine what, if any, buildings, additions, repairs, demolitions or improvements are to be made under the provisions of this chapter, subject to the regulations adopted by the Public Procurement Review Board.

(2) The department shall have full power to erect buildings, make repairs, additions or improvements, demolitions, to grant or acquire easements or rights-of-way, and to buy materials, supplies and equipment for any of the institutions or departments of the state subject to the regulations adopted by the Public Procurement Review Board. In addition to other powers conferred, the department shall have full power and authority, as directed by the Legislature, or when funds have been appropriated for its use for these purposes, to:

(a) Build a state office building;

(b) Build suitable plants or buildings for the use and housing of any state schools or institutions, including the building of plants or buildings for new state schools or institutions, as provided for by the Legislature;

(c) Provide state aid for the construction of school buildings;

(d) Promote and develop the training of returned veterans of the United States in all sorts of educational and vocational learning to be supplied by the proper educational institution of the State of Mississippi, and in so doing allocate monies appropriated to it for these purposes to the Governor for use by him in setting up, maintaining and operating an office and employing a state director of on-the-job training for veterans and the personnel necessary in carrying out Public Law No. 346 of the United States;

(e) Build and equip a hospital and administration building at the Mississippi State Penitentiary;

(f) Build and equip additional buildings and wards at the Boswell Retardation Center;

(g) Construct a sewage disposal and treatment plant at the Mississippi State Hospital, and in so doing acquire additional land as may be necessary, and to exercise the right of eminent domain in the acquisition of this land;

(h) Build and equip the Mississippi central market and purchase or acquire by eminent domain, if necessary, any lands needed for this purpose;

(i) Build and equip suitable facilities for a training and employing center for the blind;

(j) Build and equip a gymnasium at Columbia Training School;

(k) Approve or disapprove the expenditure of any money appropriated by the Legislature when authorized by the bill making the appropriation;

(l) Expend monies appropriated to it in paying the state's part of the cost of any street paving;

(m) Sell and convey state lands when authorized by the Legislature, cause said lands to be properly surveyed and platted, execute all deeds or other legal instruments, and do any and all other things required to effectively carry out the purpose and intent of the Legislature. Any transaction which involves state lands under the provisions of this paragraph shall be done in a manner consistent with the provisions of Section 29-1-1;

(n) Collect and receive from educational institutions of the State of Mississippi monies required to be paid by these institutions to the state in carrying out any veterans' educational programs;

(o) Purchase lands for building sites, or as additions to building sites, for the erection of buildings and other facilities which the department is authorized to erect, and demolish and dispose of old buildings, when necessary for the proper construction of new buildings. Any transaction which involves state lands under the provisions of this paragraph shall be done in a manner consistent with the provisions of Section 29-1-1;

(p) Obtain business property insurance with a deductible of not less than One Hundred Thousand Dollars (\$100,000.00) on state-owned buildings under the management and control of the department; and

(q) In consultation with and approval by the Chairmen of the Public Property Committees of the Senate and the House of Representatives, enter into contracts for the purpose of providing parking spaces for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building.

(3) The department shall survey state-owned and state-utilized buildings to establish an estimate of the costs of architectural alterations, pursuant to the Americans With Disabilities Act of 1990, 42 USCS, Section 12111 et seq. The department shall establish priorities for making the identified architectural alterations and shall make known to the Legislative Budget Office and to the Legislature the required cost to effectuate such alterations. To meet the requirements of this section, the department shall use standards of accessibility that are at least as stringent as any applicable federal requirements and may consider:

(a) Federal minimum guidelines and requirements issued by the United States Architectural and Transportation Barriers Compliance Board and standards issued by other federal agencies;

(b) The criteria contained in the American Standard Specifications for Making Buildings Accessible and Usable by the Physically Handicapped and any amendments thereto as approved by the American Standards Association, Incorporated (ANSI Standards);

(c) Design manuals;

(d) Applicable federal guidelines;

(e) Current literature in the field;

(f) Applicable safety standards; and

(g) Any applicable environmental impact statements.

(4) The department shall observe the provisions of Section 31-5-23 in letting contracts and shall use Mississippi products, including paint, varnish and lacquer which contain as vehicles tung oil and either ester gum or modified resin (with rosin as the principal base of constituents), and turpentine shall be used as a solvent or thinner, where these products are available at a cost not to exceed the cost of products grown, produced, prepared, made or manufactured outside of the State of Mississippi.

(5) The department shall have authority to accept grants, loans or donations from the United States government or from any other sources for the purpose of matching funds in carrying out the provisions of this chapter.

(6) The department shall build a wheelchair ramp at the War Memorial Building which complies with all applicable federal laws, regulations and specifications regarding wheelchair ramps.

(7) The department shall review and preapprove all architectural or engineering service contracts entered into by any state agency, institution, commission, board or authority, regardless of the source of funding used to defray the costs of the construction or renovation project, for which services are to be obtained to ensure compliance with purchasing regulations and to confirm that the contracts are procured by a competitive qualification-based selection process except where such appointment is for an emergency project or for a continuation of a previous appointment for a directly related project. The provisions of this subsection (7) shall not apply to:

(a) Any architectural or engineering contract fully paid for by self-generated funds of any of the state institutions of higher learning;

(b) Any architectural or engineering contract that is self-administered at a state institution of higher learning as provided under Section 27-104-7(2)(b) or 37-101-15(m);

(c) Community college projects that are fully funded from local funds or other nonstate sources which are outside the Department of Finance and Administration's appropriations or as directed by the Legislature;

(d) Any construction or design projects of the State Military Department that are fully or partially funded from federal funds or other nonstate sources; and

(e) Any project of the State Department of Transportation.

(8) (a) The department shall have the authority to obtain annually from the state institutions of higher learning, the state community colleges and junior colleges, the Department of Mental Health, the Department of Corrections and the Department of Wildlife, Fisheries and Parks information on all renovation and repair expenditures for buildings under their operation and control, including duties, responsibilities and costs of any architect or engineer hired by any such institutions, and shall annually report the same to the Legislative Budget Office, the Chairman of the House Public Property Committee and the Chairman of the Senate Public Property Committee before September 1.

(b) All state agencies, departments and institutions are required to cooperate with the Department of Finance and Administration in carrying out the provisions of this subsection.

(c) Expenditures shall not include those amounts expended for janitorial, landscaping or administrative support, but shall include expenditures from both state and nonstate sources.

(d) Expenditures shall not include amounts expended by the department on behalf of state agencies, departments and institutions through the Department of Finance and Administration administered contracts, but shall include amounts transferred to the Department of Finance and Administration for support of such contracts.

(9) As an alternative to other methods of awarding contracts as prescribed by law, the department may elect to use the method of contracting for construction projects set out in Sections 31-7-13.1 and 31-7-13.2; however, the * * * design-build method of construction contracting authorized under Section 31-7-13.1 may be used only when the Legislature has specifically required or authorized the use of this method in the legislation authorizing a project.

(10) The department shall have the authority, for the purposes of carrying out the provisions of this chapter, and in addition to all other rights and powers granted by law, to create and maintain a list of suspended and debarred contractors and subcontractors. Consistent with this authority, the department may adopt regulations governing the suspension or debarment of contractors and subcontractors, which regulations shall be subject to the approval of the Public Procurement Review Board. A suspended or debarred contractor or subcontractor shall be disqualified from consideration for contracts with the department during the suspension or debarment period in accordance with the department's regulations.

(11) This section shall not apply to the Mississippi State Port Authority.

SECTION 3. Section 61-3-15, Mississippi Code of 1972, is amended as follows:

61-3-15. An authority shall have all the powers necessary or convenient to carry out the purposes of this chapter (excluding the power to levy and collect taxes or special assessments) including, but not limited to, the power:

- (a) To sue and be sued, to have a seal and to have perpetual succession.
- (b) To purchase general liability insurance coverage, including errors and omissions insurance, for its officials and employees.
- (c) To employ an executive director, secretary, technical experts, and such other officers, agents and employees, permanent and temporary, as it may require, and to determine their qualifications and duties, and to establish compensation and other employment benefits as may be advisable to attract and retain proficient personnel.
- (d) To execute such contracts and other instruments and take such other action as may be necessary or convenient to carry out the purposes of this chapter.
- (e) To plan, establish, develop, construct, enlarge, improve, maintain, equip, operate, regulate and protect airports and air navigation facilities within this state and within any adjoining state, including the acquisition, lease, lease-purchase, construction, installation, equipment, maintenance and operation of such airports or buildings, equipment and other facilities or other property for the servicing of aircraft or for the comfort and accommodation of air travelers or for any other purpose deemed by the authority to be necessary to carry out its duties; to develop, operate, manage or own and maintain intermodal facilities to serve air and surface cargo and multimodal facilities to serve highway and rail passenger transportation needs to ensure interface and interaction between modes for cargo and passengers; to construct, improve, and maintain means of ingress and egress to airport properties from and over off-airport sites with approval of the city or county in which the off-airport site is located; to market, promote and advertise airport properties, goods and services; and to directly purchase and sell supplies, goods and commodities incident to the operation of its airport properties without having to make purchases thereof through the municipal governing authorities, and with the authority to utilize * * * design-build and construction manager at-risk methods of construction in

accordance with Sections 31-7-13.1 and 31-7-13.2. For all the previously stated purposes, an authority may, by purchase, gift, devise, lease, eminent domain proceedings or otherwise, acquire property, real or personal, or any interest therein, including easements in airport hazards or land outside the boundaries of an airport or airport site, as are necessary to permit the removal, elimination, obstruction-marking or obstruction-lighting of airport hazards, to prevent the establishment of airport hazards or to carry out its duties.

(f) To acquire, by purchase, gift, devise, lease, lease-purchase, eminent domain proceedings or otherwise, existing airports and air navigation facilities. However, an authority shall not acquire or take over any airport or air navigation facility owned or controlled by another authority, a municipality or public agency of this or any other state without the consent of such authority, municipality or public agency.

(g) To establish or acquire and maintain airports in, over and upon any public waters of this state, and any submerged lands under such public waters, and to construct and maintain terminal buildings, landing floats, causeways, roadways and bridges for approaches to or connecting with any such airport, and landing floats and breakwaters for the protection thereof.

(h) To establish, enact and enforce ordinances, rules, regulations and standards for public safety, aviation safety, airport operations and the preservation of good order and peace of the authority; to prevent injury to, destruction of or interference with public or private property; to protect property, health and lives and to enhance the general welfare of the authority by restricting the movements of citizens or any group thereof on the property of the authority when there is imminent danger to the public safety because of freedom of movement thereof; to regulate the entrances to property and buildings of the authority and the way of ingress and egress to and from the same; to establish fire limits and to hire firemen, including aircraft fire and rescue and similar personnel, and to establish and equip a fire department to provide fire and other emergency services on any property of the authority; to regulate, restrain or prohibit construction failing to meet standards established by the authority; to appoint and discharge police officers with jurisdiction limited to property of the airport authority and authorization to enforce the ordinances, rules and regulations of the authority, as well as the laws of the State of Mississippi, and to issue citations for infractions of all of such ordinances, rules, regulations, standards and laws of the State of Mississippi returnable to the court of appropriate jurisdiction.

(i) To develop and operate an industrial park or parks and exercise all authority provided for under Chapter 7, Title 57, Mississippi Code of 1972.

(j) To attach, pursuant to the power and procedure set forth in Chapter 33, Title 11, Mississippi Code of 1972, the equipment of debtors of the authority.

(k) To enter into agreements with local governments pursuant to Section 17-13-1 et seq.

(l) To render emergency assistance to other airports within the United States at an aggregate cost of less than Twenty Thousand Dollars (\$20,000.00) per emergency. The assistance authorized in this paragraph must be rendered within ninety (90) days after a state of emergency has been declared by the federal government, or by the local or state government that has jurisdiction over the area where the airport needing assistance is located.

(m) To enter into joint use or similar agreements with any department or agency of the United States of America or the State of Mississippi, including any military department of the United States of America or the State of Mississippi, with respect to the use and operation of, or services provided at, any airport or other property of the authority on the terms and conditions as the authority may deem appropriate, including provisions

limiting the liability of the United States of America or the State of Mississippi for loss or damage to the authority if the authority determines that the limitation of liability is reasonable, necessary and appropriate under the circumstances.

(n) To enter into mutual aid agreements with counties and municipalities for reciprocal emergency aid and assistance in case of emergencies too extensive to be dealt with unassisted; to participate in the Statewide Mutual Aid Compact (SMAC) in accordance with Section 33-15-19.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 31-7-13.1, MISSISSIPPI CODE OF 1972, TO REVISE THE DUAL-PHASE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING; TO REMOVE THE REQUIREMENT FOR TWO PHASES OF DESIGN-BUILD CONSTRUCTION CONTRACTING; TO PROVIDE THAT DESIGN-BUILD CONSTRUCTION CONTRACTING MAY BE USED FOR RESIDENTIAL BUILDINGS, RESIDENTIAL MIXED-USE DEVELOPMENTS, PARKING GARAGES AND OTHER PRESCRIPTIVE TYPE FACILITIES; TO PROVIDE THAT THE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING MAY ONLY BE USED WHEN THE DEPARTMENT OF FINANCE AND ADMINISTRATION OR A GOVERNING AUTHORITY HAS DETERMINED THAT USING THE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING SATISFIES THE PUBLIC INTEREST BETTER THAN TRADITIONAL DESIGN BID OR WHEN THE LEGISLATURE HAS SPECIFICALLY REQUIRED OR AUTHORIZED THE USE OF THIS METHOD IN THE LEGISLATION AUTHORIZING A PROJECT; TO PROVIDE THAT INSTEAD OF THE DUAL-PHASE PROCEDURE FOR AWARDED A CONTRACT, FOR EACH PROPOSED DESIGN-BUILD PROJECT, EITHER A FIXED FIRM PRICE OR GUARANTEED MAXIMUM PRICE CONTRACT MUST BE ADOPTED; TO REVISE WHAT MUST BE INCLUDED IN THE WORK STATEMENT; TO PROVIDE THAT NOTICE SHALL ALSO BE POSTED ON THE MISSISSIPPI PROCUREMENT PORTAL; TO PROVIDE THAT PROPOSALS WHICH INCLUDE CRITERIA OTHER THAN COST ONLY SHALL BE EVALUATED BY AN EVALUATION COMMITTEE ESTABLISHED BY THE PROCURING ENTITY; TO PROVIDE THE MAKEUP OF THE EVALUATION COMMITTEE AND THE SELECTION CRITERIA THAT THE EVALUATION COMMITTEE SHALL CONSIDER WHEN EVALUATING SUBMITTED PROPOSALS; TO PROVIDE THAT AN AGENCY OR GOVERNING AUTHORITY MAY NOT AWARD A STIPULATED FEE TO AN OFFEROR FOR PREPARATION COSTS TO SUBMIT A RESPONSE TO THE REQUEST FOR PROPOSALS; TO AMEND SECTIONS 31-11-3 AND 61-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1197 was adopted.

YEAS AND NAYS On H. B. No. 1197. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Kirby called up the following entitled bill:

H. B. No. 1062: Daylight saving time; observe year-round if federal law is amended to allow it.

YEAS AND NAYS On H. B. No. 1062. On motion of Senator Kirby, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Kirby called up the following entitled bill:

H. B. No. 1323: Open meeting; authorize executive session for discussion of plans to combat human trafficking and commercial sexual exploitation of children.

Senator Blount offered the following AMENDMENT NO. 1.

AMEND on lines 99 through 101 by deleting paragraph (o) in its entirety and inserting in lieu thereof the following:

(o) Investigative discussions, investigative strategies, probative strategies related to identifiable instances of human trafficking or commercial sexual exploitation, and discussions involving locations of shelters or safe-houses for victims of human trafficking or commercial sexual exploitation.

Amendment No. 1 to H. B. No. 1323 was adopted.

YEAS AND NAYS On H. B. No. 1323. On motion of Senator Kirby, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Kirby called up the following entitled bill:

H. B. No. 1326: Compact for a Balanced Budget; revise delegate membership and extend sunset provision.

YEAS AND NAYS On H. B. No. 1326. On motion of Senator Kirby, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Nays--Barnett, Blackmon, Blount, Bryan, Butler, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--14.

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

Senator Hopson, who would have voted yea on H. B. No. 1326, announced a pair with Senator Frazier, who would have voted nay.

Senator Polk called up the motion to reconsider the vote whereby **H. B. No. 312** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 312: Central Market Board; abolish and transfer functions of to the Mississippi Department of Agriculture and Commerce.

The foregoing motion prevailed.

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 37: Vicki Lynn Bryant Blackwell, Southaven, Mississippi, Mississippi Real Estate Commission as the real estate broker, term effective February 16, 2021 and ending June 30, 2021, representing the First Congressional District, vice Alvin (Al) Gilles. Do Advise and Consent.

S. N. No. 38: Vicki Lynn Bryant Blackwell, Southaven, Mississippi, Mississippi Real Estate Commission as the real estate broker, four year term beginning July 1, 2021 and ending June 30, 2025, representing the First Congressional District. Do Advise and Consent.

S. N. No. 46: Tracy Koby Wofford, MAI, AI-GRS, Ridgeland, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the state at large, four year term beginning January 1, 2022 and ending December 31, 2025. Do Advise and Consent.

CAUGHMAN, Chairman

Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:31 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 352: AN ACT TO CREATE NEW SECTION 73-60-47, MISSISSIPPI CODE OF 1972, TO REQUIRE APPLICANTS FOR LICENSURE AS A HOME INSPECTOR TO UNDERGO CERTAIN BACKGROUND CHECKS; TO AMEND SECTIONS 73-60-11 AND 73-60-31, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 354: AN ACT TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A MUNICIPAL JUDGE SHALL HAVE THE POWER TO ORDER A DEFENDANT TO REMEDY A REAL PROPERTY MUNICIPAL ORDINANCE VIOLATION WITHIN A REASONABLE TIME PERIOD PRESCRIBED BY THE JUDGE; TO PROVIDE THAT A MUNICIPAL JUDGE MAY AUTHORIZE THE MUNICIPALITY, UPON ITS REQUEST, TO REMEDY THE VIOLATION THROUGH THE USE OF MUNICIPAL EMPLOYEES OR CONTRACTORS IF SUCH DEFENDANT FAILS TO REMEDY THE VIOLATION; TO PROVIDE THAT IF A MUNICIPALITY REMEDIES A VIOLATION DUE TO A DEFENDANT'S FAILURE TO DO SO, THE MUNICIPALITY MAY PETITION THE COURT TO ASSESS CERTAIN CLEANUP COSTS TO THE DEFENDANT AND AFTER A HEARING CONCERNING THE ASSESSMENT OF SUCH COSTS, THE COURT MAY ASSESS THE COSTS TO THE DEFENDANT AS A JUDGEMENT; AND FOR RELATED PURPOSES.

H. B. No. 509: AN ACT TO AMEND SECTION 71-5-506, MISSISSIPPI CODE OF 1972, TO ALLOW WITHHOLDING FROM UNEMPLOYMENT COMPENSATION FOR STATE INCOME TAXES; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

MESSAGE FROM THE HOUSE

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

S. B. No. 2336: MS First Responders Health and Safety Act; delay effective date of.

Andrew Ketchings, Clerk of the House of Representatives

SENATE JOURNAL
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MESSAGE FROM THE HOUSE

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

S. B. No. 2434: Capitol police; transfer to Department of Public Safety.

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

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

S. C. R. No. 502: Remember the legacy of former Governor William F. Winter and extend deepest sympathy of the Legislature on his passing.

S. C. R. No. 517: Pay tribute to the memory of former State Senator and Representative Nolan Mettetal.

S. C. R. No. 521: Recognize the induction of Grammy Award-Winning Country Music Artist Marty Stuart into the Country Music Hall of Fame.

S. C. R. No. 527: Congratulate Coach Lane Kiffin and Ole Miss "Rebels" Football Team for impressive victory in Outback Bowl and for 2020 season.

S. C. R. No. 528: Commend golf icon Randy Watkins upon his induction into the Mississippi Sports Hall of Fame.

S. C. R. No. 529: Congratulate Ole Miss Lineman Terrence Metcalf upon his induction into the 2021 Mississippi Sports Hall of Fame.

S. C. R. No. 530: Commend Ole Miss and ATP tennis standout Dave Randall upon his induction into the Mississippi Sports Hall of Fame.

S. C. R. No. 531: Encourage counties and municipalities to exchange land use and development information with military installations.

S. C. R. No. 532: Recognize March 4, 2021, as "HPV Cancer Awareness Day" in Mississippi.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 1302: Optometry; Board shall define practice of, and authorize to perform certain procedures and use and prescribe certain drugs.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

H. C. R. No. 32: A CONCURRENT RESOLUTION DESIGNATING APRIL 2021 AS SARCOIDOSIS AWARENESS MONTH IN MISSISSIPPI.

H. C. R. No. 35: A CONCURRENT RESOLUTION COMMENDING FORMER STATE SENATOR STEVE HALE FOR HIS DISTINGUISHED PUBLIC SERVICE CAREER THAT INCLUDED SERVICE AS A STATE SENATOR, EXECUTIVE DIRECTOR OF MISSISSIPPI DEVELOPMENT AUTHORITY, MAYOR OF SENATOBIA AND SENATOBIA ALDERMAN.

H. C. R. No. 36: A CONCURRENT RESOLUTION RECOGNIZING MARCH 2021 AS "KIDNEY DISEASE AWARENESS MONTH" AND MARCH 11, 2021, AS "WORLD KIDNEY DAY" IN MISSISSIPPI.

H. C. R. No. 37: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE DILIGENCE OF THE FACULTY, STAFF AND STUDENTS OF FRANKLIN ACADEMY ON THE OCCASION OF THE SCHOOL'S HISTORIC 200TH YEAR ANNIVERSARY.

H. C. R. No. 38: A CONCURRENT RESOLUTION COMMENDING THE LIFE, LEGACY AND CONTRIBUTIONS OF MR. ROBERT DANIEL "DAN" CAMP AND EXPRESSING SINCEREST SYMPATHY TO HIS FAMILY, COMMUNITY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 39: A CONCURRENT RESOLUTION SUPPORTING THE CONTINUATION OF THE OUTER CONTINENTAL SHELF LEASING AND INFRASTRUCTURE DEVELOPMENT IN THE GULF OF MEXICO.

H. C. R. No. 40: A CONCURRENT RESOLUTION MOURNING THE LOSS AND HONORING THE LIFE, LEGACY AND SERVICE OF WILLIAM FORREST WINTER, FORMER GOVERNOR OF THE STATE OF MISSISSIPPI, AND EXPRESSING GREAT SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 41: A CONCURRENT RESOLUTION RECOGNIZING THE OUTSTANDING FRIENDSHIP AND ENCOURAGING FURTHER ECONOMIC TIES BETWEEN THE STATE OF MISSISSIPPI AND THE REPUBLIC OF CHINA (TAIWAN).

H. C. R. No. 42: A CONCURRENT RESOLUTION COMMENDING EACH MISSISSIPPI ELECTRIC POWER ASSOCIATION, INCLUDING ALCORN COUNTY EPA, CENTRAL EPA, COAHOMA EPA, COAST EPA, DELTA EPA, DIXIE EPA, EAST MISSISSIPPI EPA, 4-COUNTY EPA, MAGNOLIA ELECTRIC POWER, MONROE COUNTY EPA, NATCHEZ TRACE EPA, NORTH EAST MISSISSIPPI EPA, NORTHCENTRAL ELECTRIC, PEARL RIVER VALLEY EPA, PONTOTOC EPA, PRENTISS COUNTY EPA, SINGING RIVER ELECTRIC, SOUTHERN PINE ELECTRIC, SOUTHWEST ELECTRIC, TALLAHATCHIE VALLEY EPA, TIPPAH EPA, TISHOMINGO COUNTY EPA, TOMBIGBEE EPA, TWIN COUNTY EPA AND YAZOO VALLEY EPA,

FOR THEIR TIRELESS EFFORTS IN ENSURING THAT POWER WAS RESTORED AFTER THE WINTER STORM IN FEBRUARY 2021.

H. C. R. No. 43: A CONCURRENT RESOLUTION DESIGNATING APRIL 12-17, 2021, AS "MISSISSIPPI MOSQUITO AND WEST NILE VIRUS AWARENESS WEEK" TO PROMOTE AWARENESS OF THE IMPORTANCE OF EFFECTIVELY MANAGING MOSQUITOES AND THE PREVENTION OF WEST NILE VIRUS.

Andrew Ketchings, Clerk of the House of Representatives

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

The motion prevailed, and at 1:33 PM, the Senate stood in recess.

The Senate resumed business at 2:02 PM, pursuant to recess, with President Hosemann presiding.

Senator Polk called up the following entitled bill:

H. B. No. 330: Uninsured motorist coverage law; revise to prohibit insurance policy from paying certain losses if another insurance policy must pay for such.

Senator McCaughn offered the following AMENDMENT NO. 1.

AMEND on line 103 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to H. B. No. 330 was adopted.

YEAS AND NAYS On H. B. No. 330. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--Simmons D. T. (12th), Suber. Total--2.

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

Senator Polk called up the following entitled bill:

H. B. No. 974: DPS; revise law regarding.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-2, Mississippi Code of 1972, is amended as follows:

45-1-2. (1) The Executive Director of the Department of Public Safety shall be the Commissioner of Public Safety.

(2) The Commissioner of Public Safety shall establish the organizational structure of the Department of Public Safety, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law including, but not limited to:

(a) Office of Public Safety Planning;

(b) Office of Mississippi Highway Safety Patrol;

(c) Office of Mississippi Bureau of Investigation (to be directed by a Lieutenant Colonel of the Mississippi Highway Safety Patrol);

(** *d) Office of Forensics Laboratories, which includes the Office of the Medical Examiner;

(** *e) Office of Law Enforcement Officers' Training Academy;

(** *f) Office of Support Services;

(** *g) Office of Narcotics, which shall be known as the Bureau of Narcotics; ** *

(** *h) Office of Homeland Security ** *; and

(i) Office of Capitol Police.

(3) The department shall be headed by a commissioner, who shall be appointed by and serve at the pleasure of the Governor. The appointment of the commissioner shall be made with the advice and consent of the Senate. ** * The commissioner shall have, at a minimum, a bachelor's degree from an accredited college or university.

(4) Notwithstanding any provision of law to the contrary, the commissioner ** * shall appoint heads of offices, who shall serve at the pleasure of the commissioner. The commissioner shall have the authority to organize the offices established by subsection (2) of this section as deemed appropriate to carry out the responsibilities of the department. The commissioner may assign to the appropriate offices such powers and duties as deemed appropriate to carry out the department's lawful functions. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The commissioner ** * shall appoint, from within the Department of Public Safety, a statewide safety training officer who shall serve at the pleasure of the commissioner and whose duty it shall be to perform public training for both law enforcement and private persons throughout the state concerning proper emergency response to the mentally ill, terroristic threats or acts, domestic conflict, other conflict resolution, and such other matters as the commissioner may direct.

(6) The commissioner shall establish within the department the Mississippi Office of Homeland Security for the purpose of seeing that the laws are faithfully executed and

for the purpose of investigating cyber-related crimes and suppressing crimes of violence and acts of intimidation and terror. The commissioner is hereby authorized to employ within the Office of Homeland Security a director, investigators and other qualified personnel as he may deem necessary to make investigation of cyber-related crimes, crimes of violence and acts of terrorism or intimidation, to aid in the arrest and prosecution of persons charged with such cyber-related crimes, crimes of violence, acts of terrorism or intimidation, or threats of violence and to perform other duties as necessary to accomplish these purposes. Investigators and other law enforcement personnel employed by the commissioner shall have full power to investigate, apprehend, and arrest persons committing cyber-related crimes, acts of violence, intimidation, or terrorism anywhere in the state, and shall be vested with the power of police officers in the performance of such duties as provided herein. Such investigators and other personnel shall perform their duties under the direction of the commissioner, or his designee. The commissioner shall be authorized to offer and pay suitable rewards to other persons for aiding in such investigation and in the apprehension and conviction of persons charged with cyber-related crimes, acts of violence, or threats of violence, or intimidation, or acts of terrorism.

(** *7) The commissioner *** shall establish within the Office of Homeland Security a Mississippi Analysis and Information Center (MSAIC Fusion Center) which shall be the highest priority for the allocation of available federal resources for statewide information sharing, including the deployment of personnel and connectivity with federal data systems. Subject to appropriation therefor, the Mississippi Fusion Center shall employ three (3) regional analysts dedicated to analyzing and resolving potential threats identified by the agency's statewide social media intelligence platform and the dissemination of school safety information.

SECTION 2. (1) The department, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Court of Appeals Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the department would be responsible for such. The department shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition, enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmer's Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Mississippi Fair Commission known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property. The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the Mississippi Fair Commission with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. The Department of Public Safety shall, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the district. The jurisdiction of the Department of Public Safety under this subsection (6) shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

SECTION 3. Section 45-1-3, Mississippi Code of 1972, is amended as follows:

45-1-3. (1) When not otherwise specifically provided, the commissioner is authorized to make and promulgate reasonable rules and regulations to be coordinated, and carry out the general provisions of the Highway Safety Patrol and Driver's License Law of 1938.

(2) The commissioner shall have the authority to administer oaths.

SECTION 4. Section 45-6-3, Mississippi Code of 1972, is amended as follows:

45-6-3. For the purposes of this chapter, the following words shall have the meanings ascribed herein, unless the context shall otherwise require:

(a) "Commission" means the Criminal Justice Planning Commission.

(b) "Board" means the Board on Law Enforcement Officer Standards and Training.

(c) "Law enforcement officer" means any person appointed or employed full time by the state or any political subdivision thereof, or by the state military department as provided in Section 33-1-33, who is duly sworn and vested with authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime, the apprehension of criminals and the enforcement of the criminal and traffic laws of this state and/or the ordinances of any political subdivision thereof. The term "law enforcement officer" also includes employees of the Department of Corrections who are designated as law enforcement officers by the Commissioner of Corrections pursuant to Section 47-5-54, * * * those district attorney criminal investigators who are designated as law enforcement officers, the acting Commissioner of Public Safety, the acting Director of

Mississippi Bureau of Narcotics, the acting Director of the Office of Homeland Security, and any employee of the Department of Public Safety designated by the commissioner who has previously served as a law enforcement officer and who would not otherwise be disqualified to serve in such capacity. However, the term "law enforcement officer" shall not mean or include any elected official or any person employed as a legal assistant to a district attorney in this state, compliance agents of the State Board of Pharmacy, or any person or elected official who, subject to approval by the board, provides some criminal justice related services for a law enforcement agency. As used in this paragraph, "appointed or employed full time" means any person, other than a deputy sheriff or municipal law enforcement officer, who is receiving gross compensation for his or her duties as a law enforcement officer of Two Hundred Fifty Dollars (\$250.00) or more per week or One Thousand Seventy-five Dollars (\$1,075.00) or more per month; for a deputy sheriff or municipal law enforcement officer, the term "appointed or employed full time" means a deputy sheriff or municipal law enforcement officer who is receiving gross compensation for his or her duties as a law enforcement officer of Four Hundred Seventy-five Dollars (\$475.00) or more per week or Two Thousand Fifty Dollars (\$2,050.00) or more per month.

(d) "Part-time law enforcement officer" shall mean any person appointed or employed in a part-time, reserve or auxiliary capacity by the state or any political subdivision thereof who is duly sworn and vested with authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime, the apprehension of criminals and the enforcement of the criminal and traffic laws of this state or the ordinances of any political subdivision thereof. However, the term "part-time law enforcement officer" shall not mean or include any person or elected official who, subject to approval by the board, provides some criminal justice related services for a law enforcement agency. As used in this paragraph, "appointed or employed" means any person, other than a deputy sheriff or municipal law enforcement officer, who is performing such duties at any time whether or not they receive any compensation for duties as a law enforcement officer provided that such compensation is less than Two Hundred Fifty Dollars (\$250.00) per week or One Thousand Seventy-five Dollars (\$1,075.00) per month; for a deputy sheriff or municipal law enforcement officer, the term "appointed or employed" means a deputy sheriff or municipal law enforcement officer who is performing such duties at any time whether or not they receive any compensation for duties as a law enforcement officer provided that such compensation is less than Four Hundred Seventy-five Dollars (\$475.00) per week or Two Thousand Fifty Dollars (\$2,050.00) per month.

(e) "Law enforcement trainee" shall mean any person appointed or employed in a full-time, part-time, reserve or auxiliary capacity by the state or any political subdivision thereof for the purposes of completing all the selection and training requirements established by the board to become a law enforcement officer or a part-time law enforcement officer. The term "law enforcement trainee" also includes any employee of the Department of Public Safety so designated by the Commissioner of Public Safety. * * * Individuals under this paragraph shall not have the authority to use force, bear arms, make arrests or exercise any of the powers of a peace officer unless:

- (i) The trainee is under the direct control and supervision of a law enforcement officer;
- (ii) The trainee was previously certified under this chapter; or
- (iii) The trainee is a certified law enforcement officer in a reciprocating state.

SECTION 5. Section 45-1-6, Mississippi Code of 1972, is amended as follows:

45-1-6. (1) The Director of the Mississippi Bureau of Investigation is authorized to retain on a contractual basis such persons as he shall deem necessary to detect and apprehend violators of the criminal statutes of this state.

(2) Those persons contracting with the Director of the Mississippi Bureau of Investigation pursuant to subsection (1) shall be known and hereinafter referred to as "special contract agents."

(3) The investigative services provided for in this section shall be designed to support law enforcement efforts of state agencies and to support local law enforcement efforts.

(4) Special contract investigators shall have all powers necessary and incidental to the fulfillment of their contractual obligations, including the power of arrest when authorized by the Director of the Mississippi Bureau of Investigation.

(5) No person shall be a special contract investigator unless he is at least twenty-one (21) years of age.

(6) The Director of the Mississippi Bureau of Investigation shall conduct a background investigation of all potential special contract investigators. All contract agents must meet the minimum standard requirements established by the Board on Law Enforcement Officer Standards and Training.

(7) Any contract pursuant to subsection (1) shall be:

(a) Reduced to writing; and

(b) Terminable upon written notice by either party, and shall in any event terminate one (1) year from the date of signing; and

(c) Approved as to form by the * * * Commissioner of Public Safety.

Such contracts shall not be public records and shall not be available for inspection under the provisions of a law providing for the inspection of public records as now or hereafter amended.

(8) Special contract investigators shall not be considered employees of the Mississippi Bureau of Investigation for any purpose.

(9) The Director of the Mississippi Bureau of Investigation shall have all powers necessary and incidental to the effective operation of this section.

(10) The Mississippi Bureau of Investigation shall have jurisdiction to investigate all incidents of officer-involved shootings resulting in injury or death occurring in the state. However, the District Attorney in the jurisdiction where such incident occurred may designate another law enforcement agency to investigate the incident if the District Attorney determines that there is a conflict with the Mississippi Bureau of Investigation or that other extenuating circumstances exist.

(* * *11) Notwithstanding any other provisions contained in this section, all contracts authorized under this section and related matters shall be made available to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 6. Section 41-29-112, Mississippi Code of 1972, is amended as follows:

41-29-112. (1) The Director of the Bureau of Narcotics is authorized to retain on a contractual basis such persons as he shall deem necessary to detect and apprehend violators of the criminal statutes pertaining to the possession, sale or use of narcotics or other dangerous drugs.

(2) Those persons contracting with the Director of the Bureau of Narcotics, pursuant to subsection (1), shall be known as, and are hereinafter referred to as, "special contract agents."

(3) The investigative services provided for in this section shall be designed to support law enforcement efforts of state agencies and to support local law enforcement efforts.

(4) Special contract investigators shall have all powers necessary and incidental to the fulfillment of their contractual obligations, including the power of arrest when authorized by the Director of the Bureau of Narcotics.

(5) No person shall be a special contract investigator unless he is at least eighteen (18) years of age.

(6) The Director of the Bureau of Narcotics shall conduct a background investigation of all potential special contract investigators. If the background investigation discloses a criminal record, the applicant shall not be retained without the express approval of the Director of the Bureau of Narcotics. Any matters pertaining to special contract investigators shall be exempt from the provisions of a law relating to meetings open to the public, approved as now or hereafter amended.

(7) Any contract pursuant to subsection (1) shall be:

(a) Reduced to writing; and

(b) Terminable upon written notice by either party, and shall in any event terminate one (1) year from the date of signing; and

(c) Approved as to form by the * * * Commissioner of Public Safety.

Such contracts shall not be public records and shall not be available for inspection under the provisions of a law providing for the inspection of public records as now or hereafter amended.

(8) Special contract investigators shall not be considered employees of the Bureau of Narcotics for any purpose.

(9) The Director of the Bureau of Narcotics shall have all powers necessary and incidental to the effective operation of this section.

(10) Notwithstanding any other provisions contained in this section, all said contracts and related matters shall be made available to the Legislative Budget Office and the State Fiscal Management Board.

SECTION 7. Section 27-104-7, Mississippi Code of 1972, as amended by Senate Bill No. 2021, 2021 Regular Session, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements

for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) Promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c), any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services, any personal service contracts entered into by the individual state institutions of higher learning, any personal service contracts entered into by the Mississippi Department of Transportation, any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services, any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019, any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission, any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services, any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories, and any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, utility rate expert services, and any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022. Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be

solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system * * *;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;

4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and

5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee * * *;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1)

source. A memorandum shall accompany the request form and address the following four (4) points:

- (a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;
- (b) Explanation of why this vendor is the only practicably available source from which to obtain this service;
- (c) Explanation of why the price is considered reasonable; and
- (d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

SECTION 8. Section 41-61-53, Mississippi Code of 1972, is amended as follows:

41-61-53. For the purposes of Sections 41-61-51 through 41-61-79, the following definitions shall apply:

- (a) "Certification of death" means signing the death certificate.
- (b) "Coroner" means the elected county official provided for in Sections 19-21-101 through 19-21-107.
- (c) "County medical examiner investigator" means a nonphysician coroner or deputy coroner trained * * * to investigate and certify deaths affecting the public interest.
- (d) "County medical examiner" means a licensed physician * * * who is a coroner or deputy coroner trained to investigate and certify deaths affecting the public interest.
- (e) "Death affecting the public interest" means any death of a human being where the circumstances are sudden, unexpected, violent, suspicious or unattended.
- (f) "Medical examiner" means the medical examiner system which is composed of the State Medical Examiner, county medical examiners and county medical examiner investigators collectively, and is a jurisdictional identifier, not a title, unless the context clearly requires otherwise.
- (g) "Medical examiner investigator" means a nonphysician appointed, trained and supervised by the State Medical Examiner to investigate and assist with the certification of deaths affecting the public interest.
- (* * * h) "Pronouncement of death" means the statement of opinion that life has ceased for an individual.
- (* * * i) "State Medical Examiner" means the person appointed by the Commissioner of Public Safety pursuant to Section 41-61-55 to investigate and certify deaths that affect the public interest.
- (* * * j) "Autopsy" means a postmortem examination.
- (* * * k) "Postmortem examination" means an examination of a dead human body that may include the least invasive to most invasive methods based on the expertise and judgment of the pathologist handling the case.

SECTION 9. Section 41-61-55, Mississippi Code of 1972, is amended as follows:

41-61-55. (1) There is hereby created the position of State Medical Examiner, under the supervision of the Commissioner of Public Safety and within the Office of Forensic Laboratories. The State Medical Examiner shall be appointed by the Commissioner of Public Safety subject to * * * review by the dean of the University of Mississippi Medical Center School of Medicine and the State Health Officer. The State Medical Examiner may be discharged only for good cause * * * by the Commissioner of Public Safety * * *.

(2) The State Medical Examiner must obtain a license to practice medicine in Mississippi and be certified in forensic pathology by the American Board of Pathology. The State Medical Examiner may also be designated as the Chief Medical Examiner.

(3) There is hereby created the State Medical Examiner Advisory Council composed of the State Health Officer or his or her designee, the Dean of the University of

Mississippi Medical Center School of Medicine or his or her designee, the Commissioner of Public Safety, the Attorney General or his or her designee, the President of the Mississippi Coroner and Medical Examiners Association or his or her designee, the President of the Mississippi Prosecutors Association or his or her designee, the President of the Mississippi Public Defenders Association or his or her designee, the President of the Mississippi Association of Chiefs of Police or his or her designee, and the President of the Mississippi Sheriffs' Association or his or her designee. The council shall be purely advisory and serve as a liaison between the State Medical Examiner and the various entities related to the Medical Examiner Act.

SECTION 10. Section 41-61-65, Mississippi Code of 1972, is amended as follows:

41-61-65. (1) If, in the opinion of the medical examiner investigating the case, it is advisable and in the public interest that an autopsy or other study be made for the purpose of determining the primary and/or contributing cause of death, an autopsy or other study shall be made by the State Medical Examiner, or the State Medical Examiner may choose a competent pathologist who is designated by the State Medical Examiner or the Department of Public Safety as a pathologist qualified to perform postmortem examinations and autopsies to perform the autopsy or study. To be eligible to be designated under this section, a pathologist must be an M.D. or D.O. who is certified in * * * anatomic pathology by the American Board of Pathology unless a certified * * * anatomic pathologist is not available to perform a postmortem examination or autopsy within a reasonable time. The State Medical Examiner or designated pathologist may retain any tissues as needed for further postmortem studies or documentation. When the medical examiner has received notification under Section 41-39-15(6) that the deceased is medically suitable to be an organ and/or tissue donor, the State Medical Examiner or designated pathologist may retain any biopsy or medically approved sample of the organ and/or tissue in accordance with the provisions of Section 41-39-15(6). A complete autopsy report of findings and interpretations, prepared on forms designated for this purpose, shall be submitted promptly to the State Medical Examiner. Copies of the report shall be furnished to the authorizing medical examiner, district attorney and court clerk. A copy of the report shall be furnished to one (1) adult member of the immediate family of the deceased or the legal representative or legal guardian of members of the immediate family of the deceased upon request. In determining the need for an autopsy, the medical examiner may consider the request from the district attorney or county prosecuting attorney, law enforcement or other public officials or private persons. However, if the death occurred in the manner specified in subsection (2)(j) of Section 41-61-59, an autopsy shall be performed by the State Medical Examiner or a designated pathologist who is qualified as required by this subsection, and the report of findings shall be forwarded promptly to the State Medical Examiner, investigating medical examiner, the State Department of Health, the infant's attending physician and the local sudden infant death syndrome coordinator. In addition to the authority granted under this section, medical examiner investigators, under the supervision of the State Medical Examiner, may assist with the performance or completion of autopsies or other duties of the Office of the State Medical Examiner.

(2) Any medical examiner or duly licensed physician performing authorized investigations and/or autopsies as provided in Sections 41-61-51 through 41-61-79 who, in good faith, complies with the provisions of Sections 41-61-51 through 41-61-79 in the determination of the cause and/or manner of death for the purpose of certification of that death, shall not be liable for damages on account thereof, and shall be immune from any civil liability that might otherwise be incurred or imposed.

(3) Family members or others who disagree with the medical examiner's determination shall be able to petition and present written argument to the State Medical Examiner for further review. If the petitioner still disagrees, he may petition the circuit court, which may, in its discretion, hold a formal hearing. In all those proceedings, the State Medical Examiner and the county medical examiner or county medical examiner

investigator who certified the information shall be made defendants. All costs of the petition and hearing shall be borne by the petitioner.

SECTION 11. Section 41-61-75, Mississippi Code of 1972, is amended as follows:

41-61-75. (1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive One Hundred Seventy-five Dollars (\$175.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) Any medical examiner, physician or pathologist who is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition shall be entitled to an expert witness hourly fee to be set by the court and mileage expenses to and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

* * *

SECTION 12. Section 41-61-77, Mississippi Code of 1972, is amended as follows:

41-61-77. (1) The Department of Public Safety shall establish and maintain a central office for the Mississippi Forensics Laboratory and the State Medical Examiner with appropriate facilities and personnel for postmortem medicolegal examinations. District offices, with appropriate facilities and personnel, may also be established and maintained if considered necessary by the department for the proper management of postmortem examinations.

The facilities of the central and district offices and their staff services may be available to the medical examiners and designated pathologists in their investigations.

(2) In order to provide proper facilities for investigating deaths as authorized in Sections 41-61-51 through 41-61-79, the State Medical Examiner may arrange for the use of existing public or private laboratory facilities. The State Medical Examiner may contract with qualified persons to perform or to provide support services for autopsies, studies and investigations not inconsistent with other applicable laws. Such laboratory facilities may be located at the University of Mississippi Medical Center or any other suitable location. The State Medical Examiner may be an affiliate or regular faculty member of the Department of Pathology at the University of Mississippi Medical Center and may serve as a member of the faculty of other institutions of higher learning. He shall be authorized to employ, with the approval of the Commissioner of Public Safety, such additional scientific, technical, administrative and clerical assistants as are necessary for performance of his duties. Such employees in the Office of the State Medical Examiner

shall be subject to the rules, regulations and policies of the Mississippi State Personnel Board in their employment.

(3) The State Medical Examiner shall be authorized to employ qualified pathologists as deputy *** state medical examiners as are necessary to carry out the duties of his office. The deputy *** state medical examiners shall be licensed to practice medicine *** and, either board-certified in forensic pathology by the American Board of Pathology or be a physician who is *** board certified in anatomic pathology by the American Board of Pathology. The State Medical Examiner may delegate specific duties to competent and qualified medical examiners within the scope of the express authority granted to him by law or regulation. Employees of the Office of the State Medical Examiner shall have the authority to enter any political subdivisions of this state for the purpose of carrying out medical investigations.

SECTION 13. Section 45-3-9, Mississippi Code of 1972, is amended as follows:

45-3-9. (1) The chief of patrol, directors, inspectors, assistant inspectors, patrol officers and investigators of the department shall be selected after an examination as to physical and mental fitness, knowledge of traffic laws, rules and regulations of this state, the laws of the state pertaining to arrest, and the rules and regulations of the Mississippi Department of Public Safety and Public Service Commission, such examination to be prescribed by the commissioner. At the time of appointment they shall be citizens of the United States and the State of Mississippi, of good moral character, and shall be not less than twenty-one (21) years of age and shall have *** a high school diploma or High School Equivalency Diploma ***.

(2) Sworn agents of the Mississippi Bureau of Narcotics who are employed as enforcement troopers shall retain all compensatory, personal and sick leave accrued pursuant to Sections 25-3-92, 25-3-93 and 25-3-95.

SECTION 14. Section 45-3-45, Mississippi Code of 1972, is amended as follows:

45-3-45. The commissioner is hereby authorized to set up a training school for patrolmen. He shall prescribe the rules and regulations for the operation of same and the period of training to be required of appointees to the Mississippi Highway Safety Patrol. *** The period of training for recruits shall not be less than eighty (80) days; however, prior sworn law enforcement officers who have at least two (2) years of law enforcement experience may have a period of additional training

that is less than eighty (80) days. The expense of such training shall be paid in the same manner as other expenses of the patrol.

SECTION 15. Sections 15 through 19 of this act shall be known and referred to as the "Mississippi Unmanned Aircraft Systems Protection Act of 2021."

SECTION 16. For the purposes of Sections 15 through 19 of this act, unless otherwise specified, the following terms shall have the following meanings:

(a) "Correctional facility" means any:

(i) Confinement facility operated or contracted by the Mississippi Department of Corrections;

(ii) Confinement facility operated or contracted by the Federal Department of Prisons;

(iii) Municipality or county jail;

(iv) Confinement facility operated or contracted by the Federal Department of Prisons; or

(v) Public or private youth detention facility.

(b) "Critical infrastructure" means any of the following, whether public or private:

(i) Petroleum refinery or petroleum tank farm;

(ii) Electrical power generation facility which supports the Mississippi power grid system;

(iii) Natural gas processing and terminal facility;

(iv) Military installation owned by the federal or state government; or

(v) Entity contracted by the Department of Defense or State Military Department to produce defense products.

(c) "Unmanned aircraft" means an aircraft that is constructed or operated without the possibility of direct human intervention from within or on the aircraft, including every object that is on board or otherwise attached to the aircraft, or carried or operated during flight, regardless of weight. For purposes of this act, this term is synonymous with the term "drone."

(d) "Unmanned aircraft system" means an unmanned aircraft and all associated elements, including, but not limited to, communication links, sensing devices, and components that control the unmanned aircraft.

SECTION 17. A person commits the offense of unlawful use of an unmanned aircraft system if he or she knowingly:

(a) Uses an unmanned aircraft system to conduct surveillance of, collect information or data, or photographically or electronically record a critical infrastructure or correctional facility without the prior written consent of the owner, or the owner's designee, of the critical infrastructure or correctional facility; or

(b) Delivers or attempts to deliver contraband using an unmanned aircraft system on a correctional facility property or adjacent property for the purpose of introducing contraband into a correctional facility.

SECTION 18. (1) Nothing in Sections 15 through 19 of this act shall be deemed to prohibit the operation of an unmanned aircraft system by a law enforcement agency for any lawful purpose in this state.

(2) A public agency or a public contractor, other than a law enforcement agency or contractor, may operate an unmanned aircraft system only if the public agency or contracted entity operates the unmanned aircraft system:

(a) With the written consent of the owner, or the owner's designee, of the critical infrastructure or correctional facility; and

(b) In accordance with the rules and regulations adopted by the Federal Aviation Administration.

(3) This act shall not pertain to unmanned aircraft operating under Federal Aviation Administration Certificates of Waiver Authorization.

SECTION 19. (1) Any person who is convicted under Section 17(a) of this act shall be guilty of a misdemeanor, punishable up to one (1) year in prison or a fine not to exceed One Thousand Dollars (\$1,000.00) for the first offense or both.

(2) Any person convicted under Section 17(b) of this act shall be guilty of a felony, punishable by a term of no less than three (3) years and no more than fifteen (15) years in the State Penitentiary or a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00), or both.

SECTION 20. Section 25-1-87, Mississippi Code of 1972, is amended as follows:

25-1-87. All motor vehicles owned or leased by the State of Mississippi or any agency, department or political subdivision thereof, which shall include counties and municipalities, when such agency or department or political subdivision, which shall include counties and municipalities, is supported wholly or in part by public taxes or by appropriations from public funds, shall have painted on both sides in letters at least three (3) inches in height, and on the rear in letters not less than one and one-half (1-1/2) inches in height, the name of the state agency or department, or political subdivision, which shall include counties and municipalities, in a color which is in contrast with the color of the vehicle; provided, however, that a permanent decal may be used in lieu of paint, and provided further, that any municipality may affix a permanent decal or design at least twelve (12) inches in height and twelve (12) inches in width on both sides of the vehicle with the name of the municipality within or across the permanent decal or design, and the permanent design or decal shall be in a color or colors which are in contrast with the color of the vehicle. No privilege license tag shall be issued for such vehicle until the name has been painted thereon or a permanent design or decal affixed thereto as required by this section. A permanent decal may be used in lieu of paint. The provisions of this paragraph shall not apply to vehicles used by the Chief Executive of the State of Mississippi, to vehicles owned or leased by the Department of Economic and Community Development, to vehicles owned or leased by the Office of the Attorney General, to not more than one (1) vehicle owned or leased by the Department of * * * Public Safety for use by the Capitol Police, to vehicles owned or leased by the Mississippi State Board of Medical Licensure and used only by the Investigative Division of the board, to one (1) vehicle owned or leased by the Executive Director of the Department of Mental Health, to not more than one (1) vehicle owned or leased by the Mississippi Division of Medicaid, to one (1) vehicle owned or leased by the State Department of Rehabilitation Services, to one (1) vehicle owned or leased by the Mississippi Department of Transportation, to one (1) vehicle owned or leased by the Commissioner of the Mississippi Department of Corrections, to not more than three (3) vehicles owned or leased by the Department of Corrections and used only by Community Services Division officers, to not more than one (1) vehicle owned or leased by the Mississippi Department of Transportation and used only by an investigator employed by the Mississippi Department of Transportation, to not more than two (2) vehicles owned or leased by the Mississippi Department of Marine Resources, or to not more than one (1) vehicle owned or leased by the * * * Department of Revenue; and upon receipt of a written request from the State Adjutant General, the Commissioner of Public Safety, the Director of the Alcoholic Beverage Control Division of the * * * Department of Revenue, the Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, the Director of the Bureau of Narcotics, the Executive Officer of the Board of Pharmacy, the Executive Director of the Mississippi Gaming Commission, the State Auditor or a president or chancellor of a state institution of higher learning, the Governor may authorize the use of specified unmarked vehicles only in instances where such identifying marks will hinder official investigations, and the governing authorities of any municipality may authorize the use of specified, unmarked police vehicles when identifying marks would hinder official criminal investigations by the police. The written request or the order or resolution authorizing such shall contain the manufacturer's serial number, the state inventory number, where applicable, and shall set forth why the vehicle should be exempt from the provisions of this paragraph. In the event the request is granted, the Governor shall furnish the State Department of Audit with a copy of his written authority for the use of the unmarked vehicles, or the governing authority, as the case

may be, shall enter its order or resolution on the minutes and shall furnish the State Department of Audit with a certified copy of its order or resolution for the use of the unmarked police vehicle. The state property auditors of the State Department of Audit shall personally examine vehicles owned or leased by the State of Mississippi or any agency, department or commission thereof and report violations of the provisions of this paragraph to the State Auditor and the Chairman of the Joint Legislative Committee on Performance Evaluation and Expenditure Review. Any vehicle found to be in violation of this paragraph shall be reported immediately to the department head charged with such vehicle, and five (5) days shall be given for compliance; and if not complied with, such vehicles shall be impounded by the State Auditor until properly marked or exempted.

Upon notification to the * * * Department of Revenue by the State Auditor that any municipality or political subdivision is not in compliance with this section, the * * * Department of Revenue shall withhold any sales tax due for distribution to any such municipality and any excise tax on gasoline, diesel fuel, kerosene and oil due any such county and for any months thereafter, and shall continue to withhold such funds until compliance with this section is certified to the * * * Department of Revenue by the State Department of Audit.

County-owned motor vehicles operated by the sheriff's department shall not be subject to the provisions of this section, but shall be subject to the provisions of Section 19-25-15. County-owned motor vehicles operated by a family court established pursuant to Section 43-23-1 et seq., shall not be subject to the provisions of this section.

State-owned or leased motor vehicles operated by the Department of Mental Health or by facilities operated by the Department of Mental Health and used for transporting patients living in group homes or alternative living arrangements shall not be subject to the provisions of this section.

Up to four (4) passenger automobiles owned or leased by economic development districts or economic development authorities shall not be subject to the provisions of this section.

State-owned or leased motor vehicles operated by the Agricultural and Livestock Theft Bureau of the Department of Agriculture and Commerce and used to investigate livestock theft shall not be subject to the provisions of this section.

Up to three (3) motor vehicles owned or leased by the Pascagoula Municipal Separate School District for use by district security officers shall not be subject to the provisions of this section.

Up to three (3) motor vehicles owned or leased by the Department of Human Services for use only by the Program Integrity Division and the executive director shall not be subject to the provisions of this section.

Up to three (3) motor vehicles owned or leased by the Department of Insurance for use by the State Fire Marshal's Office shall not be subject to the provisions of this section.

The motor vehicles of a public airport shall not be subject to the provisions of this section upon a finding by the governing authority of such airport that marking a motor vehicle as required in this section will compromise security at such airport.

SECTION 21. Section 29-5-69, Mississippi Code of 1972, is amended as follows:

29-5-69. During the period each year when the Legislature is in session, all parking spaces adjacent to the Capitol grounds on the west side of President Street and on both sides of High Street shall be reserved for the use of Capitol employees. The Office of General Services is instructed to place signs to that effect on said streets during legislative sessions.

All employees in the Capitol who own automobiles shall be provided with distinctive stickers. Each such employee shall place the sticker in a prominent place on the rear of the automobile owned and regularly used by such employee.

Any person without a sticker on his automobile who parks in any space reserved in the first paragraph of this section shall be guilty of a misdemeanor and shall, upon conviction, be fined not to exceed Twenty-five Dollars (\$25.00).

Any person who is not a Capitol employee who has on his automobile a Capitol parking sticker or any Capitol employee who gives his parking sticker to a non-Capitol employee to use on such person's car, shall be guilty of a misdemeanor and shall, upon conviction, be fined One Hundred Dollars (\$100.00).

The Office of Capitol Police * * * within the Department of Public Safety shall have the authority and are directed to enforce the provisions of this section.

SECTION 22. Section 2 of this act shall be codified in Chapter 1, Title 45, Mississippi Code of 1972.

SECTION 23. Section 29-5-77, Mississippi Code of 1972, which provides jurisdiction to the Department of Finance and Administration to enforce the laws of Mississippi within the Capitol Complex, is repealed.

SECTION 24. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS OF THE COMMISSIONER OF PUBLIC SAFETY; TO EXPAND THE COMMISSIONER'S POWERS; TO REQUIRE THE COMMISSIONER TO ESTABLISH WITHIN THE DEPARTMENT THE MISSISSIPPI OFFICE OF HOMELAND SECURITY; TO CODIFY A NEW SECTION WITHIN CHAPTER 1, TITLE 45, MISSISSIPPI CODE OF 1972, TO TRANSFER THE OFFICE OF CAPITOL POLICE FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER TO ADMINISTER OATHS; TO AMEND SECTION 45-6-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "LAW ENFORCEMENT OFFICER" TO INCLUDE THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY AND OTHER DEPARTMENT OF PUBLIC SAFETY EMPLOYEES; TO REVISE THE DEFINITION OF THE TERM "PART-TIME LAW ENFORCEMENT OFFICER" TO INCLUDE ANY PART-TIME EMPLOYEE OF THE DEPARTMENT OF PUBLIC SAFETY SO DESIGNATED BY THE COMMISSIONER; TO AMEND SECTION 45-1-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTIGATIVE SERVICES PROVIDED ON A CONTRACTUAL BASIS TO THE MISSISSIPPI BUREAU OF INVESTIGATION SHALL BE DESIGNED TO SUPPORT LAW ENFORCEMENT EFFORTS OF STATE AGENCIES; TO REVISE THE APPROVAL REQUIREMENTS OF CONTRACTUAL ARRANGEMENTS WITH THE MISSISSIPPI BUREAU OF INVESTIGATION; TO PROVIDE JURISDICTION TO THE MISSISSIPPI BUREAU OF INVESTIGATION TO INVESTIGATE ALL INCIDENTS OF OFFICER-INVOLVED SHOOTINGS IN THE STATE; TO AMEND SECTION 41-29-112, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTIGATIVE SERVICES PROVIDED ON A CONTRACTUAL BASIS TO THE BUREAU OF NARCOTICS SHALL BE DESIGNED TO SUPPORT LAW ENFORCEMENT EFFORTS OF STATE AGENCIES; TO REVISE THE APPROVAL REQUIREMENTS OF CONTRACTUAL ARRANGEMENTS WITH THE MISSISSIPPI BUREAU OF NARCOTICS; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL

NO. 2021, 2021 REGULAR SESSION, TO EXEMPT CONTRACTS FROM PUBLIC PROCUREMENT REVIEW BOARD APPROVAL ENTERED INTO BY THE DEPARTMENT OF PUBLIC SAFETY FOR SERVICE ON SPECIALIZED EQUIPMENT AND SOFTWARE USED BY THE OFFICE OF FORENSICS LABORATORIES AND CONTRACTS FOR ANATOMICAL PATHOLOGY SERVICES; TO AMEND SECTION 41-61-53, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "MEDICAL EXAMINER INVESTIGATOR"; TO AMEND SECTION 41-61-55, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT OF CERTAIN PERSONS TO APPROVE THE APPOINTMENT OR DISCHARGE OF THE STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-65, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE MEDICAL EXAMINER TO USE MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTOMATIC REPEALER ON THE PROVISION THAT AUTHORIZES FEES FOR MEDICAL EXAMINERS; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT DEPUTY STATE MEDICAL EXAMINERS BE LICENSED IN MISSISSIPPI TO PRACTICE MEDICINE; TO AMEND SECTION 45-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS OF CERTAIN POSITIONS WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 45-3-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PRIOR SWORN LAW ENFORCEMENT OFFICERS MAY HAVE A PERIOD OF TRAINING THAT IS LESS THAN 80 DAYS; TO ENACT THE "MISSISSIPPI UNMANNED AIRCRAFT SYSTEMS PROTECTION ACT OF 2021"; TO PROSECUTE UNAUTHORIZED FLYING OPERATIONS OF UNMANNED AIRCRAFT SYSTEMS OVER CORRECTIONAL FACILITIES AND CRITICAL INFRASTRUCTURE SITES; TO DEFINE TERMS; TO PENALIZE VIOLATIONS OF THE ACT; TO AMEND SECTIONS 25-1-87 AND 29-5-69, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 29-5-77, MISSISSIPPI CODE OF 1972, WHICH PROVIDES JURISDICTION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ENFORCE THE LAWS OF MISSISSIPPI WITHIN THE CAPITOL COMPLEX; AND FOR RELATED PURPOSES.

Senator DeBar offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 362 by inserting after the word "shootings" the following:

, other than state trooper-involved shootings,

FURTHER, AMEND on line 367 by inserting after the period the following:

The Attorney General shall designate another law enforcement agency or task force to investigate any incident of a state trooper-involved shooting resulting in injury or death occurring in the state.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 974 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 974 was adopted.

YEAS AND NAYS On H. B. No. 974. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--41.

Nays--Barnett, Blackmon, Butler, Jackson R. (11th), Jordan, Norwood, Simmons D. T. (12th), Thomas, Turner-Ford, Witherspoon. Total--10.
Absent and those not voting--Horhn. Total--1.

Senator Barnett called up the following entitled bill:

H. B. No. 525: Corrections omnibus bill; enact.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Earned Parole Eligibility Act."

SECTION 2. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served * * * the minimum required time for parole eligibility, may be released on parole as * * * set forth herein:

(a) Habitual offenders. No * * * person sentenced as a confirmed and habitual criminal under the provisions of Sections 99-19-81 through 99-19-87 shall be eligible for parole;

(b) Sex offenders. Any person who * * * has been * * * sentenced for a sex offense as defined in Section 45-33-23(h) shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) * * * Capital offenders. No person * * * sentenced for capital murder, as defined in Section 97-3-19(2), or any offense to which an offender is sentenced to life imprisonment or life imprisonment without eligibility for parole under the provisions of Section 99-19-101, whose crime was committed on or after July 1, 1994, shall be eligible for parole;

* * *

(d) Murder. No person * * * sentenced for murder in the first degree, whose crime was committed on or after June 30, 1995, or murder in the second degree, as defined in Section 97-3-19, shall be eligible for parole;

(e) Human trafficking. No person * * * sentenced for human trafficking, as defined in Section 97-3-54.1, whose crime was committed on or after July 1, 2014, shall be eligible for parole;

(f) Drug trafficking. No person sentenced for trafficking and aggravated trafficking, as defined in Section 41-29-139(f) through (g), shall be eligible for parole;

(* * *g) Offenses specifically prohibiting parole release. No person shall be eligible for parole who is convicted * * * of any offense that specifically prohibits parole release;

(** *h) (i) ** * Offenders eligible for parole consideration for offenses committed after June 30, 1995. Except as provided in paragraphs (a) through (g) of this subsection, offenders may be considered eligible for parole release as follows:

1. Nonviolent crimes. All persons sentenced for a nonviolent offense whose crime was committed after June 30, 1995, shall be eligible for parole only after they have served twenty-five percent (25%) of the sentence. For purposes of this paragraph, "nonviolent crime" means a felony not designated as a crime of violence in Section 97-3-2.

2. Violent crimes after June 30, 1995, and before July 1, 2014. A person who is sentenced for a violent offense, as defined by Section 97-3-2, whose crime was committed after June 30, 1995, and before July 1, 2014, except robbery with a deadly weapon as defined in Section 97-3-79, shall be eligible for parole only after having served fifty percent (50%) or twenty (20) years, whichever is less, of the sentence or sentences imposed by the trial court. Those persons sentenced for robbery with a deadly weapon as defined by Section 97-3-79 shall be eligible for parole only after having served seventy-five percent (75%) or thirty (30) years, whichever is less, of the sentence or sentences imposed by the trial court.

3. Violent crimes on or after July 1, 2014. A person who is sentenced for a violent offense, as defined by Section 97-3-2, except robbery with a deadly weapon as provided in Section 97-3-79, whose crime was committed on or after July 1, 2014, shall be eligible for parole only after having served fifty percent (50%) or thirty (30) years, whichever is less, of the sentence or sentences imposed by the trial court. Those persons sentenced for robbery with a deadly weapon as defined by Section 97-3-79 shall be eligible for parole only after having served seventy-five percent (75%) or thirty (30) years, whichever is less, of the sentence or sentences imposed by the trial court.

4. Persons twenty-five (25) years of age and younger. Notwithstanding any other provisions of law, persons twenty-five (25) years of age and younger at the time the crime was committed and who are not otherwise eligible for parole at an earlier date are eligible for parole consideration after having served twenty-five (25) years of the sentence or sentences imposed by the trial court for a sentence of twenty-five (25) years or greater. This paragraph shall not apply to any person sentenced for more than one offense, pursuant to Section 97-3-21 or 99-19-101, if each offense arose out of or is related to the same facts or occurrence. Persons shall not be eligible for parole consideration under this subsection if the person is sentenced for a sex offense as defined in Section 45-33-23(h), except for a person under the age of nineteen (19) years of age who has been convicted under Section 97-3-67.

5. Nonviolent and nonhabitual drug offenses after June 30, 1995. A person who has been sentenced to a drug offense pursuant to Section 41-29-139(a) through (d), whose crime was committed after June 30, 1995, based on a sentencing range that has subsequently been lowered, shall be eligible for parole consideration after serving twenty-five percent (25%) of the maximum sentence which could be imposed for the same conviction(s) as of July 1, 2021, whichever is less.

(ii) Parole hearing required. All persons eligible for parole under subparagraph (i) of this paragraph (g) who are serving a sentence or sentences for a crime of violence, as defined in Section 97-3-2, shall be required to have a parole hearing before the Parole Board pursuant to Section 47-7-17, prior to parole release.

(** *iii) Geriatric parole. Notwithstanding the provisions in subparagraph (i) of this paragraph (** *h), a person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person

eligible for parole under this *** paragraph (h) shall be required to have a parole hearing before the board prior to parole release. No inmate shall be eligible for parole under this subparagraph (***iii) of this paragraph (***h) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87;
2. The inmate is sentenced for a crime of violence under Section 97-3-2;
3. The inmate is sentenced for an offense that specifically prohibits parole release;
4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);
5. The inmate is sentenced for a sex crime; or
6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(***iv) Parole as authorized by the trial court. Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the State Parole Board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if the senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter ***.

(***2) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. Except as provided in Section 47-7-18, the parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. *** Any parole eligibility date shall not be earlier than as required in this section.

(***3) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(4) Any inmate within *** forty-eight (48) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job-training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job-training program ***, including, but not limited to, programs required as part of the case plan, shall be in jeopardy of noncompliance with the case plan and may be denied parole.

(5) In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony, the offender must complete a drug and alcohol rehabilitation program prior to parole, or the offender shall be required to complete a postrelease drug and alcohol program as a condition of parole.

(6) The amendments contained in this section shall apply retroactively from and after July 1, 1995.

(7) Except as provided in subsection (1)(a) through (g) of this section, all other persons shall be eligible for parole after serving twenty-five percent (25%) of the sentence or sentences imposed by the trial court, or, if sentenced to thirty (30) years or more, after serving ten (10) years of the sentence or sentences imposed by the trial court.

(8) Notwithstanding provisions to the contrary in this section, a person who was sentenced under this section before the effective date of this act may be considered for parole if the person's sentence would have been parole eligible before the date on which this act becomes effective.

SECTION 3. Section 47-7-3.1, Mississippi Code of 1972, is amended as follows:

47-7-3.1. (1) In consultation with the Parole Board, the department shall develop a case plan for all parole eligible inmates to guide an inmate's rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.

(2) *** The case plan *** shall include, but not be limited to:

(a) Programming and treatment requirements based on the results of a risk and needs assessment;

(b) Any programming or treatment requirements contained in the sentencing order; and

(c) General behavior requirements in accordance with the rules and policies of the department.

(3) With respect to parole eligible inmates admitted to the department's custody on or after July 1, 2021, the department shall complete the case plan within ninety (90) days of admission. With respect to parole eligible inmates admitted to the department's custody before July 1, 2021, the department shall complete the case plan by January 1, 2022.

(** *4) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.

(a) Within ninety (90) days of admission, the caseworker shall notify the inmate of their parole eligibility date as calculated in accordance with Section 47-7-3(3);

(b) At the time a parole-eligible inmate receives the case plan, the department shall send the case plan to the Parole Board for approval.

(** *5) With respect to parole eligible inmates admitted to the department's custody after July 1, 2021, the department shall ensure that the case plan is achievable prior to the inmate's parole eligibility date. With respect to parole eligible inmates admitted to the department's custody before July 1, 2021, the department shall, to the extent possible, ensure that the case plan is achievable prior to the inmate's parole eligibility date or next parole hearing date, or date of release, whichever is sooner.

(** *6) The caseworker shall meet with the inmate every eight (8) weeks from the date the offender received the case plan to review the inmate's case plan progress.

(** *7) Every four (4) months the department shall electronically submit a progress report on each parole-eligible inmate's case plan to the Parole Board. The board may meet to review an inmate's case plan and may provide written input to the caseworker on the inmate's progress toward completion of the case plan.

(** *8) The Parole Board shall provide semiannually to the Oversight Task Force the number of parole hearings held, the number of prisoners released to parole without a hearing and the number of parolees released after a hearing.

(9) If the Department of Corrections fails to adequately provide opportunity and access for the completion of such case plans, the Department of Corrections shall, to the extent possible, contract with regional jail facilities that offer educational development and job-training programs to facilitate the fulfillment of the case plans of parole eligible inmates.

SECTION 4. Section 47-7-3.2, Mississippi Code of 1972, is amended as follows:

47-7-3.2. (1) Notwithstanding * * * Section 47-5-138, 47-5-139, 47-5-138.1 or 47-5-142, no person convicted of a criminal offense on or after July 1, 2014, shall be released by the department until he or she has served no less than * * * the percentage of the sentence or sentences imposed by the court as set forth below:

(a) Twenty-five percent (25%) of a sentence for a nonviolent crime;

(b) Fifty percent (50%) or twenty (20) years, whichever is less, of a sentence for a crime of violence pursuant to Section 97-3-2, if sentenced after June 30, 1995, and before July 1, 2014, except for robbery with a deadly weapon;

(c) Fifty percent (50%) or thirty (30) years, whichever is less, of a sentence for a crime of violence pursuant to Section 97-3-2, if sentenced on or after July 1, 2014, except for robbery with a deadly weapon;

(d) Seventy-five percent (75%) or thirty (30) years, whichever is less, of a sentence for robbery with a deadly weapon as defined by Section 97-3-79.

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

(b) Offenders convicted as habitual offenders pursuant to Sections 99-19-81 through 99-19-87;

(c) Offenders serving a sentence for a sex offense; or

(d) Offenders serving a sentence for trafficking pursuant to Section 41-29-139(f).

SECTION 5. Section 47-7-5, Mississippi Code of 1972, is brought forward as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall not receive compensation or per diem in addition to his salary as prohibited under Section 25-3-38. Each member shall keep such hours and workdays as required of full-time state

employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, 2022.

SECTION 6. Section 47-7-13, Mississippi Code of 1972, is amended as follows:

47-7-13. A majority of the board shall constitute a quorum for the transaction of all business. * * * The board shall maintain, in minute book form, a copy of each of its official actions with the reasons therefor. Suitable and sufficient office space and support resources and staff necessary to conducting Parole Board business shall be provided by the Department of Corrections. However, the principal place for conducting parole hearings shall be the State Penitentiary at Parchman.

SECTION 7. Section 47-7-15, Mississippi Code of 1972, is amended as follows:

47-7-15. The board shall adopt an official seal of which the courts shall take judicial notice. Decisions of the board shall be made by majority vote, except as provided in Section 47-7-5(9).

The board shall keep a record of its acts and shall notify each institution of its decisions relating to the persons who are or have been confined therein. At the close of each fiscal year the board shall submit to the Governor and to the Legislature a report with statistical and other data of its work.

SECTION 8. Section 47-7-17, Mississippi Code of 1972, is amended as follows:

47-7-17. (1) Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

* * * (2) Except as provided in Section 47-7-18, the board * * * shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. The board shall consider whether any restitution ordered has been paid in full. Parole release shall, at the

hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of * * * the offender becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

(3) Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not

constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

(4) A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

(5) The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 9. Section 47-7-18, Mississippi Code of 1972, is amended as follows:

47-7-18 (1) * * * No inmate convicted of a sex offense as defined by Section 45-33-23(h), a crime of violence as defined by Section 97-3-2, or both, nor an inmate who is eligible for geriatric parole shall be released on parole without a hearing before the Parole Board as required by Section 47-7-17. All other inmates eligible for parole pursuant to Section 47-7-3 * * * shall be released from incarceration to parole supervision on the inmate's parole eligibility date, without a hearing before the board, if:

(a) The inmate has met the requirements of the parole case plan established pursuant to Section 47-7-3.1;

(b) A victim of the offense has not requested the board conduct a hearing;

(c) The inmate has not received a serious or major violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan. If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the inmate and that granting parole is not incompatible with public safety, the board may then parole the inmate with appropriate conditions. If the board determines that the inmate has sufficiently complied with the case plan but the discharge plan indicates that the inmate does not have appropriate housing immediately upon release, the board may parole the inmate to a transitional reentry center with the condition that the inmate spends no more than six (6) months in the center. If the board determines that the inmate has not substantively complied with the requirement(s) of the case plan it may deny parole. If the board denies parole, the board may schedule a subsequent parole hearing and, if a new date is scheduled, the board shall identify the corrective action the inmate will need to take in order to be granted parole. Any inmate not released at the time of the inmate's initial parole date shall have a parole hearing at least every year, except inmates sentenced for a crime of violence, as defined by Section 97-3-2, who shall have a hearing not more than every two (2) years.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT ENTITLED THE "MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT"; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CONDITIONS FOR PAROLE ELIGIBILITY AND TO PROVIDE LIMITATIONS ON INMATE ELIGIBILITY TO PETITION THE SENTENCING COURT FOR PAROLE ELIGIBILITY IF THE INMATE IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE OR NONVIOLENCE; TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR INMATE CASE PLANNING AND TO PRESCRIBE DATES FOR THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COMPLETE CASE PLANS FOR PAROLE ELIGIBLE INMATES TO ENSURE THAT THE PLAN IS ACHIEVABLE; TO AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, TO PROVIDE A MINIMUM TIME THAT OFFENDERS CONVICTED OF A CRIME OF VIOLENCE MUST SERVE BEFORE RELEASE AND A MINIMUM PERCENTAGE OF OTHER SENTENCES THAT OTHER OFFENDERS MUST SERVE BEFORE RELEASE; TO BRING FORWARD SECTION 47-7-5, MISSISSIPPI CODE OF 1972, RELATED TO THE MEMBERSHIP OF THE MISSISSIPPI PAROLE BOARD, ITS REQUIREMENTS, AND THE MINIMUM VOTE REQUIRED TO GRANT PAROLE TO AN INMATE CONVICTED OF CAPITAL MURDER OR SEX OFFENSE; TO AMEND SECTION 47-7-13, MISSISSIPPI CODE OF 1972, TO

REQUIRE AN AFFIRMATIVE VOTE OF AT LEAST FOUR MEMBERS OF THE MISSISSIPPI PAROLE BOARD TO GRANT PAROLE TO A SEX OFFENDER; TO AMEND SECTION 47-7-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VICTIM OR DESIGNATED FAMILY MEMBER SHALL BE PROVIDED AN OPPORTUNITY TO BE HEARD BY THE PAROLE BOARD PRIOR TO A PAROLE DECISION; TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PAROLE HEARINGS FOR SEX OFFENDERS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 525 was adopted.

YEAS AND NAYS On H. B. No. 525. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, Michel, Moran, Norwood, Parker, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Witherspoon, Younger. Total--41.

Nays--Branning, Chism, Hill, McLendon, McMahan, Parks, Seymour, Tate, Whaley. Total--9.

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

Voting Present--Suber. Total--1.

Senator Hill called up the following entitled bill:

H. B. No. 104: Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county.

Senator Hill offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-3-49, Mississippi Code of 1972, is amended as follows:

19-3-49. (1) In all counties of this state wherein there is no elected county prosecuting attorney, the boards of supervisors shall have the power and authority to employ a competent attorney to appear and prosecute in cases requiring the services of the county prosecuting attorney. The compensation paid to the person so employed shall be paid from the general fund of such county and shall not exceed, during any calendar year, the amount authorized by law to be paid as salary to the county prosecuting attorney in such county. The employment of a county prosecuting attorney as authorized by this section shall be pursuant to a contract which shall provide that the salary of such county prosecuting attorney shall not be reduced, increased or terminated for the period of the contract. Such contract shall be for the period of the remainder of the term of office of the board of supervisors which employs the county prosecuting attorney; however, the contract shall provide expressly or by reference to this section that the contract shall be abrogated upon the creation and filling of the office of elected county prosecuting attorney.

(2) Notwithstanding any of the provisions of subsection (1) of this section to the contrary, the board of supervisors of Hancock County may pay the attorney hired to appear and prosecute cases requiring the services of a county prosecuting attorney an annual salary * * * in an amount not to exceed seventy-five percent (75%) of the annual salary of the county court judge's salary. The county prosecutor's salary shall be set within the discretion of the Hancock County Board of Supervisors, shall be designated as a full-time staff position to utilize the salary escalation, and shall preclude outside practice. The Legislature finds and declares that the annual salary authorized by this section is justified in Hancock County for the following reasons:

(a) The addition of a justice court judge in January 2004 created a total of three (3) judges in the county and requires the attorney hired to appear and prosecute cases requiring the services of a county prosecuting attorney to spend additional time in court; and

(b) The population of Hancock County increased from thirty-one thousand seven hundred sixty (31,760) in 1990, to forty-two thousand nine hundred sixty-seven (42,967) in 2000, which placed it in the top ten percent (10%) of the fastest growing counties in the state. The population of Hancock County has continued to increase at one of the highest rates in the state through 2018; and

(c) There was a significant increase in the number of cases filed in justice court and cases appealed to a higher court; and

(d) The attorney hired to appear and prosecute cases requiring the services of a county prosecuting attorney is responsible for handling a large number of drug, alcohol and mental commitment proceedings, and the per capita rate of those proceedings in the county has far exceeded the typical rate in other Mississippi counties. Further, Hancock County created a county court in 2018, thus exacerbating the case load and expediency of those proceedings, requiring additional time and responsibilities of the county prosecutor.

SECTION 2. This act shall take effect and be in force from and after its passage.

Senators Hopson and Hill offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 19 by changing "the county prosecuting attorney" to "a member of the board of supervisors"

FURTHER, AMEND on line 20 by inserting after the period the following:

In addition, such county prosecuting attorney shall receive the sum of One Thousand Dollars (\$1,000.00) per month for the purpose of defraying secretarial expenses.

FURTHER, AMEND by deleting subsection (2) on lines 30 through 65 and renumbering accordingly.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 104 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 104 was adopted.

YEAS AND NAYS On H. B. No. 104. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Wiggins called up the following entitled bill:

H. B. No. 341: Motor carrier safety improvements; prohibit consideration of deployment of in determining an individual's employment status with motor carrier.

YEAS AND NAYS On H. B. No. 341. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator DeBar called up the following entitled bill:

H. B. No. 1123: Early Learning Collaborative Act of 2013; revise funding and specify teaching standards.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-21-51, Mississippi Code of 1972, is amended as follows:

37-21-51. (1) As used in this section:

(a) "Preschool or prekindergarten children" means any children who have not entered kindergarten but will have obtained four (4) years of age on or before September 1 of a school year.

(b) An "early learning collaborative" is a district or countywide council that writes and submits an application to participate in the voluntary prekindergarten program.

An early learning collaborative is comprised, at a minimum, of a public school district and/or a local Head Start affiliate if in existence, private or parochial schools, or one or more licensed child care centers. Agencies or other organizations that work with young children and their families may also participate in the collaborative to provide resources and coordination even if those agencies or organizations are not prekindergarten providers.

(c) A "prekindergarten provider" is a public, private or parochial school, licensed child care center or Head Start center that serves prekindergarten children and participates in the voluntary prekindergarten program.

(d) A "lead partner" is a public school district or other nonprofit entity with the instructional expertise and operational capacity to manage the early learning collaborative's prekindergarten program as described in the collaborative's approved application for funds. The lead partner serves as the fiscal agent for the collaborative and shall disburse awarded funds in accordance with the collaborative's approved application. The lead partner must facilitate a professional learning community for the teachers in the prekindergarten program and lead the collaborative. The lead partner ensures that the collaborative adopts and implements curriculum and assessments that align with the comprehensive early learning standards. The public school district shall be the lead partner if no other qualifying lead partner is selected.

(e) "Comprehensive early learning standards" are standards adopted by the State Board of Education that address the highest level of fundamental domains of early learning to include, but not be limited to, physical well-being and motor development, social/emotional development, approaches toward learning, language development and cognition and general knowledge. The comprehensive early learning standards shall also include standards for emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, and vocabulary and comprehension development.

(f) *** An "evidence-based curriculum" is an age-appropriate curriculum that *** demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on:

(i) Strong evidence from at least one (1) well-designed and well-implemented experimental study;

(ii) Moderate evidence from at least one (1) well-designed and well-implemented quasi-experimental study; or

(iii) Promising evidence from at least one (1) well-designed and well-implemented correlational study with statistical controls for selection bias.

(2) To ensure that all children have access to quality early childhood education and development services, the Legislature finds and declares the following:

(a) Parents have the primary duty to educate their young preschool children;

(b) The State of Mississippi can assist and educate parents in their role as the primary caregivers and educators of young preschool children;

(c) There is a need to explore innovative approaches and strategies for aiding parents and families in the education and development of young preschool children; and

(d) There exists a patchwork of prekindergarten entities but no coordination of services and there needs to be a coordination of these services.

(3) (a) This subsection shall be known and may be cited as the "Early Learning Collaborative Act of 2013."

(b) Effective with the 2013-2014 school year, the Mississippi State Department of Education shall establish a voluntary prekindergarten program, which shall be a collaboration among the entities providing prekindergarten programs including Head Start, licensed child care facilities and licensed public, parochial and private school prekindergarten programs. This program shall be implemented no later than the 2014-2015 school year. Enrollment in the prekindergarten program shall be coordinated with the Head Start agencies in the local areas and shall not be permitted to cause a reduction in children served by the Head Start program. Under this program, eligible entities may submit an application for funds to (i) defray the cost of additional and/or more qualified teaching staff, appropriate educational materials and equipment and to improve the quality of educational experiences offered to four-year-old children in early care and education programs, and/or to (ii) extend developmentally appropriate education services at such programs currently serving four-year-old children to include practices of high quality instruction, and to (iii) administer, implement, monitor and evaluate the programs, and to (iv) defray the cost of professional development and age-appropriate child assessment.

(c) Subject to the availability of funds appropriated therefor, the State Department of Education shall administer the implementation, monitoring and evaluation of the voluntary prekindergarten program, including awards and the application process.

(i) The department shall establish a rigorous and transparent application process for the awarding of funds. Lead partners shall submit the applications on behalf of their early learning collaborative.

(ii) The department will establish monitoring policies and procedures that, at a minimum, will include at least one (1) site visit a year.

(iii) The department will provide technical assistance to collaboratives and their providers to improve the quality of prekindergarten programs. Technical assistance may include classroom-embedded support for teachers and assistant teachers.

(iv) The department will evaluate the effectiveness of each early childhood collaborative and each prekindergarten provider. If the State Department of Education adopts a statewide kindergarten screening that assesses the readiness of each student for kindergarten, the State Department of Education shall adopt a minimum rate of readiness that each prekindergarten provider must meet in order to remain eligible for prekindergarten program funds. Each parent who enrolls his or her child in the prekindergarten program must submit the child for the statewide kindergarten screening, regardless of whether the child is admitted to kindergarten in a public school.

(d) Prekindergarten program funds shall be awarded to early childhood collaboratives whose proposed programs meet the program criteria. The criteria shall include:

(i) Voluntary enrollment of children;

(ii) Collaboration among prekindergarten providers and other early childhood programs through the establishment of an early learning collaborative;

(iii) Qualifications of master teachers, teachers and assistants, which must conform to guidelines in Section 37-21-3;

(iv) At least fifteen (15) hours of annual professional development for program instructional staff, including professional development in early literacy, and

individualized professional development plans for all teachers and teaching assistants supplemented by classroom-embedded support on an as-needed basis;

(v) The use of state-adopted comprehensive early learning standards;

(vi) The use of a *** curriculum *** based on strong evidence as defined in subsection (1)(f)(i) of this section and aligned with the comprehensive early learning standards;

(vii) The use of a curriculum based on moderate evidence as defined in subsection (1)(f)(ii) of this section and aligned with the comprehensive early learning standards if no strong-evidence curriculum is available;

(viii) The use of a curriculum based on promising evidence as defined in subsection (1)(f)(iii) of this section and aligned with the comprehensive early learning standards if no strong-evidence curriculum or moderate-evidence curriculum is available;

(**ix) The use of age-appropriate assessments aligned to the comprehensive early learning standards;

(**x) Teacher/child ratios of one (1) adult for every ten (10) children with a maximum of twenty (20) children per classroom and a minimum of five (5) children per classroom;

(**xi) The provision of at least one (1) meal meeting state and federal nutrition guidelines for young children;

(**xii) Plans to screen and/or refer children for vision, hearing and other health issues;

(**xiii) *** Family engagement opportunities;

(**xiv) Plans to serve children with disabilities as indicated under IDEA;

(**xv) The number of instructional hours to be provided, which shall equal no less than five hundred forty (540) instructional hours per school year for half-day programs and one thousand eighty (1,080) instructional hours per school year for full-day programs; and

(**xvi) A budget detailing the use of funds for allowed expenses.

Participating child care centers shall: (a) meet state child care facility licensure requirements unless exempted under Section 43-20-5, Mississippi Code of 1972, and (b) select and utilize a nationally recognized assessment tool, approved by the State Department of Education, designed to document classroom quality, which must be in place not later than July 1, 2016, as certified by the State Department of Education.

Within the prekindergarten program, a prekindergarten provider must comply with the antidiscrimination requirements applicable to public schools. A prekindergarten provider may not discriminate against a parent or child, including the refusal to admit a child for enrollment in the prekindergarten program, in violation of these antidiscrimination requirements. However, a prekindergarten provider may refuse to admit a child based on the provider's standard eligibility guidelines, provided that these guidelines do not violate the antidiscrimination requirements. Consistent with the Legislature's recognition of the primacy of a parent's role in the education of a preschool-age child and the related recognition of the state in assisting and educating parents in that role, if the State Department of Education adopts a statewide kindergarten screening that assesses the

readiness of each student for kindergarten, the State Department of Education shall recognize each child's unique pattern of development when adopting a minimum rate of readiness that prekindergarten providers must meet in order to remain eligible for prekindergarten program funds. Each parent who enrolls his or her child in the prekindergarten program may submit the child for the statewide kindergarten screening, regardless of whether the child is admitted to kindergarten in a public school.

The State Department of Education may add program criteria not inconsistent with these requirements and shall develop policies and procedures to implement and enforce these criteria.

(e) The State Department of Education shall ensure that early learning collaboratives provide each parent enrolling a child in the voluntary prekindergarten program with a profile of every prekindergarten provider participating in the collaborative's geographic catchment area. The State Department of Education shall prescribe the information to be included in each profile as well as the format of the profiles. At a minimum, the profiles must include the prekindergarten provider's services, curriculum, instructor credentials and instructor-to-student ratio.

(f) A teacher, assistant teacher or other employee whose salary and fringe benefits are paid from state funds under this act shall only be classified as a state or local school district employee eligible for state health insurance benefits or membership in the Public Employees' Retirement System, if the person's employer is already an agency or instrumentality of the state, such as a school district, and the employee would be eligible for such benefits in the normal course of business.

(g) Funding shall be provided for this program beginning with the 2014 fiscal year subject to appropriation by the Legislature as provided in paragraph (h) of this subsection. The department shall make an annual report to the Legislature and the Governor regarding *** program operations and outcomes. Every three (3) years, with the first report due July 1, 2023, the department shall provide to the Legislature and the Governor a rigorous evaluation of program effectiveness using longitudinal data to measure short-term and long-term effects, including both achievement and nonachievement effects. After each three-year report, the PEER Committee shall review the three-year report and the intervening annual reports and submit an independent summary of its findings prior to the next legislative session.

(h) (i) The Legislature shall appropriate funds to implement the Early Education Collaborative Act of 2013 on a phased-in basis as follows:

1. The first phase shall be based on an annual state appropriation of not more than Eight Million Dollars (\$8,000,000.00) and shall serve approximately three thousand five hundred (3,500) children through five (5) to eight (8) early learning collaboratives and their prekindergarten providers;

2. The second phase shall be based on an annual state appropriation of not more than Sixteen Million Dollars (\$16,000,000.00) and shall serve approximately seven thousand (7,000) children through ten (10) to fifteen (15) early learning collaboratives and their prekindergarten providers;

3. The third phase shall be based on an annual state appropriation of not more than Thirty-three Million Nine Hundred Fifty Thousand Dollars (\$33,950,000.00) and shall serve approximately fifteen thousand (15,000) children through twenty (20) to twenty-five (25) early learning collaboratives and their prekindergarten providers.

(ii) Future phases shall be based on interest in the program and the effectiveness of the program as determined by the school readiness of participants. Each phase shall last for at least three (3) years but no more than five (5) years. The State

Department of Education shall determine when to move to a new phase of the program, within the timeline provided herein.

(iii) Funding shall be provided to early learning collaboratives on the basis of Two Thousand One Hundred Fifty Dollars (\$2,150.00) per student in a full-day program per student in a full-day program and One Thousand Seventy-five Dollars (\$1,075.00) per student in a half-day program proposed in the collaborative's approved application. Once an early learning collaborative's plan is approved and funded, the collaborative and/or its prekindergarten providers shall receive funds on an ongoing basis unless the collaborative and/or its prekindergarten providers no longer meet the criteria to participate in the program.

(iv) Early learning collaboratives shall match state funds on a 1:1 basis. Local matching funds may include local tax dollars, federal dollars as allowed, parent tuition, philanthropic contributions, or in-kind donations of facilities, equipment and services required as part of the program such as food service or health screenings.

(v) The State Department of Education shall reserve no more than five percent (5%) of the appropriation in any year for administrative costs. Funds remaining after awards to early learning collaboratives and the department's administrative needs are met may be carried over in the following year. In the first year of implementation of the program, the department may delay the awarding of funds until the 2014-2015 school year should time not be sufficient to establish the program's operation prior to the 2013-2014 school year.

(vi) In the initial phase of implementation, the State Department of Education shall award state funds under the Early Learning Collaborative Act of 2013 based on a community's capacity, commitment and need. To determine capacity, commitment and need, the State Department of Education shall require evidence of existing strong local collaborations of early education stakeholders. Such evidence shall include, but not be limited to, collaborations resulting from any of the following:

1. Participation in Excel By 5;
2. Participation in supporting Partnerships to Assure Ready Kids (SPARK);
3. Participation in the Gilmore Early Learning Initiative (GELI);
- or
4. Participation in the Mississippi Building Blocks.

In determining community need, the department shall consider low academic achievement within the public school districts participating in an applicant early learning collaborative and the number and percentage of children without quality prekindergarten options.

(vii) All authority granted to the State Department of Education to establish program rules is subject to the public processes established in the provisions of the Mississippi Administrative Procedures Law, including, but not limited to, filing notice of the proposed rules, public hearings and any economic impact statement with the Office of the Secretary of State before presenting such information to the State Board of Education for final approval.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO PRESCRIBE STANDARDS AND BENCHMARKS UNDER THE EARLY LEARNING COLLABORATIVE ACT; TO AUTHORIZE TECHNICAL TEACHER AND TEACHER ASSISTANT SUPPORT SERVICES; TO REQUIRE INDIVIDUALIZED PROFESSIONAL DEVELOPMENT PLANS AND APPROVED CURRICULUM; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE THE GOVERNOR AND THE LEGISLATURE WITH AN EVALUATION OF PROGRAM EFFECTIVENESS; TO REQUIRE THE PEER COMMITTEE TO REVIEW THE DEPARTMENT OF EDUCATION'S EVALUATIONS AND ANNUAL REPORTS AND SUBMIT A SUMMARY OF ITS FINDINGS TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1123 was adopted.

YEAS AND NAYS On H. B. No. 1123. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Hill. Total--1.

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

Senator Branning called up the following entitled bill:

H. B. No. 424: Memorial highway; designate segment of MS Highway 44 in Marion County as the "T.L. Wallace Memorial Highway."

Senator Branning offered the following AMENDMENT NO. 1.

AMEND by striking lines 41 through 51 and renumbering subsequent section(s) accordingly.

FURTHER, AMEND the title to conform by deleting the language beginning with "TO" on line 7 through the semicolon on line 12.

Amendment No. 1 to H. B. No. 424 was adopted.

Senator Moran offered the following AMENDMENT NO. 2.

AMEND on line 53 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 2 to H. B. No. 424 was adopted.

YEAS AND NAYS On H. B. No. 424. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Branning called up the following entitled bill:

H. B. No. 872: Memorial highway; designate a segment of United States Highway 61 in Jefferson County as the "Highway Patrol Lieutenant Troy Morris Memorial Highway."

YEAS AND NAYS On H. B. No. 872. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Branning called up the following entitled bill:

H. B. No. 887: Memorial highway; designate a segment of United States Highway 82 in Webster County as "Corporal William Justin Cooper Memorial Highway."

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The segment of United States Highway 82 located in Webster County, Mississippi, beginning with its intersection with the Webster-Montgomery County Line and extending easterly to its intersection with Grady Road is designated and shall be known as the "Corporal William Justin Cooper Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 82 LOCATED IN WEBSTER COUNTY, MISSISSIPPI, AS THE "CORPORAL WILLIAM JUSTIN COOPER MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 887 was adopted.

YEAS AND NAYS On H. B. No. 887. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Branning called up the following entitled bill:

H. B. No. 995: Memorial highway; designate segment in Marshall County, Mississippi as the "Representative Tommy Woods Memorial Highway."

YEAS AND NAYS On H. B. No. 995. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Branning called up the following entitled bill:

H. B. No. 576: Local System Bridge Replacement & Rehabilitation Fund; revise allocation formula.

YEAS AND NAYS On H. B. No. 576. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator DeBar called up the following entitled bill:

H. B. No. 1301: Career and technical education; revise curriculum, instructor license requirements and certain assessments.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-16-3, Mississippi Code of 1972, is amended as follows:

37-16-3. (1) The State Department of Education is directed to implement a program of statewide assessment testing which shall provide for the improvement of the operation and management of the public schools. The statewide program shall be timed, as far as possible, so as not to conflict with ongoing district assessment programs. As part of the program, the department shall:

(a) Establish, with the approval of the State Board of Education, minimum performance standards related to the goals for education contained in the state's plan including, but not limited to, basic skills in reading, writing and mathematics. The minimum performance standards shall be approved by April 1 in each year they are established.

(b) Conduct a uniform statewide testing program in grades deemed appropriate in the public schools, including charter schools, which shall provide for the administration of a career readiness assessment to any students electing to take the assessment in the ninth, tenth or eleventh grade. The program may test skill areas, basic skills and high school course content.

(c) Monitor the results of the assessment program and, at any time the composite student performance of a school or basic program is found to be below the established minimum standards, notify the district superintendent or the governing board of the charter school, as the case may be, the school principal and the school advisory committee or other existing parent group of the situation within thirty (30) days of its determination. The department shall further provide technical assistance to a school district in the identification of the causes of this deficiency and shall recommend courses of action for its correction.

(d) Provide technical assistance to the school districts, when requested, in the development of student performance standards in addition to the established minimum statewide standards.

(e) Issue security procedure regulations providing for the security and integrity of the tests that are administered under the basic skills assessment program.

(f) In case of an allegation of a testing irregularity that prompts a need for an investigation by the Department of Education, the department may, in its discretion, take complete control of the statewide test administration in a school district or any part thereof, including, but not limited to, obtaining control of the test booklets and answer documents. In the case of any verified testing irregularity that jeopardized the security and integrity of the test(s), validity or the accuracy of the test results, the cost of the investigation and any other actual and necessary costs related to the investigation paid by the Department of Education shall be reimbursed by the local school district from funds other than federal funds, Mississippi Adequate Education Program funds, or any other state funds within six (6) months from the date of notice by the department to the school district to make reimbursement to the department.

(2) Uniform basic skills tests shall be completed by each student in the appropriate grade. These tests shall be administered in such a manner as to preserve the integrity and validity of the assessment. In the event of excused or unexcused student absences, make-up tests shall be given. The school superintendent of every school district in the state and the principal of each charter school shall annually certify to the State Department of Education that each student enrolled in the appropriate grade has completed the required basic skills assessment test for his or her grade in a valid test administration.

(3) Within five (5) days of completing the administration of a statewide test, the principal of the school where the test was administered shall certify under oath to the State Department of Education that the statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education. The principal's sworn certification shall be set forth on a form developed and approved by the Department of Education. If, following the administration of a statewide test, the principal has reason to believe that the test was not administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education, the principal shall submit a sworn certification to the Department of Education setting forth all information known or believed by the principal about all potential violations of the Requirements of the Mississippi Statewide Assessment System as adopted by the State Board of Education. The submission of false information or false certification to the Department of Education by any licensed educator may result in licensure disciplinary action pursuant to Section 37-3-2 and criminal prosecution pursuant to Section 37-16-4.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-16-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL CONDUCT A UNIFORM STATEWIDE TESTING PROGRAM IN PUBLIC AND CHARTER SCHOOLS WHICH SHALL PROVIDE FOR THE ADMINISTRATION OF A CAREER READINESS ASSESSMENT TO ANY STUDENTS ELECTING TO TAKE THE ASSESSMENT IN NINTH, TENTH OR ELEVENTH GRADE; AND FOR RELATED PURPOSES.

Senators DeBar and Johnson offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 93 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1301 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1301 was adopted.

YEAS AND NAYS On H. B. No. 1301. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

MESSAGE FROM THE HOUSE

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

S. B. No. 2075: State parks; change name of Natchez State Park to "Bob M. Dearing Natchez State Park."

S. B. No. 2076: Mississippi Fair Commission; remove repealer and revise advisory council composition.

S. B. No. 2119: Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription.

S. B. No. 2149: MAEP; Department of Education required to hold harmless school district from calculating 2020-2021 average daily attendance.

S. B. No. 2165: Veterans Service Officers; revise certain qualifications and requirements.

S. B. No. 2189: Counties and municipalities; authorize to offer Medicare-eligible employees supplemental compensation if employees secure Medicare.

S. B. No. 2204: Revised LLC Act and MS Registered Agents Act; require listing of registered agent's email address.

S. B. No. 2253: Concealed carry weapons permit; combine with driver's license or identification card.

S. B. No. 2293: Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge.

S. B. No. 2324: Bad Faith Assertions of Patent Infringement; extend repealer on.

S. B. No. 2332: Comprehensive Hurricane Damage Mitigation Program; extend repealer on development and implementation of program.

S. B. No. 2552: Pretrial Intervention Program; prohibit eligibility for persons charged with public embezzlement over a certain amount.

S. B. No. 2603: Salvage or abandoned vehicles; authorize disposition by auction firms on behalf of insurers.

S. B. No. 2605: Golf carts and low-speed vehicles; authorize municipalities to permit operation on municipal streets.

S. B. No. 2606: Mississippi Native Spirit Law; create.

S. B. No. 2626: MS Business Corporation Act; amend to allow corporations to hold annual or special shareholder meetings remotely.

S. B. No. 2630: County law library; authorize use of money for technological purposes.

S. B. No. 2643: Service of tax sale notices; revise to allow service by a constable.

S. B. No. 2648: MS Geologic Sequestration of Carbon Dioxide Act; Oil and Gas Board shall have jurisdiction to enforce provisions of.

S. B. No. 2651: Surplus property; clarify current policy to conform with federal regulations for the Department of Finance and Administration.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1437: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF BYHALIA, MISSISSIPPI, TO TRANSFER CERTAIN SURPLUS FUNDS FROM ITS GAS SYSTEM REVENUE FUND TO THE TOWN'S WATER AND SEWER DEPARTMENTS FUND FOR INFRASTRUCTURE IMPROVEMENTS; AND FOR RELATED PURPOSES.

H. B. No. 1453: AN ACT TO AMEND CHAPTER 940, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2025, THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF BOONEVILLE, MISSISSIPPI, TO LEVY AN ADDITIONAL SALES TAX OF NOT MORE THAN 2% UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION IN THE CITY; AND FOR RELATED PURPOSES.

H. B. No. 1465: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF MIZE, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS

PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE TOWN; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

H. B. No. 1466: AN ACT TO AMEND CHAPTER 938, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2020, TO MAKE A TECHNICAL CORRECTION CONCERNING A CERTAIN INTERNAL CODE REFERENCE REGARDING THE BOARD OF TRUSTEES OF THE CITY OF OXFORD MUNICIPAL RESERVE AND TRUST FUND TO INVEST THE FUND IN ACCORDANCE WITH THE MISSISSIPPI UNIFORM PRUDENT INVESTOR ACT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

The motion prevailed, and at 2:53 PM, the Senate stood in recess.

The Senate resumed business at 3:26 PM, pursuant to recess, with President Hosemann presiding.

Senator Bryan called up the following entitled bill:

H. B. No. 95: Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-17-11, Mississippi Code of 1972, is amended as follows:

73-17-11. (1) From and after July 1, 2011, in order to be eligible to be licensed as a nursing home administrator, an individual must submit evidence satisfactory to the board that he or she:

(a) Is at least twenty-one (21) years of age;

(b) Is of good moral character, including evidence of a criminal background check within the last six (6) months, under Section 43-11-13 and Section G.407.3 of the Minimum Standards for Institutions for the Aged or Infirm;

(c) Is in good health;

(d) Has satisfied at least one (1) of the following requirements for education and experience:

(i) Has sixty-four (64) hours of college work from an accredited institution and has worked in a supervisory capacity in a Mississippi-licensed nursing

home for a minimum of two (2) years immediately before making application for the Administrator-in-Training Program established by board rule;

(ii) Has an associate degree from an accredited institution and has worked in a supervisory capacity in a Mississippi-licensed nursing home for a minimum of two (2) years immediately before making application for the Administrator-in-Training Program established by board rule;

(iii) Has a bachelor's degree in any other field of study from an accredited institution before making application for the Administrator-in-Training Program established by board rule; or

(iv) Has a bachelor's degree in health care administration or a health care related field or business from an accredited institution before making application for the Administrator-in-Training Program established by board rule;

(e) Has (i) completed a nursing home Administrator-in-Training Program and successfully completed the National Association of Long-Term Care Administrator Board (NAB) examination, or (ii) completed an Administrator-in-Training Program in Long-Term Care Administration from an academic institution during which time the institution held National Association of Long-Term Care Administrator Board (NAB) Program Approval through the academic approval process, to the satisfaction of the board;

(f) Has successfully passed the National Association of Long-Term Care Administrator Board (NAB) examination and the Mississippi State Board of Nursing Home Administrators examination to test his or her proficiency and basic knowledge in the area of nursing home administration. The board may establish the frequency of the offering of those examinations and the contents thereof; and

(g) Has met all of the requirements established by federal law.

(2) The board is authorized to conduct a criminal history records check on applicants for licensure. In order to determine the applicant's suitability for licensing, the applicant shall be fingerprinted. The board shall submit the fingerprints to the Department of Public Safety for a check of the state criminal records and forward to the Federal Bureau of Investigation for a check of the national criminal records. The Department of Public Safety shall disseminate the results of the state check and the national check to the board for a suitability determination. The applicant shall not be charged any of the costs of requesting and obtaining the state and national criminal history records information on the applicant.

(** *3) Reciprocity shall be extended to individuals holding licenses as nursing home administrators in other states, upon proper application and a finding on the part of the board that:

(a) The applicant possesses the basic qualifications listed in this chapter and in the rules and regulations adopted under federal law;

(b) The applicant has met all of the requirements established by federal law; and

(c) The standards for licensure in the other states are at least the substantial equivalent of those in this state, including education and experience, and the applicant has passed both the National Association of Long-Term Care Administrator Board (NAB) and the state exams.

The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

(** *4) The board may prescribe appropriate fees for the taking of those examinations and for the issuance of licenses. Those fees shall be not more than the cost of the examinations and Five Hundred Dollars (\$500.00) for the issuance of a license. However, the fee for an initial license may be prorated in proportion to the period of time from the date of issuance and the date of biennial license renewal prescribed in subsection (4). All licenses issued under this chapter shall be for a maximum period of two (2) years.

(** *5) Except as provided in Section 33-1-39, the board may renew licenses biennially upon the payment of a fee to be established by the board, which shall be not more than Five Hundred Dollars (\$500.00), plus any administrative costs for late payment.

(** *6) Any person who is not licensed under this chapter on July 1, 2011, who makes application with the board on or before June 30, 2012, may qualify for a license under this chapter provided that on or before January 31, 2014, he or she demonstrates to the satisfaction of the board that he or she (a) meets the eligibility requirements for a nursing home administrator's license prescribed in this section as those requirements existed on June 30, 2011; (b) has successfully completed the Administrator-in-Training Program requirements existing on June 30, 2011; and (c) has paid all required fees for licensure.

(** *7) Current licensure by the Department of Mental Health under Section 41-4-7(r) as a mental health/intellectual disability program administrator shall exempt the licensee from the requirement of licensure as a nursing home administrator if the licensee is employed in the state mental health system as Administrator of Intermediate Care Facility or Facilities for Persons with Intellectual Disabilities (ICF/ID) no larger than sixteen (16) beds.

* * *

Any member of the Legislature who serves on the Public Health and/or Medicaid Committee who is a licensed administrator shall be exempt from continuous education.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-17-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF NURSING HOME ADMINISTRATORS TO CONDUCT CRIMINAL HISTORY RECORDS CHECKS ON APPLICANTS FOR LICENSURE; TO PROVIDE THAT THE APPLICANT SHALL NOT BE CHARGED ANY OF THE COSTS OF OBTAINING THAT INFORMATION; TO DELETE THE DATE OF THE REPEALER ON THE LICENSURE REQUIREMENTS FOR NURSING HOME ADMINISTRATORS; AND FOR RELATED PURPOSES.

Senator Bryan offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking the sentence beginning on line 67 through line 70 and substituting in lieu thereof the following:

"The Board may charge and collect from the applicant or licensee, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting

and obtaining state and national criminal history records information on the applicant or licensee."

FURTHER, AMEND on line 99 by deleting "Five Hundred Dollars (\$500.00)" and substituting in lieu thereof "Six Hundred Dollars (\$600.00)"

FURTHER, AMEND the title amendment to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 95 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 95 was adopted.

YEAS AND NAYS On H. B. No. 95. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--Blackmon, McDaniel, Simmons D. T. (12th), Sojourner, Turner-Ford. Total--5.

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

Senator Bryan declined to call up H. B. No. 119, thereby remanding it to the heel of the calendar.

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.

Senator Bryan called up the following entitled bill:

H. B. No. 160: State Department of Health and State Board of Health; extend repealer on.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-3-1.1, Mississippi Code of 1972, is reenacted as follows:

41-3-1.1. (1) The State Board of Health is continued and reconstituted as follows:

There is created the State Board of Health which, from and after March 30, 2007, shall consist of eleven (11) members appointed with the advice and consent of the Senate, as follows:

(a) Five (5) members of the board shall be currently licensed physicians of good professional standing who have had at least seven (7) years' experience in the practice of medicine in this state. Three (3) members shall be appointed by the Governor,

one (1) member shall be appointed by the Lieutenant Governor, and one (1) member shall be appointed by the Attorney General, in the manner provided in paragraph (d) of this subsection (1).

(b) Six (6) members of the board shall be individuals who have a background in public health or an interest in public health who are not currently or formerly licensed physicians. Four (4) of those members shall be appointed by the Governor, one (1) of those members shall be appointed by the Lieutenant Governor, and one (1) of those members shall be appointed by the Attorney General, in the manner provided in paragraph (d) of this subsection (1).

(c) The Governor, Lieutenant Governor and Attorney General shall give due regard to geographic distribution, race and gender in making their appointments to the board. It is the intent of the Legislature that the membership of the board reflect the population of the State of Mississippi. Of the Governor's appointments, one (1) member of the board shall be appointed from each of the four (4) congressional districts as constituted on June 30, 2007, and one (1) member of the board shall be appointed from each of the three (3) Supreme Court districts as constituted on June 30, 2007. Of the Lieutenant Governor's appointments, one (1) member of the board shall be appointed from the First Congressional District and one (1) member of the board shall be appointed from the Fourth Congressional District as constituted on June 30, 2007. Of the Attorney General's appointments, one (1) member of the board shall be appointed from the Second Congressional District and one (1) member of the board shall be appointed from the Third Congressional District as constituted on June 30, 2007.

(d) The initial members of the board shall be appointed for staggered terms, as follows: Of the Governor's appointments, two (2) members shall be appointed for terms that end on June 30, 2009; two (2) members shall be appointed for terms that end on June 30, 2011; and three (3) members shall be appointed for terms that end on June 30, 2013. Of the Lieutenant Governor's appointments, one (1) member shall be appointed for a term that ends on June 30, 2009; and one (1) member shall be appointed for a term that ends on June 30, 2013. Of the Attorney General's appointments, one (1) member shall be appointed for a term that ends on June 30, 2009; and one (1) member shall be appointed for a term that ends on June 30, 2011.

A member of the board serving before January 1, 2007, shall be eligible for reappointment to the reconstituted board unless the person is disqualified under subsection (4) of this section.

(2) At the expiration of the terms of the initial members, all members of the board shall be appointed by the Governor, in the same manner and from the same districts prescribed in subsection (1) of this section, for terms of six (6) years from the expiration of the previous term and thereafter until his or her successor is duly appointed. Vacancies in office shall be filled by appointment in the same manner as the appointment to the position that becomes vacant, subject to the advice and consent of the Senate at the next regular session of the Legislature. An appointment to fill a vacancy other than by expiration of a term of office shall be for the balance of the unexpired term and thereafter until his or her successor is duly appointed.

(3) The Lieutenant Governor may designate one (1) Senator and the Speaker of the House of Representatives may designate one (1) Representative to attend any meeting of the State Board of Health. The appointing authorities may designate alternate members from their respective houses to serve when the regular designees are unable to attend the meetings of the board. Those legislative designees shall have no jurisdiction or vote on any matter within the jurisdiction of the board. For attending meetings of the board, the legislators shall receive per diem and expenses, which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the board will be paid while the Legislature is in

session. No per diem and expenses will be paid except for attending meetings of the board without prior approval of the proper committee in their respective houses.

(4) (a) All members of the State Board of Health shall file with the Mississippi Ethics Commission, before the first day of May each year, the statement of economic interest as required by Sections 25-4-25 through 25-4-29.

(b) No member of the board shall participate in any action by the board or department if that action could have any monetary effect on any business with which that member is associated, as defined in Section 25-4-103.

(c) When any matter in which a member may not participate comes before the board or department, that member must fully recuse himself or herself from the entire matter. The member shall avoid debating, discussing or taking action on the subject matter during official meetings or deliberations by leaving the meeting room before the matter comes before the board and by returning only after the discussion, vote or other action is completed. The member shall not discuss the matter with other members, department staff or any other person. Any minutes or other record of the meeting shall accurately reflect the recusal. If a member is uncertain whether recusal is required, the member shall follow the determination of the Mississippi Ethics Commission. The commission may delegate that determination to its executive director.

(d) Upon a determination by the board or by any court of competent jurisdiction that a member of the board has violated the provisions of this subsection (4) regarding recusal, the member shall be removed from office. Any member of the board who violates the provisions of this section regarding recusal also shall be subject to the penalties set forth in Sections 25-4-109 through 25-4-117. After removal from office, the member shall not be eligible for appointment to any agency, board or commission of the state for a period of two (2) years. Nothing in this section shall be construed to limit the restrictions codified in Section 25-4-105.

SECTION 2. Section 41-3-3, Mississippi Code of 1972, is reenacted as follows:

41-3-3. Each person appointed as a member of the State Board of Health shall immediately take the oath prescribed by Section 268 of the Constitution and file a certificate thereof in the Office of the Secretary of State. Thereupon a commission shall be issued to him under the terms as specified in Section 41-3-1.

SECTION 3. Section 41-3-4, Mississippi Code of 1972, is reenacted as follows:

41-3-4. (1) There shall be a Chairman and Vice Chairman of the State Board of Health elected by and from its membership at the first meeting of the board; and the chairman shall be the presiding officer of the board. The chairman shall always be a physician member of the board. The board shall adopt rules and regulations governing times and places for meetings, and governing the manner of conducting its business. The board shall meet not less frequently than once each quarter, and at such other times as determined to be necessary. The term of office of any member who does not attend three (3) consecutive regular meetings of the board shall be automatically terminated, and the position shall be considered as vacant, except in cases of the serious illness of a board member or of his or her immediate family member. All meetings of the board shall be called by the chairman or by a majority of the members of the board, except the first meeting of the initial members of the reconstituted board, which shall be called by the Governor.

(2) The members of the board shall receive no annual salary but shall receive per diem compensation as is authorized by law for each day devoted to the discharge of official board duties and shall be entitled to reimbursement for all actual and necessary

expenses incurred in the discharge of their duties, including mileage as authorized by Section 25-3-41.

SECTION 4. Section 41-3-5.1, Mississippi Code of 1972, is reenacted as follows:

41-3-5.1. The State Department of Health shall be headed by an executive officer who shall be appointed by the State Board of Health. The executive officer shall be either a physician who has earned a graduate degree in public health or health care administration, or a physician who in the opinion of the board is fitted and equipped to execute the duties incumbent upon him or her by law. The executive officer shall not engage in the private practice of medicine. The term of office of the executive officer shall be six (6) years, and the executive officer may be removed for cause by majority vote of the members of the board. The executive officer shall be subject to such rules and regulations as may be prescribed by the State Board of Health. The executive officer shall be the State Health Officer with such authority and responsibility as is prescribed by law.

SECTION 5. Section 41-3-6, Mississippi Code of 1972, is reenacted as follows:

41-3-6. It shall be the duty of the State Board of Health to review the statutes of the State of Mississippi affecting public health and submit at least thirty (30) days prior to each regular session of the Legislature any proposed legislation as may be necessary to enhance the effective and efficient delivery of public health services and to bring existing statutes into compliance with modern technology and terminology. The board shall formulate a plan for consolidating and reorganizing existing state agencies having responsibilities in the field of public health to eliminate any needless duplication in services which may be found to exist. In carrying out the provisions of this section, the State Board of Health shall cooperate with and may utilize the services, facilities and personnel of any department or agency of the state, any private citizen task force and the committees on public health of both houses of the Legislature. The State Board of Health is authorized to apply for and expend funds made available to it by grant from any source in order to perform its responsibilities under this section.

SECTION 6. Section 41-3-15, Mississippi Code of 1972, is reenacted as follows:

41-3-15. (1) (a) There shall be a State Department of Health.

(b) The State Board of Health shall have the following powers and duties:

(i) To formulate the policy of the State Department of Health regarding public health matters within the jurisdiction of the department;

(ii) To adopt, modify, repeal and promulgate, after due notice and hearing, and enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction, and as the board may deem necessary;

(iii) To apply for, receive, accept and expend any federal or state funds or contributions, gifts, trusts, devises, bequests, grants, endowments or funds from any other source or transfers of property of any kind;

(iv) To enter into, and to authorize the executive officer to execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if it finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature;

(v) To appoint, upon recommendation of the Executive Officer of the State Department of Health, a Director of Internal Audit who shall be either a Certified Public Accountant or Certified Internal Auditor, and whose employment shall be continued at the discretion of the board, and who shall report directly to the board, or its designee; and

(vi) To discharge such other duties, responsibilities and powers as are necessary to implement the provisions of this chapter.

(c) The Executive Officer of the State Department of Health shall have the following powers and duties:

(i) To administer the policies of the State Board of Health within the authority granted by the board;

(ii) To supervise and direct all administrative and technical activities of the department, except that the department's internal auditor shall be subject to the sole supervision and direction of the board;

(iii) To organize the administrative units of the department in accordance with the plan adopted by the board and, with board approval, alter the organizational plan and reassign responsibilities as he or she may deem necessary to carry out the policies of the board;

(iv) To coordinate the activities of the various offices of the department;

(v) To employ, subject to regulations of the State Personnel Board, qualified professional personnel in the subject matter or fields of each office, and such other technical and clerical staff as may be required for the operation of the department. The executive officer shall be the appointing authority for the department, and shall have the power to delegate the authority to appoint or dismiss employees to appropriate subordinates, subject to the rules and regulations of the State Personnel Board;

(vi) To recommend to the board such studies and investigations as he or she may deem appropriate, and to carry out the approved recommendations in conjunction with the various offices;

(vii) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at such other times as may be required by the Legislature or Governor, a full report of the work of the department and the offices thereof, including a detailed statement of expenditures of the department and any recommendations the board may have;

(viii) To prepare and deliver to the Chairmen of the Public Health and Welfare/Human Services Committees of the Senate and House on or before January 1 of each year, a plan for monitoring infant mortality in Mississippi and a full report of the work of the department on reducing Mississippi's infant mortality and morbidity rates and improving the status of maternal and infant health; and

(ix) To enter into contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if he or she finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature. Each contract or agreement entered into by the executive officer shall be submitted to the board before its next meeting.

(2) The State Board of Health shall have the authority to establish an Office of Rural Health within the department. The duties and responsibilities of this office shall include the following:

- (a) To collect and evaluate data on rural health conditions and needs;
- (b) To engage in policy analysis, policy development and economic impact studies with regard to rural health issues;
- (c) To develop and implement plans and provide technical assistance to enable community health systems to respond to various changes in their circumstances;
- (d) To plan and assist in professional recruitment and retention of medical professionals and assistants; and
- (e) To establish information clearinghouses to improve access to and sharing of rural health care information.

(3) The State Board of Health shall have general supervision of the health interests of the people of the state and to exercise the rights, powers and duties of those acts which it is authorized by law to enforce.

(4) The State Board of Health shall have authority:

- (a) To make investigations and inquiries with respect to the causes of disease and death, and to investigate the effect of environment, including conditions of employment and other conditions that may affect health, and to make such other investigations as it may deem necessary for the preservation and improvement of health.
- (b) To make such sanitary investigations as it may, from time to time, deem necessary for the protection and improvement of health and to investigate nuisance questions that affect the security of life and health within the state.
- (c) To direct and control sanitary and quarantine measures for dealing with all diseases within the state possible to suppress same and prevent their spread.
- (d) To obtain, collect and preserve such information relative to mortality, morbidity, disease and health as may be useful in the discharge of its duties or may contribute to the prevention of disease or the promotion of health in this state.
- (e) To charge and collect reasonable fees for health services, including immunizations, inspections and related activities, and the board shall charge fees for those services; however, if it is determined that a person receiving services is unable to pay the total fee, the board shall collect any amount that the person is able to pay. Any increase in the fees charged by the board under this paragraph shall be in accordance with the provisions of Section 41-3-65.
- (f) (i) To establish standards for, issue permits and exercise control over, any cafes, restaurants, food or drink stands, sandwich manufacturing establishments, and all other establishments, other than churches, church-related and private schools, and other nonprofit or charitable organizations, where food or drink is regularly prepared, handled and served for pay; and
- (ii) To require that a permit be obtained from the Department of Health before those persons begin operation. If any such person fails to obtain the permit required in this subparagraph (ii), the State Board of Health, after due notice and opportunity for a hearing, may impose a monetary penalty not to exceed One Thousand Dollars (\$1,000.00) for each violation. However, the department is not authorized to

impose a monetary penalty against any person whose gross annual prepared food sales are less than Five Thousand Dollars (\$5,000.00). Money collected by the board under this subparagraph (ii) shall be deposited to the credit of the State General Fund of the State Treasury.

(g) To promulgate rules and regulations and exercise control over the production and sale of milk pursuant to the provisions of Sections 75-31-41 through 75-31-49.

(h) On presentation of proper authority, to enter into and inspect any public place or building where the State Health Officer or his representative deems it necessary and proper to enter for the discovery and suppression of disease and for the enforcement of any health or sanitary laws and regulations in the state.

(i) To conduct investigations, inquiries and hearings, and to issue subpoenas for the attendance of witnesses and the production of books and records at any hearing when authorized and required by statute to be conducted by the State Health Officer or the State Board of Health.

(j) To promulgate rules and regulations, and to collect data and information, on (i) the delivery of services through the practice of telemedicine; and (ii) the use of electronic records for the delivery of telemedicine services.

(k) To enforce and regulate domestic and imported fish as authorized under Section 69-7-601 et seq.

(5) (a) The State Board of Health shall have the authority, in its discretion, to establish programs to promote the public health, to be administered by the State Department of Health. Specifically, those programs may include, but shall not be limited to, programs in the following areas:

- (i) Maternal and child health;
- (ii) Family planning;
- (iii) Pediatric services;
- (iv) Services to crippled and disabled children;
- (v) Control of communicable and noncommunicable disease;
- (vi) Chronic disease;
- (vii) Accidental deaths and injuries;
- (viii) Child care licensure;
- (ix) Radiological health;
- (x) Dental health;
- (xi) Milk sanitation;
- (xii) Occupational safety and health;
- (xiii) Food, vector control and general sanitation;
- (xiv) Protection of drinking water;

(xv) Sanitation in food handling establishments open to the public;

(xvi) Registration of births and deaths and other vital events;

(xvii) Such public health programs and services as may be assigned to the State Board of Health by the Legislature or by executive order; and

(xviii) Regulation of domestic and imported fish for human consumption.

(b) The State Board of Health and State Department of Health shall not be authorized to sell, transfer, alienate or otherwise dispose of any of the home health agencies owned and operated by the department on January 1, 1995, and shall not be authorized to sell, transfer, assign, alienate or otherwise dispose of the license of any of those home health agencies, except upon the specific authorization of the Legislature by an amendment to this section. However, this paragraph (b) shall not prevent the board or the department from closing or terminating the operation of any home health agency owned and operated by the department, or closing or terminating any office, branch office or clinic of any such home health agency, or otherwise discontinuing the providing of home health services through any such home health agency, office, branch office or clinic, if the board first demonstrates that there are other providers of home health services in the area being served by the department's home health agency, office, branch office or clinic that will be able to provide adequate home health services to the residents of the area if the department's home health agency, office, branch office or clinic is closed or otherwise discontinues the providing of home health services. This demonstration by the board that there are other providers of adequate home health services in the area shall be spread at length upon the minutes of the board at a regular or special meeting of the board at least thirty (30) days before a home health agency, office, branch office or clinic is proposed to be closed or otherwise discontinue the providing of home health services.

(c) The State Department of Health may undertake such technical programs and activities as may be required for the support and operation of those programs, including maintaining physical, chemical, bacteriological and radiological laboratories, and may make such diagnostic tests for diseases and tests for the evaluation of health hazards as may be deemed necessary for the protection of the people of the state.

(6) (a) The State Board of Health shall administer the local governments and rural water systems improvements loan program in accordance with the provisions of Section 41-3-16.

(b) The State Board of Health shall have authority:

(i) To enter into capitalization grant agreements with the United States Environmental Protection Agency, or any successor agency thereto;

(ii) To accept capitalization grant awards made under the federal Safe Drinking Water Act, as amended;

(iii) To provide annual reports and audits to the United States Environmental Protection Agency, as may be required by federal capitalization grant agreements; and

(iv) To establish and collect fees to defray the reasonable costs of administering the revolving fund or emergency fund if the State Board of Health determines that those costs will exceed the limitations established in the federal Safe Drinking Water Act, as amended. The administration fees may be included in loan amounts to loan recipients for the purpose of facilitating payment to the board; however, those fees may not exceed five percent (5%) of the loan amount.

(7) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The department shall issue a license to Alexander Milne Home for Women, Inc., a 501(c)(3) nonprofit corporation, for the construction, conversion, expansion and operation of not more than forty-five (45) beds for developmentally disabled adults who have been displaced from New Orleans, Louisiana, with the beds to be located in a certified ICF-MR facility in the City of Laurel, Mississippi. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the license under this subsection (7). The license described in this subsection shall expire five (5) years from the date of its issue. The license authorized by this subsection shall be issued upon the initial payment by the licensee of an application fee of Sixty-seven Thousand Dollars (\$67,000.00) and a monthly fee of Sixty-seven Thousand Dollars (\$67,000.00) after the issuance of the license, to be paid as long as the licensee continues to operate. The initial and monthly licensing fees shall be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(8) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to issue a license to an existing home health agency for the transfer of a county from that agency to another existing home health agency, and to charge a fee for reviewing and making a determination on the application for such transfer not to exceed one-half (1/2) of the authorized fee assessed for the original application for the home health agency, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(9) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: For the period beginning July 1, 2010, through July 1, 2017, the State Department of Health is authorized and empowered to assess a fee in addition to the fee prescribed in Section 41-7-188 for reviewing applications for certificates of need in an amount not to exceed twenty-five one-hundredths of one percent (.25 of 1%) of the amount of a proposed capital expenditure, but shall be not less than Two Hundred Fifty Dollars (\$250.00) regardless of the amount of the proposed capital expenditure, and the maximum additional fee permitted shall not exceed Fifty Thousand Dollars (\$50,000.00). Provided that the total assessments of fees for certificate of need applications under Section 41-7-188 and this section shall not exceed the actual cost of operating the certificate of need program.

(10) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to extend and renew any certificate of need that has expired, and to charge a fee for reviewing and making a determination on the application for such action not to exceed one-half (1/2) of the authorized fee assessed for the original application for the certificate of need, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(11) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to revoke, immediately, the license and require closure of any institution for the aged or infirm, including any other remedy less than closure to protect the health and safety of the residents of said institution or the health and safety of the general public.

(12) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to require the temporary detainment of individuals for disease control purposes based upon violation of any order of the State Health Officer, as provided in Section 41-23-5. For the purpose of enforcing such orders of the State Health Officer, persons employed by the department as investigators shall have general arrest powers.

All law enforcement officers are authorized and directed to assist in the enforcement of such orders of the State Health Officer.

SECTION 7. Section 41-3-16, Mississippi Code of 1972, is reenacted as follows:

41-3-16. (1) (a) There is established a local governments and rural water systems improvements revolving loan and grant program to be administered by the State Department of Health, referred to in this section as "department," for the purpose of assisting counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, in making improvements to their water systems, including construction of new water systems or expansion or repair of existing water systems. Loan and grant proceeds may be used by the recipient for planning, professional services, acquisition of interests in land, acquisition of personal property, construction, construction-related services, maintenance, and any other reasonable use which the board, in its discretion, may allow. For purposes of this section, "water systems" has the same meaning as the term "public water system" under Section 41-26-3.

(b) (i) There is created a board to be known as the "Local Governments and Rural Water Systems Improvements Board," referred to in this section as "board," to be composed of the following nine (9) members: the State Health Officer, or his designee, who shall serve as chairman of the board; the Executive Director of the Mississippi Development Authority, or his designee; the Executive Director of the Department of Environmental Quality, or his designee; the Executive Director of the Department of Finance and Administration, or his designee; the Executive Director of the Mississippi Association of Supervisors, or his designee; the Executive Director of the Mississippi Municipal League, or his designee; the Executive Director of the American Council of Engineering Companies of Mississippi, or his designee; the State Director of the United States Department of Agriculture, Rural Development, or his designee; and a manager of a rural water system.

The Governor shall appoint a manager of a rural water system from a list of candidates provided by the Executive Director of the Mississippi Rural Water Association. The Executive Director of the Mississippi Rural Water Association shall provide the Governor a list of candidates which shall contain a minimum of three (3) candidates for each appointment.

(ii) Nonappointed members of the board may designate another representative of their agency or association to serve as an alternate.

(iii) The gubernatorial appointee shall serve a term concurrent with the term of the Governor and until a successor is appointed and qualified. No member, officer or employee of the Board of Directors of the Mississippi Rural Water Association shall be eligible for appointment.

(c) The department, if requested by the board, shall furnish the board with facilities and staff as needed to administer this section. The department may contract, upon approval by the board, for those facilities and staff needed to administer this section, including routine management, as it deems necessary. The board may advertise for or solicit proposals from public or private sources, or both, for administration of this section or any services required for administration of this section or any portion thereof. It is the intent of the Legislature that the board endeavor to ensure that the costs of administration of this section are as low as possible in order to provide the water consumers of Mississippi safe drinking water at affordable prices.

(d) Members of the board may not receive any salary, compensation or per diem for the performance of their duties under this section.

(2) (a) There is created a special fund in the State Treasury to be designated as the "Local Governments and Rural Water Systems Improvements Revolving Loan Fund," referred to in this section as "revolving fund," which fund shall consist of those monies as provided in Sections 6 and 13 of Chapter 521, Laws of 1995. The revolving fund may receive appropriations, bond proceeds, grants, gifts, donations or funds from any source, public or private. Except as otherwise provided in this section, the revolving fund shall be credited with all repayments of principal and interest derived from loans made from the revolving fund. Except as otherwise provided in this section, the monies in the revolving fund may be expended only in amounts appropriated by the Legislature, and the different amounts specifically provided for the loan program and the grant program shall be so designated. Except as otherwise provided in this section, monies in the fund may only be expended for the grant program from the amount designated for such program. The revolving fund shall be maintained in perpetuity for the purposes established in this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Unexpended amounts remaining in the revolving fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the revolving fund shall be deposited to the credit of the fund. Monies in the revolving fund may not be used or expended for any purpose except as authorized under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Any monies in the fund may be used to match any federal funds that are available for the same or related purposes for which funds are used and expended under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Any federal funds shall be used and expended only in accordance with federal laws, rules and regulations governing the expenditure of those funds. No person shall use any monies from the revolving fund for the acquisition of real property or any interest in real property unless that property is integral to the project funded under this section and the purchase is made from a willing seller. No county, incorporated municipality or district shall acquire any real property or any interest in any real property for a project funded through the revolving fund by condemnation. The board's application of Sections 43-37-1 through 43-37-13 shall be no more stringent or extensive in scope, coverage and effect than federal property acquisition laws and regulations.

(b) There is created a special fund in the State Treasury to be designated as the "Local Governments and Rural Water Systems Emergency Loan Fund," hereinafter referred to as "emergency fund," which fund shall consist of those monies as provided in Sections 6 and 13 of Chapter 521, Laws of 1995. The emergency fund may receive appropriations, bond proceeds, grants, gifts, donations or funds from any source, public or private. Except as otherwise provided in this section, the emergency fund shall be credited with all repayments of principal and interest derived from loans made from the emergency fund. Except as otherwise provided in this section, the monies in the emergency fund may be expended only in amounts appropriated by the Legislature. The emergency fund shall be maintained in perpetuity for the purposes established in this section and Section 6 of Chapter 521, Laws of 1995. Unexpended amounts remaining in the emergency fund at the end of a fiscal year shall not lapse into the State General Fund. Any interest earned on amounts in the emergency fund shall be deposited to the credit of the fund. Monies in the emergency fund may not be used or expended for any purpose except as authorized under this section and Section 6 of Chapter 521, Laws of 1995.

(c) The board created in subsection (1) shall establish loan and grant programs by which loans and grants may be made available to counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, to assist those counties, incorporated municipalities, districts or water organizations in making water systems improvements, including the construction of new water systems or expansion or repair of existing water systems. Any entity eligible under this section may receive either a loan or a grant, or both. No grant awarded under the program established in this section may be made using funds from the loan program. Grants may be awarded only when the Legislature specifically appropriates funds for that particular purpose. The interest rate on those loans may vary from time to time and from loan to loan, and will be at or below market interest rates as determined by the board. The board shall act as quickly as is practicable and

prudent in deciding on any loan request that it receives. Loans from the revolving fund or emergency fund may be made to counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, as set forth in a loan agreement in amounts not to exceed one hundred percent (100%) of eligible project costs as established by the board. The board may require county, municipal, district or other water organization participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund or the emergency fund. The board may establish a maximum amount for any loan from the revolving fund or emergency fund in order to provide for broad and equitable participation in the programs.

(d) A county that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the homestead exemption annual tax loss reimbursement to which it may be entitled under Section 27-33-77, as may be required to meet the repayment schedule contained in the loan agreement. An incorporated municipality that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the sales tax revenue distribution to which it may be entitled under Section 27-65-75, as may be required to meet the repayment schedule contained in the loan agreement. All recipients of such loans shall establish a dedicated source of revenue for repayment of the loan. Before any county or incorporated municipality shall receive any loan, it shall have executed with the Department of Revenue and the board a loan agreement evidencing that loan. The loan agreement shall not be construed to prohibit any recipient from prepaying any part or all of the funds received. The repayment schedule in each loan agreement shall provide for (i) monthly payments, (ii) semiannual payments, or (iii) other periodic payments, the annual total of which shall not exceed the annual total for any other year of the loan by more than fifteen percent (15%). Except as otherwise provided in subsection (4) of this section, the loan agreement shall provide for the repayment of all funds received from the revolving fund within not more than fifteen (15) years or a term as otherwise allowed by the federal Safe Drinking Water Act, and all funds received from the emergency fund within not more than five (5) years from the date of project completion, and any repayment shall commence not later than one (1) year after project completion. The Department of Revenue shall withhold semiannually from counties and monthly from incorporated municipalities from the amount to be remitted to the county or municipality, a sum equal to the next repayment as provided in the loan agreement.

(e) Any county, incorporated municipality, district or other water organization desiring to construct a project approved by the board which receives a loan from the state for that purpose but which is not eligible to pledge for repayment under the provisions of paragraph (d) of this subsection shall repay that loan by making payments each month to the State Treasurer through the Department of Finance and Administration for and on behalf of the board according to Section 7-7-15, to be credited to either the revolving fund or the emergency fund, whichever is appropriate, in lieu of pledging homestead exemption annual tax loss reimbursement or sales tax revenue distribution.

Loan repayments shall be according to a repayment schedule contained in each loan agreement as provided in paragraph (d) of this subsection.

(f) Any district created pursuant to Sections 19-5-151 through 19-5-207 that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the revenues received by that district pursuant to Sections 19-5-151 through 19-5-207, as may be required to meet the repayment schedule contained in the loan agreement.

(g) The State Auditor, upon request of the board, shall audit the receipts and expenditures of a county, an incorporated municipality, district or other water organization whose loan repayments appear to be in arrears, and if the Auditor finds that the county, incorporated municipality, district or other water organization is in arrears in those repayments, the Auditor shall immediately notify the chairman of the board who may

take any action as may be necessary to enforce the terms of the loan agreement, including liquidation and enforcement of the security given for repayment of the loan, and the Executive Director of the Department of Finance and Administration who shall withhold all future payments to the county of homestead exemption annual tax loss reimbursements under Section 27-33-77 and all sums allocated to the county or the incorporated municipality under Section 27-65-75 until such time as the county or the incorporated municipality is again current in its loan repayments as certified by the board.

(h) Except as otherwise provided in this section, all monies deposited in the revolving fund or the emergency fund, including loan repayments and interest earned on those repayments, shall be used only for providing loans or other financial assistance to water systems as the board deems appropriate. In addition, any amounts in the revolving fund or the emergency fund may be used to defray the reasonable costs of administering the revolving fund or the emergency fund and conducting activities under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, subject to any limitations established in the federal Safe Drinking Water Act, as amended and subject to annual appropriation by the Legislature. The department is authorized, upon approval by the board, to use amounts available to it from the revolving fund or the emergency fund to contract for those facilities and staff needed to administer and provide routine management for the funds and loan program. However, notwithstanding any other provision of law to the contrary, all or any portion of repayments of principal and interest derived from the fund uses described in this section may be designated or pledged for repayment of a loan as provided for in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(3) In administering this section and Sections 6 through 20 of Chapter 521, Laws of 1995, the board created in subsection (1) of this section shall have the following powers and duties:

(a) To supervise the use of all funds made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for local governments and rural water systems improvements;

(b) To promulgate rules and regulations, to make variances and exceptions thereto, and to establish procedures in accordance with this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for the implementation of the local governments and rural water systems improvements revolving loan program;

(c) To require, at the board's discretion, any loan or grant recipient to impose a per connection fee or surcharge or amended water rate schedule or tariff on each customer or any class of customers, benefiting from an improvement financed by a loan or grant made under this section, for repayment of any loan funds provided under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. The board may require any loan or grant recipient to undergo a water system viability analysis and may require a loan or grant recipient to implement any result of the viability analysis. If the loan recipient fails to implement any result of a viability analysis as required by the board, the board may impose a monetary penalty or increase the interest rate on the loan, or both. If the grant recipient fails to implement any result of a viability analysis as required by the board, the board may impose a monetary penalty on the grant;

(d) To review and certify all projects for which funds are authorized to be made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for local governments and rural water systems improvements;

(e) To requisition monies in the Local Governments and Rural Water Systems Improvements Revolving Loan Fund and the Local Governments and Rural Water Systems Emergency Loan Fund and distribute those monies on a project-by-project basis in accordance with this section;

(f) To ensure that the funds made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, to a county, an incorporated municipality, a district or a water organization that has been granted tax-exempt status under either federal or state law provide for a distribution of projects and funds among the entities under a priority system established by the board;

(g) To maintain in accordance with generally accepted government accounting standards an accurate record of all monies in the revolving fund and the emergency fund made available to counties, incorporated municipalities, districts or other water organizations under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, and the costs for each project;

(h) To establish policies, procedures and requirements concerning viability and financial capability to repay loans that may be used in approving loans available under this section, including a requirement that all loan recipients have a rate structure which will be sufficient to cover the costs of operation, maintenance, major equipment replacement and repayment of any loans made under this section; and

(i) To file annually with the Legislature a report detailing how monies in the Local Governments and Rural Water Systems Improvements Revolving Loan Fund and the Local Governments and Rural Water Systems Emergency Loan Fund were spent during the preceding fiscal year in each county, incorporated municipality, district or other water organization, the number of projects approved and constructed, and the cost of each project.

For efficient and effective administration of the loan program, revolving fund and emergency fund, the board may authorize the department or the State Health Officer to carry out any or all of the powers and duties enumerated above.

(4) The board may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to incorporated municipalities, districts or other water organizations located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

SECTION 8. Section 41-3-17, Mississippi Code of 1972, is reenacted as follows:

41-3-17. The State Board of Health is authorized to make and publish all reasonable rules and regulations necessary to enable it to discharge its duties and powers and to carry out the purposes and objectives of its creation. It is further authorized to make reasonable sanitary rules and regulations, to be enforced in the several counties by the county health officer under the supervision and control of the State Board of Health. The State Board of Health shall not make or enforce any rule or regulation that prohibits consumers from providing their own containers for the purpose of purchasing or accepting water from any vending machine or device which filters or treats water that has already been tested and determined to meet or exceed the minimum health protection standards prescribed for drinking water under the Mississippi Safe Drinking Water Law, if that vending machine or device meets or exceeds United States Environmental Protection Agency or national automatic merchandising standards.

SECTION 9. Section 41-3-18, Mississippi Code of 1972, is reenacted as follows:

41-3-18. (1) The board shall assess fees in the following amounts and for the following purposes:

(a) Food establishment annual permit fee, based on the assessment factors of the establishment as follows:

Assessment Category 1	\$ 30.00
Assessment Category 2	100.00
Assessment Category 3	150.00
Assessment Category 4	200.00

(b) Private water supply approval fee..... \$ 10.00

The board may develop such reasonable standards, rules and regulations to clearly define each assessment category. Assessment categories shall be based upon the factors to the public health implications of the category and type of food preparation being utilized by the food establishment, utilizing the model Food Code of 1995, or as may be amended by the federal Food and Drug Administration.

Any increase in the fees charged by the board under this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) The fee authorized under subsection (1)(a) of this section shall not be assessed for:

(a) Food establishments operated by public schools, public junior and community colleges, or state agencies or institutions, including, without limitation, the state institutions of higher learning and the State Penitentiary; and

(b) Persons who make infrequent casual sales of honey and who pack or sell less than five hundred (500) gallons of honey per year, and those persons shall not be inspected by the State Department of Health unless requested by the producer.

(3) The fee authorized under subsection (1)(b) of this section shall not be assessed for private water supplies used by foster homes licensed by the Department of Human Services.

SECTION 10. Section 41-3-19, Mississippi Code of 1972, is reenacted as follows:

41-3-19. It is the duty of the State Board of Health to make a report, in writing, to the Governor, on or before the first day of December next preceding each session, not an extraordinary session of the Legislature, upon the sanitary condition, prospect, and needs of the state, setting forth the action of said board, of its officers and agents, the names thereof, and all its expenditures since the last preceding report, and such other matters as it may deem proper for the promotion of health or the prevention of disease. The report shall be laid before the Legislature by the Governor at its ensuing term.

SECTION 11. Section 41-3-20, Mississippi Code of 1972, is amended as follows:

41-3-20. Sections 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 and 41-3-19, which create the * * * State Board of Health, establish the position of Executive Officer of the State Department of Health and establish the State Department of Health and prescribe its powers and duties, shall stand repealed on July 1, * * * 2024.

SECTION 12. Section 41-7-173, Mississippi Code of 1972, is brought forward as follows:

41-7-173. For the purposes of Section 41-7-171 et seq., the following words shall have the meanings ascribed herein, unless the context otherwise requires:

(a) "Affected person" means (i) the applicant; (ii) a person residing within the geographic area to be served by the applicant's proposal; (iii) a person who regularly uses health care facilities or HMOs located in the geographic area of the proposal which provide similar service to that which is proposed; (iv) health care facilities and HMOs which have, prior to receipt of the application under review, formally indicated an intention to provide service similar to that of the proposal being considered at a future date; (v) third-party payers who reimburse health care facilities located in the geographical area of the proposal; or (vi) any agency that establishes rates for health care services or HMOs located in the geographic area of the proposal.

(b) "Certificate of need" means a written order of the State Department of Health setting forth the affirmative finding that a proposal in prescribed application form, sufficiently satisfies the plans, standards and criteria prescribed for such service or other project by Section 41-7-171 et seq., and by rules and regulations promulgated thereunder by the State Department of Health.

(c) (i) "Capital expenditure," when pertaining to defined major medical equipment, shall mean an expenditure which, under generally accepted accounting principles consistently applied, is not properly chargeable as an expense of operation and maintenance and which exceeds One Million Five Hundred Thousand Dollars (\$1,500,000.00).

(ii) "Capital expenditure," when pertaining to other than major medical equipment, shall mean any expenditure which under generally accepted accounting principles consistently applied is not properly chargeable as an expense of operation and maintenance and which exceeds, for clinical health services, as defined in * * * paragraph (k) below, Five Million Dollars (\$5,000,000.00), adjusted for inflation as published by the State Department of Health or which exceeds, for nonclinical health services, as defined in * * * paragraph (k) below, Ten Million Dollars (\$10,000,000.00), adjusted for inflation as published by the State Department of Health.

(iii) A "capital expenditure" shall include the acquisition, whether by lease, sufferance, gift, devise, legacy, settlement of a trust or other means, of any facility or part thereof, or equipment for a facility, the expenditure for which would have been considered a capital expenditure if acquired by purchase. Transactions which are separated in time but are planned to be undertaken within twelve (12) months of each other and are components of an overall plan for meeting patient care objectives shall, for purposes of this definition, be viewed in their entirety without regard to their timing.

(iv) In those instances where a health care facility or other provider of health services proposes to provide a service in which the capital expenditure for major medical equipment or other than major medical equipment or a combination of the two (2) may have been split between separate parties, the total capital expenditure required to provide the proposed service shall be considered in determining the necessity of certificate of need review and in determining the appropriate certificate of need review fee to be paid. The capital expenditure associated with facilities and equipment to provide services in Mississippi shall be considered regardless of where the capital expenditure was made, in state or out of state, and regardless of the domicile of the party making the capital expenditure, in state or out of state.

(d) "Change of ownership" includes, but is not limited to, inter vivos gifts, purchases, transfers, lease arrangements, cash and/or stock transactions or other comparable arrangements whenever any person or entity acquires or controls a majority interest of an existing health care facility, and/or the change of ownership of major medical equipment, a health service, or an institutional health service. Changes of ownership from partnerships, single proprietorships or corporations to another form of ownership are specifically included. However, "change of ownership" shall not include any inherited interest acquired as a result of a testamentary instrument or under the laws of descent and distribution of the State of Mississippi.

(e) "Commencement of construction" means that all of the following have been completed with respect to a proposal or project proposing construction, renovating, remodeling or alteration:

(i) A legally binding written contract has been consummated by the proponent and a lawfully licensed contractor to construct and/or complete the intent of the proposal within a specified period of time in accordance with final architectural plans which have been approved by the licensing authority of the State Department of Health;

(ii) Any and all permits and/or approvals deemed lawfully necessary by all authorities with responsibility for such have been secured; and

(iii) Actual bona fide undertaking of the subject proposal has commenced, and a progress payment of at least one percent (1%) of the total cost price of the contract has been paid to the contractor by the proponent, and the requirements of this paragraph (e) have been certified to in writing by the State Department of Health.

Force account expenditures, such as deposits, securities, bonds, et cetera, may, in the discretion of the State Department of Health, be excluded from any or all of the provisions of defined commencement of construction.

(f) "Consumer" means an individual who is not a provider of health care as defined in paragraph (q) of this section.

(g) "Develop," when used in connection with health services, means to undertake those activities which, on their completion, will result in the offering of a new

institutional health service or the incurring of a financial obligation as defined under applicable state law in relation to the offering of such services.

(h) "Health care facility" includes hospitals, psychiatric hospitals, chemical dependency hospitals, skilled nursing facilities, end-stage renal disease (ESRD) facilities, including freestanding hemodialysis units, intermediate care facilities, ambulatory surgical facilities, intermediate care facilities for the mentally retarded, home health agencies, psychiatric residential treatment facilities, pediatric skilled nursing facilities, long-term care hospitals, comprehensive medical rehabilitation facilities, including facilities owned or operated by the state or a political subdivision or instrumentality of the state, but does not include Christian Science sanatoriums operated or listed and certified by the First Church of Christ, Scientist, Boston, Massachusetts. This definition shall not apply to facilities for the private practice, either independently or by incorporated medical groups, of physicians, dentists or health care professionals except where such facilities are an integral part of an institutional health service. The various health care facilities listed in this paragraph shall be defined as follows:

(i) "Hospital" means an institution which is primarily engaged in providing to inpatients, by or under the supervision of physicians, diagnostic services and therapeutic services for medical diagnosis, treatment and care of injured, disabled or sick persons, or rehabilitation services for the rehabilitation of injured, disabled or sick persons. Such term does not include psychiatric hospitals.

(ii) "Psychiatric hospital" means an institution which is primarily engaged in providing to inpatients, by or under the supervision of a physician, psychiatric services for the diagnosis and treatment of persons with mental illness.

(iii) "Chemical dependency hospital" means an institution which is primarily engaged in providing to inpatients, by or under the supervision of a physician, medical and related services for the diagnosis and treatment of chemical dependency such as alcohol and drug abuse.

(iv) "Skilled nursing facility" means an institution or a distinct part of an institution which is primarily engaged in providing to inpatients skilled nursing care and related services for patients who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(v) "End-stage renal disease (ESRD) facilities" means kidney disease treatment centers, which includes freestanding hemodialysis units and limited care facilities. The term "limited care facility" generally refers to an off-hospital-premises facility, regardless of whether it is provider or nonprovider operated, which is engaged primarily in furnishing maintenance hemodialysis services to stabilized patients.

(vi) "Intermediate care facility" means an institution which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designed to provide, but who, because of their mental or physical condition, require health-related care and services (above the level of room and board).

(vii) "Ambulatory surgical facility" means a facility primarily organized or established for the purpose of performing surgery for outpatients and is a separate identifiable legal entity from any other health care facility. Such term does not include the offices of private physicians or dentists, whether for individual or group practice, and does not include any abortion facility as defined in Section 41-75-1(f).

(viii) "Intermediate care facility for the mentally retarded" means an intermediate care facility that provides health or rehabilitative services in a planned program of activities to persons with an intellectual disability, also including, but not limited to, cerebral palsy and other conditions covered by the Federal Developmentally Disabled Assistance and Bill of Rights Act, Public Law 94-103.

(ix) "Home health agency" means a public or privately owned agency or organization, or a subdivision of such an agency or organization, properly authorized to conduct business in Mississippi, which is primarily engaged in providing to individuals at the written direction of a licensed physician, in the individual's place of residence, skilled nursing services provided by or under the supervision of a registered nurse licensed to practice in Mississippi, and one or more of the following services or items:

1. Physical, occupational or speech therapy;
2. Medical social services;
3. Part-time or intermittent services of a home health aide;
4. Other services as approved by the licensing agency for

home health agencies;

5. Medical supplies, other than drugs and biologicals, and the use of medical appliances; or

6. Medical services provided by an intern or resident-in-training at a hospital under a teaching program of such hospital.

Further, all skilled nursing services and those services listed in items 1 through 4 of this subparagraph (ix) must be provided directly by the licensed home health agency. For purposes of this subparagraph, "directly" means either through an agency employee or by an arrangement with another individual not defined as a health care facility.

This subparagraph (ix) shall not apply to health care facilities which had contracts for the above services with a home health agency on January 1, 1990.

(x) "Psychiatric residential treatment facility" means any nonhospital establishment with permanent licensed facilities which provides a twenty-four-hour program of care by qualified therapists, including, but not limited to, duly licensed mental health professionals, psychiatrists, psychologists, psychotherapists and licensed certified social workers, for emotionally disturbed children and adolescents referred to such facility by a court, local school district or by the Department of Human Services, who are not in an acute phase of illness requiring the services of a psychiatric hospital, and are in need of such restorative treatment services. For purposes of this subparagraph, the term "emotionally disturbed" means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

1. An inability to learn which cannot be explained by intellectual, sensory or health factors;
 2. An inability to build or maintain satisfactory relationships with peers and teachers;
 3. Inappropriate types of behavior or feelings under normal circumstances;
 4. A general pervasive mood of unhappiness or depression;
- or

5. A tendency to develop physical symptoms or fears associated with personal or school problems. An establishment furnishing primarily domiciliary care is not within this definition.

(xi) "Pediatric skilled nursing facility" means an institution or a distinct part of an institution that is primarily engaged in providing to inpatients skilled nursing care and related services for persons under twenty-one (21) years of age who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(xii) "Long-term care hospital" means a freestanding, Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days, which is primarily engaged in providing chronic or long-term medical care to patients who do not require more than three (3) hours of rehabilitation or comprehensive rehabilitation per day, and has a transfer agreement with an acute care medical center and a comprehensive medical rehabilitation facility. Long-term care hospitals shall not use rehabilitation, comprehensive medical rehabilitation, medical rehabilitation, sub-acute rehabilitation, nursing home, skilled nursing facility or sub-acute care facility in association with its name.

(xiii) "Comprehensive medical rehabilitation facility" means a hospital or hospital unit that is licensed and/or certified as a comprehensive medical rehabilitation facility which provides specialized programs that are accredited by the Commission on Accreditation of Rehabilitation Facilities and supervised by a physician board certified or board eligible in psychiatry or other doctor of medicine or osteopathy with at least two (2) years of training in the medical direction of a comprehensive rehabilitation program that:

- physical disabilities;
disabilities;
1. Includes evaluation and treatment of individuals with
 2. Emphasizes education and training of individuals with
 3. Incorporates at least the following core disciplines:
 - **a. Physical Therapy;
 - **b. Occupational Therapy;
 - **c. Speech and Language Therapy;
 - **d. Rehabilitation Nursing; and
 4. Incorporates at least three (3) of the following disciplines:
 - **a. Psychology;
 - **b. Audiology;
 - **c. Respiratory Therapy;
 - **d. Therapeutic Recreation;
 - **e. Orthotics;
 - **f. Prosthetics;
 - **g. Special Education;
 - **h. Vocational Rehabilitation;
 - **i. Psychotherapy;
 - **j. Social Work;
 - **k. Rehabilitation Engineering.

These specialized programs include, but are not limited to: spinal cord injury programs, head injury programs and infant and early childhood development programs.

(i) "Health maintenance organization" or "HMO" means a public or private organization organized under the laws of this state or the federal government which:

(i) Provides or otherwise makes available to enrolled participants health care services, including substantially the following basic health care services: usual physician services, hospitalization, laboratory, x-ray, emergency and preventive services, and out-of-area coverage;

(ii) Is compensated (except for copayments) for the provision of the basic health care services listed in subparagraph (i) of this paragraph to enrolled participants on a predetermined basis; and

(iii) Provides physician services primarily:

1. Directly through physicians who are either employees or partners of such organization; or
2. Through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(j) "Health service area" means a geographic area of the state designated in the State Health Plan as the area to be used in planning for specified health facilities and services and to be used when considering certificate of need applications to provide health facilities and services.

(k) "Health services" means clinically related (i.e., diagnostic, treatment or rehabilitative) services and includes alcohol, drug abuse, mental health and home health care services. "Clinical health services" shall only include those activities which contemplate any change in the existing bed complement of any health care facility through the addition or conversion of any beds, under Section 41-7-191(1)(c) or propose to offer any health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered, under Section 41-7-191(1)(d). "Nonclinical health services" shall be all other services which do not involve any change in the existing bed complement or offering health services as described above.

(l) "Institutional health services" shall mean health services provided in or through health care facilities and shall include the entities in or through which such services are provided.

(m) "Major medical equipment" means medical equipment designed for providing medical or any health-related service which costs in excess of One Million Five Hundred Thousand Dollars (\$1,500,000.00). However, this definition shall not be applicable to clinical laboratories if they are determined by the State Department of

Health to be independent of any physician's office, hospital or other health care facility or otherwise not so defined by federal or state law, or rules and regulations promulgated thereunder.

(n) "State Department of Health" or "department" shall mean the state agency created under Section 41-3-15, which shall be considered to be the State Health Planning and Development Agency, as defined in paragraph (u) of this section.

(o) "Offer," when used in connection with health services, means that it has been determined by the State Department of Health that the health care facility is capable of providing specified health services.

(p) "Person" means an individual, a trust or estate, partnership, corporation (including associations, joint-stock companies and insurance companies), the state or a political subdivision or instrumentality of the state.

(q) "Provider" shall mean any person who is a provider or representative of a provider of health care services requiring a certificate of need under Section 41-7-171 et seq., or who has any financial or indirect interest in any provider of services.

(r) "Radiation therapy services" means the treatment of cancer and other diseases using ionizing radiation of either high energy photons (x-rays or gamma rays) or charged particles (electrons, protons or heavy nuclei). However, for purposes of a certificate of need, radiation therapy services shall not include low energy, superficial, external beam x-ray treatment of superficial skin lesions.

(s) "Secretary" means the Secretary of Health and Human Services, and any officer or employee of the Department of Health and Human Services to whom the authority involved has been delegated.

(t) "State Health Plan" means the sole and official statewide health plan for Mississippi which identifies priority state health needs and establishes standards and criteria for health-related activities which require certificate of need review in compliance with Section 41-7-191.

(u) "State Health Planning and Development Agency" means the agency of state government designated to perform health planning and resource development programs for the State of Mississippi.

SECTION 13. Section 41-7-185, Mississippi Code of 1972, is brought forward as follows:

41-7-185. In carrying out its functions under Section 41-7-171 et seq., the State Department of Health is hereby empowered to:

(a) Make applications for and accept funds from the secretary and other federal and state agencies and to receive and administer such other funds for the planning or provision of health facilities or health care as are appropriate to the accomplishment of the purposes of Section 41-7-171 et seq. * * *, and to contract with the secretary to accept funds to administer planning activities on the community, regional or state level;

(b) With the approval of the secretary, delegate to or contract with any mutually agreeable department, division or agency of the state, the federal government, or any political subdivision of either, or any private corporation, organization or association chartered by the Secretary of State of Mississippi, authority for administering any programs, duties or functions provided for in Section 41-7-171 * * * et seq.;

(c) Prescribe and promulgate such reasonable rules and regulations as may be necessary to the implementation of the purposes of Section 41-7-171 * * * et seq., complying with Section 25-43-1 * * * et seq.;

(d) Require providers of institutional health services and home health care services provided through a home health agency and any other provider of health care requiring a certificate of need to submit or make available statistical information or such other information requested by the State Department of Health, but not information that would constitute an unwarranted invasion of the personal privacy of any individual person or place the provider in jeopardy of legal action by a third party;

(e) Conduct such other hearing or hearings in addition to those provided for in Section 41-7-197, and enter such further order or orders, and with approval of the Governor enter into such agreement or agreements with the secretary as may be reasonably necessary to the realization by the people of Mississippi of the full benefits of Acts of Congress;

(f) In its discretion, contract with the secretary, or terminate any such contract, for the administration of the provisions, programs, duties and functions of Section 1122 of Public Law 92-603; but the State Department of Health shall not be relieved of matters of accountability, obligation or responsibility that accrued to the department by virtue of prior contracts and/or statutes;

(g) Prepare, review at least triennially, and revise, as necessary, a State Health Plan, as defined in Section 41-7-173, which shall be approved by the Governor before it becomes effective.

SECTION 14. Section 41-7-191, Mississippi Code of 1972, is brought forward as follows:

41-7-191. (1) No person shall engage in any of the following activities without obtaining the required certificate of need:

(a) The construction, development or other establishment of a new health care facility, which establishment shall include the reopening of a health care facility that has ceased to operate for a period of sixty (60) months or more;

(b) The relocation of a health care facility or portion thereof, or major medical equipment, unless such relocation of a health care facility or portion thereof, or major medical equipment, which does not involve a capital expenditure by or on behalf of a health care facility, is within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility;

(c) Any change in the existing bed complement of any health care facility through the addition or conversion of any beds or the alteration, modernizing or refurbishing of any unit or department in which the beds may be located; however, if a health care facility has voluntarily delicensed some of its existing bed complement, it may later relicense some or all of its delicensed beds without the necessity of having to acquire a certificate of need. The State Department of Health shall maintain a record of the delicensing health care facility and its voluntarily delicensed beds and continue counting those beds as part of the state's total bed count for health care planning purposes. If a health care facility that has voluntarily delicensed some of its beds later desires to relicense some or all of its voluntarily delicensed beds, it shall notify the State Department of Health of its intent to increase the number of its licensed beds. The State Department of Health shall survey the health care facility within thirty (30) days of that notice and, if appropriate, issue the health care facility a new license reflecting the new contingent of beds. However, in no event may a health care facility that has voluntarily delicensed some of its beds be reissued a license to operate beds in excess of its bed count before the voluntary delicensure of some of its beds without seeking certificate of need approval;

(d) Offering of the following health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered:

- (i) Open-heart surgery services;
- (ii) Cardiac catheterization services;
- (iii) Comprehensive inpatient rehabilitation services;
- (iv) Licensed psychiatric services;
- (v) Licensed chemical dependency services;
- (vi) Radiation therapy services;
- (vii) Diagnostic imaging services of an invasive nature, i.e. invasive

digital angiography;

(viii) Nursing home care as defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h);

- (ix) Home health services;
- (x) Swing-bed services;
- (xi) Ambulatory surgical services;
- (xii) Magnetic resonance imaging services;
- (xiii) [Deleted]
- (xiv) Long-term care hospital services;
- (xv) Positron emission tomography (PET) services;

(e) The relocation of one or more health services from one physical facility or site to another physical facility or site, unless such relocation, which does not involve

a capital expenditure by or on behalf of a health care facility, (i) is to a physical facility or site within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility where the health care service is located, or (ii) is the result of an order of a court of appropriate jurisdiction or a result of pending litigation in such court, or by order of the State Department of Health, or by order of any other agency or legal entity of the state, the federal government, or any political subdivision of either, whose order is also approved by the State Department of Health;

(f) The acquisition or otherwise control of any major medical equipment for the provision of medical services; however, (i) the acquisition of any major medical equipment used only for research purposes, and (ii) the acquisition of major medical equipment to replace medical equipment for which a facility is already providing medical services and for which the State Department of Health has been notified before the date of such acquisition shall be exempt from this paragraph; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(g) Changes of ownership of existing health care facilities in which a notice of intent is not filed with the State Department of Health at least thirty (30) days prior to the date such change of ownership occurs, or a change in services or bed capacity as prescribed in paragraph (c) or (d) of this subsection as a result of the change of ownership; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(h) The change of ownership of any health care facility defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h), in which a notice of intent as described in paragraph (g) has not been filed and if the Executive Director, Division of Medicaid, Office of the Governor, has not certified in writing that there will be no increase in allowable costs to Medicaid from revaluation of the assets or from increased interest and depreciation as a result of the proposed change of ownership;

(i) Any activity described in paragraphs (a) through (h) if undertaken by any person if that same activity would require certificate of need approval if undertaken by a health care facility;

(j) Any capital expenditure or deferred capital expenditure by or on behalf of a health care facility not covered by paragraphs (a) through (h);

(k) The contracting of a health care facility as defined in subparagraphs (i) through (viii) of Section 41-7-173(h) to establish a home office, subunit, or branch office in the space operated as a health care facility through a formal arrangement with an existing health care facility as defined in subparagraph (ix) of Section 41-7-173(h);

(l) The replacement or relocation of a health care facility designated as a critical access hospital shall be exempt from subsection (1) of this section so long as the critical access hospital complies with all applicable federal law and regulations regarding such replacement or relocation;

(m) Reopening a health care facility that has ceased to operate for a period of sixty (60) months or more, which reopening requires a certificate of need for the establishment of a new health care facility.

(2) The State Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to, or expansion of any health care facility defined in subparagraphs (iv) (skilled nursing facility) and (vi) (intermediate care facility) of Section 41-7-173(h) or the conversion of vacant hospital beds to provide skilled or intermediate nursing home care, except as hereinafter authorized:

(a) The department may issue a certificate of need to any person proposing the new construction of any health care facility defined in subparagraphs (iv) and (vi) of Section 41-7-173(h) as part of a life care retirement facility, in any county bordering on the Gulf of Mexico in which is located a National Aeronautics and Space Administration facility, not to exceed forty (40) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the health care facility that were authorized under this paragraph (a).

(b) The department may issue certificates of need in Harrison County to provide skilled nursing home care for Alzheimer's disease patients and other patients,

not to exceed one hundred fifty (150) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facilities that were authorized under this paragraph (b).

(c) The department may issue a certificate of need for the addition to or expansion of any skilled nursing facility that is part of an existing continuing care retirement community located in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (c), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of beds that may be authorized under the authority of this paragraph (c) shall not exceed sixty (60) beds.

(d) The State Department of Health may issue a certificate of need to any hospital located in DeSoto County for the new construction of a skilled nursing facility, not to exceed one hundred twenty (120) beds, in DeSoto County. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (d).

(e) The State Department of Health may issue a certificate of need for the construction of a nursing facility or the conversion of beds to nursing facility beds at a personal care facility for the elderly in Lowndes County that is owned and operated by a Mississippi nonprofit corporation, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (e).

(f) The State Department of Health may issue a certificate of need for conversion of a county hospital facility in Itawamba County to a nursing facility, not to exceed sixty (60) beds, including any necessary construction, renovation or expansion. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (f).

(g) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hinds, Madison or Rankin County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (g).

(h) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hancock, Harrison or Jackson County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the facility that were authorized under this paragraph (h).

(i) The department may issue a certificate of need for the new construction of a skilled nursing facility in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in

the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (i), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (i) shall not exceed sixty (60) beds. If the skilled nursing facility authorized by the certificate of need issued under this paragraph is not constructed and fully operational within eighteen (18) months after July 1, 1994, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need, if it is still outstanding, and shall not issue a license for the skilled nursing facility at any time after the expiration of the eighteen-month period.

(j) The department may issue certificates of need to allow any existing freestanding long-term care facility in Tishomingo County and Hancock County that on July 1, 1995, is licensed with fewer than sixty (60) beds. For the purposes of this paragraph (j), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the long-term care facilities that were authorized under this paragraph (j).

(k) The department may issue a certificate of need for the construction of a nursing facility at a continuing care retirement community in Lowndes County. The total number of beds that may be authorized under the authority of this paragraph (k) shall not exceed sixty (60) beds. From and after July 1, 2001, the prohibition on the facility participating in the Medicaid program (Section 43-13-101 et seq.) that was a condition of issuance of the certificate of need under this paragraph (k) shall be revised as follows: The nursing facility may participate in the Medicaid program from and after July 1, 2001, if the owner of the facility on July 1, 2001, agrees in writing that no more than thirty (30) of the beds at the facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than thirty (30) patients in the facility in any month or for any patient in the facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the facility shall be a condition of licensure of the facility, and the agreement shall be fully binding on any subsequent owner of the facility if the ownership of the facility is transferred at any time after July 1, 2001. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the facility for participation in the Medicaid program. If the facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the written agreement.

(l) Provided that funds are specifically appropriated therefor by the Legislature, the department may issue a certificate of need to a rehabilitation hospital in Hinds County for the construction of a sixty-bed long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities including persons with

spinal cord and closed-head injuries and ventilator dependent patients. The provisions of Section 41-7-193(1) regarding substantial compliance with projection of need as reported in the current State Health Plan are waived for the purpose of this paragraph.

(m) The State Department of Health may issue a certificate of need to a county-owned hospital in the Second Judicial District of Panola County for the conversion of not more than seventy-two (72) hospital beds to nursing facility beds, provided that the recipient of the certificate of need agrees in writing that none of the beds at the nursing facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement in the nursing facility in any day or for any patient in the nursing facility. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the nursing facility if the ownership of the nursing facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify any of the beds in the nursing facility for participation in the Medicaid program. If the nursing facility violates the terms of the written agreement by admitting or keeping in the nursing facility on a regular or continuing basis any patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the nursing facility, at the time that the department determines, after a hearing complying with due process, that the nursing facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(n) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (n), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (n) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing

facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(o) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (o), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (o) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(p) The department may issue a certificate of need for the construction of a municipally owned nursing facility within the Town of Belmont in Tishomingo County, not to exceed sixty (60) beds, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (p), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as

reported in the current State Health Plan is waived for the purposes of this paragraph. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(q) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next four (4) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each county in the state having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, in the manner provided in this paragraph (q). The total number of nursing facility beds that may be authorized by any certificate of need authorized under this paragraph (q) shall not exceed sixty (60) beds.

(ii) Subject to the provisions of subparagraph (v), during each of the next four (4) fiscal years, the department shall issue six (6) certificates of need for new nursing facility beds, as follows: During fiscal years 2000, 2001 and 2002, one (1) certificate of need shall be issued for new nursing facility beds in the county in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan that has the highest need in the district for those beds; and two (2) certificates of need shall be issued for new nursing facility beds in the two (2) counties from the state at large that have the highest need in the state for those beds, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. During fiscal year 2003, one (1) certificate of need shall be issued for new nursing facility beds in any county having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, that has not received a certificate of need under this paragraph (q) during the three (3) previous fiscal years. During fiscal year 2000, in addition to the six (6) certificates of need authorized in this subparagraph, the department also shall issue a certificate of need for new nursing facility beds in Amite County and a certificate of need for new nursing facility beds in Carroll County.

(iii) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in each Long-Term Care Planning District during each fiscal year shall first be available for nursing facility beds in the county in the district having the highest need for those beds, as shown in the fiscal year 1999 State Health Plan. If there are no applications for a certificate of need for nursing facility beds in the county having the highest need for those beds by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties in the district in descending order of the need for those beds, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county in the district.

(iv) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in the two (2) counties from the state at large during each fiscal year shall first be available for nursing facility beds in the two (2) counties that have the highest need in the state for those beds, as shown in the fiscal year 1999 State Health Plan, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. If there are no applications for a certificate of need for nursing facility beds in either of the two (2) counties having the highest need for those beds on a statewide basis by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties from the state at large in descending order of the need for those beds on a statewide basis, from the county with the second

highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county from the state at large.

(v) If a certificate of need is authorized to be issued under this paragraph (q) for nursing facility beds in a county on the basis of the need in the Long-Term Care Planning District during any fiscal year of the four-year period, a certificate of need shall not also be available under this paragraph (q) for additional nursing facility beds in that county on the basis of the need in the state at large, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in the state at large for that fiscal year. After a certificate of need has been issued under this paragraph (q) for nursing facility beds in a county during any fiscal year of the four-year period, a certificate of need shall not be available again under this paragraph (q) for additional nursing facility beds in that county during the four-year period, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in succeeding fiscal years.

(vi) If more than one (1) application is made for a certificate of need for nursing home facility beds available under this paragraph (q), in Yalobusha, Newton or Tallahatchie County, and one (1) of the applicants is a county-owned hospital located in the county where the nursing facility beds are available, the department shall give priority to the county-owned hospital in granting the certificate of need if the following conditions are met:

1. The county-owned hospital fully meets all applicable criteria and standards required to obtain a certificate of need for the nursing facility beds; and

2. The county-owned hospital's qualifications for the certificate of need, as shown in its application and as determined by the department, are at least equal to the qualifications of the other applicants for the certificate of need.

(r) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next two (2) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan, to provide care exclusively to patients with Alzheimer's disease.

(ii) Not more than twenty (20) beds may be authorized by any certificate of need issued under this paragraph (r), and not more than a total of sixty (60) beds may be authorized in any Long-Term Care Planning District by all certificates of need issued under this paragraph (r). However, the total number of beds that may be authorized by all certificates of need issued under this paragraph (r) during any fiscal year shall not exceed one hundred twenty (120) beds, and the total number of beds that may be authorized in any Long-Term Care Planning District during any fiscal year shall not exceed forty (40) beds. Of the certificates of need that are issued for each Long-Term Care Planning District during the next two (2) fiscal years, at least one (1) shall be issued for beds in the northern part of the district, at least one (1) shall be issued for beds in the central part of the district, and at least one (1) shall be issued for beds in the southern part of the district.

(iii) The State Department of Health, in consultation with the Department of Mental Health and the Division of Medicaid, shall develop and prescribe the staffing levels, space requirements and other standards and requirements that must be met with regard to the nursing facility beds authorized under this paragraph (r) to provide care exclusively to patients with Alzheimer's disease.

(s) The State Department of Health may issue a certificate of need to a nonprofit skilled nursing facility using the Green House model of skilled nursing care and located in Yazoo City, Yazoo County, Mississippi, for the construction, expansion or conversion of not more than nineteen (19) nursing facility beds. For purposes of this paragraph (s), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this paragraph (s).

(t) The State Department of Health shall issue certificates of need to the owner of a nursing facility in operation at the time of Hurricane Katrina in Hancock County that was not operational on December 31, 2005, because of damage sustained from Hurricane Katrina to authorize the following: (i) the construction of a new nursing facility in Harrison County; (ii) the relocation of forty-nine (49) nursing facility beds from the Hancock County facility to the new Harrison County facility; (iii) the establishment of not more than twenty (20) non-Medicaid nursing facility beds at the Hancock County facility; and (iv) the establishment of not more than twenty (20) non-Medicaid beds at the new Harrison County facility. The certificates of need that authorize the non-Medicaid nursing facility beds under subparagraphs (iii) and (iv) of this paragraph (t) shall be subject to the following conditions: The owner of the Hancock County facility and the new Harrison County facility must agree in writing that no more than fifty (50) of the beds at the Hancock County facility and no more than forty-nine (49) of the beds at the Harrison County facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than fifty (50) patients in the Hancock County facility in any month, or for more than forty-nine (49) patients in the Harrison County facility in any month, or for any patient in either facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the nursing facilities shall be a condition of the issuance of the certificates of need under this paragraph (t), and the agreement shall be fully binding on any later owner or owners of either facility if the ownership of either facility is transferred at any time after the certificates of need are issued. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifty (50) of the beds at the Hancock County facility or more than forty-nine (49) of the beds at the Harrison County facility for participation in the Medicaid program. If the Hancock County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifty (50) patients who are participating in the Medicaid program, or if the Harrison County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than forty-nine (49) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility that is in violation of the agreement, at the time that the department determines, after a hearing complying with due process, that the facility has violated the agreement.

(u) The State Department of Health shall issue a certificate of need to a nonprofit venture for the establishment, construction and operation of a skilled nursing facility of not more than sixty (60) beds to provide skilled nursing care for ventilator dependent or otherwise medically dependent pediatric patients who require medical and nursing care or rehabilitation services to be located in a county in which an academic medical center and a children's hospital are located, and for any construction and for the acquisition of equipment related to those beds. The facility shall be authorized to keep such ventilator dependent or otherwise medically dependent pediatric patients beyond age twenty-one (21) in accordance with regulations of the State Board of Health. For purposes of this paragraph (u), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived, and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. The beds authorized by this paragraph shall be counted as pediatric skilled nursing facility beds for health planning purposes under Section 41-7-171 et seq. There shall be no prohibition of or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized by this paragraph.

(3) The State Department of Health may grant approval for and issue certificates of need to any person proposing the new construction of, addition to, conversion of beds of or expansion of any health care facility defined in subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h). The total number of beds which may be authorized by such certificates of need shall not exceed three hundred thirty-four (334) beds for the entire state.

(a) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a privately owned psychiatric residential treatment facility in Simpson County for the conversion of sixteen (16) intermediate care

facility for the mentally retarded (ICF-MR) beds to psychiatric residential treatment facility beds, provided that facility agrees in writing that the facility shall give priority for the use of those sixteen (16) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(b) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric residential treatment facility beds in Warren County, not to exceed sixty (60) psychiatric residential treatment facility beds, provided that the facility agrees in writing that no more than thirty (30) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.) for the use of any patients other than those who are participating only in the Medicaid program of another state, and that no claim will be submitted to the Division of Medicaid for Medicaid reimbursement for more than thirty (30) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program for the use of any patients other than those who are participating only in the Medicaid program of another state. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Mississippi Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

The State Department of Health, on or before July 1, 2002, shall transfer the certificate of need authorized under the authority of this paragraph (b), or reissue the certificate of need if it has expired, to River Region Health System.

(c) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a hospital currently operating Medicaid-certified acute psychiatric beds for adolescents in DeSoto County, for the establishment of a forty-bed psychiatric residential treatment facility in DeSoto County, provided that the hospital agrees in writing (i) that the hospital shall give priority for the use of those forty (40) beds to Mississippi residents who are presently being treated in out-of-state facilities, and (ii) that no more than fifteen (15) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement for more than fifteen (15) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifteen (15) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifteen (15) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

(d) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric treatment facility beds, not to exceed thirty (30) psychiatric residential treatment facility beds, in either Alcorn, Tishomingo, Prentiss, Lee, Itawamba, Monroe, Chickasaw, Pontotoc, Calhoun, Lafayette, Union, Benton or Tippah County.

(e) Of the total number of beds authorized under this subsection (3) the department shall issue a certificate of need to a privately owned, nonprofit psychiatric residential treatment facility in Hinds County for an eight-bed expansion of the facility, provided that the facility agrees in writing that the facility shall give priority for the use of those eight (8) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(f) The department shall issue a certificate of need to a one-hundred-thirty-four-bed specialty hospital located on twenty-nine and forty-four one-hundredths (29.44) commercial acres at 5900 Highway 39 North in Meridian (Lauderdale County), Mississippi, for the addition, construction or expansion of child/adolescent psychiatric residential treatment facility beds in Lauderdale County. As a condition of issuance of the certificate of need under this paragraph, the facility shall give priority in admissions to the child/adolescent psychiatric residential treatment facility beds authorized under this paragraph to patients who otherwise would require out-of-state placement. The Division of Medicaid, in conjunction with the Department of Human Services, shall furnish the facility a list of all out-of-state patients on a quarterly basis. Furthermore, notice shall also be provided to the parent, custodial parent or guardian of each out-of-state patient notifying them of the priority status granted by this paragraph. For purposes of this paragraph, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of child/adolescent psychiatric residential treatment facility beds that may be authorized under the authority of this paragraph shall be sixty (60) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this paragraph or for the beds converted pursuant to the authority of that certificate of need.

(4) (a) From and after July 1, 1993, the department shall not issue a certificate of need to any person for the new construction of any hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the conversion of any other health care facility to a hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the addition of any child/adolescent psychiatric or child/adolescent chemical dependency beds in any hospital, psychiatric hospital or chemical dependency hospital, or for the conversion of any beds of another category in any hospital, psychiatric hospital or chemical dependency hospital to child/adolescent psychiatric or child/adolescent chemical dependency beds, except as hereinafter authorized:

(i) The department may issue certificates of need to any person for any purpose described in this subsection, provided that the hospital, psychiatric hospital or chemical dependency hospital does not participate in the Medicaid program (Section 43-13-101 et seq.) at the time of the application for the certificate of need and the owner of the hospital, psychiatric hospital or chemical dependency hospital agrees in writing that the hospital, psychiatric hospital or chemical dependency hospital will not at any time participate in the Medicaid program or admit or keep any patients who are participating in the Medicaid program in the hospital, psychiatric hospital or chemical dependency hospital. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital, psychiatric hospital or chemical dependency hospital, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the hospital, psychiatric hospital or chemical dependency hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subparagraph (i), and if such hospital, psychiatric hospital or chemical dependency hospital at any time after the issuance of the certificate of need, regardless of the

ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the hospital, psychiatric hospital or chemical dependency hospital who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital, psychiatric hospital or chemical dependency hospital, at the time that the department determines, after a hearing complying with due process, that the hospital, psychiatric hospital or chemical dependency hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph (i) and in the written agreement by the recipient of the certificate of need.

(ii) The department may issue a certificate of need for the conversion of existing beds in a county hospital in Choctaw County from acute care beds to child/adolescent chemical dependency beds. For purposes of this subparagraph (ii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(iii) The department may issue a certificate or certificates of need for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in Warren County. For purposes of this subparagraph (iii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

If by January 1, 2002, there has been no significant commencement of construction of the beds authorized under this subparagraph (iii), or no significant action taken to convert existing beds to the beds authorized under this subparagraph, then the certificate of need that was previously issued under this subparagraph shall expire. If the previously issued certificate of need expires, the department may accept applications for issuance of another certificate of need for the beds authorized under this subparagraph, and may issue a certificate of need to authorize the construction, expansion or conversion of the beds authorized under this subparagraph.

(iv) The department shall issue a certificate of need to the Region 7 Mental Health/Retardation Commission for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in any of the counties served by the commission. For purposes of this subparagraph (iv), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(v) The department may issue a certificate of need to any county hospital located in Leflore County for the construction or expansion of adult psychiatric beds or the conversion of other beds to adult psychiatric beds, not to exceed twenty (20) beds, provided that the recipient of the certificate of need agrees in writing that the adult psychiatric beds will not at any time be certified for participation in the Medicaid program and that the hospital will not admit or keep any patients who are participating in the Medicaid program in any of such adult psychiatric beds. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital if the ownership of the hospital is transferred at any time after the issuance of the certificate of need. Agreement that the adult psychiatric beds will not be certified for participation in the Medicaid program shall be a condition of the issuance of a certificate

of need to any person under this subparagraph (v), and if such hospital at any time after the issuance of the certificate of need, regardless of the ownership of the hospital, has any of such adult psychiatric beds certified for participation in the Medicaid program or admits or keeps any Medicaid patients in such adult psychiatric beds, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital at the time that the department determines, after a hearing complying with due process, that the hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph and in the written agreement by the recipient of the certificate of need.

(vi) The department may issue a certificate or certificates of need for the expansion of child psychiatric beds or the conversion of other beds to child psychiatric beds at the University of Mississippi Medical Center. For purposes of this subparagraph (vi), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed fifteen (15) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(b) From and after July 1, 1990, no hospital, psychiatric hospital or chemical dependency hospital shall be authorized to add any child/adolescent psychiatric or child/adolescent chemical dependency beds or convert any beds of another category to child/adolescent psychiatric or child/adolescent chemical dependency beds without a certificate of need under the authority of subsection (1)(c) of this section.

(5) The department may issue a certificate of need to a county hospital in Winston County for the conversion of fifteen (15) acute care beds to geriatric psychiatric care beds.

(6) The State Department of Health shall issue a certificate of need to a Mississippi corporation qualified to manage a long-term care hospital as defined in Section 41-7-173(h)(xii) in Harrison County, not to exceed eighty (80) beds, including any necessary renovation or construction required for licensure and certification, provided that the recipient of the certificate of need agrees in writing that the long-term care hospital will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the long-term care hospital who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the long-term care hospital, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the long-term care hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subsection (6), and if such long-term care hospital at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the long-term care hospital, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subsection and in the written agreement by the recipient of the certificate of need. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(7) The State Department of Health may issue a certificate of need to any hospital in the state to utilize a portion of its beds for the "swing-bed" concept. Any such hospital must be in conformance with the federal regulations regarding such swing-bed concept at the time it submits its application for a certificate of need to the State Department of Health, except that such hospital may have more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program. Any hospital meeting all federal

requirements for participation in the swing-bed program which receives such certificate of need shall render services provided under the swing-bed concept to any patient eligible for Medicare (Title XVIII of the Social Security Act) who is certified by a physician to be in need of such services, and no such hospital shall permit any patient who is eligible for both Medicaid and Medicare or eligible only for Medicaid to stay in the swing beds of the hospital for more than thirty (30) days per admission unless the hospital receives prior approval for such patient from the Division of Medicaid, Office of the Governor. Any hospital having more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program which receives such certificate of need shall develop a procedure to insure that before a patient is allowed to stay in the swing beds of the hospital, there are no vacant nursing home beds available for that patient located within a fifty-mile radius of the hospital. When any such hospital has a patient staying in the swing beds of the hospital and the hospital receives notice from a nursing home located within such radius that there is a vacant bed available for that patient, the hospital shall transfer the patient to the nursing home within a reasonable time after receipt of the notice. Any hospital which is subject to the requirements of the two (2) preceding sentences of this subsection may be suspended from participation in the swing-bed program for a reasonable period of time by the State Department of Health if the department, after a hearing complying with due process, determines that the hospital has failed to comply with any of those requirements.

(8) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to or expansion of a health care facility as defined in subparagraph (viii) of Section 41-7-173(h), except as hereinafter provided: The department may issue a certificate of need to a nonprofit corporation located in Madison County, Mississippi, for the construction, expansion or conversion of not more than twenty (20) beds in a community living program for developmentally disabled adults in a facility as defined in subparagraph (viii) of Section 41-7-173(h). For purposes of this subsection (8), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this subsection (8).

(9) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the establishment of, or expansion of the currently approved territory of, or the contracting to establish a home office, subunit or branch office within the space operated as a health care facility as defined in Section 41-7-173(h)(i) through (viii) by a health care facility as defined in subparagraph (ix) of Section 41-7-173(h).

(10) Health care facilities owned and/or operated by the state or its agencies are exempt from the restraints in this section against issuance of a certificate of need if such addition or expansion consists of repairing or renovation necessary to comply with the state licensure law. This exception shall not apply to the new construction of any building by such state facility. This exception shall not apply to any health care facilities owned and/or operated by counties, municipalities, districts, unincorporated areas, other defined persons, or any combination thereof.

(11) The new construction, renovation or expansion of or addition to any health care facility defined in subparagraph (ii) (psychiatric hospital), subparagraph (iv) (skilled nursing facility), subparagraph (vi) (intermediate care facility), subparagraph (viii) (intermediate care facility for the mentally retarded) and subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h) which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, and the addition of new beds or the conversion of beds from one category to another in any such defined health care facility which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(12) The new construction, renovation or expansion of or addition to any veterans homes or domiciliaries for eligible veterans of the State of Mississippi as authorized under Section 35-1-19 shall not require the issuance of a certificate of need, notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(13) The repair or the rebuilding of an existing, operating health care facility that sustained significant damage from a natural disaster that occurred after April 15, 2014, in an area that is proclaimed a disaster area or subject to a state of emergency by the Governor or by the President of the United States shall be exempt from all of the requirements of the Mississippi Certificate of Need Law (Section 41-7-171 et seq.) and any and all rules and regulations promulgated under that law, subject to the following conditions:

(a) The repair or the rebuilding of any such damaged health care facility must be within one (1) mile of the pre-disaster location of the campus of the damaged health care facility, except that any temporary post-disaster health care facility operating location may be within five (5) miles of the pre-disaster location of the damaged health care facility;

(b) The repair or the rebuilding of the damaged health care facility (i) does not increase or change the complement of its bed capacity that it had before the Governor's or the President's proclamation, (ii) does not increase or change its levels and types of health care services that it provided before the Governor's or the President's proclamation, and (iii) does not rebuild in a different county; however, this paragraph does not restrict or prevent a health care facility from decreasing its bed capacity that it had before the Governor's or the President's proclamation, or from decreasing the levels of or decreasing or eliminating the types of health care services that it provided before the Governor's or the President's proclamation, when the damaged health care facility is repaired or rebuilt;

(c) The exemption from Certificate of Need Law provided under this subsection (13) is valid for only five (5) years from the date of the Governor's or the President's proclamation. If actual construction has not begun within that five-year period, the exemption provided under this subsection is inapplicable; and

(d) The Division of Health Facilities Licensure and Certification of the State Department of Health shall provide the same oversight for the repair or the rebuilding of the damaged health care facility that it provides to all health care facility construction projects in the state.

For the purposes of this subsection (13), "significant damage" to a health care facility means damage to the health care facility requiring an expenditure of at least One Million Dollars (\$1,000,000.00).

(14) The State Department of Health shall issue a certificate of need to any hospital which is currently licensed for two hundred fifty (250) or more acute care beds and is located in any general hospital service area not having a comprehensive cancer center, for the establishment and equipping of such a center which provides facilities and services for outpatient radiation oncology therapy, outpatient medical oncology therapy, and appropriate support services including the provision of radiation therapy services. The provisions of Section 41-7-193(1) regarding substantial compliance with the projection of need as reported in the current State Health Plan are waived for the purpose of this subsection.

(15) The State Department of Health may authorize the transfer of hospital beds, not to exceed sixty (60) beds, from the North Panola Community Hospital to the South Panola Community Hospital. The authorization for the transfer of those beds shall be exempt from the certificate of need review process.

(16) The State Department of Health shall issue any certificates of need necessary for Mississippi State University and a public or private health care provider to jointly acquire and operate a linear accelerator and a magnetic resonance imaging unit. Those certificates of need shall cover all capital expenditures related to the project between Mississippi State University and the health care provider, including, but not limited to, the acquisition of the linear accelerator, the magnetic resonance imaging unit and other radiological modalities; the offering of linear accelerator and magnetic resonance imaging services; and the cost of construction of facilities in which to locate these services. The linear accelerator and the magnetic resonance imaging unit shall

be (a) located in the City of Starkville, Oktibbeha County, Mississippi; (b) operated jointly by Mississippi State University and the public or private health care provider selected by Mississippi State University through a request for proposals (RFP) process in which Mississippi State University selects, and the Board of Trustees of State Institutions of Higher Learning approves, the health care provider that makes the best overall proposal; (c) available to Mississippi State University for research purposes two-thirds (2/3) of the time that the linear accelerator and magnetic resonance imaging unit are operational; and (d) available to the public or private health care provider selected by Mississippi State University and approved by the Board of Trustees of State Institutions of Higher Learning one-third (1/3) of the time for clinical, diagnostic and treatment purposes. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(17) The State Department of Health shall issue a certificate of need for the construction of an acute care hospital in Kemper County, not to exceed twenty-five (25) beds, which shall be named the "John C. Stennis Memorial Hospital." In issuing the certificate of need under this subsection, the department shall give priority to a hospital located in Lauderdale County that has two hundred fifteen (215) beds. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person or entity receiving the certificate of need authorized under this subsection or for the beds constructed under the authority of that certificate of need.

(18) The planning, design, construction, renovation, addition, furnishing and equipping of a clinical research unit at any health care facility defined in Section 41-7-173(h) that is under the direction and control of the University of Mississippi Medical Center and located in Jackson, Mississippi, and the addition of new beds or the conversion of beds from one (1) category to another in any such clinical research unit, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(19) [Repealed]

(20) Nothing in this section or in any other provision of Section 41-7-171 et seq. shall prevent any nursing facility from designating an appropriate number of existing beds in the facility as beds for providing care exclusively to patients with Alzheimer's disease.

(21) Nothing in this section or any other provision of Section 41-7-171 et seq. shall prevent any health care facility from the new construction, renovation, conversion or expansion of new beds in the facility designated as intensive care units, negative pressure rooms, or isolation rooms pursuant to the provisions of Sections 41-14-1 through 41-14-11. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived.

SECTION 15. Section 41-7-195, Mississippi Code of 1972, is brought forward as follows:

41-7-195. (1) A certificate of need shall be valid only for the defined scope, physical location and person named in the application. A certificate of need shall not be transferable or assignable nor shall a project or capital expenditure project be transferred from one person to another, except with the approval of the State Department of Health. A certificate of need shall be valid for the period of time specified therein.

(2) A certificate of need shall be issued for a period of twelve (12) months, or such other lesser period as specified by the State Department of Health.

(3) The State Department of Health may define by regulation, not to exceed six (6) months, the time for which a certificate of need may be extended.

(4) If commencement of construction or other preparation is not substantially undertaken during a valid certificate of need period or the State Department of Health

determines the applicant is not making a good faith effort to obligate such approved expenditure, the State Department of Health shall have the right to withdraw, revoke or rescind the certificate.

(5) The State Department of Health may approve or disapprove a proposal for a certificate of need as originally presented in final form, or it may approve a certificate of need by a modification, by reduction only, of such proposal provided the proponent agrees to such modification.

SECTION 16. Section 41-29-113, Mississippi Code of 1972, is brought forward as follows:

41-29-113.

SCHEDULE I

(a) Schedule I consists of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, that is listed in this section.

(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (1) Acetyl-alpha-methylfentanyl;
- (2) Acetyl Fentanyl N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide;
- (3) AH-7921 (3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]benzamide);
- (4) Acetylmethadol;
- (5) Allylprodine;
- (6) Alphacetylmethadol, except levo-alphacetylmethadol (levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);
- (7) Alphameprodine;
- (8) Alphamethadol;
- (9) Alpha-methylfentanyl;
- (10) Alpha-methylthiofentanyl;
- (11) Benzethidine;
- (12) Betacetylmethadol;
- (13) Beta-hydroxyfentanyl;
- (14) Beta-hydroxy-3-methylfentanyl;
- (15) Betameprodine;
- (16) Betamethadol;
- (17) Betaprodine;
- (18) Butyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide);
- (19) Clonitazene;
- (20) Dextromoramide;
- (21) Diampromide;
- (22) Diethylthiambutene;
- (23) Difenoxin;
- (24) Dimenoxadol;
- (25) Dimepheptanol;
- (26) Dimethylthiambutene;
- (27) Dioxaphetyl butyrate;
- (28) Dipipanone;
- (29) Ethylmethylthiambutene;
- (30) Etonitazene;
- (31) Etixeridine;
- (32) Fentanyl-related substances, meaning any substance not otherwise listed under another schedule and for which no exemption or approval is in effect under Section 505 of the Federal Food, Drug, and Cosmetic Act [21 USC 355] that is structurally related to fentanyl by one or more of the following modifications:
 - (A) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;
 - (B) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino or nitro groups;

(C) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;

(D) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(E) Replacement of the N-propionyl group by another acyl group.

Fentanyl-related substances include, but are not limited to, cyclopropyl fentanyl, (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide); Furanyl-Fentanyl, (N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide); valeryl fentanyl, (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide); para-fluorobutyl fentanyl, (N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide); para-methoxybutyl fentanyl, (N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide); para-chloroisobutyl fentanyl, (N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide); isobutyl fentanyl, (N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide); cyclopentyl fentanyl, (N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide); and

ocfentanyl, (N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide);

- (33) Furethidine;
- (34) Hydroxypethidine;
- (35) Ketobemidone (including the optical and geometric isomers);
- (36) Levomoramide;
- (37) Levophenacymorphan;
- (38) 3-methylfentanyl;
- (39) 3-methylthiofentanyl;
- (40) Morpheridine;
- (41) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- (42)

N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (other names: beta-hydroxythiofentanyl);

- (43) Noracymethadol;
- (44) Norlevorphanol;
- (45) Normethadone;
- (46) Norpipanone;
- (47) Para-fluorofentanyl;
- (48) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- (49) Phenadoxone;
- (50) Phenampromide;
- (51) Phenomorphan;
- (52) Phenoperidine;
- (53) Piritramide;
- (54) Proheptazine;
- (55) Propenidine;
- (56) Propiram;
- (57) Racemoramide;
- (58) Thiofentanyl;
- (59) Tilidine;
- (60) Trimeperidine;
- (61) U-47700,

3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide.

(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers and salts of isomers, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine;
- (2) Acetyldihydrocodeine;
- (3) Benzylmorphine;
- (4) Codeine methylbromide;
- (5) Codeine-N-Oxide;

- (6) Cyprenorphine;
- (7) Desomorphine;
- (8) Dihydromorphine;
- (9) Drotebanol;
- (10) Etorphine (except hydrochloride salt);
- (11) Heroin;
- (12) Hydromorphanol;
- (13) Methyldesorphine;
- (14) Methyldihydromorphine;
- (15) Monoacetylmorphine;
- (16) Morphine methylbromide;
- (17) Morphine methylsulfonate;
- (18) Morphine-N-Oxide;
- (19) Myrophine;
- (20) Nicocodeine;
- (21) Nicomorphine;
- (22) Normorphine;
- (23) Pholcodine;
- (24) Thebacon.

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, their salts, isomers (whether optical, positional, or geometric) and salts of isomers, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Alpha-ethyltryptamine;
- (2) 4-bromo-2,5-dimethoxy-amphetamine;
- (3) 4-bromo-2,5-dimethoxyphenethylamine;
- (4) 2,5-dimethoxyamphetamine;
- (5) 2,5-dimethoxy-4-ethylamphetamine (DOET);
- (6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7);
- (7) 4-methoxyamphetamine;
- (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (9) 4-methyl-2,5-dimethoxy-amphetamine;
- (10) 3,4-methylenedioxy amphetamine;
- (11) 3,4-methylenedioxymethamphetamine (MDMA);
- (12) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);
- (13) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy MDA, N-OHMDA, and N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine);
- (14) 3,4,5-trimethoxy amphetamine;
- (15) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- (16) Alpha-methyltryptamine (also known as AMT);
- (17) Bufotenine;
- (18) Diethyltryptamine;
- (19) Dimethyltryptamine;
- (20) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);
- (21) Ibogaine;
- (22) Lysergic acid diethylamide (LSD);
- (23) (A) Marijuana (Hemp as defined and regulated under Sections 69-25-201 through 69-25-221 and Cannabidiol contained in a legend drug product approved by the Federal Food and Drug Administration or obtained under Section 41-29-136 are exempt under Schedule I);
- (B) Hashish;
- (24) Mescaline;
- (25) Parahexyl;
- (26) Peyote;
- (27) N-ethyl-3-piperidyl benzilate;
- (28) N-methyl-3-piperidyl benzilate;

(29) Psilocybin;

(30) Psilocyn;

(31) Tetrahydrocannabinols, meaning tetrahydrocannabinols contained in a plant of the genus *Cannabis* (cannabis plant), as well as the synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant such as the following:

(A) 1 cis or trans tetrahydrocannabinol;

(B) 6 cis or trans tetrahydrocannabinol;

(C) 3,4 cis or trans tetrahydrocannabinol.

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of atomic positions, are covered.)

("Tetrahydrocannabinols" excludes dronabinol and nabilone.) For purposes of this paragraph, tetrahydrocannabinols do not include hemp or hemp products regulated under Sections 69-25-201 through 69-25-221.

However, the following products are exempted from control:

(i) THC-containing industrial products made from cannabis stalks (e.g., paper, rope and clothing);

(ii) Processed cannabis plant materials used for industrial purposes, such as fiber retted from cannabis stalks for use in manufacturing textiles or rope;

(iii) Animal feed mixtures that contain sterilized cannabis seeds and other ingredients (not derived from the cannabis plant) in a formula designed, marketed and distributed for nonhuman consumption;

(iv) Personal care products that contain oil from sterilized cannabis seeds, such as shampoos, soaps, and body lotions (if the products do not cause THC to enter the human body);

(v) Hemp as regulated under Sections 69-25-201 through 69-25-221; and

(vi) Any product derived from the hemp plant designed for human ingestion and/or consumption that is approved by the United States Food and Drug Administration;

(32) Phencyclidine;

(33) Ethylamine analog of phencyclidine (PCE);

(34) Pyrrolidine analog of phencyclidine (PHP, PCPy);

(35) Thiophene analog of phencyclidine;

(36) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine (TCPy);

(37) 4-methylmethcathinone (mephedrone);

(38) 3,4-methylenedioxypyrovalerone (MDPV);

(39) 2-(2,5-dimethoxy-4-ethylphenyl)ethanamine (2C-E);

(40) 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);

(41) 2-(4-chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);

(42) 2-(4-iodo-2,5-dimethoxyphenyl)ethanamine (2C-I); or

2,5-dimethoxy-4-iodophenethylamine;

(43) 2-[4-(ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);

(44) 2-[4-(isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);

(45) 2-(2,5-dimethoxyphenyl)ethanamine (2C-H);

(46) 2-(2,5-dimethoxy-4-nitro-phenyl)ethanamine (2C-N);

(47) 2-(2,5-dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);

(48) 3,4-methylenedioxy-N-methylcathinone(methylone);

(49) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine

(25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36);

(50) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82);

(51) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine or N-[(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5);

(52) 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1, 4-benzodiazepin-2-one (also known as Phenazepam);

(53) 7-(2-chlorophenyl)-4-ethyl-13-methyl-3-thia-1,8,11,12-tetraazatricyclo[8.3.0.0]trideca-2(6),4,7,10,12-pentaene (also known as Etizolam);

(54) *Salvia divinorum*;

(55) Synthetic cannabinoids. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of a synthetic cannabinoid found in any of the following chemical groups, whether or not substituted to any extent, or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical designation, including all synthetic cannabinoid chemical analogues in such groups:

(A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol (also known as HU-210 or 1,1-dimethylheptyl-11-hydroxy-delta8-tetrahydrocannabinol);

(B) Naphthoylindoles and naphthylmethylindoles, being any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane, whether or not substituted in the indole ring to any extent, or in the naphthyl ring to any extent;

(C) Naphthoylpyrroles, being any compound structurally derived from 3-(1-naphthoyl)pyrrole, whether or not substituted in the pyrrole ring to any extent, or in the naphthyl ring to any extent;

(D) Naphthylmethylindenes, being any compound structurally derived from 1-(1-naphthylmethyl)indene, whether or not substituted in the indene ring to any extent or in the naphthyl ring to any extent;

(E) Phenylacetylindoles, being any compound structurally derived from 3-phenylacetylindole, whether or not substituted in the indole ring to any extent or in the phenyl ring to any extent;

(F) Cyclohexylphenols, being any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol, whether or not substituted in the cyclohexyl ring to any extent or in the phenolic ring to any extent;

(G) Benzoylindoles, whether or not substituted in the indole ring to any extent or in the phenyl ring to any extent;

(H) Adamantoylindoles, whether or not substituted in the indole ring to any extent or in the adamantoyl ring system to any extent;

(I) Tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives, except where contained in cannabis or cannabis resin;

(J) 3-Cyclopropylmethanone indole or 3-Cyclobutylmethanone indole or 3-Cyclopentylmethanone indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the cyclopropyl, cyclobutyl or cyclopentyl rings to any extent;

(K) Quinoliny ester indoles, being any compound structurally derived from 1H-indole-3-carboxylic acid-8-quinoliny ester, whether or not substituted in the indole ring to any extent or the quinolone ring to any extent;

(L) 3-carboxamide-1H-indazoles, whether or not substituted in the indazole ring to any extent and substituted to any degree on the carboxamide nitrogen and 3-carboxamide-1H-indoles, whether or not substituted in the indole ring to any extent and substituted to any degree on the carboxamide nitrogen;

(M) Cycloalkanemethanone Indoles, whether or not substituted at the nitrogen atom on the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the cycloalkane ring to any extent.

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Gamma-hydroxybutyric acid (other names include: GHB, gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);

(2) Mecloqualone;

(3) Methaqualone.

(f) Stimulants. Any material, compound, mixture or preparation which contains any quantity of the following central nervous system stimulants including optical salts, isomers and salts of isomers unless specifically excepted or unless listed in another schedule:

- (1) Aminorex;
- (2) N-benzylpiperazine (also known as BZP and 1-benzylpiperazine);
- (3) Cathinone;
- (4) Fenethylamine;
- (5) Methcathinone;
- (6) 4-methylaminorex (also known as

2-amino-4-methyl-5-phenyl-2-oxazoline);

- (7) N-ethylamphetamine;

(8) Any material, compound, mixture or preparation which contains any quantity of N,N-dimethylamphetamine. (Other names include:

N,N,-alpha-trimethyl-benzeneethanamine and N,N-alpha-trimethylphenethylamine);

(9) Synthetic cathinones. (A) Unless listed in another schedule, any compound other than bupropion that is structurally derived from 2-Amino-1-phenyl-1-propanone by modification in any of the following ways:

(i) By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;

(ii) By substitution at the 3-position with an alkyl substituent;

(iii) By substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.

(B) The compounds covered in this paragraph (9) include, but are not limited to, any material, compound, mixture or preparation which contains any quantity of a synthetic cathinone found in any of the following compounds, whether or not substituted to any extent, or any of these compounds which contain any synthetic cathinone, or salts, isomers, or salts of isomers, whenever the existence of such salts, isomers or salts of isomers is possible, unless specifically excepted or listed in another schedule:

(i) 4-methyl-N-ethylcathinone ("4-MEC");

(ii) 4-methyl-alpha-pyrrolidinopropiophenone ("4-MePPP");

(iii) Alpha-pyrrolidinopentiophenone ("alpha-PVP");

(iv) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one

("butylone");

(v) 2-(methylamino)-1-phenylpentan-1-one ("pentedrone");

(vi) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one

("pentylone");

(vii) 4-fluoro-N-methylcathinone ("4-FMC");

(viii) 3-fluoro-N-methylcathinone ("3-FMC");

(ix) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one

("naphyrone");

(x) Alpha-pyrrolidinobutiophenone ("alpha-PBP"); and

(xi) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)-pentan-1-one

(N-ethylpentylone, ephylone).

SECTION 17. Section 41-29-115, Mississippi Code of 1972, is brought forward as follows:

41-29-115. (a) The controlled substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule II.

SCHEDULE II

(b) Substances, vegetable origin or chemical synthesis. Unless specifically excepted or unless listed in other schedules, any of the following substances, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine, naldemedine, nalmefene, naloxegol, naloxone and naltrexone, but including the following:

- (i) Codeine;
 - (ii) Dihydroetorphine;
 - (iii) Ethylmorphine;
 - (iv) Etorphine hydrochloride;
 - (v) Granulated opium;
 - (vi) Hydrocodone, whether alone or in combination with any material, compound, mixture or preparation;
 - (vii) Hydromorphone;
 - (viii) Metopon;
 - (ix) Morphine;
 - (x) Opium extracts;
 - (xi) Opium fluid extracts;
 - (xii) Oripavine;
 - (xiii) Oxycodone;
 - (xiv) Oxymorphone;
 - (xv) Powdered opium;
 - (xvi) Raw opium;
 - (xvii) Thebaine;
 - (xviii) Tincture of opium;
- (2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium;
- (3) Opium poppy and poppy straw;
- (4) Coca leaves and any salt, compound, derivative, or preparation of cocaine or coca leaves, including cocaine and ecgonine and any salt, compound, derivative, isomer, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including:
- (i) Decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine; or
 - (ii) loflupane;
- (5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy).

(c) Opiates. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specified chemical designation, dextrophan and levopropoxyphene excepted:

- (1) Alfentanil;
- (2) Alphaprodine;
- (3) Anileridine;
- (4) Bezitramide;
- (5) Bulk dextropropoxyphene (nondosage forms);
- (6) Carfentanil;
- (7) Dihydrocodeine;
- (8) Diphenoxylate;
- (9) Fentanyl;
- (10) Isomethadone;
- (11) Levo-alpha-acetylmethadol (levo-alpha-acetylmethadol, levomethadyl acetate, LAAM);
- (12) Levomethorphan;
- (13) Levorphanol;
- (14) Metazocine;
- (15) Methadone;
- (16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;

- (17) Moramide-intermediate,
2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;
(18) Pethidine (meperidine);
(19) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
(20) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
(21) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- (22) Phenazocine;
(23) Piminodine;
(24) Racemethorphan;
(25) Racemorphan;
(26) Remifentanyl;
(27) Sufentanyl;
(28) Tapentadol;
(29) Thiafentanyl,
4-(methoxycarbonyl)-4-(N-phenmethoxyacetamido)-1-[2-(thienyl)ethyl]piperidine.
- (d) Stimulants. Any material, compound, mixture, or preparation which contains any quantity of the following substances:
- (1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
(2) Phenmetrazine and its salts;
(3) Any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers;
(4) Methylphenidate and its salts;
(5) Lisdexamfetamine, its salts, isomers and salts of isomers.
- (e) Depressants. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:
- (1) Amobarbital;
(2) Secobarbital;
(3) Pentobarbital;
(4) Glutethimide.
- (f) Hallucinogenic substances.
- (1) Dronabinol oral solution [(+)-delta-9-trans-tetrahydrocannabinol (delta-9-THC)];
(2) Nabilone [other names include: (+/-)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo(b,d)pyran-9-one].
- (g) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:
- (1) Amphetamine and methamphetamine immediate precursor: Phenylacetone (other names include: phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone);
(2) Phencyclidine immediate precursors:
(i) 1-phenylcyclohexylamine;
(ii) 1-piperidinocyclohexanecarbonitrile (PCC);
(3) Fentanyl immediate precursor: 4-anilino-N-phenethyl-4-piperidine (ANPP).
- (h) Any material, compound, mixture or preparation which contains any quantity of a Schedule II controlled substance and is listed as an exempt substance in 21 CFR, Section 1308.24 or 1308.32, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 18. Section 41-29-117, Mississippi Code of 1972, is brought forward as follows:

41-29-117. (A) The controlled substances listed in this section are included in Schedule III.

SCHEDULE III

(a) Stimulants. Any material, compound, mixture, or preparation which contains any quantity of the following substances or their salts, isomers, or salts of isomers, of the following substances:

- (1) Benzphetamine;
- (2) Chlorphentermine;
- (3) Clortermine;
- (4) Phendimetrazine.

(b) Depressants. Unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules;

(2) Unless specifically excepted or unless listed in another schedule, any compound, mixture or preparation containing any of the following substances or any salt of the substances specifically included in this subsection (2) and one or more other active medicinal ingredients which are not listed in any other schedule:

- (i) Amobarbital;
- (ii) Secobarbital;
- (iii) Pentobarbital;

(3) Any suppository dosage form containing any of the following substances or any salt of any of the substances specifically included in this subsection (3) approved by the Food and Drug Administration for marketing only as a suppository:

- (i) Amobarbital;
- (ii) Secobarbital;
- (iii) Pentobarbital;

(4) Chlorhexadol;

(5) Embutramide;

(6) Any drug product containing gamma-hydroxybutyric acid, including its salts, isomers and salts of isomers, for which an application is approved under Section 505 of the Federal Food, Drug and Cosmetic Act;

(7) Ketamine; its salts, isomers, and salts of isomers; other names include (+)-2-(2-chlorophenyl)-2-(methyldamino)cyclohexanone;

- (8) Lysergic acid;
- (9) Lysergic acid amide;
- (10) Methyprylon;
- (11) Perampanel; its salts, isomers, and salts of isomers;
- (12) Sulfondiethylmethane;
- (13) Sulfonethylmethane;
- (14) Sulfonmethane;
- (15) Tiletamine and zolazepam or any salt thereof; other names for

the tiletamine and zolazepam combination product include: telazol; other names for tiletamine include: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone; other names for zolazepam include: 4-(2-fluorophenyl)-6,8-dihydro 1,3,8-trimethylpyrazolo-[3,4-e](1,4)-diazepin-7(1H)-one, flupyrzapon.

(c) Nalorphine.

(d) Any material, compound, mixture or preparation which contains any quantity of ephedrine or pseudoephedrine.

(e) Narcotic drugs. Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(1) Not more than one and eight-tenths (1.8) grams of codeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) Not more than one and eight-tenths (1.8) grams of codeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) Not more than one and eight-tenths (1.8) grams of dihydrocodeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(4) Not more than three hundred (300) milligrams of ethylmorphine, or any of its salts, per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Not more than five hundred (500) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams, or not more than twenty-five (25) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than fifty (50) milligrams of morphine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) Anabolic steroids. Unless specifically exempted or listed in another schedule, any material, compound, mixture or preparation containing any quantity of any of the following anabolic steroids (any drug or hormonal substance chemically and pharmacologically related to testosterone other than estrogens, progestins, corticosteroids and dehydroepiandrosterone):

- (1) 3beta,17-dihydroxy-5a-androstane;
- (2) 3alpha,17beta-dihydroxy-5a-androstane;
- (3) 5alpha-androstan-3,17-dione;
- (4) 1-androstenediol
- (3beta,17beta-dihydroxy-5alpha-androst-1-ene);
- (5) 1-androstenediol
- (3alpha,17beta-dihydroxy-5alpha-androst-1-ene);
- (6) 4-androstenediol (3beta,17beta-dihydroxy-androst-4-ene);
- (7) 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);
- (8) 1-androstenedione ([5alpha]-androst-1-en-3, 17-dione);
- (9) 4-androstenedione (androst-4-en-3,17-dione);
- (10) 5-androstenedione (androst-5-en-3,17-dione);
- (11) Bolasterone
- (7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
- (12) Boldenone (17beta-hydroxyandrost-1,4,-diene-3-one);
- (13) Boldione (androsta-1,4-diene-3,17-dione);
- (14) Calusterone
- (7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
- (15) Clostebol (4-chloro-17beta-hydroxyandrost-4-en-3-one);
- (16) Dehydrochloromethyltestosterone
- (4-chloro-17beta-hydroxy-17alpha-methylandrost-1,4-dien-3-one);
- (17) Desoxymethyltestosterone
- (17alpha-methyl-5alpha-androst-2-en-17beta-ol, also known as madol);
- (18) Delta1-dihydrotestosterone (also known as 1-testosterone)
- (17beta-hydroxy-5alpha-androst-1-en-3-one);
- (19) 4-dihydrotestosterone (17beta-hydroxy-androstan-3-one);
- (20) Drostanolone
- (17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);
- (21) Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);
- (22) Fluoxymesterone (9-fluoro-17alpha-methyl-11beta, 17beta-dihydroxyandrost-4-en-3-one);
- (23) Formebolone
- (2-formyl-17alpha-methyl-11alpha,17beta-dihydroxyandrost-1, 4-dien-3-one);
- (24) Furazabol
- (17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);
- (25) 13beta-ethyl-17alpha-hydroxygon-4-en-3-one;
- (26) 4-hydroxytestosterone
- (4,17beta-dihydroxyandrost-4-en-3-one);

- (27) 4-hydroxy-19-nortestosterone
(4,17beta-dihydroxy-estr-4-en-3-one);
- (28) Mestanolone
(17alpha-methyl-17beta-hydroxy-5-androstan-3-one);
- (29) Mesterolone
(1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);
- (30) Methandienone
(17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one);
- (31) Methandriol (17alpha-methyl-3beta,
17beta-dihydroxyandrost-5-ene);
- (32) Methasterone (2[alpha],
17[alpha]-dimethyl-5[alpha]-androstan-17[beta]-ol-3-one);
- (33) Methenolone
(1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);
- (34) 17alpha-methyl-3beta, 17beta-dihydroxy-5a-androstane;
- (35) 17alpha-methyl-3alpha, 17beta-dihydroxy-5a-androstane;
- (36) 17alpha-methyl-3beta, 17beta-dihydroxyandrost-4-ene;
- (37) 17alpha-methyl-4-hydroxynandrolone
(17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);
- (38) Methyldienolone
(17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);
- (39) Methyltrienolone
(17alpha-methyl-17beta-hydroxyestra-4,9-11-trien-3-one);
- (40) Methyltestosterone
(17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);
- (41) Mibolerone
(7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);
- (42) 17alpha-methyl-Delta1-dihydrotestosterone (17b
beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one) (also known as
17-alpha-methyl-1-testosterone);
- (43) Nandrolone (17beta-hydroxyestr-4-en-3-one);
- (44) 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);
- (45) 19-nor-4-androstenediol (3a,17beta-dihydroxyestr-4-ene);
- (46) 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);
- (47) 19-nor-5-androstenediol (3alpha,17beta-dihydroxyestr-5-ene);
- (48) 19-nor-4,9(10)-androstadienedione
(estra-4,9(10)-diene3,17-dione, 19-norandrost-4,9(10)-diene-3,17-dione);
- (49) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- (50) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- (51) Norbolethone
(13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);
- (52) Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);
- (53) Norethandrolone
(17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);
- (54) Normethandrolone
(17alpha-methyl-17beta-hydroxyestr-4-en-3-one);
- (55) Oxandrolone
(17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one);
- (56) Oxymesterone
(17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);
- (57) Oxymetholone
(17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]- androstan-3-one);
- (58) Prostanazol
(17[beta]-hydroxy-5[alpha]-androstan-3-one);
- (59) Stanazolol
(17alpha-methyl-17beta-hydroxy-[5alpha]-androst-2-eno[3,2-c]- pyrazole);
- (60) Stenbolone
(17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);

(61) Testolactone
(13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
(62) Testosterone (17beta-hydroxyandrost-4-en-3-one);
(63) Tetrahydrogestrinone
(13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);
(64) Trenbolone (17beta-hydroxyestr-4,9,11-trien-3-one);
(65) Any salt, ester, or ether of a drug or substance described in this paragraph. Except such term does not include an anabolic steroid that is expressly intended for administration through implants to cattle or other nonhuman species and that has been approved by the Secretary of Health and Human Services for such administration. If any person prescribes, dispenses, or distributes such steroid for human use, the person shall be considered to have prescribed, dispensed or distributed an anabolic steroid within the meaning of this paragraph.

(g) Any material, compound, mixture or preparation which contains any quantity of buprenorphine or its salts.

(h) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product.

(B) Any material, compound, mixture or preparation which contains any quantity of a Schedule III controlled substance other than butalbital, and is listed as an exempt substance in 21 CFR, Section 1308.22, 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 19. Section 41-29-119, Mississippi Code of 1972, is brought forward as follows:

41-29-119. (A) The controlled substances listed in this section are included in Schedule IV.

SCHEDULE IV

(a) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains limited quantities of the following narcotic drugs, or any salts thereof:

- (1) Not more than one (1) milligram of difenoxin and not less than twenty-five (25) micrograms of atropine sulfate per dosage unit;
- (2) Dextropropoxyphene, including its salts (Darvon, Darvon-N; also found in Darvon compound and Darvocet-N, etc.);
- (3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers (including tramadol).

(b) Depressants. Any material, compound, mixture or preparation which contains any quantity of the following substances:

- (1) Alfaxalone;
- (2) Alprazolam;
- (3) Barbitol;
- (4) Bromazepam;
- (5) Camazepam;
- (6) Carisoprodol;
- (7) Chloral betaine;
- (8) Chloral hydrate;
- (9) Chlordiazepoxide and its salts, but does not include chlordiazepoxide hydrochloride and cldinium bromide or chlordiazepoxide and esterified estrogens;

- (10) Clobazam;
- (11) Clonazepam;
- (12) Clorazepate;
- (13) Clotiazepam;
- (14) Cloxazolam;
- (15) Delorazepam;
- (16) Diazepam;
- (17) Dichloralphenazone;
- (18) Estazolam;
- (19) Ethchlorvynol;
- (20) Ethinamate;

- (21) Ethyl loflazepate;
- (22) Fludiazepam;
- (23) Flunitrazepam;
- (24) Flurazepam;
- (25) Fospropofol;
- (26) Halazepam;
- (27) Haloxazolam;
- (28) Ketazolam;
- (29) Loprazolam;
- (30) Lorazepam;
- (31) Lormetazepam;
- (32) Mebutamate;
- (33) Medazepam;
- (34) Meprobamate;
- (35) Methohexital;
- (36) Methylphenobarbital;
- (37) Midazolam;
- (38) Nimetazepam;
- (39) Nitrazepam;
- (40) Nordiazepam;
- (41) Oxazepam;
- (42) Oxazolam;
- (43) Paraldehyde;
- (44) Petrichloral;
- (45) Phenobarbital;
- (46) Pinazepam;
- (47) Prazepam;
- (48) Quazepam;
- (49) Suvorexant;
- (50) Temazepam;
- (51) Tetrazepam;
- (52) Triazolam;
- (53) Zaleplon;
- (54) Zolpidem;
- (55) Zopiclone.

(c) Fenfluramine.

(d) Lorcaserin. Any material, compound, mixture, or preparation which contains any quantity of Lorcaserin, including its salts, isomers, and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible.

(e) Stimulants. Any material, compound, mixture or preparation which contains any quantity of the following substances:

- (1) Cathine ((+/-) Norpseudoephedrine);
- (2) Diethylpropion;
- (3) Fencamfamin;
- (4) Fenproporex;
- (5) Mazindol;
- (6) Mefenorex;
- (7) Modafinil;
- (8) Pemoline (including any organometallic complexes and chelates

thereof);

- (9) Phentermine;
- (10) Pipradrol;
- (11) Sibutramine;
- (12) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

(f) Other substances.

- (1) Pentazocine;
- (2) Butorphanol (including its optical isomers);
- (3) Eluxadoline

(5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl]][(1S)-1-(4-phen

yl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid); (including its optical isomers) and its salts, isomers, and salts of isomers.

(B) Any material, compound, mixture or preparation which contains any quantity of a Schedule IV controlled substance and is listed as an exempt substance in 21 CFR, Section 1308.22, 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 20. Section 41-29-121, Mississippi Code of 1972, is brought forward as follows:

41-29-121.

SCHEDULE V

(a) Schedule V consists of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this section.

(b) Narcotic drugs. [Reserved]

(c) Narcotic drugs containing nonnarcotic active medicinal ingredients. Any compound, mixture or preparation containing any of the following narcotic drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- (1) Not more than two hundred (200) milligrams of codeine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams;
- (2) Not more than one hundred (100) milligrams of dihydrocodeine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams;
- (3) Not more than one hundred (100) milligrams of ethylmorphine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams;
- (4) Not more than two and five-tenths (2.5) milligrams of diphenoxylate and not less than twenty-five (25) micrograms of atropine sulphate per dosage unit;
- (5) Not more than one hundred (100) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams;
- (6) Not more than five-tenths (0.5) milligram of difenoxin and not less than twenty-five (25) micrograms of atropine sulfate per dosage unit.

(d) Stimulants. Unless specifically excepted or listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substance, including its salts, isomers and salts of isomers: Pyrovalerone.

(e) Depressants. Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers and salts of isomers:

- (1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl] butanamide) (also referred to as BRV; UCB-34714; Briviact);
- (2) Ezogabine [N-[2-amino-4-(4-fluorobenzylamino)-phenyl]-carbamic acid ethyl ester];
- (3) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-propionamide];
- (4) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].

(f) Any material, compound, mixture or preparation which contains any quantity of a Schedule V controlled substance and is listed as an exempt substance in 21 CFR, Section 1308.22, 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 21. Section 41-29-139, Mississippi Code of 1972, is brought forward as follows:

41-29-139. (a) Transfer and possession with intent to transfer. Except as authorized by this article, it is unlawful for any person knowingly or intentionally:

- (1) To sell, barter, transfer, manufacture, distribute, dispense or possess with intent to sell, barter, transfer, manufacture, distribute or dispense, a controlled substance; or
- (2) To create, sell, barter, transfer, distribute, dispense or possess with intent to create, sell, barter, transfer, distribute or dispense, a counterfeit substance.

(b) Punishment for transfer and possession with intent to transfer. Except as otherwise provided in Section 41-29-142, any person who violates subsection (a) of this section shall be, if convicted, sentenced as follows:

(1) For controlled substances classified in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, other than marijuana or synthetic cannabinoids:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than five (5) years nor more than thirty (30) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2) (A) For marijuana:

1. If thirty (30) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than thirty (30) grams but less than two hundred fifty (250) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(B) For synthetic cannabinoids:

1. If ten (10) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than ten (10) grams but less than twenty (20) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(3) For controlled substances classified in Schedules III and IV, as set out in Sections 41-29-117 and 41-29-119:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both;

(D) If thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(4) For controlled substances classified in Schedule V, as set out in Section 41-29-121:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than one (1) year or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than ten (10) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both;

(D) For thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(c) Simple possession. It is unlawful for any person knowingly or intentionally to possess any controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this article. The penalties for any violation of this subsection (c) with respect to a controlled substance classified in Schedules I, II, III, IV or V, as set out in Section 41-29-113, 41-29-115, 41-29-117, 41-29-119 or 41-29-121, including marijuana or synthetic cannabinoids, shall be based on dosage unit as defined herein or the weight of the controlled substance as set forth herein as appropriate:

"Dosage unit (d.u.)" means a tablet or capsule, or in the case of a liquid solution, one (1) milliliter. In the case of lysergic acid diethylamide (LSD) the term, "dosage unit" means a stamp, square, dot, microdot, tablet or capsule of a controlled substance.

For any controlled substance that does not fall within the definition of the term "dosage unit," the penalties shall be based upon the weight of the controlled substance.

The weight set forth refers to the entire weight of any mixture or substance containing a detectable amount of the controlled substance.

If a mixture or substance contains more than one (1) controlled substance, the weight of the mixture or substance is assigned to the controlled substance that results in the greater punishment.

A person shall be charged and sentenced as follows for a violation of this subsection with respect to:

(1) A controlled substance classified in Schedule I or II, except marijuana and synthetic cannabinoids:

(A) If less than one-tenth (0.1) gram or two (2) dosage units, the violation is a misdemeanor and punishable by imprisonment for not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If one-tenth (0.1) gram or more or two (2) or more dosage units, but less than two (2) grams or ten (10) dosage units, by imprisonment for not more than three (3) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(C) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(D) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2) (A) Marijuana and synthetic cannabinoids:

1. If thirty (30) grams or less of marijuana or ten (10) grams or less of synthetic cannabinoids, by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00). The provisions of this paragraph (2)(A) may be enforceable by summons if the offender provides proof of identity satisfactory to the arresting officer and gives written promise to appear in court

satisfactory to the arresting officer, as directed by the summons. A second conviction under this section within two (2) years is a misdemeanor punishable by a fine of Two Hundred Fifty Dollars (\$250.00), not more than sixty (60) days in the county jail, and mandatory participation in a drug education program approved by the Division of Alcohol and Drug Abuse of the State Department of Mental Health, unless the court enters a written finding that a drug education program is inappropriate. A third or subsequent conviction under this paragraph (2)(A) within two (2) years is a misdemeanor punishable by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00) and confinement for not more than six (6) months in the county jail.

Upon a first or second conviction under this paragraph (2)(A), the courts shall forward a report of the conviction to the Mississippi Bureau of Narcotics which shall make and maintain a private, nonpublic record for a period not to exceed two (2) years from the date of conviction. The private, nonpublic record shall be solely for the use of the courts in determining the penalties which attach upon conviction under this paragraph (2)(A) and shall not constitute a criminal record for the purpose of private or administrative inquiry and the record of each conviction shall be expunged at the end of the period of two (2) years following the date of such conviction;

2. Additionally, a person who is the operator of a motor vehicle, who possesses on his person or knowingly keeps or allows to be kept in a motor vehicle within the area of the vehicle normally occupied by the driver or passengers, more than one (1) gram, but not more than thirty (30) grams of marijuana or not more than ten (10) grams of synthetic cannabinoids is guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000.00) or confined for not more than ninety (90) days in the county jail, or both. For the purposes of this subsection, such area of the vehicle shall not include the trunk of the motor vehicle or the areas not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment shall be deemed to be within the area occupied by the driver and passengers;

(B) Marijuana:

1. If more than thirty (30) grams but less than two hundred fifty (250) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If one (1) kilogram or more but less than five (5) kilograms, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both;

5. If five (5) kilograms or more, by imprisonment for not less than ten (10) years nor more than thirty (30) years or a fine of not more than One Million Dollars (\$1,000,000.00), or both.

(C) Synthetic cannabinoids:

1. If more than ten (10) grams but less than twenty (20) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If two hundred (200) or more grams, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(3) A controlled substance classified in Schedule III, IV or V as set out in Sections 41-29-117 through 41-29-121, upon conviction, may be punished as follows:

(A) If less than fifty (50) grams or less than one hundred (100) dosage units, the offense is a misdemeanor and punishable by not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If fifty (50) or more grams or one hundred (100) or more dosage units, but less than one hundred fifty (150) grams or five hundred (500) dosage units, by imprisonment for not less than one (1) year nor more than four (4) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(C) If one hundred fifty (150) or more grams or five hundred (500) or more dosage units, but less than three hundred (300) grams or one thousand (1,000) dosage units, by imprisonment for not less than two (2) years nor more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(D) If three hundred (300) or more grams or one thousand (1,000) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(d) Paraphernalia. (1) It is unlawful for a person who is not authorized by the State Board of Medical Licensure, State Board of Pharmacy, or other lawful authority to use, or to possess with intent to use, paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Any person who violates this subsection (d)(1) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both; however, no person shall be charged with a violation of this subsection when such person is also charged with the possession of thirty (30) grams or less of marijuana under subsection (c)(2)(A) of this section.

(2) It is unlawful for any person to deliver, sell, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Except as provided in subsection (d)(3), a person who violates this subsection (d)(2) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(3) Any person eighteen (18) years of age or over who violates subsection (d)(2) of this section by delivering or selling paraphernalia to a person under eighteen (18) years of age who is at least three (3) years his junior is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than one (1) year, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(4) It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as paraphernalia. Any person who violates this subsection is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(e) It shall be unlawful for any physician practicing medicine in this state to prescribe, dispense or administer any amphetamine or amphetamine-like anorectics and/or central nervous system stimulants classified in Schedule II, pursuant to Section 41-29-115, for the exclusive treatment of obesity, weight control or weight loss. Any person who violates this subsection, upon conviction, is guilty of a misdemeanor and may be confined for a period not to exceed six (6) months, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(f) Trafficking. (1) Any person trafficking in controlled substances shall be guilty of a felony and, upon conviction, shall be imprisoned for a term of not less than ten (10) years nor more than forty (40) years and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The ten-year mandatory sentence shall not be reduced or suspended. The person shall not be eligible for probation or parole, the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(2) "Trafficking in controlled substances" as used herein means:

(A) A violation of subsection (a) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(B) A violation of subsection (a) of this section involving five hundred (500) or more grams or two thousand five hundred (2,500) or more dosage units of a Schedule III, IV or V controlled substance;

(C) A violation of subsection (c) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(D) A violation of subsection (c) of this section involving five hundred (500) or more grams or two thousand five hundred (2,500) or more dosage units of a Schedule III, IV or V controlled substance; or

(E) A violation of subsection (a) of this section involving one (1) kilogram or more of marijuana or two hundred (200) grams or more of synthetic cannabinoids.

(g) Aggravated trafficking. Any person trafficking in Schedule I or II controlled substances, except marijuana and synthetic cannabinoids, of two hundred (200) grams or more shall be guilty of aggravated trafficking and, upon conviction, shall be sentenced to a term of not less than twenty-five (25) years nor more than life in prison and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The twenty-five-year sentence shall be a mandatory sentence and shall not be reduced or suspended. The person shall not be eligible for probation or parole, the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(h) Sentence mitigation. (1) Notwithstanding any provision of this section, a person who has been convicted of an offense under this section that requires the judge to impose a prison sentence which cannot be suspended or reduced and is ineligible for probation or parole may, at the discretion of the court, receive a sentence of imprisonment that is no less than twenty-five percent (25%) of the sentence prescribed by the applicable statute. In considering whether to apply the departure from the sentence prescribed, the court shall conclude that:

(A) The offender was not a leader of the criminal enterprise;

(B) The offender did not use violence or a weapon during the crime;

(C) The offense did not result in a death or serious bodily injury of a person not a party to the criminal enterprise; and

(D) The interests of justice are not served by the imposition of the prescribed mandatory sentence.

The court may also consider whether information and assistance were furnished to a law enforcement agency, or its designee, which, in the opinion of the trial judge, objectively should or would have aided in the arrest or prosecution of others who violate this subsection. The accused shall have adequate opportunity to develop and make a record of all information and assistance so furnished.

(2) If the court reduces the prescribed sentence pursuant to this subsection, it must specify on the record the circumstances warranting the departure.

SECTION 22. Section 41-29-147, Mississippi Code of 1972, is brought forward as follows:

41-29-147. Except as otherwise provided in Section 41-29-142, any person convicted of a second or subsequent offense under this article may be imprisoned for a term up to twice the term otherwise authorized, fined an amount up to twice that otherwise authorized, or both.

For purposes of this section, an offense is considered a second or subsequent offense, if, prior to his conviction of the offense, the offender has at any time been convicted under this article or under any statute of the United States or of any state relating to narcotic drugs, marihuana, depressant, stimulant or hallucinogenic drugs.

SECTION 23. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH, AND ESTABLISH AND PRESCRIBE THE POWERS AND DUTIES OF THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED STATUTES; TO BRING FORWARD SECTIONS 41-7-173, 41-7-185, 41-7-191, 41-7-195, 41-29-113, 41-29-115, 41-29-117, 41-29-119, 41-29-121, 41-29-139 AND 41-29-147, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senators Bryan and Blackwell offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-3-1.1, Mississippi Code of 1972, is reenacted as follows:

41-3-1.1. (1) The State Board of Health is continued and reconstituted as follows:

There is created the State Board of Health which, from and after March 30, 2007, shall consist of eleven (11) members appointed with the advice and consent of the Senate, as follows:

(a) Five (5) members of the board shall be currently licensed physicians of good professional standing who have had at least seven (7) years' experience in the practice of medicine in this state. Three (3) members shall be appointed by the Governor, one (1) member shall be appointed by the Lieutenant Governor, and one (1) member shall be appointed by the Attorney General, in the manner provided in paragraph (d) of this subsection (1).

(b) Six (6) members of the board shall be individuals who have a background in public health or an interest in public health who are not currently or formerly licensed physicians. Four (4) of those members shall be appointed by the Governor, one (1) of those members shall be appointed by the Lieutenant Governor, and one (1) of those members shall be appointed by the Attorney General, in the manner provided in paragraph (d) of this subsection (1).

(c) The Governor, Lieutenant Governor and Attorney General shall give due regard to geographic distribution, race and gender in making their appointments to the board. It is the intent of the Legislature that the membership of the board reflect the population of the State of Mississippi. Of the Governor's appointments, one (1) member of the board shall be appointed from each of the four (4) congressional districts as constituted on June 30, 2007, and one (1) member of the board shall be appointed from each of the three (3) Supreme Court districts as constituted on June 30, 2007. Of the Lieutenant Governor's appointments, one (1) member of the board shall be appointed from the First Congressional District and one (1) member of the board shall be appointed from the Fourth Congressional District as constituted on June 30, 2007. Of the Attorney General's appointments, one (1) member of the board shall be appointed from the Second Congressional District and one (1) member of the board shall be appointed from the Third Congressional District as constituted on June 30, 2007.

(d) The initial members of the board shall be appointed for staggered terms, as follows: Of the Governor's appointments, two (2) members shall be appointed for terms that end on June 30, 2009; two (2) members shall be appointed for terms that end on June 30, 2011; and three (3) members shall be appointed for terms that end on June 30, 2013. Of the Lieutenant Governor's appointments, one (1) member shall be appointed for a term that ends on June 30, 2009; and one (1) member shall be appointed for a term that ends on June 30, 2013. Of the Attorney General's appointments, one (1) member shall be appointed for a term that ends on June 30, 2009; and one (1) member shall be appointed for a term that ends on June 30, 2011.

A member of the board serving before January 1, 2007, shall be eligible for reappointment to the reconstituted board unless the person is disqualified under subsection (4) of this section.

(2) At the expiration of the terms of the initial members, all members of the board shall be appointed by the Governor, in the same manner and from the same districts prescribed in subsection (1) of this section, for terms of six (6) years from the expiration of the previous term and thereafter until his or her successor is duly appointed. Vacancies in office shall be filled by appointment in the same manner as the appointment to the position that becomes vacant, subject to the advice and consent of the Senate at the next regular session of the Legislature. An appointment to fill a vacancy other than by expiration of a term of office shall be for the balance of the unexpired term and thereafter until his or her successor is duly appointed.

(3) The Lieutenant Governor may designate one (1) Senator and the Speaker of the House of Representatives may designate one (1) Representative to attend any meeting of the State Board of Health. The appointing authorities may designate alternate members from their respective houses to serve when the regular designees are unable to attend the meetings of the board. Those legislative designees shall have no jurisdiction or vote on any matter within the jurisdiction of the board. For attending meetings of the board, the legislators shall receive per diem and expenses, which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the board will be paid while the Legislature is in session. No per diem and expenses will be paid except for attending meetings of the board without prior approval of the proper committee in their respective houses.

(4) (a) All members of the State Board of Health shall file with the Mississippi Ethics Commission, before the first day of May each year, the statement of economic interest as required by Sections 25-4-25 through 25-4-29.

(b) No member of the board shall participate in any action by the board or department if that action could have any monetary effect on any business with which that member is associated, as defined in Section 25-4-103.

(c) When any matter in which a member may not participate comes before the board or department, that member must fully recuse himself or herself from the entire matter. The member shall avoid debating, discussing or taking action on the subject matter during official meetings or deliberations by leaving the meeting room before the matter comes before the board and by returning only after the discussion, vote or other action is completed. The member shall not discuss the matter with other members, department staff or any other person. Any minutes or other record of the meeting shall accurately reflect the recusal. If a member is uncertain whether recusal is required, the member shall follow the determination of the Mississippi Ethics Commission. The commission may delegate that determination to its executive director.

(d) Upon a determination by the board or by any court of competent jurisdiction that a member of the board has violated the provisions of this subsection (4) regarding recusal, the member shall be removed from office. Any member of the board who violates the provisions of this section regarding recusal also shall be subject to the penalties set forth in Sections 25-4-109 through 25-4-117. After removal from office, the member shall not be eligible for appointment to any agency, board or commission of the state for a period of two (2) years. Nothing in this section shall be construed to limit the restrictions codified in Section 25-4-105.

SECTION 2. Section 41-3-3, Mississippi Code of 1972, is reenacted as follows:

41-3-3. Each person appointed as a member of the State Board of Health shall immediately take the oath prescribed by Section 268 of the Constitution and file a certificate thereof in the Office of the Secretary of State. Thereupon a commission shall be issued to him under the terms as specified in Section 41-3-1.

SECTION 3. Section 41-3-4, Mississippi Code of 1972, is reenacted as follows:

41-3-4. (1) There shall be a Chairman and Vice Chairman of the State Board of Health elected by and from its membership at the first meeting of the board; and the chairman shall be the presiding officer of the board. The chairman shall always be a physician member of the board. The board shall adopt rules and regulations governing times and places for meetings, and governing the manner of conducting its business. The board shall meet not less frequently than once each quarter, and at such other times as determined to be necessary. The term of office of any member who does not attend three (3) consecutive regular meetings of the board shall be automatically terminated, and the position shall be considered as vacant, except in cases of the serious illness of a board member or of his or her immediate family member. All meetings of the board shall be called by the chairman or by a majority of the members of the board, except the first meeting of the initial members of the reconstituted board, which shall be called by the Governor.

(2) The members of the board shall receive no annual salary but shall receive per diem compensation as is authorized by law for each day devoted to the discharge of official board duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by Section 25-3-41.

SECTION 4. Section 41-3-5.1, Mississippi Code of 1972, is reenacted as follows:

41-3-5.1. The State Department of Health shall be headed by an executive officer who shall be appointed by the State Board of Health. The executive officer shall be either a physician who has earned a graduate degree in public health or health care administration, or a physician who in the opinion of the board is fitted and equipped to execute the duties incumbent upon him or her by law. The executive officer shall not engage in the private practice of medicine. The term of office of the executive officer shall be six (6) years, and the executive officer may be removed for cause by majority vote of the members of the board. The executive officer shall be subject to such rules and

regulations as may be prescribed by the State Board of Health. The executive officer shall be the State Health Officer with such authority and responsibility as is prescribed by law.

SECTION 5. Section 41-3-6, Mississippi Code of 1972, is reenacted as follows:

41-3-6. It shall be the duty of the State Board of Health to review the statutes of the State of Mississippi affecting public health and submit at least thirty (30) days prior to each regular session of the Legislature any proposed legislation as may be necessary to enhance the effective and efficient delivery of public health services and to bring existing statutes into compliance with modern technology and terminology. The board shall formulate a plan for consolidating and reorganizing existing state agencies having responsibilities in the field of public health to eliminate any needless duplication in services which may be found to exist. In carrying out the provisions of this section, the State Board of Health shall cooperate with and may utilize the services, facilities and personnel of any department or agency of the state, any private citizen task force and the committees on public health of both houses of the Legislature. The State Board of Health is authorized to apply for and expend funds made available to it by grant from any source in order to perform its responsibilities under this section.

SECTION 6. Section 41-3-15, Mississippi Code of 1972, is reenacted as follows:

41-3-15. (1) (a) There shall be a State Department of Health.

(b) The State Board of Health shall have the following powers and duties:

(i) To formulate the policy of the State Department of Health regarding public health matters within the jurisdiction of the department;

(ii) To adopt, modify, repeal and promulgate, after due notice and hearing, and enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction, and as the board may deem necessary;

(iii) To apply for, receive, accept and expend any federal or state funds or contributions, gifts, trusts, devises, bequests, grants, endowments or funds from any other source or transfers of property of any kind;

(iv) To enter into, and to authorize the executive officer to execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if it finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature;

(v) To appoint, upon recommendation of the Executive Officer of the State Department of Health, a Director of Internal Audit who shall be either a Certified Public Accountant or Certified Internal Auditor, and whose employment shall be continued at the discretion of the board, and who shall report directly to the board, or its designee; and

(vi) To discharge such other duties, responsibilities and powers as are necessary to implement the provisions of this chapter.

(c) The Executive Officer of the State Department of Health shall have the following powers and duties:

(i) To administer the policies of the State Board of Health within the authority granted by the board;

(ii) To supervise and direct all administrative and technical activities of the department, except that the department's internal auditor shall be subject to the sole supervision and direction of the board;

(iii) To organize the administrative units of the department in accordance with the plan adopted by the board and, with board approval, alter the organizational plan and reassign responsibilities as he or she may deem necessary to carry out the policies of the board;

(iv) To coordinate the activities of the various offices of the department;

(v) To employ, subject to regulations of the State Personnel Board, qualified professional personnel in the subject matter or fields of each office, and such other technical and clerical staff as may be required for the operation of the department. The executive officer shall be the appointing authority for the department, and shall have the power to delegate the authority to appoint or dismiss employees to appropriate subordinates, subject to the rules and regulations of the State Personnel Board;

(vi) To recommend to the board such studies and investigations as he or she may deem appropriate, and to carry out the approved recommendations in conjunction with the various offices;

(vii) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at such other times as may be required by the Legislature or Governor, a full report of the work of the department and the offices thereof, including a detailed statement of expenditures of the department and any recommendations the board may have;

(viii) To prepare and deliver to the Chairmen of the Public Health and Welfare/Human Services Committees of the Senate and House on or before January 1 of each year, a plan for monitoring infant mortality in Mississippi and a full report of the work of the department on reducing Mississippi's infant mortality and morbidity rates and improving the status of maternal and infant health; and

(ix) To enter into contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if he or she finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature. Each contract or agreement entered into by the executive officer shall be submitted to the board before its next meeting.

(2) The State Board of Health shall have the authority to establish an Office of Rural Health within the department. The duties and responsibilities of this office shall include the following:

(a) To collect and evaluate data on rural health conditions and needs;

(b) To engage in policy analysis, policy development and economic impact studies with regard to rural health issues;

(c) To develop and implement plans and provide technical assistance to enable community health systems to respond to various changes in their circumstances;

(d) To plan and assist in professional recruitment and retention of medical professionals and assistants; and

(e) To establish information clearinghouses to improve access to and sharing of rural health care information.

(3) The State Board of Health shall have general supervision of the health interests of the people of the state and to exercise the rights, powers and duties of those acts which it is authorized by law to enforce.

(4) The State Board of Health shall have authority:

(a) To make investigations and inquiries with respect to the causes of disease and death, and to investigate the effect of environment, including conditions of employment and other conditions that may affect health, and to make such other investigations as it may deem necessary for the preservation and improvement of health.

(b) To make such sanitary investigations as it may, from time to time, deem necessary for the protection and improvement of health and to investigate nuisance questions that affect the security of life and health within the state.

(c) To direct and control sanitary and quarantine measures for dealing with all diseases within the state possible to suppress same and prevent their spread.

(d) To obtain, collect and preserve such information relative to mortality, morbidity, disease and health as may be useful in the discharge of its duties or may contribute to the prevention of disease or the promotion of health in this state.

(e) To charge and collect reasonable fees for health services, including immunizations, inspections and related activities, and the board shall charge fees for those services; however, if it is determined that a person receiving services is unable to pay the total fee, the board shall collect any amount that the person is able to pay. Any increase in the fees charged by the board under this paragraph shall be in accordance with the provisions of Section 41-3-65.

(f) (i) To establish standards for, issue permits and exercise control over, any cafes, restaurants, food or drink stands, sandwich manufacturing establishments, and all other establishments, other than churches, church-related and private schools, and other nonprofit or charitable organizations, where food or drink is regularly prepared, handled and served for pay; and

(ii) To require that a permit be obtained from the Department of Health before those persons begin operation. If any such person fails to obtain the permit required in this subparagraph (ii), the State Board of Health, after due notice and opportunity for a hearing, may impose a monetary penalty not to exceed One Thousand Dollars (\$1,000.00) for each violation. However, the department is not authorized to impose a monetary penalty against any person whose gross annual prepared food sales are less than Five Thousand Dollars (\$5,000.00). Money collected by the board under this subparagraph (ii) shall be deposited to the credit of the State General Fund of the State Treasury.

(g) To promulgate rules and regulations and exercise control over the production and sale of milk pursuant to the provisions of Sections 75-31-41 through 75-31-49.

(h) On presentation of proper authority, to enter into and inspect any public place or building where the State Health Officer or his representative deems it necessary and proper to enter for the discovery and suppression of disease and for the enforcement of any health or sanitary laws and regulations in the state.

(i) To conduct investigations, inquiries and hearings, and to issue subpoenas for the attendance of witnesses and the production of books and records at any hearing when authorized and required by statute to be conducted by the State Health Officer or the State Board of Health.

(j) To promulgate rules and regulations, and to collect data and information, on (i) the delivery of services through the practice of telemedicine; and (ii) the use of electronic records for the delivery of telemedicine services.

(k) To enforce and regulate domestic and imported fish as authorized under Section 69-7-601 et seq.

(5) (a) The State Board of Health shall have the authority, in its discretion, to establish programs to promote the public health, to be administered by the State Department of Health. Specifically, those programs may include, but shall not be limited to, programs in the following areas:

- (i) Maternal and child health;
- (ii) Family planning;
- (iii) Pediatric services;
- (iv) Services to crippled and disabled children;
- (v) Control of communicable and noncommunicable disease;
- (vi) Chronic disease;
- (vii) Accidental deaths and injuries;
- (viii) Child care licensure;
- (ix) Radiological health;
- (x) Dental health;
- (xi) Milk sanitation;
- (xii) Occupational safety and health;
- (xiii) Food, vector control and general sanitation;
- (xiv) Protection of drinking water;
- (xv) Sanitation in food handling establishments open to the public;
- (xvi) Registration of births and deaths and other vital events;
- (xvii) Such public health programs and services as may be assigned to the State Board of Health by the Legislature or by executive order; and
- (xviii) Regulation of domestic and imported fish for human consumption.

(b) The State Board of Health and State Department of Health shall not be authorized to sell, transfer, alienate or otherwise dispose of any of the home health agencies owned and operated by the department on January 1, 1995, and shall not be

authorized to sell, transfer, assign, alienate or otherwise dispose of the license of any of those home health agencies, except upon the specific authorization of the Legislature by an amendment to this section. However, this paragraph (b) shall not prevent the board or the department from closing or terminating the operation of any home health agency owned and operated by the department, or closing or terminating any office, branch office or clinic of any such home health agency, or otherwise discontinuing the providing of home health services through any such home health agency, office, branch office or clinic, if the board first demonstrates that there are other providers of home health services in the area being served by the department's home health agency, office, branch office or clinic that will be able to provide adequate home health services to the residents of the area if the department's home health agency, office, branch office or clinic is closed or otherwise discontinues the providing of home health services. This demonstration by the board that there are other providers of adequate home health services in the area shall be spread at length upon the minutes of the board at a regular or special meeting of the board at least thirty (30) days before a home health agency, office, branch office or clinic is proposed to be closed or otherwise discontinue the providing of home health services.

(c) The State Department of Health may undertake such technical programs and activities as may be required for the support and operation of those programs, including maintaining physical, chemical, bacteriological and radiological laboratories, and may make such diagnostic tests for diseases and tests for the evaluation of health hazards as may be deemed necessary for the protection of the people of the state.

(6) (a) The State Board of Health shall administer the local governments and rural water systems improvements loan program in accordance with the provisions of Section 41-3-16.

(b) The State Board of Health shall have authority:

(i) To enter into capitalization grant agreements with the United States Environmental Protection Agency, or any successor agency thereto;

(ii) To accept capitalization grant awards made under the federal Safe Drinking Water Act, as amended;

(iii) To provide annual reports and audits to the United States Environmental Protection Agency, as may be required by federal capitalization grant agreements; and

(iv) To establish and collect fees to defray the reasonable costs of administering the revolving fund or emergency fund if the State Board of Health determines that those costs will exceed the limitations established in the federal Safe Drinking Water Act, as amended. The administration fees may be included in loan amounts to loan recipients for the purpose of facilitating payment to the board; however, those fees may not exceed five percent (5%) of the loan amount.

(7) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The department shall issue a license to Alexander Milne Home for Women, Inc., a 501(c)(3) nonprofit corporation, for the construction, conversion, expansion and operation of not more than forty-five (45) beds for developmentally disabled adults who have been displaced from New Orleans, Louisiana, with the beds to be located in a certified ICF-MR facility in the City of Laurel, Mississippi. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the license under this subsection (7). The license described in this subsection shall expire five (5) years from the date of its issue. The license authorized by this subsection shall be issued upon the initial payment by the licensee of an application fee of Sixty-seven Thousand Dollars (\$67,000.00) and a monthly fee of Sixty-seven Thousand Dollars (\$67,000.00) after the issuance of the license, to be paid as long as the licensee continues to operate. The initial and monthly

licensing fees shall be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(8) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to issue a license to an existing home health agency for the transfer of a county from that agency to another existing home health agency, and to charge a fee for reviewing and making a determination on the application for such transfer not to exceed one-half (1/2) of the authorized fee assessed for the original application for the home health agency, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(9) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: For the period beginning July 1, 2010, through July 1, 2017, the State Department of Health is authorized and empowered to assess a fee in addition to the fee prescribed in Section 41-7-188 for reviewing applications for certificates of need in an amount not to exceed twenty-five one-hundredths of one percent (.25 of 1%) of the amount of a proposed capital expenditure, but shall be not less than Two Hundred Fifty Dollars (\$250.00) regardless of the amount of the proposed capital expenditure, and the maximum additional fee permitted shall not exceed Fifty Thousand Dollars (\$50,000.00). Provided that the total assessments of fees for certificate of need applications under Section 41-7-188 and this section shall not exceed the actual cost of operating the certificate of need program.

(10) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to extend and renew any certificate of need that has expired, and to charge a fee for reviewing and making a determination on the application for such action not to exceed one-half (1/2) of the authorized fee assessed for the original application for the certificate of need, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(11) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to revoke, immediately, the license and require closure of any institution for the aged or infirm, including any other remedy less than closure to protect the health and safety of the residents of said institution or the health and safety of the general public.

(12) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to require the temporary detainment of individuals for disease control purposes based upon violation of any order of the State Health Officer, as provided in Section 41-23-5. For the purpose of enforcing such orders of the State Health Officer, persons employed by the department as investigators shall have general arrest powers. All law enforcement officers are authorized and directed to assist in the enforcement of such orders of the State Health Officer.

SECTION 7. Section 41-3-16, Mississippi Code of 1972, is reenacted as follows:

41-3-16. (1) (a) There is established a local governments and rural water systems improvements revolving loan and grant program to be administered by the State Department of Health, referred to in this section as "department," for the purpose of assisting counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, in making improvements to their water systems, including construction of new water systems or expansion or repair of existing water systems. Loan and grant proceeds may be used by the recipient for planning, professional services, acquisition of interests in land, acquisition

of personal property, construction, construction-related services, maintenance, and any other reasonable use which the board, in its discretion, may allow. For purposes of this section, "water systems" has the same meaning as the term "public water system" under Section 41-26-3.

(b) (i) There is created a board to be known as the "Local Governments and Rural Water Systems Improvements Board," referred to in this section as "board," to be composed of the following nine (9) members: the State Health Officer, or his designee, who shall serve as chairman of the board; the Executive Director of the Mississippi Development Authority, or his designee; the Executive Director of the Department of Environmental Quality, or his designee; the Executive Director of the Department of Finance and Administration, or his designee; the Executive Director of the Mississippi Association of Supervisors, or his designee; the Executive Director of the Mississippi Municipal League, or his designee; the Executive Director of the American Council of Engineering Companies of Mississippi, or his designee; the State Director of the United States Department of Agriculture, Rural Development, or his designee; and a manager of a rural water system.

The Governor shall appoint a manager of a rural water system from a list of candidates provided by the Executive Director of the Mississippi Rural Water Association. The Executive Director of the Mississippi Rural Water Association shall provide the Governor a list of candidates which shall contain a minimum of three (3) candidates for each appointment.

(ii) Nonappointed members of the board may designate another representative of their agency or association to serve as an alternate.

(iii) The gubernatorial appointee shall serve a term concurrent with the term of the Governor and until a successor is appointed and qualified. No member, officer or employee of the Board of Directors of the Mississippi Rural Water Association shall be eligible for appointment.

(c) The department, if requested by the board, shall furnish the board with facilities and staff as needed to administer this section. The department may contract, upon approval by the board, for those facilities and staff needed to administer this section, including routine management, as it deems necessary. The board may advertise for or solicit proposals from public or private sources, or both, for administration of this section or any services required for administration of this section or any portion thereof. It is the intent of the Legislature that the board endeavor to ensure that the costs of administration of this section are as low as possible in order to provide the water consumers of Mississippi safe drinking water at affordable prices.

(d) Members of the board may not receive any salary, compensation or per diem for the performance of their duties under this section.

(2) (a) There is created a special fund in the State Treasury to be designated as the "Local Governments and Rural Water Systems Improvements Revolving Loan Fund," referred to in this section as "revolving fund," which fund shall consist of those monies as provided in Sections 6 and 13 of Chapter 521, Laws of 1995. The revolving fund may receive appropriations, bond proceeds, grants, gifts, donations or funds from any source, public or private. Except as otherwise provided in this section, the revolving fund shall be credited with all repayments of principal and interest derived from loans made from the revolving fund. Except as otherwise provided in this section, the monies in the revolving fund may be expended only in amounts appropriated by the Legislature, and the different amounts specifically provided for the loan program and the grant program shall be so designated. Except as otherwise provided in this section, monies in the fund may only be expended for the grant program from the amount designated for such program. The revolving fund shall be maintained in perpetuity for the purposes established in this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Unexpended amounts

remaining in the revolving fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the revolving fund shall be deposited to the credit of the fund. Monies in the revolving fund may not be used or expended for any purpose except as authorized under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Any monies in the fund may be used to match any federal funds that are available for the same or related purposes for which funds are used and expended under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. Any federal funds shall be used and expended only in accordance with federal laws, rules and regulations governing the expenditure of those funds. No person shall use any monies from the revolving fund for the acquisition of real property or any interest in real property unless that property is integral to the project funded under this section and the purchase is made from a willing seller. No county, incorporated municipality or district shall acquire any real property or any interest in any real property for a project funded through the revolving fund by condemnation. The board's application of Sections 43-37-1 through 43-37-13 shall be no more stringent or extensive in scope, coverage and effect than federal property acquisition laws and regulations.

(b) There is created a special fund in the State Treasury to be designated as the "Local Governments and Rural Water Systems Emergency Loan Fund," hereinafter referred to as "emergency fund," which fund shall consist of those monies as provided in Sections 6 and 13 of Chapter 521, Laws of 1995. The emergency fund may receive appropriations, bond proceeds, grants, gifts, donations or funds from any source, public or private. Except as otherwise provided in this section, the emergency fund shall be credited with all repayments of principal and interest derived from loans made from the emergency fund. Except as otherwise provided in this section, the monies in the emergency fund may be expended only in amounts appropriated by the Legislature. The emergency fund shall be maintained in perpetuity for the purposes established in this section and Section 6 of Chapter 521, Laws of 1995. Unexpended amounts remaining in the emergency fund at the end of a fiscal year shall not lapse into the State General Fund. Any interest earned on amounts in the emergency fund shall be deposited to the credit of the fund. Monies in the emergency fund may not be used or expended for any purpose except as authorized under this section and Section 6 of Chapter 521, Laws of 1995.

(c) The board created in subsection (1) shall establish loan and grant programs by which loans and grants may be made available to counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, to assist those counties, incorporated municipalities, districts or water organizations in making water systems improvements, including the construction of new water systems or expansion or repair of existing water systems. Any entity eligible under this section may receive either a loan or a grant, or both. No grant awarded under the program established in this section may be made using funds from the loan program. Grants may be awarded only when the Legislature specifically appropriates funds for that particular purpose. The interest rate on those loans may vary from time to time and from loan to loan, and will be at or below market interest rates as determined by the board. The board shall act as quickly as is practicable and prudent in deciding on any loan request that it receives. Loans from the revolving fund or emergency fund may be made to counties, incorporated municipalities, districts or other water organizations that have been granted tax-exempt status under either federal or state law, as set forth in a loan agreement in amounts not to exceed one hundred percent (100%) of eligible project costs as established by the board. The board may require county, municipal, district or other water organization participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund or the emergency fund. The board may establish a maximum amount for any loan from the revolving fund or emergency fund in order to provide for broad and equitable participation in the programs.

(d) A county that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the homestead exemption annual tax loss reimbursement to which it may be entitled under Section 27-33-77, as may be

required to meet the repayment schedule contained in the loan agreement. An incorporated municipality that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the sales tax revenue distribution to which it may be entitled under Section 27-65-75, as may be required to meet the repayment schedule contained in the loan agreement. All recipients of such loans shall establish a dedicated source of revenue for repayment of the loan. Before any county or incorporated municipality shall receive any loan, it shall have executed with the Department of Revenue and the board a loan agreement evidencing that loan. The loan agreement shall not be construed to prohibit any recipient from prepaying any part or all of the funds received. The repayment schedule in each loan agreement shall provide for (i) monthly payments, (ii) semiannual payments, or (iii) other periodic payments, the annual total of which shall not exceed the annual total for any other year of the loan by more than fifteen percent (15%). Except as otherwise provided in subsection (4) of this section, the loan agreement shall provide for the repayment of all funds received from the revolving fund within not more than fifteen (15) years or a term as otherwise allowed by the federal Safe Drinking Water Act, and all funds received from the emergency fund within not more than five (5) years from the date of project completion, and any repayment shall commence not later than one (1) year after project completion. The Department of Revenue shall withhold semiannually from counties and monthly from incorporated municipalities from the amount to be remitted to the county or municipality, a sum equal to the next repayment as provided in the loan agreement.

(e) Any county, incorporated municipality, district or other water organization desiring to construct a project approved by the board which receives a loan from the state for that purpose but which is not eligible to pledge for repayment under the provisions of paragraph (d) of this subsection shall repay that loan by making payments each month to the State Treasurer through the Department of Finance and Administration for and on behalf of the board according to Section 7-7-15, to be credited to either the revolving fund or the emergency fund, whichever is appropriate, in lieu of pledging homestead exemption annual tax loss reimbursement or sales tax revenue distribution.

Loan repayments shall be according to a repayment schedule contained in each loan agreement as provided in paragraph (d) of this subsection.

(f) Any district created pursuant to Sections 19-5-151 through 19-5-207 that receives a loan from the revolving fund or the emergency fund shall pledge for repayment of the loan any part of the revenues received by that district pursuant to Sections 19-5-151 through 19-5-207, as may be required to meet the repayment schedule contained in the loan agreement.

(g) The State Auditor, upon request of the board, shall audit the receipts and expenditures of a county, an incorporated municipality, district or other water organization whose loan repayments appear to be in arrears, and if the Auditor finds that the county, incorporated municipality, district or other water organization is in arrears in those repayments, the Auditor shall immediately notify the chairman of the board who may take any action as may be necessary to enforce the terms of the loan agreement, including liquidation and enforcement of the security given for repayment of the loan, and the Executive Director of the Department of Finance and Administration who shall withhold all future payments to the county of homestead exemption annual tax loss reimbursements under Section 27-33-77 and all sums allocated to the county or the incorporated municipality under Section 27-65-75 until such time as the county or the incorporated municipality is again current in its loan repayments as certified by the board.

(h) Except as otherwise provided in this section, all monies deposited in the revolving fund or the emergency fund, including loan repayments and interest earned on those repayments, shall be used only for providing loans or other financial assistance to water systems as the board deems appropriate. In addition, any amounts in the revolving fund or the emergency fund may be used to defray the reasonable costs of administering the revolving fund or the emergency fund and conducting activities under this section and

Sections 6 through 20 of Chapter 521, Laws of 1995, subject to any limitations established in the federal Safe Drinking Water Act, as amended and subject to annual appropriation by the Legislature. The department is authorized, upon approval by the board, to use amounts available to it from the revolving fund or the emergency fund to contract for those facilities and staff needed to administer and provide routine management for the funds and loan program. However, notwithstanding any other provision of law to the contrary, all or any portion of repayments of principal and interest derived from the fund uses described in this section may be designated or pledged for repayment of a loan as provided for in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(3) In administering this section and Sections 6 through 20 of Chapter 521, Laws of 1995, the board created in subsection (1) of this section shall have the following powers and duties:

(a) To supervise the use of all funds made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for local governments and rural water systems improvements;

(b) To promulgate rules and regulations, to make variances and exceptions thereto, and to establish procedures in accordance with this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for the implementation of the local governments and rural water systems improvements revolving loan program;

(c) To require, at the board's discretion, any loan or grant recipient to impose a per connection fee or surcharge or amended water rate schedule or tariff on each customer or any class of customers, benefiting from an improvement financed by a loan or grant made under this section, for repayment of any loan funds provided under this section and Sections 6 through 20 of Chapter 521, Laws of 1995. The board may require any loan or grant recipient to undergo a water system viability analysis and may require a loan or grant recipient to implement any result of the viability analysis. If the loan recipient fails to implement any result of a viability analysis as required by the board, the board may impose a monetary penalty or increase the interest rate on the loan, or both. If the grant recipient fails to implement any result of a viability analysis as required by the board, the board may impose a monetary penalty on the grant;

(d) To review and certify all projects for which funds are authorized to be made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, for local governments and rural water systems improvements;

(e) To requisition monies in the Local Governments and Rural Water Systems Improvements Revolving Loan Fund and the Local Governments and Rural Water Systems Emergency Loan Fund and distribute those monies on a project-by-project basis in accordance with this section;

(f) To ensure that the funds made available under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, to a county, an incorporated municipality, a district or a water organization that has been granted tax-exempt status under either federal or state law provide for a distribution of projects and funds among the entities under a priority system established by the board;

(g) To maintain in accordance with generally accepted government accounting standards an accurate record of all monies in the revolving fund and the emergency fund made available to counties, incorporated municipalities, districts or other water organizations under this section and Sections 6 through 20 of Chapter 521, Laws of 1995, and the costs for each project;

(h) To establish policies, procedures and requirements concerning viability and financial capability to repay loans that may be used in approving loans available under

this section, including a requirement that all loan recipients have a rate structure which will be sufficient to cover the costs of operation, maintenance, major equipment replacement and repayment of any loans made under this section; and

(i) To file annually with the Legislature a report detailing how monies in the Local Governments and Rural Water Systems Improvements Revolving Loan Fund and the Local Governments and Rural Water Systems Emergency Loan Fund were spent during the preceding fiscal year in each county, incorporated municipality, district or other water organization, the number of projects approved and constructed, and the cost of each project.

For efficient and effective administration of the loan program, revolving fund and emergency fund, the board may authorize the department or the State Health Officer to carry out any or all of the powers and duties enumerated above.

(4) The board may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to incorporated municipalities, districts or other water organizations located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

SECTION 8. Section 41-3-17, Mississippi Code of 1972, is reenacted as follows:

41-3-17. The State Board of Health is authorized to make and publish all reasonable rules and regulations necessary to enable it to discharge its duties and powers and to carry out the purposes and objectives of its creation. It is further authorized to make reasonable sanitary rules and regulations, to be enforced in the several counties by the county health officer under the supervision and control of the State Board of Health. The State Board of Health shall not make or enforce any rule or regulation that prohibits consumers from providing their own containers for the purpose of purchasing or accepting water from any vending machine or device which filters or treats water that has already been tested and determined to meet or exceed the minimum health protection standards prescribed for drinking water under the Mississippi Safe Drinking Water Law, if that vending machine or device meets or exceeds United States Environmental Protection Agency or national automatic merchandising standards.

SECTION 9. Section 41-3-18, Mississippi Code of 1972, is reenacted as follows:

41-3-18. (1) The board shall assess fees in the following amounts and for the following purposes:

(a) Food establishment annual permit fee, based on the assessment factors of the establishment as follows:

Assessment Category 1	\$ 30.00
Assessment Category 2	100.00
Assessment Category 3	150.00
Assessment Category 4	200.00

(b) Private water supply approval fee..... \$ 10.00

The board may develop such reasonable standards, rules and regulations to clearly define each assessment category. Assessment categories shall be based upon the factors to the public health implications of the category and type of food preparation being utilized by the food establishment, utilizing the model Food Code of 1995, or as may be amended by the federal Food and Drug Administration.

Any increase in the fees charged by the board under this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) The fee authorized under subsection (1)(a) of this section shall not be assessed for:

(a) Food establishments operated by public schools, public junior and community colleges, or state agencies or institutions, including, without limitation, the state institutions of higher learning and the State Penitentiary; and

(b) Persons who make infrequent casual sales of honey and who pack or sell less than five hundred (500) gallons of honey per year, and those persons shall not be inspected by the State Department of Health unless requested by the producer.

(3) The fee authorized under subsection (1)(b) of this section shall not be assessed for private water supplies used by foster homes licensed by the Department of Human Services.

SECTION 10. Section 41-3-19, Mississippi Code of 1972, is reenacted as follows:

41-3-19. It is the duty of the State Board of Health to make a report, in writing, to the Governor, on or before the first day of December next preceding each session, not an extraordinary session of the Legislature, upon the sanitary condition, prospect, and needs of the state, setting forth the action of said board, of its officers and agents, the names thereof, and all its expenditures since the last preceding report, and such other matters as it may deem proper for the promotion of health or the prevention of disease. The report shall be laid before the Legislature by the Governor at its ensuing term.

SECTION 11. Section 41-3-20, Mississippi Code of 1972, is amended as follows:

41-3-20. Sections 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 and 41-3-19, which create the * * * State Board of Health, establish the position of Executive Officer of the State Department of Health and establish the State Department of Health and prescribe its powers and duties, shall stand repealed on July 1, * * * 2024.

SECTION 12. Section 41-7-191, Mississippi Code of 1972, is amended as follows:

41-7-191. (1) No person shall engage in any of the following activities without obtaining the required certificate of need:

(a) The construction, development or other establishment of a new health care facility, which establishment shall include the reopening of a health care facility that has ceased to operate for a period of sixty (60) months or more;

(b) The relocation of a health care facility or portion thereof, or major medical equipment, unless such relocation of a health care facility or portion thereof, or major medical equipment, which does not involve a capital expenditure by or on behalf of a health care facility, is within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility;

(c) Any change in the existing bed complement of any health care facility through the addition or conversion of any beds or the alteration, modernizing or refurbishing of any unit or department in which the beds may be located; however, if a health care facility has voluntarily delicensed some of its existing bed complement, it may later relicense some or all of its delicensed beds without the necessity of having to acquire a certificate of need. The State Department of Health shall maintain a record of the delicensing health care facility and its voluntarily delicensed beds and continue counting those beds as part of the state's total bed count for health care planning purposes. If a health care facility that has voluntarily delicensed some of its beds later desires to relicense some or all of its voluntarily delicensed beds, it shall notify the State Department of Health of its intent to increase the number of its licensed beds. The State Department of Health shall survey the health care facility within thirty (30) days of that notice and, if appropriate, issue the health care facility a new license reflecting the new contingent of beds. However, in no event may a health care facility that has voluntarily delicensed some of its beds be reissued a license to operate beds in excess of its bed count before the voluntary delicensure of some of its beds without seeking certificate of need approval;

(d) Offering of the following health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered:

(i) Open-heart surgery services;

- (ii) Cardiac catheterization services;
 - (iii) Comprehensive inpatient rehabilitation services;
 - (iv) Licensed psychiatric services;
 - (v) Licensed chemical dependency services;
 - (vi) Radiation therapy services;
 - (vii) Diagnostic imaging services of an invasive nature, i.e. invasive digital angiography;
 - (viii) Nursing home care as defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h);
 - (ix) Home health services;
 - (x) Swing-bed services;
 - (xi) Ambulatory surgical services;
 - (xii) Magnetic resonance imaging services;
 - (xiii) [Deleted]
 - (xiv) Long-term care hospital services;
 - (xv) Positron emission tomography (PET) services;
- (e) The relocation of one or more health services from one physical facility or site to another physical facility or site, unless such relocation, which does not involve a capital expenditure by or on behalf of a health care facility, (i) is to a physical facility or site within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility where the health care service is located, or (ii) is the result of an order of a court of appropriate jurisdiction or a result of pending litigation in such court, or by order of the State Department of Health, or by order of any other agency or legal entity of the state, the federal government, or any political subdivision of either, whose order is also approved by the State Department of Health;
- (f) The acquisition or otherwise control of any major medical equipment for the provision of medical services; however, (i) the acquisition of any major medical equipment used only for research purposes, and (ii) the acquisition of major medical equipment to replace medical equipment for which a facility is already providing medical services and for which the State Department of Health has been notified before the date of such acquisition shall be exempt from this paragraph; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;
- (g) Changes of ownership of existing health care facilities in which a notice of intent is not filed with the State Department of Health at least thirty (30) days prior to the date such change of ownership occurs, or a change in services or bed capacity as prescribed in paragraph (c) or (d) of this subsection as a result of the change of ownership; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;
- (h) The change of ownership of any health care facility defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h), in which a notice of intent as described in paragraph (g) has not been filed and if the Executive Director, Division of Medicaid, Office of the Governor, has not certified in writing that there will be no increase in allowable costs to Medicaid from revaluation of the assets or from increased interest and depreciation as a result of the proposed change of ownership;
- (i) Any activity described in paragraphs (a) through (h) if undertaken by any person if that same activity would require certificate of need approval if undertaken by a health care facility;
- (j) Any capital expenditure or deferred capital expenditure by or on behalf of a health care facility not covered by paragraphs (a) through (h);
- (k) The contracting of a health care facility as defined in subparagraphs (i) through (viii) of Section 41-7-173(h) to establish a home office, subunit, or branch office in the space operated as a health care facility through a formal arrangement with an existing health care facility as defined in subparagraph (ix) of Section 41-7-173(h);
- (l) The replacement or relocation of a health care facility designated as a critical access hospital shall be exempt from subsection (1) of this section so long as the critical access hospital complies with all applicable federal law and regulations regarding such replacement or relocation;

(m) Reopening a health care facility that has ceased to operate for a period of sixty (60) months or more, which reopening requires a certificate of need for the establishment of a new health care facility.

(2) The State Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to, or expansion of any health care facility defined in subparagraphs (iv) (skilled nursing facility) and (vi) (intermediate care facility) of Section 41-7-173(h) or the conversion of vacant hospital beds to provide skilled or intermediate nursing home care, except as hereinafter authorized:

(a) The department may issue a certificate of need to any person proposing the new construction of any health care facility defined in subparagraphs (iv) and (vi) of Section 41-7-173(h) as part of a life care retirement facility, in any county bordering on the Gulf of Mexico in which is located a National Aeronautics and Space Administration facility, not to exceed forty (40) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the health care facility that were authorized under this paragraph (a).

(b) The department may issue certificates of need in Harrison County to provide skilled nursing home care for Alzheimer's disease patients and other patients, not to exceed one hundred fifty (150) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facilities that were authorized under this paragraph (b).

(c) The department may issue a certificate of need for the addition to or expansion of any skilled nursing facility that is part of an existing continuing care retirement community located in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (c), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of beds that may be authorized under the authority of this paragraph (c) shall not exceed sixty (60) beds.

(d) The State Department of Health may issue a certificate of need to any hospital located in DeSoto County for the new construction of a skilled nursing facility, not to exceed one hundred twenty (120) beds, in DeSoto County. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (d).

(e) The State Department of Health may issue a certificate of need for the construction of a nursing facility or the conversion of beds to nursing facility beds at a personal care facility for the elderly in Lowndes County that is owned and operated by a Mississippi nonprofit corporation, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (e).

(f) The State Department of Health may issue a certificate of need for conversion of a county hospital facility in Itawamba County to a nursing facility, not to

exceed sixty (60) beds, including any necessary construction, renovation or expansion. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (f).

(g) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hinds, Madison or Rankin County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (g).

(h) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hancock, Harrison or Jackson County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the facility that were authorized under this paragraph (h).

(i) The department may issue a certificate of need for the new construction of a skilled nursing facility in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (i), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (i) shall not exceed sixty (60) beds. If the skilled nursing facility authorized by the certificate of need issued under this paragraph is not constructed and fully operational within eighteen (18) months after July 1, 1994, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need, if it is still outstanding, and shall not issue a license for the skilled nursing facility at any time after the expiration of the eighteen-month period.

(j) The department may issue certificates of need to allow any existing freestanding long-term care facility in Tishomingo County and Hancock County that on July 1, 1995, is licensed with fewer than sixty (60) beds. For the purposes of this paragraph (j), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the long-term care facilities that were authorized under this paragraph (j).

(k) The department may issue a certificate of need for the construction of a nursing facility at a continuing care retirement community in Lowndes County. The total number of beds that may be authorized under the authority of this paragraph (k) shall not exceed sixty (60) beds. From and after July 1, 2001, the prohibition on the facility participating in the Medicaid program (Section 43-13-101 et seq.) that was a condition of issuance of the certificate of need under this paragraph (k) shall be revised as follows: The nursing facility may participate in the Medicaid program from and after

July 1, 2001, if the owner of the facility on July 1, 2001, agrees in writing that no more than thirty (30) of the beds at the facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than thirty (30) patients in the facility in any month or for any patient in the facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the facility shall be a condition of licensure of the facility, and the agreement shall be fully binding on any subsequent owner of the facility if the ownership of the facility is transferred at any time after July 1, 2001. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the facility for participation in the Medicaid program. If the facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the written agreement.

(l) Provided that funds are specifically appropriated therefor by the Legislature, the department may issue a certificate of need to a rehabilitation hospital in Hinds County for the construction of a sixty-bed long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities including persons with spinal cord and closed-head injuries and ventilator dependent patients. The provisions of Section 41-7-193(1) regarding substantial compliance with projection of need as reported in the current State Health Plan are waived for the purpose of this paragraph.

(m) The State Department of Health may issue a certificate of need to a county-owned hospital in the Second Judicial District of Panola County for the conversion of not more than seventy-two (72) hospital beds to nursing facility beds, provided that the recipient of the certificate of need agrees in writing that none of the beds at the nursing facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement in the nursing facility in any day or for any patient in the nursing facility. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the nursing facility if the ownership of the nursing facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify any of the beds in the nursing facility for participation in the Medicaid program. If the nursing facility violates the terms of the written agreement by admitting or keeping in the nursing facility on a regular or continuing basis any patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the nursing facility, at the time that the department determines, after a hearing complying with due process, that the nursing facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(n) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the

certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (n), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (n) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(o) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (o), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (o) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(p) The department may issue a certificate of need for the construction of a municipally owned nursing facility within the Town of Belmont in Tishomingo County, not to exceed sixty (60) beds, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (p), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(q) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next four (4) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each county in the state having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, in the manner provided in this paragraph (q). The total number of nursing facility beds that may be authorized by any certificate of need authorized under this paragraph (q) shall not exceed sixty (60) beds.

(ii) Subject to the provisions of subparagraph (v), during each of the next four (4) fiscal years, the department shall issue six (6) certificates of need for new nursing facility beds, as follows: During fiscal years 2000, 2001 and 2002, one (1) certificate of need shall be issued for new nursing facility beds in the county in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan that has the highest need in the district for those beds; and two (2) certificates of need shall be issued for new nursing facility beds in the two (2) counties from the state at large that have the highest need in the state for those beds, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. During fiscal year 2003, one (1) certificate of need shall be issued for new nursing facility beds in any county having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, that has not received a certificate of need under this paragraph (q) during the three (3) previous fiscal years. During fiscal year 2000, in addition to the six (6) certificates of need authorized in this subparagraph, the department also shall issue a certificate of need for new nursing facility beds in Amite County and a certificate of need for new nursing facility beds in Carroll County.

(iii) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in each Long-Term Care

Planning District during each fiscal year shall first be available for nursing facility beds in the county in the district having the highest need for those beds, as shown in the fiscal year 1999 State Health Plan. If there are no applications for a certificate of need for nursing facility beds in the county having the highest need for those beds by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties in the district in descending order of the need for those beds, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county in the district.

(iv) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in the two (2) counties from the state at large during each fiscal year shall first be available for nursing facility beds in the two (2) counties that have the highest need in the state for those beds, as shown in the fiscal year 1999 State Health Plan, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. If there are no applications for a certificate of need for nursing facility beds in either of the two (2) counties having the highest need for those beds on a statewide basis by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties from the state at large in descending order of the need for those beds on a statewide basis, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county from the state at large.

(v) If a certificate of need is authorized to be issued under this paragraph (q) for nursing facility beds in a county on the basis of the need in the Long-Term Care Planning District during any fiscal year of the four-year period, a certificate of need shall not also be available under this paragraph (q) for additional nursing facility beds in that county on the basis of the need in the state at large, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in the state at large for that fiscal year. After a certificate of need has been issued under this paragraph (q) for nursing facility beds in a county during any fiscal year of the four-year period, a certificate of need shall not be available again under this paragraph (q) for additional nursing facility beds in that county during the four-year period, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in succeeding fiscal years.

(vi) If more than one (1) application is made for a certificate of need for nursing home facility beds available under this paragraph (q), in Yalobusha, Newton or Tallahatchie County, and one (1) of the applicants is a county-owned hospital located in the county where the nursing facility beds are available, the department shall give priority to the county-owned hospital in granting the certificate of need if the following conditions are met:

1. The county-owned hospital fully meets all applicable criteria and standards required to obtain a certificate of need for the nursing facility beds; and

2. The county-owned hospital's qualifications for the certificate of need, as shown in its application and as determined by the department, are at least equal to the qualifications of the other applicants for the certificate of need.

(r) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next two (2) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan, to provide care exclusively to patients with Alzheimer's disease.

(ii) Not more than twenty (20) beds may be authorized by any certificate of need issued under this paragraph (r), and not more than a total of sixty (60) beds may be authorized in any Long-Term Care Planning District by all certificates of need issued under this paragraph (r). However, the total number of beds that may be authorized by all certificates of need issued under this paragraph (r) during any fiscal year shall not exceed one hundred twenty (120) beds, and the total number of beds that may be authorized in any Long-Term Care Planning District during any fiscal year shall not exceed forty (40) beds. Of the certificates of need that are issued for each

Long-Term Care Planning District during the next two (2) fiscal years, at least one (1) shall be issued for beds in the northern part of the district, at least one (1) shall be issued for beds in the central part of the district, and at least one (1) shall be issued for beds in the southern part of the district.

(iii) The State Department of Health, in consultation with the Department of Mental Health and the Division of Medicaid, shall develop and prescribe the staffing levels, space requirements and other standards and requirements that must be met with regard to the nursing facility beds authorized under this paragraph (r) to provide care exclusively to patients with Alzheimer's disease.

(s) The State Department of Health may issue a certificate of need to a nonprofit skilled nursing facility using the Green House model of skilled nursing care and located in Yazoo City, Yazoo County, Mississippi, for the construction, expansion or conversion of not more than nineteen (19) nursing facility beds. For purposes of this paragraph (s), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this paragraph (s).

(t) The State Department of Health shall issue certificates of need to the owner of a nursing facility in operation at the time of Hurricane Katrina in Hancock County that was not operational on December 31, 2005, because of damage sustained from Hurricane Katrina to authorize the following: (i) the construction of a new nursing facility in Harrison County; (ii) the relocation of forty-nine (49) nursing facility beds from the Hancock County facility to the new Harrison County facility; (iii) the establishment of not more than twenty (20) non-Medicaid nursing facility beds at the Hancock County facility; and (iv) the establishment of not more than twenty (20) non-Medicaid beds at the new Harrison County facility. The certificates of need that authorize the non-Medicaid nursing facility beds under subparagraphs (iii) and (iv) of this paragraph (t) shall be subject to the following conditions: The owner of the Hancock County facility and the new Harrison County facility must agree in writing that no more than fifty (50) of the beds at the Hancock County facility and no more than forty-nine (49) of the beds at the Harrison County facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than fifty (50) patients in the Hancock County facility in any month, or for more than forty-nine (49) patients in the Harrison County facility in any month, or for any patient in either facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the nursing facilities shall be a condition of the issuance of the certificates of need under this paragraph (t), and the agreement shall be fully binding on any later owner or owners of either facility if the ownership of either facility is transferred at any time after the certificates of need are issued. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifty (50) of the beds at the Hancock County facility or more than forty-nine (49) of the beds at the Harrison County facility for participation in the Medicaid program. If the Hancock County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifty (50) patients who are participating in the Medicaid program, or if the Harrison County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than forty-nine (49) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility that is in violation of the agreement, at the time that the department determines, after a hearing complying with due process, that the facility has violated the agreement.

(u) The State Department of Health shall issue a certificate of need to a nonprofit venture for the establishment, construction and operation of a skilled nursing facility of not more than sixty (60) beds to provide skilled nursing care for ventilator dependent or otherwise medically dependent pediatric patients who require medical and nursing care or rehabilitation services to be located in a county in which an academic medical center and a children's hospital are located, and for any construction and for the acquisition of equipment related to those beds. The facility shall be authorized to keep

such ventilator dependent or otherwise medically dependent pediatric patients beyond age twenty-one (21) in accordance with regulations of the State Board of Health. For purposes of this paragraph (u), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived, and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. The beds authorized by this paragraph shall be counted as pediatric skilled nursing facility beds for health planning purposes under Section 41-7-171 et seq. There shall be no prohibition of or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized by this paragraph.

(3) The State Department of Health may grant approval for and issue certificates of need to any person proposing the new construction of, addition to, conversion of beds of or expansion of any health care facility defined in subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h). The total number of beds which may be authorized by such certificates of need shall not exceed three hundred thirty-four (334) beds for the entire state.

(a) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a privately owned psychiatric residential treatment facility in Simpson County for the conversion of sixteen (16) intermediate care facility for the mentally retarded (ICF-MR) beds to psychiatric residential treatment facility beds, provided that facility agrees in writing that the facility shall give priority for the use of those sixteen (16) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(b) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric residential treatment facility beds in Warren County, not to exceed sixty (60) psychiatric residential treatment facility beds, provided that the facility agrees in writing that no more than thirty (30) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.) for the use of any patients other than those who are participating only in the Medicaid program of another state, and that no claim will be submitted to the Division of Medicaid for Medicaid reimbursement for more than thirty (30) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program for the use of any patients other than those who are participating only in the Medicaid program of another state. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Mississippi Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

The State Department of Health, on or before July 1, 2002, shall transfer the certificate of need authorized under the authority of this paragraph (b), or reissue the certificate of need if it has expired, to River Region Health System.

(c) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a hospital currently operating Medicaid-certified acute psychiatric beds for adolescents in DeSoto County, for the establishment of a forty-bed psychiatric residential treatment facility in DeSoto County, provided that the hospital agrees in writing (i) that the hospital shall give priority for the use of those forty (40) beds to Mississippi residents who are presently being treated in

out-of-state facilities, and (ii) that no more than fifteen (15) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement for more than fifteen (15) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifteen (15) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifteen (15) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

(d) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric treatment facility beds, not to exceed thirty (30) psychiatric residential treatment facility beds, in either Alcorn, Tishomingo, Prentiss, Lee, Itawamba, Monroe, Chickasaw, Pontotoc, Calhoun, Lafayette, Union, Benton or Tippah County.

(e) Of the total number of beds authorized under this subsection (3) the department shall issue a certificate of need to a privately owned, nonprofit psychiatric residential treatment facility in Hinds County for an eight-bed expansion of the facility, provided that the facility agrees in writing that the facility shall give priority for the use of those eight (8) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(f) The department shall issue a certificate of need to a one-hundred-thirty-four-bed specialty hospital located on twenty-nine and forty-four one-hundredths (29.44) commercial acres at 5900 Highway 39 North in Meridian (Lauderdale County), Mississippi, for the addition, construction or expansion of child/adolescent psychiatric residential treatment facility beds in Lauderdale County. As a condition of issuance of the certificate of need under this paragraph, the facility shall give priority in admissions to the child/adolescent psychiatric residential treatment facility beds authorized under this paragraph to patients who otherwise would require out-of-state placement. The Division of Medicaid, in conjunction with the Department of Human Services, shall furnish the facility a list of all out-of-state patients on a quarterly basis. Furthermore, notice shall also be provided to the parent, custodial parent or guardian of each out-of-state patient notifying them of the priority status granted by this paragraph. For purposes of this paragraph, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of child/adolescent psychiatric residential treatment facility beds that may be authorized under the authority of this paragraph shall be sixty (60) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this paragraph or for the beds converted pursuant to the authority of that certificate of need.

(4) (a) From and after * * * passage of this act, the department * * * may issue a certificate of need to any person for the new construction of any hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the conversion of any other health care facility to a hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds * * *. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person(s) receiving the

certificate(s) of need authorized under this paragraph (a) or for the beds converted pursuant to the authority of that certificate of need. In issuing any new certificate of need for any child/adolescent psychiatric or child/adolescent chemical dependency beds, either by new construction or conversion of beds of another category, the department shall give preference to beds which will be located in an area of the state which does not have such beds located in it, and to a location more than sixty-five (65) miles from existing beds. Upon receiving 2020 census data, the department may amend the State Health Plan regarding child/adolescent psychiatric and child/adolescent chemical dependency beds to reflect the need based on new census data.

(i) * * * [Deleted]

(ii) The department may issue a certificate of need for the conversion of existing beds in a county hospital in Choctaw County from acute care beds to child/adolescent chemical dependency beds. For purposes of this subparagraph (ii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(iii) The department may issue a certificate or certificates of need for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in Warren County. For purposes of this subparagraph (iii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

If by January 1, 2002, there has been no significant commencement of construction of the beds authorized under this subparagraph (iii), or no significant action taken to convert existing beds to the beds authorized under this subparagraph, then the certificate of need that was previously issued under this subparagraph shall expire. If the previously issued certificate of need expires, the department may accept applications for issuance of another certificate of need for the beds authorized under this subparagraph, and may issue a certificate of need to authorize the construction, expansion or conversion of the beds authorized under this subparagraph.

(iv) The department shall issue a certificate of need to the Region 7 Mental Health/Retardation Commission for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in any of the counties served by the commission. For purposes of this subparagraph (iv), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(v) The department may issue a certificate of need to any county hospital located in Leflore County for the construction or expansion of adult psychiatric beds or the conversion of other beds to adult psychiatric beds, not to exceed twenty (20) beds, provided that the recipient of the certificate of need agrees in writing that the adult psychiatric beds will not at any time be certified for participation in the Medicaid program and that the hospital will not admit or keep any patients who are participating in the Medicaid program in any of such adult psychiatric beds. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital if the ownership of the hospital is transferred at any time after the issuance of the certificate of need. Agreement that the adult psychiatric beds will not be certified for

participation in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subparagraph (v), and if such hospital at any time after the issuance of the certificate of need, regardless of the ownership of the hospital, has any of such adult psychiatric beds certified for participation in the Medicaid program or admits or keeps any Medicaid patients in such adult psychiatric beds, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital at the time that the department determines, after a hearing complying with due process, that the hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph and in the written agreement by the recipient of the certificate of need.

(vi) The department may issue a certificate or certificates of need for the expansion of child psychiatric beds or the conversion of other beds to child psychiatric beds at the University of Mississippi Medical Center. For purposes of this subparagraph (vi), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed fifteen (15) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(b) From and after July 1, 1990, no hospital, psychiatric hospital or chemical dependency hospital shall be authorized to add any child/adolescent psychiatric or child/adolescent chemical dependency beds or convert any beds of another category to child/adolescent psychiatric or child/adolescent chemical dependency beds without a certificate of need under the authority of subsection (1)(c) and subsection (4)(a) of this section.

(5) The department may issue a certificate of need to a county hospital in Winston County for the conversion of fifteen (15) acute care beds to geriatric psychiatric care beds.

(6) The State Department of Health shall issue a certificate of need to a Mississippi corporation qualified to manage a long-term care hospital as defined in Section 41-7-173(h)(xii) in Harrison County, not to exceed eighty (80) beds, including any necessary renovation or construction required for licensure and certification, provided that the recipient of the certificate of need agrees in writing that the long-term care hospital will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the long-term care hospital who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the long-term care hospital, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the long-term care hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subsection (6), and if such long-term care hospital at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the long-term care hospital, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subsection and in the written agreement by the recipient of the certificate of need. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(7) The State Department of Health may issue a certificate of need to any hospital in the state to utilize a portion of its beds for the "swing-bed" concept. Any such hospital must be in conformance with the federal regulations regarding such swing-bed concept at the time it submits its application for a certificate of need to the State Department of Health, except that such hospital may have more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal

regulations for participation in the swing-bed program. Any hospital meeting all federal requirements for participation in the swing-bed program which receives such certificate of need shall render services provided under the swing-bed concept to any patient eligible for Medicare (Title XVIII of the Social Security Act) who is certified by a physician to be in need of such services, and no such hospital shall permit any patient who is eligible for both Medicaid and Medicare or eligible only for Medicaid to stay in the swing beds of the hospital for more than thirty (30) days per admission unless the hospital receives prior approval for such patient from the Division of Medicaid, Office of the Governor. Any hospital having more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program which receives such certificate of need shall develop a procedure to insure that before a patient is allowed to stay in the swing beds of the hospital, there are no vacant nursing home beds available for that patient located within a fifty-mile radius of the hospital. When any such hospital has a patient staying in the swing beds of the hospital and the hospital receives notice from a nursing home located within such radius that there is a vacant bed available for that patient, the hospital shall transfer the patient to the nursing home within a reasonable time after receipt of the notice. Any hospital which is subject to the requirements of the two (2) preceding sentences of this subsection may be suspended from participation in the swing-bed program for a reasonable period of time by the State Department of Health if the department, after a hearing complying with due process, determines that the hospital has failed to comply with any of those requirements.

(8) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to or expansion of a health care facility as defined in subparagraph (viii) of Section 41-7-173(h), except as hereinafter provided: The department may issue a certificate of need to a nonprofit corporation located in Madison County, Mississippi, for the construction, expansion or conversion of not more than twenty (20) beds in a community living program for developmentally disabled adults in a facility as defined in subparagraph (viii) of Section 41-7-173(h). For purposes of this subsection (8), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this subsection (8).

(9) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the establishment of, or expansion of the currently approved territory of, or the contracting to establish a home office, subunit or branch office within the space operated as a health care facility as defined in Section 41-7-173(h)(i) through (viii) by a health care facility as defined in subparagraph (ix) of Section 41-7-173(h).

(10) Health care facilities owned and/or operated by the state or its agencies are exempt from the restraints in this section against issuance of a certificate of need if such addition or expansion consists of repairing or renovation necessary to comply with the state licensure law. This exception shall not apply to the new construction of any building by such state facility. This exception shall not apply to any health care facilities owned and/or operated by counties, municipalities, districts, unincorporated areas, other defined persons, or any combination thereof.

(11) The new construction, renovation or expansion of or addition to any health care facility defined in subparagraph (ii) (psychiatric hospital), subparagraph (iv) (skilled nursing facility), subparagraph (vi) (intermediate care facility), subparagraph (viii) (intermediate care facility for the mentally retarded) and subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h) which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, and the addition of new beds or the conversion of beds from one category to another in any such defined health care facility which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(12) The new construction, renovation or expansion of or addition to any veterans homes or domiciliaries for eligible veterans of the State of Mississippi as authorized under Section 35-1-19 shall not require the issuance of a certificate of need, notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(13) The repair or the rebuilding of an existing, operating health care facility that sustained significant damage from a natural disaster that occurred after April 15, 2014, in an area that is proclaimed a disaster area or subject to a state of emergency by the Governor or by the President of the United States shall be exempt from all of the requirements of the Mississippi Certificate of Need Law (Section 41-7-171 et seq.) and any and all rules and regulations promulgated under that law, subject to the following conditions:

(a) The repair or the rebuilding of any such damaged health care facility must be within one (1) mile of the pre-disaster location of the campus of the damaged health care facility, except that any temporary post-disaster health care facility operating location may be within five (5) miles of the pre-disaster location of the damaged health care facility;

(b) The repair or the rebuilding of the damaged health care facility (i) does not increase or change the complement of its bed capacity that it had before the Governor's or the President's proclamation, (ii) does not increase or change its levels and types of health care services that it provided before the Governor's or the President's proclamation, and (iii) does not rebuild in a different county; however, this paragraph does not restrict or prevent a health care facility from decreasing its bed capacity that it had before the Governor's or the President's proclamation, or from decreasing the levels of or decreasing or eliminating the types of health care services that it provided before the Governor's or the President's proclamation, when the damaged health care facility is repaired or rebuilt;

(c) The exemption from Certificate of Need Law provided under this subsection (13) is valid for only five (5) years from the date of the Governor's or the President's proclamation. If actual construction has not begun within that five-year period, the exemption provided under this subsection is inapplicable; and

(d) The Division of Health Facilities Licensure and Certification of the State Department of Health shall provide the same oversight for the repair or the rebuilding of the damaged health care facility that it provides to all health care facility construction projects in the state.

For the purposes of this subsection (13), "significant damage" to a health care facility means damage to the health care facility requiring an expenditure of at least One Million Dollars (\$1,000,000.00).

(14) The State Department of Health shall issue a certificate of need to any hospital which is currently licensed for two hundred fifty (250) or more acute care beds and is located in any general hospital service area not having a comprehensive cancer center, for the establishment and equipping of such a center which provides facilities and services for outpatient radiation oncology therapy, outpatient medical oncology therapy, and appropriate support services including the provision of radiation therapy services. The provisions of Section 41-7-193(1) regarding substantial compliance with the projection of need as reported in the current State Health Plan are waived for the purpose of this subsection.

(15) The State Department of Health may authorize the transfer of hospital beds, not to exceed sixty (60) beds, from the North Panola Community Hospital to the South Panola Community Hospital. The authorization for the transfer of those beds shall be exempt from the certificate of need review process.

(16) The State Department of Health shall issue any certificates of need necessary for Mississippi State University and a public or private health care provider to jointly acquire and operate a linear accelerator and a magnetic resonance imaging unit. Those certificates of need shall cover all capital expenditures related to the project between Mississippi State University and the health care provider, including, but not limited to, the acquisition of the linear accelerator, the magnetic resonance imaging unit and other radiological modalities; the offering of linear accelerator and magnetic resonance imaging services; and the cost of construction of facilities in which to locate these services. The linear accelerator and the magnetic resonance imaging unit shall

be (a) located in the City of Starkville, Oktibbeha County, Mississippi; (b) operated jointly by Mississippi State University and the public or private health care provider selected by Mississippi State University through a request for proposals (RFP) process in which Mississippi State University selects, and the Board of Trustees of State Institutions of Higher Learning approves, the health care provider that makes the best overall proposal; (c) available to Mississippi State University for research purposes two-thirds (2/3) of the time that the linear accelerator and magnetic resonance imaging unit are operational; and (d) available to the public or private health care provider selected by Mississippi State University and approved by the Board of Trustees of State Institutions of Higher Learning one-third (1/3) of the time for clinical, diagnostic and treatment purposes. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(17) The State Department of Health shall issue a certificate of need for the construction of an acute care hospital in Kemper County, not to exceed twenty-five (25) beds, which shall be named the "John C. Stennis Memorial Hospital." In issuing the certificate of need under this subsection, the department shall give priority to a hospital located in Lauderdale County that has two hundred fifteen (215) beds. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person or entity receiving the certificate of need authorized under this subsection or for the beds constructed under the authority of that certificate of need.

(18) The planning, design, construction, renovation, addition, furnishing and equipping of a clinical research unit at any health care facility defined in Section 41-7-173(h) that is under the direction and control of the University of Mississippi Medical Center and located in Jackson, Mississippi, and the addition of new beds or the conversion of beds from one (1) category to another in any such clinical research unit, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(19) [Repealed]

(20) Nothing in this section or in any other provision of Section 41-7-171 et seq. shall prevent any nursing facility from designating an appropriate number of existing beds in the facility as beds for providing care exclusively to patients with Alzheimer's disease.

(21) Nothing in this section or any other provision of Section 41-7-171 et seq. shall prevent any health care facility from the new construction, renovation, conversion or expansion of new beds in the facility designated as intensive care units, negative pressure rooms, or isolation rooms pursuant to the provisions of Sections 41-14-1 through 41-14-11. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived.

SECTION 13. On or before December 1, 2021, each existing health care facility with child/adolescent psychiatric or child/adolescent chemical dependency beds shall file with the Mississippi Department of Health, the Mississippi Department of Mental Health and the Coordinator of Mental Health Accessibility a description of their plan to help their patients remain in noninstitutional settings when practical. This plan may include coordination with the community mental health centers and other providers. The plan need not be detailed or lengthy, but it shall set forth efforts to ensure the facility is coordinating with other entities.

SECTION 14. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH, AND ESTABLISH AND PRESCRIBE THE POWERS AND DUTIES OF THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED STATUTES; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE MORATORIUM ON THE AUTHORITY OF THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OR CONVERSION OF CHILD/ADOLESCENT PSYCHIATRIC OR CHEMICAL DEPENDENCY BEDS PARTICIPATING IN THE MEDICAID PROGRAM AND TO DELETE CERTAIN RESTRICTIONS ON MEDICAID REIMBURSEMENT FOR SUCH BEDS AND TO PLACE CERTAIN STANDARDS ON THE DEPARTMENT IN ISSUING SUCH CERTIFICATES; TO SET FORTH STATE POLICY REGARDING THE TREATMENT OF CERTAIN MENTAL HEALTH PATIENTS; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 160 was adopted.

YEAS AND NAYS On H. B. No. 160. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Bryan entered a motion to reconsider the vote whereby **H. B. No. 95** passed the Senate as amended.

H. B. No. 95: Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks.

Senator Bryan called up the motion to reconsider the vote whereby **H. B. No. 95** passed the Senate as amended and moved that it be reconsidered:

The foregoing motion prevailed.

Senator Bryan moved to reconsider the vote whereby Committee Amendment No. 1 as amended to **H. B. No. 95** was adopted by the Senate.

The foregoing motion prevailed.

Senator Bryan moved to reconsider the vote whereby Amendment No. 1 to Committee Amendment No. 1 to **H. B. No. 95** was adopted by the Senate.

The foregoing motion prevailed.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-17-11, Mississippi Code of 1972, is amended as follows:

73-17-11. (1) From and after July 1, 2011, in order to be eligible to be licensed as a nursing home administrator, an individual must submit evidence satisfactory to the board that he or she:

- (a) Is at least twenty-one (21) years of age;
- (b) Is of good moral character, including evidence of a criminal background check within the last six (6) months, under Section 43-11-13 and Section G.407.3 of the Minimum Standards for Institutions for the Aged or Infirm;
- (c) Is in good health;
- (d) Has satisfied at least one (1) of the following requirements for education and experience:
 - (i) Has sixty-four (64) hours of college work from an accredited institution and has worked in a supervisory capacity in a Mississippi-licensed nursing home for a minimum of two (2) years immediately before making application for the Administrator-in-Training Program established by board rule;
 - (ii) Has an associate degree from an accredited institution and has worked in a supervisory capacity in a Mississippi-licensed nursing home for a minimum of two (2) years immediately before making application for the Administrator-in-Training Program established by board rule;
 - (iii) Has a bachelor's degree in any other field of study from an accredited institution before making application for the Administrator-in-Training Program established by board rule; or
 - (iv) Has a bachelor's degree in health care administration or a health care related field or business from an accredited institution before making application for the Administrator-in-Training Program established by board rule;
- (e) Has (i) completed a nursing home Administrator-in-Training Program and successfully completed the National Association of Long-Term Care Administrator Board (NAB) examination, or (ii) completed an Administrator-in-Training Program in Long-Term Care Administration from an academic institution during which time the institution held National Association of Long-Term Care Administrator Board (NAB) Program Approval through the academic approval process, to the satisfaction of the board;
- (f) Has successfully passed the National Association of Long-Term Care Administrator Board (NAB) examination and the Mississippi State Board of Nursing Home Administrators examination to test his or her proficiency and basic knowledge in the area of nursing home administration. The board may establish the frequency of the offering of those examinations and the contents thereof; and

(g) Has met all of the requirements established by federal law.

(2) The board is authorized to conduct a criminal history records check on applicants for licensure. In order to determine the applicant's suitability for licensing, the applicant shall be fingerprinted. The board shall submit the fingerprints to the Department of Public Safety for a check of the state criminal records and forward to the Federal Bureau of Investigation for a check of the national criminal records. The Department of Public Safety shall disseminate the results of the state check and the national check to the board for a suitability determination. The applicant shall not be charged any of the costs of requesting and obtaining the state and national criminal history records information on the applicant.

(**3) Reciprocity shall be extended to individuals holding licenses as nursing home administrators in other states, upon proper application and a finding on the part of the board that:

(a) The applicant possesses the basic qualifications listed in this chapter and in the rules and regulations adopted under federal law;

(b) The applicant has met all of the requirements established by federal law;
and

(c) The standards for licensure in the other states are at least the substantial equivalent of those in this state, including education and experience, and the applicant has passed both the National Association of Long-Term Care Administrator Board (NAB) and the state exams.

The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

(**4) The board may prescribe appropriate fees for the taking of those examinations and for the issuance of licenses. Those fees shall be not more than the cost of the examinations and Five Hundred Dollars (\$500.00) for the issuance of a license. However, the fee for an initial license may be prorated in proportion to the period of time from the date of issuance and the date of biennial license renewal prescribed in subsection (4). All licenses issued under this chapter shall be for a maximum period of two (2) years.

(**5) Except as provided in Section 33-1-39, the board may renew licenses biennially upon the payment of a fee to be established by the board, which shall be not more than Five Hundred Dollars (\$500.00), plus any administrative costs for late payment.

(**6) Any person who is not licensed under this chapter on July 1, 2011, who makes application with the board on or before June 30, 2012, may qualify for a license under this chapter provided that on or before January 31, 2014, he or she demonstrates to the satisfaction of the board that he or she (a) meets the eligibility requirements for a nursing home administrator's license prescribed in this section as those requirements existed on June 30, 2011; (b) has successfully completed the Administrator-in-Training Program requirements existing on June 30, 2011; and (c) has paid all required fees for licensure.

(**7) Current licensure by the Department of Mental Health under Section 41-4-7(r) as a mental health/intellectual disability program administrator shall exempt the licensee from the requirement of licensure as a nursing home administrator if the licensee is employed in the state mental health system as Administrator of Intermediate Care Facility or Facilities for Persons with Intellectual Disabilities (ICF/ID) no larger than sixteen (16) beds.

* * *

Any member of the Legislature who serves on the Public Health and/or Medicaid Committee who is a licensed administrator shall be exempt from continuous education.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-17-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF NURSING HOME ADMINISTRATORS TO CONDUCT CRIMINAL HISTORY RECORDS CHECKS ON APPLICANTS FOR LICENSURE; TO PROVIDE THAT THE APPLICANT SHALL NOT BE CHARGED ANY OF THE COSTS OF OBTAINING THAT INFORMATION; TO DELETE THE DATE OF THE REPEALER ON THE LICENSURE REQUIREMENTS FOR NURSING HOME ADMINISTRATORS; AND FOR RELATED PURPOSES.

Senator Bryan offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking the sentence beginning on line 67 through line 70 and substituting in lieu thereof the following:

"The Board may charge and collect from the applicant or licensee, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history records information on the applicant or licensee."

FURTHER, AMEND on line 99 by deleting "Five Hundred Dollars (\$500.00)" and substituting in lieu thereof "Six Hundred Dollars (\$600.00)"

FURTHER, AMEND the title amendment to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 95 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 95 was adopted.

YEAS AND NAYS On H. B. No. 95. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Polk called up the following entitled bill:

H. B. No. 1231: Mississippi Outdoor Stewardship Trust Fund; create.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purposes of this act, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Board" means the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund.

(b) "Conservation land" means land and water, or interests therein, that are in their undeveloped, natural states or that have been developed only to the extent consistent with, or are restored to be consistent with, at least one (1) of the following environmental values or conservation benefits:

(i) Water quality protection for wetlands, rivers, streams or lakes;

(ii) Protection of wildlife habitat;

(iii) Protection of cultural sites and archeological and historic resources;

(iv) Protection of land around Mississippi's military installations to ensure that missions are compatible with surrounding communities and that encroachment on military installations does not impair future missions;

(v) Provision for recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking or shooting facilities, or similar outdoor activities; or

(vi) Recruiting or retention of recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking or shooting facilities, or similar outdoor activities.

(c) "Permanently protected conservation areas" means those resources:

(i) Owned by the federal government and dedicated for recreation or conservation or as a natural resource;

(ii) Owned by the State of Mississippi and dedicated for recreation or conservation or as a natural resource; or

(iii) Owned by a state, county or municipal unit of government or authority and subject to:

1. A conservation easement ensuring that the property will be maintained in a manner consistent with conservation land; or

2. Contractual arrangements ensuring that if the protected status is discontinued on a parcel, such property will be replaced by other conservation

land which at the time of such replacement is of equal or greater monetary and resource protection value.

(d) "Project proposal" means any application seeking monies from the Mississippi Outdoor Stewardship Trust Fund.

(e) "State agency" means any agency, department, commission or institution of the State of Mississippi.

SECTION 2. (1) (a) There is created in the State Treasury a special fund to be designated as the "Mississippi Outdoor Stewardship Trust Fund." The special fund shall consist of funds appropriated by the Legislature. Funds shall be accounted for in such a manner to be termed unobligated funds or obligated funds. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund; however, any unobligated monies in excess of Twenty Million Dollars (\$20,000,000.00) remaining in the fund at the end of a fiscal year that have not been appropriated shall lapse into the State General Fund. Monies in the fund may be used by the Department of Finance and Administration upon appropriation by the Legislature. The Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund may make recommendation to the Legislature, for the purpose of providing assistance to counties, municipalities and state agencies, as provided in this act. The board may use not more than one percent (1%) of monies in the special fund to defray the expenses of the board in carrying out its duties under this act.

(b) Subject to the provisions of this subsection (1), monies in the fund may be used and expended as appropriated by the Legislature for grants to counties, municipalities and state agencies for:

(i) Improvement of state park outdoor recreation features and trails;

(ii) Providing funds to counties and municipalities to acquire and improve parks and trails under the control and within the jurisdiction of such counties and municipalities;

(iii) Restoration or enhancement projects to create or improve access to public waters and lands for public outdoor recreation, conservation education, use or safe enjoyment of permanently protected conservation land;

(iv) Restoration or enhancement of wetlands, native forests, native grasslands and other unique habitats important for Mississippi's fish and wildlife; and

(v) Acquisition of critical areas for the provision or protection of clean water, wildlife, hunting or fishing, for military installation buffering, or for natural resource-based outdoor recreation. Real property may only be acquired under this subparagraph (v) where such property:

1. Is, at the time of acquisition, being leased by the state as a wildlife management area;

2. Adjoins or is in close proximity to state or federal wildlife management areas or state parks, or would provide better public access to such areas;

3. Is identified in any wildlife action plan developed by a state agency;

4. Constitutes riparian lands so as to protect any drinking water supply; or

5. Surrounds any military base or military installation.

Acquisition of land under this subparagraph (v) may not be made through the exercise of any power of eminent domain or condemnation proceeding.

(c) Unless otherwise authorized by the board, a county, municipality or state agency that receives funds for a project under this section must expend the funds for the project within two (2) years after receipt of the funds in order to be eligible to apply for additional funds for the project under this section. If a county, municipality or state agency receiving funds for a project does not expend the funds within two (2) years after receipt of the funds, then the county, municipality or state agency must provide an accounting of such unused funds and the reason for failure to expend the funds.

(d) A county, municipality or state agency receiving funds under this section may use the funds for purposes for which the funds were provided to the county, municipality or state agency.

(e) Monies in the special fund may not be used, expended or transferred for any other purpose other than authorized under this act.

(2) (a) The board shall accept applications from counties, municipalities and state agencies for project proposals eligible for funding under this section. The board shall evaluate the proposals received in accordance with this section and pursuant to priorities established by the board.

(b) (i) A county, municipality or state agency desiring assistance under this section must submit a complete application to the board. The application must include a description of the purpose for which assistance is requested, the type and amount of assistance requested and any other information required by the board.

(ii) The board shall review an application for assistance and determine whether the applicant is eligible for assistance under this section and whether the applicant should receive assistance under this section. In reviewing applications, the board shall give increased priority to projects:

1. That leverage or match other nonfederal and/or federal funds which are available for similar purposes;

2. That support and promote hunting, fishing and provision for recreation in the form of archery, boating, hiking, camping, fishing, hunting, running, jogging, biking, walking or shooting facilities, or similar outdoor activities;

3. That contribute to improving the quality and quantity of surface water and ground water;

4. That contribute to achieving the goals and objectives of local, state, regional and national conservation or outdoor recreational plans.

(c) If the board determines that an applicant should receive assistance, then the board shall prepare a recommendation for assistance. A recommendation for assistance shall provide the purpose for which the assistance is to be provided, the type of assistance to be provided, the amount of assistance to be provided, and any other information determined necessary by the board. The board shall provide its recommendation for assistance to the Legislature, which may appropriate funds from the Mississippi Outdoor Stewardship Trust Fund for the purpose of providing the assistance.

SECTION 3. (1) (a) There is established the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, which shall consist of twelve (12) members as follows:

- (i) The State Forester, who is an ex officio nonvoting member;
- (ii) The Executive Director of the Mississippi Soil and Water Conservation Commission, who is an ex officio nonvoting member;
- (iii) The Executive Director of the Mississippi Department of Marine Resources, who is an ex officio nonvoting member;
- (iv) The Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, who is an ex officio nonvoting member;
- (v) The Commissioner of Agriculture and Commerce, who is an ex officio nonvoting member
- (vi) Four (4) members appointed by the Governor; and
- (vii) Three (3) members appointed by the Lieutenant Governor.

This board shall not approve any funding to a county, municipality or state agency whereby a voting member of this board is an executive, other employee or is a voting member of a governing board with such county, municipality or state agency.

The members of the board appointed by the Governor and Lieutenant Governor shall be appointed from the following private sectors: forestry, conservation, agriculture, marine resources, hunting or fishing. Such members shall be and shall remain Mississippi residents during their tenure on the board and shall possess a demonstrated knowledge of and commitment to land conservation and outdoor recreation.

(b) (i) One (1) person initially appointed by the Governor and two (2) persons initially appointed by the Lieutenant Governor shall serve for a term ending June 30, 2024; and (ii) one (1) person initially appointed by the Governor and two (2) persons initially appointed by the Lieutenant Governor shall serve for a term ending June 30, 2025.

After the expiration of the initial terms, all such appointments shall be for terms of four (4) years from the expiration of the previous term.

(c) A majority of the voting members of the board shall constitute a quorum for the conduct of meetings and all actions of the board shall require a majority vote of the voting members of the board.

(d) The board shall annually elect one (1) member to serve as chairman of the board and one (1) member to serve as vice chairman of the board. The vice chairman shall act as chairman in the absence of or upon the disability of the chairman or if there is a vacancy in the office of chairman.

(2) The members of the board appointed by the Governor and Lieutenant Governor shall receive a per diem as provided in Section 25-3-69, plus travel and necessary expenses incidental to the attendance at each meeting of the board, including mileage, as provided in Section 25-3-41.

(3) No member of the board shall use his official position to obtain, or attempt to obtain, pecuniary benefit for himself other than that compensation provided for by law, or to obtain, or attempt to obtain, pecuniary benefit for any relative or any business with which he is associated, as provided in Section 25-4-105.

(4) The Department of Finance and Administration shall provide the office space, staff and other support necessary for the board to perform its duties.

(5) Following the close of each state fiscal year, the board shall submit an annual report of its activities for the preceding state fiscal year pursuant to this act to the Governor, Lieutenant Governor, Speaker of the House of Representatives, Chairman of the Ways and Means Committee of the House of Representatives, Chairman of the Senate Finance Committee, Chairman of the Appropriations Committee of the House of Representatives and Chairman of the Appropriations Committee of the Senate.

SECTION 4. The board shall have all powers necessary to implement and administer Sections 1 through 3 of this act, and the board shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this act.

SECTION 5. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE THAT MONIES IN THE SPECIAL FUND SHALL BE USED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION AS APPROPRIATED BY THE LEGISLATURE; TO ALLOW THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND TO MAKE RECOMMENDATIONS TO THE LEGISLATURE FOR THE PURPOSES OF PROVIDING ASSISTANCE TO COUNTIES, MUNICIPALITIES AND STATE AGENCIES FOR THE SUPPORT OF WILDLIFE, NATURE AND OTHER OUTDOOR ACTIVITY CONSERVATION AND PROMOTION PURPOSES; TO CREATE THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE FOR THE COMPOSITION OF THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL REVIEW APPLICATIONS FOR ASSISTANCE UNDER THIS ACT AND MAKE RECOMMENDATIONS FOR ASSISTANCE TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1231 was adopted.

YEAS AND NAYS On H. B. No. 1231. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Blackwell called up the following entitled bill:

H. B. No. 1008: Medicaid; make technical amendments to services, manage care and assessment provisions.

Senator Blackwell offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-13-117, Mississippi Code of 1972, is amended as follows:

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

* * *

(* * *a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(* * *b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division may give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make *** partial payment in an amount not less than fifty percent (50%) of the per diem rate, as determined by the division, to nursing facilities for each day, not exceeding *** thirty-five (35) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the *** thirty-five-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. For the purposes of establishing a facility's per diem rate, the division may *** adjust the *** case mix for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(***d) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(***e) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of

Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician *** services. *** Fees for physician's services that are covered only by Medicaid shall be *** reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the *** division, for certain primary care services *** at one hundred percent (100%) of the rate established under Medicare. *** The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as *** determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall

develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents (\$7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as * * * determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents (\$3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division may allow certain drugs, implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

* * *

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

This dental services program under this paragraph shall be known as the "James Russell Dumas Medicaid Dental Services Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make * * * partial payment in an amount not less than fifty percent (50%) of the per diem rate, as determined by the division, to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding * * * seventy (70) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the * * * seventy-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

* * *

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services. * * * Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ACSS) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

* * *

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another * * * mental health service provider meeting the requirements of the

Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health, or (d) provided by a mental health service provider accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), the Commission on Accreditation of Rehabilitation Facilities (CARF), or the Council on Accreditation (COA) Agencies. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, *** nursing facilities, *** physicians employed or contracted by *** hospitals, and emergency ambulance transportation providers. ***

(ii) The division shall assess each hospital ***, *** nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility *** and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). *** In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer *** or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

*** (iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals ***, *** nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians, shall make additional reimbursement for

physicians, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. Further, the division, in consultation with the Mississippi Hospital Association and a governmental hospital located in a county bordering the Gulf of Mexico and the State of Alabama shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. Any such documents required to achieve the goals described in this paragraph shall be submitted to the Centers for Medicare and Medicaid Services, with a proposed effective date of July 1, 2019, to the extent possible, but in no event shall the effective date of such payment models be later than July 1, 2020. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy of the proposed payment model(s) prior to submission. Effective July 1, 2018, and until such time as any payment model(s) as described above become effective, the division, in consultation with the Mississippi Hospital Association and a governmental hospital located in a county bordering the Gulf of Mexico and the State of Alabama is authorized to implement a transitional program for inpatient and outpatient payments and/or supplemental payments (including, but not limited to, MHAP and directed payments), to redistribute available supplemental funds among hospital providers, provided that when compared to a hospital's prior year supplemental payments, supplemental payments made pursuant to any such transitional program shall not result in a decrease of more than five percent (5%) and shall not increase by more than the amount needed to maximize the distribution of the available funds.

(c) (i) Not later than December 1, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject * * * to approval by the Centers for Medicare and Medicaid Services (CMS) * * *, the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide * * * services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)). The State Department of Health as the agency for PHRM/ISS for the Division of Medicaid shall be reimbursed on a full reasonable cost basis for services provided under this subparagraph (a).

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department,

provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services * * * as determined by the division.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons * * * as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars (\$700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare, as determined by the division. * * *

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust

Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waived program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division *** may establish copayments and/or coinsurance for *** any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic

end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(60) Bariatric surgery as determined by the division and as allowed by federal law and regulation.

(61) The division is authorized and directed to provide up to twelve (12) months of continuous coverage postpartum for any individual who qualifies for Medicaid coverage under this section as a pregnant woman, to the extent allowable under federal law and as determined by the division. It is the intent of the Legislature that the division shall reduce the application time and simplify application procedures for pregnant women applying for Medicaid coverage postpartum. Not later than July 1, 2022, the division or its designee shall develop a report to the Legislature evaluating the effectiveness of extending Medicaid coverage for pregnant women from sixty (60) days postpartum to three hundred sixty-five (365) days postpartum.

(B) * * * [Deleted]

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) [Deleted]

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

(1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;

(2) Reducing reimbursement rates for any or all service types to the extent allowed under federal law to first include the administrative fee portion of capitated payments to organizations described in subsection (H)(1) of this section before enacting reimbursement rate reductions for health care providers;

(3) Imposing additional assessments on health care providers; or

(4) Any additional cost-containment measures deemed appropriate by the Governor.

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in * * * accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. * * * As a condition for the approval of any program under this subsection (H)(1), the division shall require that no managed care program may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. However, the division may approve use of alternative payment models, including quality and value-based payment arrangements, provided both parties, the health care provider and the organization described in this subsection (H)(1), mutually agree and the Division of Medicaid approves of said models. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program;

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers. * * *

All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall implement a Level of Care Guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid managed care program authorized under this subsection (H) shall include only those categories of recipients eligible for participation in the Medicaid managed care program as of January 1, 2019, and the Children's Health Insurance Program (CHIP), CMS approved Section 1115 demonstration waivers in operation as of January 1, 2021, and a demonstration waiver to extend postpartum coverage for pregnant women up to twelve (12) months or a period of time as may otherwise be authorized under this article. No expansion of Medicaid managed care program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature. * * *

* * *

(3) (a) Any contractors * * * receiving capitated payments under a managed care * * * delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee and/or * * * independent third * * * parties.

(c) Those * * * reviews shall * * * include, but not be limited to, at least two (2) of the following items * * *:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers, * * *

(iii) Compliance with performance measures required under the contracts,

(iv) Administrative expense allocation methodologies,

(v) Whether nonprovider payments assigned as medical expenses are appropriate,

(vi) Capitated arrangements with related party subcontractors,

- (vii) Reasonableness of corporate allocations,
- (viii) Value-added benefits and the extent to which they are used,
- (ix) The effectiveness of subcontractor oversight, including subcontractor review,
- (x) Whether *** health care outcomes *** have been improved, and
- (xi) The most common claim denial codes to determine the reasons for the denials.

*** The audit reports shall be considered *** public documents and shall be posted in *** their entirety on the division's website.

(4) *** [Deleted]

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) Not later than July 1, 2022, any contractors receiving capitated payments under a managed care delivery system established in this section shall develop and implement a uniform credentialing process by which all providers will be credentialed. If the provisions of this subsection are not met by July 1, 2022, the division shall establish a uniform credentialing or screening process, and no health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers to be credentialed by the organization in order to receive reimbursement from the organization, but those organizations shall recognize the credentialing or screening of the providers by the division.

(7) It is the intent of the Legislature that the division evaluate the feasibility of continuing to administer pharmacy benefits under the fee-for-service delivery system.

(8) It is the intent of the Legislature that the division evaluate the feasibility of utilizing a single vendor to administer dental benefits provided under a managed care delivery system established in this section.

(9) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(I) [Deleted]

(J) *** [Deleted]

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(***L) This section shall stand repealed on July 1, *** 2022.

SECTION 2. Section 43-13-145, Mississippi Code of 1972, is amended as follows:

43-13-145. (1) (a) Upon each nursing facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A nursing facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government; or

(ii) The State Veterans Affairs Board * * *.

* * *

(2) (a) Upon each intermediate care facility for individuals with intellectual disabilities licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) An intermediate care facility for individuals with intellectual disabilities is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The State Veterans Affairs Board; or

(iii) The University of Mississippi Medical Center.

(3) (a) Upon each psychiatric residential treatment facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A psychiatric residential treatment facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The University of Mississippi Medical Center; or

(iii) A state agency or a state facility that either provides its own state match through intergovernmental transfer or certification of funds to the division.

(4) Hospital assessment.

(a) (i) Subject to and upon fulfillment of the requirements and conditions of paragraph (f) below, and notwithstanding any other provisions of this section, * * * an annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing the sum prescribed in this subparagraph (i), plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and Medicare Upper Payment Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-13-117(A)(18), by

the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals, except as provided in paragraph (d) below. If the state-matching funds percentage for the Mississippi Medicaid program is sixteen percent (16%) or less, the sum used in the formula under this subparagraph (i) shall be Seventy-four Million Dollars (\$74,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is twenty-four percent (24%) or higher, the sum used in the formula under this subparagraph (i) shall be One Hundred Four Million Dollars (\$104,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is between sixteen percent (16%) and twenty-four percent (24%), the sum used in the formula under this subparagraph (i) shall be a pro rata amount determined as follows: the current state-matching funds percentage rate minus sixteen percent (16%) divided by eight percent (8%) multiplied by Thirty Million Dollars (\$30,000,000.00) and add that amount to Seventy-four Million Dollars (\$74,000,000.00). However, no assessment in a quarter under this subparagraph (i) may exceed the assessment in the previous quarter by more than Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000.00) (which would be Fifteen Million Dollars (\$15,000,000.00) on an annualized basis). The division shall publish the state-matching funds percentage rate applicable to the Mississippi Medicaid program on the tenth day of the first month of each quarter and the assessment determined under the formula prescribed above shall be applicable in the quarter following any adjustment in that state-matching funds percentage rate. The division shall notify each hospital licensed in the state as to any projected increases or decreases in the assessment determined under this subparagraph (i). However, if the Centers for Medicare and Medicaid Services (CMS) does not approve the provision in Section 43-13-117(39) requiring the division to reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B for dually eligible beneficiaries in the same manner that was in effect on January 1, 2008, the sum that otherwise would have been used in the formula under this subparagraph (i) shall be reduced by Seven Million Dollars (\$7,000,000.00).

(ii) In addition to the assessment provided under subparagraph (i), *** an additional annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing twenty-five percent (25%) of any provider reductions in the Medicaid program as authorized in Section 43-13-117(F) for that fiscal year up to the following maximum amount, plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and inpatient Medicare Upper Payment Limits (UPL) Program payments and inpatient hospital access payments, by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals: in fiscal year 2010, the maximum amount shall be Twenty-four Million Dollars (\$24,000,000.00); in fiscal year 2011, the maximum amount shall be Thirty-two Million Dollars (\$32,000,000.00); and in fiscal year 2012 and thereafter, the maximum amount shall be Forty Million Dollars (\$40,000,000.00). Any such deficit in the Medicaid program shall be reviewed by the PEER Committee as provided in Section 43-13-117(F).

(iii) In addition to the assessments provided in subparagraphs (i) and (ii), *** an additional annual assessment on each hospital licensed in the state is imposed pursuant to the provisions of Section 43-13-117(F) if the cost-containment measures described therein have been implemented and there are insufficient funds in the Health Care Trust Fund to reconcile any remaining deficit in any fiscal year. If the Governor institutes any other additional cost-containment measures on any program or programs authorized under the Medicaid program pursuant to Section 43-13-117(F), hospitals shall be responsible for twenty-five percent (25%) of any such additional imposed provider cuts, which shall be in the form of an additional assessment not to exceed the twenty-five percent (25%) of provider expenditure reductions. Such additional assessment shall be imposed on each non-Medicare hospital inpatient day in the same manner as assessments are imposed under subparagraphs (i) and (ii).

(b) *** Definitions.

(i) * * * [Deleted]

(ii) * * * For purposes of this subsection (4):

1. "Non-Medicare hospital inpatient day" means total hospital inpatient days including subcomponent days less Medicare inpatient days including subcomponent days from the hospital's most recent Medicare cost report for the second calendar year preceding the beginning of the state fiscal year, on file with CMS per the CMS HCRIS database, or cost report submitted to the Division if the HCRIS database is not available to the division, as of June 1 of each year.

a. Total hospital inpatient days shall be the sum of Worksheet S-3, Part 1, column 8 row 14, column 8 row 16, and column 8 row 17, excluding column 8 rows 5 and 6.

b. Hospital Medicare inpatient days shall be the sum of Worksheet S-3, Part 1, column 6 row 14, column 6 row 16.00, and column 6 row 17, excluding column 6 rows 5 and 6.

c. Inpatient days shall not include residential treatment or long-term care days.

2. "Subcomponent inpatient day" means the number of days of care charged to a beneficiary for inpatient hospital rehabilitation and psychiatric care services in units of full days. A day begins at midnight and ends twenty-four (24) hours later. A part of a day, including the day of admission and day on which a patient returns from leave of absence, counts as a full day. However, the day of discharge, death, or a day on which a patient begins a leave of absence is not counted as a day unless discharge or death occur on the day of admission. If admission and discharge or death occur on the same day, the day is considered a day of admission and counts as one (1) subcomponent inpatient day.

(c) The assessment provided in this subsection is intended to satisfy and not be in addition to the assessment and intergovernmental transfers provided in Section 43-13-117(A)(18). Nothing in this section shall be construed to authorize any state agency, division or department, or county, municipality or other local governmental unit to license for revenue, levy or impose any other tax, fee or assessment upon hospitals in this state not authorized by a specific statute.

(d) Hospitals operated by the United States Department of Veterans Affairs and state-operated facilities that provide only inpatient and outpatient psychiatric services shall not be subject to the hospital assessment provided in this subsection.

(e) Multihospital systems, closure, merger, change of ownership and new hospitals.

(i) If a hospital conducts, operates or maintains more than one (1) hospital licensed by the State Department of Health, the provider shall pay the hospital assessment for each hospital separately.

(ii) Notwithstanding any other provision in this section, if a hospital subject to this assessment operates or conducts business only for a portion of a fiscal year, the assessment for the state fiscal year shall be adjusted by multiplying the assessment by a fraction, the numerator of which is the number of days in the year during which the hospital operates, and the denominator of which is three hundred sixty-five (365). Immediately upon ceasing to operate, the hospital shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(iii) The division shall determine the tax for new hospitals and hospitals that undergo a change of ownership in accordance with this section, using the best available information, as determined by the division.

(f) Applicability.

The hospital assessment imposed by this subsection shall not take effect and/or shall cease to be imposed if:

(i) The assessment is determined to be an impermissible tax under Title XIX of the Social Security Act; or

(ii) CMS revokes its approval of the division's 2009 Medicaid State Plan Amendment for the methodology for DSH payments to hospitals under Section 43-13-117(A)(18).

* * *

(5) Each health care facility that is subject to the provisions of this section shall keep and preserve such suitable books and records as may be necessary to determine the amount of assessment for which it is liable under this section. The books and records shall be kept and preserved for a period of not less than five (5) years, during which time those books and records shall be open for examination during business hours by the division, the Department of Revenue, the Office of the Attorney General and the State Department of Health.

(6) * * * [Deleted]

(7) All assessments collected under this section shall be deposited in the Medical Care Fund created by Section 43-13-143.

(8) The assessment levied under this section shall be in addition to any other assessments, taxes or fees levied by law, and the assessment shall constitute a debt due the State of Mississippi from the time the assessment is due until it is paid.

(9) (a) If a health care facility that is liable for payment of an assessment levied by the division does not pay the assessment when it is due, the division shall give written notice to the health care facility * * * demanding payment of the assessment within ten (10) days from the date of delivery of the notice. If the health care facility fails or refuses to pay the assessment after receiving the notice and demand from the division, the division shall withhold from any Medicaid reimbursement payments that are due to the health care facility the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. If the health care facility does not participate in the Medicaid program, the division shall turn over to the Office of the Attorney General the collection of the unpaid assessment by civil action. In any such civil action, the Office of the Attorney General shall collect the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full.

(b) As an additional or alternative method for collecting unpaid assessments levied by the division, if a health care facility fails or refuses to pay the assessment after receiving notice and demand from the division, the division may file a notice of a tax lien with the chancery clerk of the county in which the health care facility is located, for the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. Immediately upon receipt of notice of the tax lien for the assessment, the chancery clerk shall forward the notice to the circuit clerk who shall enter the notice of the tax lien as a judgment upon the judgment roll and show in the appropriate columns the name of the

health care facility as judgment debtor, the name of the division as judgment creditor, the amount of the unpaid assessment, and the date and time of enrollment. The judgment shall be valid as against mortgagees, pledgees, entrusters, purchasers, judgment creditors and other persons from the time of filing with the clerk. The amount of the judgment shall be a debt due the State of Mississippi and remain a lien upon the tangible property of the health care facility until the judgment is satisfied. The judgment shall be the equivalent of any enrolled judgment of a court of record and shall serve as authority for the issuance of writs of execution, writs of attachment or other remedial writs.

(10) (a) To further the provisions of Section 43-13-117(A)(18), the Division of Medicaid shall submit to the Centers for Medicare and Medicaid Services (CMS) any documents regarding the hospital assessment established under subsection (4) of this section. In addition to defining the assessment established in subsection (4) of this section if necessary, the documents shall describe any supplement payment programs and/or payment methodologies as authorized in Section 43-13-117(A)(18) if necessary.

(b) All hospitals satisfying the minimum federal DSH eligibility requirements (Section 1923(d) of the Social Security Act) may, subject to OBRA 1993 payment limitations, receive a DSH payment. This DSH payment shall expend the balance of the federal DSH allotment and associated state share not utilized in DSH payments to state-owned institutions for treatment of mental diseases. The payment to each hospital shall be calculated by applying a uniform percentage to the uninsured costs of each eligible hospital, excluding state-owned institutions for treatment of mental diseases; however, that percentage for a state-owned teaching hospital located in Hinds County shall be multiplied by a factor of two (2).

(11) The division shall implement DSH and supplemental payment calculation methodologies that result in the maximization of available federal funds.

(12) The DSH payments shall be paid on or before December 31, March 31, and June 30 of each fiscal year, in increments of one-third (1/3) of the total calculated DSH amounts. Supplemental payments developed pursuant to Section 43-13-117(A)(18) shall be paid monthly.

(13) *** Payment.

(a) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Medicare Upper Payments Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-13-117(A)(18) shall be assessed and collected monthly no later than the fifteenth calendar day of each month.

(b) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) payments shall be assessed and collected on December 15, March 15 and June 15.

(c) The annual hospital assessment and any additional hospital assessment as described in subsection (4) shall be assessed and collected on September 15 and on the 15th of each month from December through June.

(14) If for any reason any part of the plan for annual DSH and supplemental payment programs to hospitals provided under subsection (10) of this section and/or developed pursuant to Section 43-13-117(A)(18) is not approved by CMS, the remainder of the plan shall remain in full force and effect.

(15) Nothing in this section shall prevent the Division of Medicaid from facilitating participation in Medicaid supplemental hospital payment programs by a hospital located in a county contiguous to the State of Mississippi that is also authorized by federal law to

submit intergovernmental transfers (IGTs) to the State of Mississippi to fund the state share of the hospital's supplemental and/or MHAP payments.

(16) Subsections (10) through (15) of this section shall stand repealed on July 1, * * * 2022.

SECTION 3. Section 41-7-191, Mississippi Code of 1972, is amended as follows:

41-7-191. (1) No person shall engage in any of the following activities without obtaining the required certificate of need:

(a) The construction, development or other establishment of a new health care facility, which establishment shall include the reopening of a health care facility that has ceased to operate for a period of sixty (60) months or more;

(b) The relocation of a health care facility or portion thereof, or major medical equipment, unless such relocation of a health care facility or portion thereof, or major medical equipment, which does not involve a capital expenditure by or on behalf of a health care facility, is within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility;

(c) Any change in the existing bed complement of any health care facility through the addition or conversion of any beds or the alteration, modernizing or refurbishing of any unit or department in which the beds may be located; however, if a health care facility has voluntarily delicensed some of its existing bed complement, it may later relicense some or all of its delicensed beds without the necessity of having to acquire a certificate of need. The State Department of Health shall maintain a record of the delicensing health care facility and its voluntarily delicensed beds and continue counting those beds as part of the state's total bed count for health care planning purposes. If a health care facility that has voluntarily delicensed some of its beds later desires to relicense some or all of its voluntarily delicensed beds, it shall notify the State Department of Health of its intent to increase the number of its licensed beds. The State Department of Health shall survey the health care facility within thirty (30) days of that notice and, if appropriate, issue the health care facility a new license reflecting the new contingent of beds. However, in no event may a health care facility that has voluntarily delicensed some of its beds be reissued a license to operate beds in excess of its bed count before the voluntary delicensure of some of its beds without seeking certificate of need approval;

(d) Offering of the following health services if those services have not been provided on a regular basis by the proposed provider of such services within the period of twelve (12) months prior to the time such services would be offered:

(i) Open-heart surgery services;

(ii) Cardiac catheterization services;

(iii) Comprehensive inpatient rehabilitation services;

(iv) Licensed psychiatric services;

(v) Licensed chemical dependency services;

(vi) Radiation therapy services;

(vii) Diagnostic imaging services of an invasive nature, i.e. invasive digital angiography;

(viii) Nursing home care as defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h);

- (ix) Home health services;
- (x) Swing-bed services;
- (xi) Ambulatory surgical services;
- (xii) Magnetic resonance imaging services;
- (xiii) [Deleted]
- (xiv) Long-term care hospital services;
- (xv) Positron emission tomography (PET) services;

(e) The relocation of one or more health services from one physical facility or site to another physical facility or site, unless such relocation, which does not involve a capital expenditure by or on behalf of a health care facility, (i) is to a physical facility or site within five thousand two hundred eighty (5,280) feet from the main entrance of the health care facility where the health care service is located, or (ii) is the result of an order of a court of appropriate jurisdiction or a result of pending litigation in such court, or by order of the State Department of Health, or by order of any other agency or legal entity of the state, the federal government, or any political subdivision of either, whose order is also approved by the State Department of Health;

(f) The acquisition or otherwise control of any major medical equipment for the provision of medical services; however, (i) the acquisition of any major medical equipment used only for research purposes, and (ii) the acquisition of major medical equipment to replace medical equipment for which a facility is already providing medical services and for which the State Department of Health has been notified before the date of such acquisition shall be exempt from this paragraph; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(g) Changes of ownership of existing health care facilities in which a notice of intent is not filed with the State Department of Health at least thirty (30) days prior to the date such change of ownership occurs, or a change in services or bed capacity as prescribed in paragraph (c) or (d) of this subsection as a result of the change of ownership; an acquisition for less than fair market value must be reviewed, if the acquisition at fair market value would be subject to review;

(h) The change of ownership of any health care facility defined in subparagraphs (iv), (vi) and (viii) of Section 41-7-173(h), in which a notice of intent as described in paragraph (g) has not been filed and if the Executive Director, Division of Medicaid, Office of the Governor, has not certified in writing that there will be no increase in allowable costs to Medicaid from revaluation of the assets or from increased interest and depreciation as a result of the proposed change of ownership;

(i) Any activity described in paragraphs (a) through (h) if undertaken by any person if that same activity would require certificate of need approval if undertaken by a health care facility;

(j) Any capital expenditure or deferred capital expenditure by or on behalf of a health care facility not covered by paragraphs (a) through (h);

(k) The contracting of a health care facility as defined in subparagraphs (i) through (viii) of Section 41-7-173(h) to establish a home office, subunit, or branch office in the space operated as a health care facility through a formal arrangement with an existing health care facility as defined in subparagraph (ix) of Section 41-7-173(h);

(l) The replacement or relocation of a health care facility designated as a critical access hospital shall be exempt from subsection (1) of this section so long as the critical access hospital complies with all applicable federal law and regulations regarding such replacement or relocation;

(m) Reopening a health care facility that has ceased to operate for a period of sixty (60) months or more, which reopening requires a certificate of need for the establishment of a new health care facility.

(2) The State Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to, or expansion of any health care facility defined in subparagraphs (iv) (skilled nursing facility) and (vi) (intermediate care facility) of Section 41-7-173(h) or the conversion of vacant hospital beds to provide skilled or intermediate nursing home care, except as hereinafter authorized:

(a) The department may issue a certificate of need to any person proposing the new construction of any health care facility defined in subparagraphs (iv) and (vi) of Section 41-7-173(h) as part of a life care retirement facility, in any county bordering on the Gulf of Mexico in which is located a National Aeronautics and Space Administration facility, not to exceed forty (40) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the health care facility that were authorized under this paragraph (a).

(b) The department may issue certificates of need in Harrison County to provide skilled nursing home care for Alzheimer's disease patients and other patients, not to exceed one hundred fifty (150) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facilities that were authorized under this paragraph (b).

(c) The department may issue a certificate of need for the addition to or expansion of any skilled nursing facility that is part of an existing continuing care retirement community located in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (c), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of beds that may be authorized under the authority of this paragraph (c) shall not exceed sixty (60) beds.

(d) The State Department of Health may issue a certificate of need to any hospital located in DeSoto County for the new construction of a skilled nursing facility, not to exceed one hundred twenty (120) beds, in DeSoto County. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (d).

(e) The State Department of Health may issue a certificate of need for the construction of a nursing facility or the conversion of beds to nursing facility beds at a personal care facility for the elderly in Lowndes County that is owned and operated by a Mississippi nonprofit corporation, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (e).

(f) The State Department of Health may issue a certificate of need for conversion of a county hospital facility in Itawamba County to a nursing facility, not to exceed sixty (60) beds, including any necessary construction, renovation or expansion. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (f).

(g) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hinds, Madison or Rankin County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the nursing facility that were authorized under this paragraph (g).

(h) The State Department of Health may issue a certificate of need for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in either Hancock, Harrison or Jackson County, not to exceed sixty (60) beds. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the facility that were authorized under this paragraph (h).

(i) The department may issue a certificate of need for the new construction of a skilled nursing facility in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (i), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (i) shall not exceed sixty (60) beds. If the skilled nursing facility authorized by the certificate of need issued under this paragraph is not constructed and fully operational within eighteen (18) months after July 1, 1994, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need, if it is still outstanding, and shall not issue a license for the skilled nursing facility at any time after the expiration of the eighteen-month period.

(j) The department may issue certificates of need to allow any existing freestanding long-term care facility in Tishomingo County and Hancock County that on July 1, 1995, is licensed with fewer than sixty (60) beds. For the purposes of this paragraph (j), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. From and after July 1, 1999, there shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the beds in the long-term care facilities that were authorized under this paragraph (j).

(k) The department may issue a certificate of need for the construction of a nursing facility at a continuing care retirement community in Lowndes County. The total number of beds that may be authorized under the authority of this paragraph (k) shall not exceed sixty (60) beds. From and after July 1, 2001, the prohibition on the facility participating in the Medicaid program (Section 43-13-101 et seq.) that was a condition of issuance of the certificate of need under this paragraph (k) shall be revised as follows: The nursing facility may participate in the Medicaid program from and after July 1, 2001, if the owner of the facility on July 1, 2001, agrees in writing that no more than thirty (30) of the beds at the facility will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than thirty (30) patients in the facility in any month or for any patient in the facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the facility shall be a condition of licensure of the facility, and the agreement shall be fully binding on any subsequent owner of the facility if the ownership of the facility is transferred at any time after July 1, 2001. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the facility for participation in the Medicaid program. If the facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the written agreement.

(l) Provided that funds are specifically appropriated therefor by the Legislature, the department may issue a certificate of need to a rehabilitation hospital in Hinds County for the construction of a sixty-bed long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities including persons with spinal cord and closed-head injuries and ventilator dependent patients. The provisions of Section 41-7-193(1) regarding substantial compliance with projection of need as reported in the current State Health Plan are waived for the purpose of this paragraph.

(m) The State Department of Health may issue a certificate of need to a county-owned hospital in the Second Judicial District of Panola County for the conversion of not more than seventy-two (72) hospital beds to nursing facility beds, provided that the recipient of the certificate of need agrees in writing that none of the beds at the nursing facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement in the nursing facility in any day or for any patient in the nursing facility. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the nursing facility if the ownership of the nursing facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify any of the beds in the nursing facility for participation in the Medicaid program. If the nursing facility violates the terms of the written agreement by admitting or keeping in the nursing facility on a regular or continuing basis any patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the nursing facility, at the time that the department determines, after a hearing complying with due process, that the nursing facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement. If the certificate of

need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(n) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Madison County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (n), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (n) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(o) The department may issue a certificate of need for the new construction, addition or conversion of skilled nursing facility beds in Leake County, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (o), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the

department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The total number of nursing facility beds that may be authorized by any certificate of need issued under this paragraph (o) shall not exceed sixty (60) beds. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 2001, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 2001, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(p) The department may issue a certificate of need for the construction of a municipally owned nursing facility within the Town of Belmont in Tishomingo County, not to exceed sixty (60) beds, provided that the recipient of the certificate of need agrees in writing that the skilled nursing facility will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the skilled nursing facility who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the skilled nursing facility, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the skilled nursing facility will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this paragraph (p), and if such skilled nursing facility at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the skilled nursing facility, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this paragraph and in the written agreement by the recipient of the certificate of need. The provision of Section 41-7-193(1) regarding substantial compliance of the projection of need as reported in the current State Health Plan is waived for the purposes of this paragraph. If the certificate of need authorized under this paragraph is not issued within twelve (12) months after July 1, 1998, the department shall deny the application for the certificate of need and shall not issue the certificate of need at any time after the twelve-month period, unless the issuance is contested. If the certificate of need is issued and substantial construction of the nursing facility beds has not commenced within eighteen (18) months after July 1, 1998, the State Department of Health, after a hearing complying with due process, shall revoke the certificate of need if it is still outstanding, and the department shall not issue a license for the nursing facility at any time after the eighteen-month period. However, if the issuance of the certificate of need is contested, the department shall require substantial construction of the nursing facility beds within six (6) months after final adjudication on the issuance of the certificate of need.

(q) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next four (4) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each county in the state having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, in the manner provided in this paragraph (q). The total number of nursing facility beds that may be authorized by any certificate of need authorized under this paragraph (q) shall not exceed sixty (60) beds.

(ii) Subject to the provisions of subparagraph (v), during each of the next four (4) fiscal years, the department shall issue six (6) certificates of need for new nursing facility beds, as follows: During fiscal years 2000, 2001 and 2002, one (1) certificate of need shall be issued for new nursing facility beds in the county in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan that has the highest need in the district for those beds; and two (2) certificates of need shall be issued for new nursing facility beds in the two (2) counties from the state at large that have the highest need in the state for those beds, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. During fiscal year 2003, one (1) certificate of need shall be issued for new nursing facility beds in any county having a need for fifty (50) or more additional nursing facility beds, as shown in the fiscal year 1999 State Health Plan, that has not received a certificate of need under this paragraph (q) during the three (3) previous fiscal years. During fiscal year 2000, in addition to the six (6) certificates of need authorized in this subparagraph, the department also shall issue a certificate of need for new nursing facility beds in Amite County and a certificate of need for new nursing facility beds in Carroll County.

(iii) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in each Long-Term Care Planning District during each fiscal year shall first be available for nursing facility beds in the county in the district having the highest need for those beds, as shown in the fiscal year 1999 State Health Plan. If there are no applications for a certificate of need for nursing facility beds in the county having the highest need for those beds by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties in the district in descending order of the need for those beds, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county in the district.

(iv) Subject to the provisions of subparagraph (v), the certificate of need issued under subparagraph (ii) for nursing facility beds in the two (2) counties from the state at large during each fiscal year shall first be available for nursing facility beds in the two (2) counties that have the highest need in the state for those beds, as shown in the fiscal year 1999 State Health Plan, when considering the need on a statewide basis and without regard to the Long-Term Care Planning Districts in which the counties are located. If there are no applications for a certificate of need for nursing facility beds in either of the two (2) counties having the highest need for those beds on a statewide basis by the date specified by the department, then the certificate of need shall be available for nursing facility beds in other counties from the state at large in descending order of the need for those beds on a statewide basis, from the county with the second highest need to the county with the lowest need, until an application is received for nursing facility beds in an eligible county from the state at large.

(v) If a certificate of need is authorized to be issued under this paragraph (q) for nursing facility beds in a county on the basis of the need in the Long-Term Care Planning District during any fiscal year of the four-year period, a certificate of need shall not also be available under this paragraph (q) for additional nursing facility beds in that county on the basis of the need in the state at large, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in the state at large for that fiscal year. After a certificate of need has been issued under this paragraph (q) for nursing facility beds in a county during any fiscal year of the four-year period, a certificate of need shall not be available again under this paragraph (q) for additional nursing facility beds in that county during the four-year period, and that county shall be excluded in determining which counties have the highest need for nursing facility beds in succeeding fiscal years.

(vi) If more than one (1) application is made for a certificate of need for nursing home facility beds available under this paragraph (q), in Yalobusha, Newton or Tallahatchie County, and one (1) of the applicants is a county-owned hospital located

in the county where the nursing facility beds are available, the department shall give priority to the county-owned hospital in granting the certificate of need if the following conditions are met:

1. The county-owned hospital fully meets all applicable criteria and standards required to obtain a certificate of need for the nursing facility beds; and

2. The county-owned hospital's qualifications for the certificate of need, as shown in its application and as determined by the department, are at least equal to the qualifications of the other applicants for the certificate of need.

(r) (i) Beginning on July 1, 1999, the State Department of Health shall issue certificates of need during each of the next two (2) fiscal years for the construction or expansion of nursing facility beds or the conversion of other beds to nursing facility beds in each of the four (4) Long-Term Care Planning Districts designated in the fiscal year 1999 State Health Plan, to provide care exclusively to patients with Alzheimer's disease.

(ii) Not more than twenty (20) beds may be authorized by any certificate of need issued under this paragraph (r), and not more than a total of sixty (60) beds may be authorized in any Long-Term Care Planning District by all certificates of need issued under this paragraph (r). However, the total number of beds that may be authorized by all certificates of need issued under this paragraph (r) during any fiscal year shall not exceed one hundred twenty (120) beds, and the total number of beds that may be authorized in any Long-Term Care Planning District during any fiscal year shall not exceed forty (40) beds. Of the certificates of need that are issued for each Long-Term Care Planning District during the next two (2) fiscal years, at least one (1) shall be issued for beds in the northern part of the district, at least one (1) shall be issued for beds in the central part of the district, and at least one (1) shall be issued for beds in the southern part of the district.

(iii) The State Department of Health, in consultation with the Department of Mental Health and the Division of Medicaid, shall develop and prescribe the staffing levels, space requirements and other standards and requirements that must be met with regard to the nursing facility beds authorized under this paragraph (r) to provide care exclusively to patients with Alzheimer's disease.

(s) The State Department of Health may issue a certificate of need to a nonprofit skilled nursing facility using the Green House model of skilled nursing care and located in Yazoo City, Yazoo County, Mississippi, for the construction, expansion or conversion of not more than nineteen (19) nursing facility beds. For purposes of this paragraph (s), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this paragraph (s).

(t) The State Department of Health shall issue certificates of need to the owner of a nursing facility in operation at the time of Hurricane Katrina in Hancock County that was not operational on December 31, 2005, because of damage sustained from Hurricane Katrina to authorize the following: (i) the construction of a new nursing facility in Harrison County; (ii) the relocation of forty-nine (49) nursing facility beds from the Hancock County facility to the new Harrison County facility; (iii) the establishment of not more than twenty (20) non-Medicaid nursing facility beds at the Hancock County facility; and (iv) the establishment of not more than twenty (20) non-Medicaid beds at the new Harrison County facility. The certificates of need that authorize the non-Medicaid nursing facility beds under subparagraphs (iii) and (iv) of this paragraph (t) shall be subject to the following conditions: The owner of the Hancock County facility and the new Harrison County facility must agree in writing that no more than fifty (50) of the beds at the Hancock County facility and no more than forty-nine (49) of the beds at the Harrison County facility

will be certified for participation in the Medicaid program, and that no claim will be submitted for Medicaid reimbursement for more than fifty (50) patients in the Hancock County facility in any month, or for more than forty-nine (49) patients in the Harrison County facility in any month, or for any patient in either facility who is in a bed that is not Medicaid-certified. This written agreement by the owner of the nursing facilities shall be a condition of the issuance of the certificates of need under this paragraph (t), and the agreement shall be fully binding on any later owner or owners of either facility if the ownership of either facility is transferred at any time after the certificates of need are issued. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifty (50) of the beds at the Hancock County facility or more than forty-nine (49) of the beds at the Harrison County facility for participation in the Medicaid program. If the Hancock County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifty (50) patients who are participating in the Medicaid program, or if the Harrison County facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than forty-nine (49) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility that is in violation of the agreement, at the time that the department determines, after a hearing complying with due process, that the facility has violated the agreement.

(u) The State Department of Health shall issue a certificate of need to a nonprofit venture for the establishment, construction and operation of a skilled nursing facility of not more than sixty (60) beds to provide skilled nursing care for ventilator dependent or otherwise medically dependent pediatric patients who require medical and nursing care or rehabilitation services to be located in a county in which an academic medical center and a children's hospital are located, and for any construction and for the acquisition of equipment related to those beds. The facility shall be authorized to keep such ventilator dependent or otherwise medically dependent pediatric patients beyond age twenty-one (21) in accordance with regulations of the State Board of Health. For purposes of this paragraph (u), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived, and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. The beds authorized by this paragraph shall be counted as pediatric skilled nursing facility beds for health planning purposes under Section 41-7-171 et seq. There shall be no prohibition of or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized by this paragraph.

(3) The State Department of Health may grant approval for and issue certificates of need to any person proposing the new construction of, addition to, conversion of beds of or expansion of any health care facility defined in subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h). The total number of beds which may be authorized by such certificates of need shall not exceed three hundred thirty-four (334) beds for the entire state.

(a) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a privately owned psychiatric residential treatment facility in Simpson County for the conversion of sixteen (16) intermediate care facility for the mentally retarded (ICF-MR) beds to psychiatric residential treatment facility beds, provided that facility agrees in writing that the facility shall give priority for the use of those sixteen (16) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(b) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric residential treatment facility beds in Warren County, not to exceed sixty (60) psychiatric residential treatment facility beds, provided that the facility agrees in writing that no more than thirty (30) of the beds at the psychiatric residential treatment facility will

be certified for participation in the Medicaid program (Section 43-13-101 et seq.) for the use of any patients other than those who are participating only in the Medicaid program of another state, and that no claim will be submitted to the Division of Medicaid for Medicaid reimbursement for more than thirty (30) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than thirty (30) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program for the use of any patients other than those who are participating only in the Medicaid program of another state. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than thirty (30) patients who are participating in the Mississippi Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

The State Department of Health, on or before July 1, 2002, shall transfer the certificate of need authorized under the authority of this paragraph (b), or reissue the certificate of need if it has expired, to River Region Health System.

(c) Of the total number of beds authorized under this subsection, the department shall issue a certificate of need to a hospital currently operating Medicaid-certified acute psychiatric beds for adolescents in DeSoto County, for the establishment of a forty-bed psychiatric residential treatment facility in DeSoto County, provided that the hospital agrees in writing (i) that the hospital shall give priority for the use of those forty (40) beds to Mississippi residents who are presently being treated in out-of-state facilities, and (ii) that no more than fifteen (15) of the beds at the psychiatric residential treatment facility will be certified for participation in the Medicaid program (Section 43-13-101 et seq.), and that no claim will be submitted for Medicaid reimbursement for more than fifteen (15) patients in the psychiatric residential treatment facility in any day or for any patient in the psychiatric residential treatment facility who is in a bed that is not Medicaid-certified. This written agreement by the recipient of the certificate of need shall be a condition of the issuance of the certificate of need under this paragraph, and the agreement shall be fully binding on any subsequent owner of the psychiatric residential treatment facility if the ownership of the facility is transferred at any time after the issuance of the certificate of need. After this written agreement is executed, the Division of Medicaid and the State Department of Health shall not certify more than fifteen (15) of the beds in the psychiatric residential treatment facility for participation in the Medicaid program. If the psychiatric residential treatment facility violates the terms of the written agreement by admitting or keeping in the facility on a regular or continuing basis more than fifteen (15) patients who are participating in the Medicaid program, the State Department of Health shall revoke the license of the facility, at the time that the department determines, after a hearing complying with due process, that the facility has violated the condition upon which the certificate of need was issued, as provided in this paragraph and in the written agreement.

(d) Of the total number of beds authorized under this subsection, the department may issue a certificate or certificates of need for the construction or expansion of psychiatric residential treatment facility beds or the conversion of other beds to psychiatric treatment facility beds, not to exceed thirty (30) psychiatric residential treatment facility beds, in either Alcorn, Tishomingo, Prentiss, Lee, Itawamba, Monroe, Chickasaw, Pontotoc, Calhoun, Lafayette, Union, Benton or Tippah County.

(e) Of the total number of beds authorized under this subsection (3) the department shall issue a certificate of need to a privately owned, nonprofit psychiatric residential treatment facility in Hinds County for an eight-bed expansion of the facility, provided that the facility agrees in writing that the facility shall give priority for the use of those eight (8) beds to Mississippi residents who are presently being treated in out-of-state facilities.

(f) The department shall issue a certificate of need to a one-hundred-thirty-four-bed specialty hospital located on twenty-nine and forty-four one-hundredths (29.44) commercial acres at 5900 Highway 39 North in Meridian (Lauderdale County), Mississippi, for the addition, construction or expansion of child/adolescent psychiatric residential treatment facility beds in Lauderdale County. As a condition of issuance of the certificate of need under this paragraph, the facility shall give priority in admissions to the child/adolescent psychiatric residential treatment facility beds authorized under this paragraph to patients who otherwise would require out-of-state placement. The Division of Medicaid, in conjunction with the Department of Human Services, shall furnish the facility a list of all out-of-state patients on a quarterly basis. Furthermore, notice shall also be provided to the parent, custodial parent or guardian of each out-of-state patient notifying them of the priority status granted by this paragraph. For purposes of this paragraph, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of child/adolescent psychiatric residential treatment facility beds that may be authorized under the authority of this paragraph shall be sixty (60) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this paragraph or for the beds converted pursuant to the authority of that certificate of need.

(4) (a) From and after * * * passage of this act, the department * * * may issue a certificate of need to any person for the new construction of any hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the conversion of any other health care facility to a hospital, psychiatric hospital or chemical dependency hospital that will contain any child/adolescent psychiatric or child/adolescent chemical dependency beds, or for the addition of any child/adolescent psychiatric or child/adolescent chemical dependency beds in any hospital, psychiatric hospital or chemical dependency hospital, or for the conversion of any beds of another category in any hospital, psychiatric hospital or chemical dependency hospital to child/adolescent psychiatric or child/adolescent chemical dependency beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person(s) receiving the certificate(s) of need authorized under this paragraph (a) or for the beds converted pursuant to the authority of that certificate of need.

(i) * * * (Deleted)

(ii) The department may issue a certificate of need for the conversion of existing beds in a county hospital in Choctaw County from acute care beds to child/adolescent chemical dependency beds. For purposes of this subparagraph (ii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(iii) The department may issue a certificate or certificates of need for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in Warren County. For purposes of this

subparagraph (iii), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

If by January 1, 2002, there has been no significant commencement of construction of the beds authorized under this subparagraph (iii), or no significant action taken to convert existing beds to the beds authorized under this subparagraph, then the certificate of need that was previously issued under this subparagraph shall expire. If the previously issued certificate of need expires, the department may accept applications for issuance of another certificate of need for the beds authorized under this subparagraph, and may issue a certificate of need to authorize the construction, expansion or conversion of the beds authorized under this subparagraph.

(iv) The department shall issue a certificate of need to the Region 7 Mental Health/Retardation Commission for the construction or expansion of child/adolescent psychiatric beds or the conversion of other beds to child/adolescent psychiatric beds in any of the counties served by the commission. For purposes of this subparagraph (iv), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed twenty (20) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person receiving the certificate of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(v) The department may issue a certificate of need to any county hospital located in Leflore County for the construction or expansion of adult psychiatric beds or the conversion of other beds to adult psychiatric beds, not to exceed twenty (20) beds, provided that the recipient of the certificate of need agrees in writing that the adult psychiatric beds will not at any time be certified for participation in the Medicaid program and that the hospital will not admit or keep any patients who are participating in the Medicaid program in any of such adult psychiatric beds. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the hospital if the ownership of the hospital is transferred at any time after the issuance of the certificate of need. Agreement that the adult psychiatric beds will not be certified for participation in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subparagraph (v), and if such hospital at any time after the issuance of the certificate of need, regardless of the ownership of the hospital, has any of such adult psychiatric beds certified for participation in the Medicaid program or admits or keeps any Medicaid patients in such adult psychiatric beds, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the hospital at the time that the department determines, after a hearing complying with due process, that the hospital has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subparagraph and in the written agreement by the recipient of the certificate of need.

(vi) The department may issue a certificate or certificates of need for the expansion of child psychiatric beds or the conversion of other beds to child psychiatric beds at the University of Mississippi Medical Center. For purposes of this subparagraph (vi), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived. The total number of beds that may be authorized under the authority of this subparagraph shall not exceed fifteen (15) beds. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the hospital receiving the certificate

of need authorized under this subparagraph or for the beds converted pursuant to the authority of that certificate of need.

(b) From and after July 1, 1990, no hospital, psychiatric hospital or chemical dependency hospital shall be authorized to add any child/adolescent psychiatric or child/adolescent chemical dependency beds or convert any beds of another category to child/adolescent psychiatric or child/adolescent chemical dependency beds without a certificate of need under the authority of subsection (1)(c) and subsection (4)(a) of this section.

(5) The department may issue a certificate of need to a county hospital in Winston County for the conversion of fifteen (15) acute care beds to geriatric psychiatric care beds.

(6) The State Department of Health shall issue a certificate of need to a Mississippi corporation qualified to manage a long-term care hospital as defined in Section 41-7-173(h)(xii) in Harrison County, not to exceed eighty (80) beds, including any necessary renovation or construction required for licensure and certification, provided that the recipient of the certificate of need agrees in writing that the long-term care hospital will not at any time participate in the Medicaid program (Section 43-13-101 et seq.) or admit or keep any patients in the long-term care hospital who are participating in the Medicaid program. This written agreement by the recipient of the certificate of need shall be fully binding on any subsequent owner of the long-term care hospital, if the ownership of the facility is transferred at any time after the issuance of the certificate of need. Agreement that the long-term care hospital will not participate in the Medicaid program shall be a condition of the issuance of a certificate of need to any person under this subsection (6), and if such long-term care hospital at any time after the issuance of the certificate of need, regardless of the ownership of the facility, participates in the Medicaid program or admits or keeps any patients in the facility who are participating in the Medicaid program, the State Department of Health shall revoke the certificate of need, if it is still outstanding, and shall deny or revoke the license of the long-term care hospital, at the time that the department determines, after a hearing complying with due process, that the facility has failed to comply with any of the conditions upon which the certificate of need was issued, as provided in this subsection and in the written agreement by the recipient of the certificate of need. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(7) The State Department of Health may issue a certificate of need to any hospital in the state to utilize a portion of its beds for the "swing-bed" concept. Any such hospital must be in conformance with the federal regulations regarding such swing-bed concept at the time it submits its application for a certificate of need to the State Department of Health, except that such hospital may have more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program. Any hospital meeting all federal requirements for participation in the swing-bed program which receives such certificate of need shall render services provided under the swing-bed concept to any patient eligible for Medicare (Title XVIII of the Social Security Act) who is certified by a physician to be in need of such services, and no such hospital shall permit any patient who is eligible for both Medicaid and Medicare or eligible only for Medicaid to stay in the swing beds of the hospital for more than thirty (30) days per admission unless the hospital receives prior approval for such patient from the Division of Medicaid, Office of the Governor. Any hospital having more licensed beds or a higher average daily census (ADC) than the maximum number specified in federal regulations for participation in the swing-bed program which receives such certificate of need shall develop a procedure to insure that before a patient is allowed to stay in the swing beds of the hospital, there are no vacant nursing home beds available for that patient located within a fifty-mile radius of the hospital. When any such hospital has a patient staying in the swing beds of the hospital and the hospital receives notice from a nursing home located within such radius that there is a vacant bed available for that patient, the hospital shall transfer the patient to the nursing home within a reasonable time

after receipt of the notice. Any hospital which is subject to the requirements of the two (2) preceding sentences of this subsection may be suspended from participation in the swing-bed program for a reasonable period of time by the State Department of Health if the department, after a hearing complying with due process, determines that the hospital has failed to comply with any of those requirements.

(8) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the new construction of, addition to or expansion of a health care facility as defined in subparagraph (viii) of Section 41-7-173(h), except as hereinafter provided: The department may issue a certificate of need to a nonprofit corporation located in Madison County, Mississippi, for the construction, expansion or conversion of not more than twenty (20) beds in a community living program for developmentally disabled adults in a facility as defined in subparagraph (viii) of Section 41-7-173(h). For purposes of this subsection (8), the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the certificate of need authorized under this subsection (8).

(9) The Department of Health shall not grant approval for or issue a certificate of need to any person proposing the establishment of, or expansion of the currently approved territory of, or the contracting to establish a home office, subunit or branch office within the space operated as a health care facility as defined in Section 41-7-173(h)(i) through (viii) by a health care facility as defined in subparagraph (ix) of Section 41-7-173(h).

(10) Health care facilities owned and/or operated by the state or its agencies are exempt from the restraints in this section against issuance of a certificate of need if such addition or expansion consists of repairing or renovation necessary to comply with the state licensure law. This exception shall not apply to the new construction of any building by such state facility. This exception shall not apply to any health care facilities owned and/or operated by counties, municipalities, districts, unincorporated areas, other defined persons, or any combination thereof.

(11) The new construction, renovation or expansion of or addition to any health care facility defined in subparagraph (ii) (psychiatric hospital), subparagraph (iv) (skilled nursing facility), subparagraph (vi) (intermediate care facility), subparagraph (viii) (intermediate care facility for the mentally retarded) and subparagraph (x) (psychiatric residential treatment facility) of Section 41-7-173(h) which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, and the addition of new beds or the conversion of beds from one category to another in any such defined health care facility which is owned by the State of Mississippi and under the direction and control of the State Department of Mental Health, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(12) The new construction, renovation or expansion of or addition to any veterans homes or domiciliaries for eligible veterans of the State of Mississippi as authorized under Section 35-1-19 shall not require the issuance of a certificate of need, notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(13) The repair or the rebuilding of an existing, operating health care facility that sustained significant damage from a natural disaster that occurred after April 15, 2014, in an area that is proclaimed a disaster area or subject to a state of emergency by the Governor or by the President of the United States shall be exempt from all of the requirements of the Mississippi Certificate of Need Law (Section 41-7-171 et seq.) and any and all rules and regulations promulgated under that law, subject to the following conditions:

(a) The repair or the rebuilding of any such damaged health care facility must be within one (1) mile of the pre-disaster location of the campus of the damaged health care facility, except that any temporary post-disaster health care facility operating location may be within five (5) miles of the pre-disaster location of the damaged health care facility;

(b) The repair or the rebuilding of the damaged health care facility (i) does not increase or change the complement of its bed capacity that it had before the Governor's or the President's proclamation, (ii) does not increase or change its levels and types of health care services that it provided before the Governor's or the President's proclamation, and (iii) does not rebuild in a different county; however, this paragraph does not restrict or prevent a health care facility from decreasing its bed capacity that it had before the Governor's or the President's proclamation, or from decreasing the levels of or decreasing or eliminating the types of health care services that it provided before the Governor's or the President's proclamation, when the damaged health care facility is repaired or rebuilt;

(c) The exemption from Certificate of Need Law provided under this subsection (13) is valid for only five (5) years from the date of the Governor's or the President's proclamation. If actual construction has not begun within that five-year period, the exemption provided under this subsection is inapplicable; and

(d) The Division of Health Facilities Licensure and Certification of the State Department of Health shall provide the same oversight for the repair or the rebuilding of the damaged health care facility that it provides to all health care facility construction projects in the state.

For the purposes of this subsection (13), "significant damage" to a health care facility means damage to the health care facility requiring an expenditure of at least One Million Dollars (\$1,000,000.00).

(14) The State Department of Health shall issue a certificate of need to any hospital which is currently licensed for two hundred fifty (250) or more acute care beds and is located in any general hospital service area not having a comprehensive cancer center, for the establishment and equipping of such a center which provides facilities and services for outpatient radiation oncology therapy, outpatient medical oncology therapy, and appropriate support services including the provision of radiation therapy services. The provisions of Section 41-7-193(1) regarding substantial compliance with the projection of need as reported in the current State Health Plan are waived for the purpose of this subsection.

(15) The State Department of Health may authorize the transfer of hospital beds, not to exceed sixty (60) beds, from the North Panola Community Hospital to the South Panola Community Hospital. The authorization for the transfer of those beds shall be exempt from the certificate of need review process.

(16) The State Department of Health shall issue any certificates of need necessary for Mississippi State University and a public or private health care provider to jointly acquire and operate a linear accelerator and a magnetic resonance imaging unit. Those certificates of need shall cover all capital expenditures related to the project between Mississippi State University and the health care provider, including, but not limited to, the acquisition of the linear accelerator, the magnetic resonance imaging unit and other radiological modalities; the offering of linear accelerator and magnetic resonance imaging services; and the cost of construction of facilities in which to locate these services. The linear accelerator and the magnetic resonance imaging unit shall be (a) located in the City of Starkville, Oktibbeha County, Mississippi; (b) operated jointly by Mississippi State University and the public or private health care provider selected by Mississippi State University through a request for proposals (RFP) process in which Mississippi State

University selects, and the Board of Trustees of State Institutions of Higher Learning approves, the health care provider that makes the best overall proposal; (c) available to Mississippi State University for research purposes two-thirds (2/3) of the time that the linear accelerator and magnetic resonance imaging unit are operational; and (d) available to the public or private health care provider selected by Mississippi State University and approved by the Board of Trustees of State Institutions of Higher Learning one-third (1/3) of the time for clinical, diagnostic and treatment purposes. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan are waived.

(17) The State Department of Health shall issue a certificate of need for the construction of an acute care hospital in Kemper County, not to exceed twenty-five (25) beds, which shall be named the "John C. Stennis Memorial Hospital." In issuing the certificate of need under this subsection, the department shall give priority to a hospital located in Lauderdale County that has two hundred fifteen (215) beds. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived. There shall be no prohibition or restrictions on participation in the Medicaid program (Section 43-13-101 et seq.) for the person or entity receiving the certificate of need authorized under this subsection or for the beds constructed under the authority of that certificate of need.

(18) The planning, design, construction, renovation, addition, furnishing and equipping of a clinical research unit at any health care facility defined in Section 41-7-173(h) that is under the direction and control of the University of Mississippi Medical Center and located in Jackson, Mississippi, and the addition of new beds or the conversion of beds from one (1) category to another in any such clinical research unit, shall not require the issuance of a certificate of need under Section 41-7-171 et seq., notwithstanding any provision in Section 41-7-171 et seq. to the contrary.

(19) [Repealed]

(20) Nothing in this section or in any other provision of Section 41-7-171 et seq. shall prevent any nursing facility from designating an appropriate number of existing beds in the facility as beds for providing care exclusively to patients with Alzheimer's disease.

(21) Nothing in this section or any other provision of Section 41-7-171 et seq. shall prevent any health care facility from the new construction, renovation, conversion or expansion of new beds in the facility designated as intensive care units, negative pressure rooms, or isolation rooms pursuant to the provisions of Sections 41-14-1 through 41-14-11. For purposes of this subsection, the provisions of Section 41-7-193(1) requiring substantial compliance with the projection of need as reported in the current State Health Plan and the provisions of Section 41-7-197 requiring a formal certificate of need hearing process are waived.

SECTION 4. Section 41-75-5, Mississippi Code of 1972, is amended as follows:

41-75-5. No person as defined in Section 41-7-173, acting severally or jointly with any other person, shall establish, conduct, operate or maintain an ambulatory surgical facility or an abortion facility or a freestanding emergency room or a post-acute residential brain injury rehabilitation facility in this state without a license under this chapter.

* * *

SECTION 5. Section 83-9-353, Mississippi Code of 1972, is amended as follows:

83-9-353. (1) As used in this section:

(a) "Employee benefit plan" means any plan, fund or program established or maintained by an employer or by an employee organization, or both, to the extent that such plan, fund or program was established or is maintained for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, hospital care or other benefits.

(b) "Health insurance plan" means any health insurance policy or health benefit plan offered by a health insurer, and includes the State and School Employees Health Insurance Plan and any other public health care assistance program offered or administered by the state or any political subdivision or instrumentality of the state. The term does not include policies or plans providing coverage for specified disease or other limited benefit coverage.

(c) "Health insurer" means any health insurance company, nonprofit hospital and medical service corporation, health maintenance organization, preferred provider organization, managed care organization, pharmacy benefit manager, and, to the extent permitted under federal law, any administrator of an insured, self-insured or publicly funded health care benefit plan offered by public and private entities, and other parties that are by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service.

(d) "Store-and-forward telemedicine services" means the use of asynchronous computer-based communication between a patient and a consulting provider or a referring health care provider and a medical specialist at a distant site for the purpose of diagnostic and therapeutic assistance in the care of patients who otherwise have no access to specialty care. Store-and-forward telemedicine services involve the transferring of medical data from one (1) site to another through the use of a camera or similar device that records (stores) an image that is sent (forwarded) via telecommunication to another site for consultation.

(e) "Remote patient monitoring services" means the delivery of home health services using telecommunications technology to enhance the delivery of home health care, including:

(i) Monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry and other condition-specific data, such as blood glucose;

(ii) Medication adherence monitoring; and

(iii) Interactive video conferencing with or without digital image upload as needed.

(f) "Medication adherence management services" means the monitoring of a patient's conformance with the clinician's medication plan with respect to timing, dosing and frequency of medication-taking through electronic transmission of data in a home telemonitoring program.

(2) Store-and-forward telemedicine services allow a health care provider trained and licensed in his or her given specialty to review forwarded images and patient history in order to provide diagnostic and therapeutic assistance in the care of the patient without the patient being present in real time. Treatment recommendations made via electronic means shall be held to the same standards of appropriate practice as those in traditional provider-patient setting.

(3) Any patient receiving medical care by store-and-forward telemedicine services shall be notified of the right to receive interactive communication with the distant specialist health care provider and shall receive an interactive communication with the distant specialist upon request. If requested, communication with the distant specialist may occur at the time of the consultation or within thirty (30) days of the patient's notification of the

request of the consultation. Telemedicine networks unable to offer the interactive consultation shall not be reimbursed for store-and-forward telemedicine services.

(4) Remote patient monitoring services aim to allow more people to remain at home or in other residential settings and to improve the quality and cost of their care, including prevention of more costly care. Remote patient monitoring services via telehealth aim to coordinate primary, acute, behavioral and long-term social service needs for high-need, high-cost patients. Specific patient criteria must be met in order for reimbursement to occur.

(5) Qualifying patients for remote patient monitoring services must meet all the following criteria:

(a) Be diagnosed, in the last eighteen (18) months, with one or more chronic conditions, as defined by the Centers for Medicare and Medicaid Services (CMS), which include, but are not limited to, sickle cell, mental health, asthma, diabetes, and heart disease; and

* * *

(* * *b) The patient's health care provider recommends disease management services via remote patient monitoring.

(6) A remote patient monitoring prior authorization request form * * * may be required for approval of telemonitoring services. * * * Any such request * * * may include the following:

(a) An order for home telemonitoring services, signed and dated by the prescribing physician;

(b) A plan of care, signed and dated by the prescribing physician, that includes telemonitoring transmission frequency and duration of monitoring requested;

(c) The client's diagnosis and risk factors that qualify the client for home telemonitoring services;

(d) Attestation that the client is sufficiently cognitively intact and able to operate the equipment or has a willing and able person to assist in completing electronic transmission of data; and

(e) Attestation that the client is not receiving duplicative services via disease management services.

(7) The entity that will provide the remote monitoring must be a Mississippi-based entity and have protocols in place to address all of the following:

(a) Authentication and authorization of users;

(b) A mechanism for monitoring, tracking and responding to changes in a client's clinical condition;

(c) A standard of acceptable and unacceptable parameters for client's clinical parameters, which can be adjusted based on the client's condition;

(d) How monitoring staff will respond to abnormal parameters for client's vital signs, symptoms and/or lab results;

(e) The monitoring, tracking and responding to changes in client's clinical condition;

(f) The process for notifying the prescribing physician for significant changes in the client's clinical signs and symptoms;

(g) The prevention of unauthorized access to the system or information;

(h) System security, including the integrity of information that is collected, program integrity and system integrity;

(i) Information storage, maintenance and transmission;

(j) Synchronization and verification of patient profile data; and

(k) Notification of the client's discharge from remote patient monitoring services or the de-installation of the remote patient monitoring unit.

(8) The telemonitoring equipment must:

(a) Be capable of monitoring any data parameters in the plan of care; and

(b) Be a FDA Class II hospital-grade medical device.

(9) Monitoring of the client's data shall not be duplicated by another provider.

(10) To receive payment for the delivery of remote patient monitoring services via telehealth, the service must involve:

(a) An assessment, problem identification, and evaluation that includes:

(i) Assessment and monitoring of clinical data including, but not limited to, appropriate vital signs, pain levels and other biometric measures specified in the plan of care, and also includes assessment of response to previous changes in the plan of care; and

(ii) Detection of condition changes based on the telemedicine encounter that may indicate the need for a change in the plan of care.

(b) Implementation of a management plan through one or more of the following:

(i) Teaching regarding medication management as appropriate based on the telemedicine findings for that encounter;

(ii) Teaching regarding other interventions as appropriate to both the patient and the caregiver;

(iii) Management and evaluation of the plan of care including changes in visit frequency or addition of other skilled services;

(iv) Coordination of care with the ordering health care provider regarding telemedicine findings;

(v) Coordination and referral to other medical providers as needed; and

(vi) Referral for an in-person visit or the emergency room as needed.

(11) The telemedicine equipment and network used for remote patient monitoring services should meet the following requirements:

(a) Comply with applicable standards of the United States Food and Drug Administration;

(b) Telehealth equipment be maintained in good repair and free from safety hazards;

(c) Telehealth equipment be new or sanitized before installation in the patient's home setting;

(d) Accommodate non-English language options; and

(e) Have 24/7 technical and clinical support services available for the patient user.

(12) All health insurance and employee benefit plans in this state must provide coverage and reimbursement for the asynchronous telemedicine services of store-and-forward telemedicine services and remote patient monitoring services based on the criteria set out in this section. Store-and-forward telemedicine services shall be reimbursed to the same extent that the services would be covered if they were provided through in-person consultation.

(13) Remote patient monitoring services shall include reimbursement for a daily monitoring rate at a minimum of Ten Dollars (\$10.00) per day each month and Sixteen Dollars (\$16.00) per day when medication adherence management services are included, not to exceed thirty-one (31) days per month. These reimbursement rates are only eligible to Mississippi-based telehealth programs affiliated with a Mississippi health care facility.

(14) A one-time telehealth installation/training fee for remote patient monitoring services will also be reimbursed at a minimum rate of Fifty Dollars (\$50.00) per patient, with a maximum of two (2) installation/training fees/calendar year. These reimbursement rates are only eligible to Mississippi-based telehealth programs affiliated with a Mississippi health care facility.

(15) No geographic restrictions shall be placed on the delivery of telemedicine services in the home setting other than requiring the patient reside within the State of Mississippi.

(16) Health care providers seeking reimbursement for store-and-forward telemedicine services must be licensed Mississippi providers that are affiliated with an established Mississippi health care facility in order to qualify for reimbursement of telemedicine services in the state. If a service is not available in Mississippi, then a health insurance or employee benefit plan may decide to allow a non-Mississippi-based provider who is licensed to practice in Mississippi reimbursement for those services.

(17) A health insurance or employee benefit plan may charge a deductible, co-payment, or coinsurance for a health care service provided through store-and-forward telemedicine services or remote patient monitoring services so long as it does not exceed the deductible, co-payment, or coinsurance applicable to an in-person consultation.

(18) A health insurance or employee benefit plan may limit coverage to health care providers in a telemedicine network approved by the plan.

(19) Nothing in this section shall be construed to prohibit a health insurance or employee benefit plan from providing coverage for only those services that are medically necessary, subject to the terms and conditions of the covered person's policy.

(20) In a claim for the services provided, the appropriate procedure code for the covered service shall be included with the appropriate modifier indicating telemedicine

services were used. A "GQ" modifier is required for asynchronous telemedicine services such as store-and-forward and remote patient monitoring.

(21) The originating site is eligible to receive a facility fee, but facility fees are not payable to the distant site.

SECTION 6. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT RELATING TO THE MISSISSIPPI MEDICAID PROGRAM; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, RELATING TO REIMBURSEMENT FOR CARE AND SERVICES UNDER THE MEDICAID PROGRAM; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING TO REIMBURSEMENT OF INPATIENT HOSPITAL SERVICES; TO PROVIDE THAT MEDICAID IS AUTHORIZED TO MAKE PARTIAL PAYMENTS FOR NURSING SERVICES; TO PROVIDE FOR NURSING FACILITY REIMBURSEMENT FOR HOME LEAVE DAYS; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING TO REIMBURSEMENT OF NURSING FACILITY SERVICES; TO PROVIDE FOR REIMBURSEMENT FOR FEES FOR PHYSICIAN SERVICES COVERED ONLY BY MEDICAID; TO AUTHORIZE THE DIVISION TO REIMBURSE OBSTETRICIANS AND GYNCOLOGISTS FOR CERTAIN PRIMARY CARE SERVICES AT 100% OF THE MEDICARE RATE; TO DELETE THE PROVISION THAT REQUIRES THE DIVISION TO ALLOW PHYSICIAN-ADMINISTERED DRUGS TO BE BILLED AND REIMBURSED AS A MEDICAL CLAIM OR PHARMACY POINT-OF-SALE; TO PROVIDE THAT THE DIVISION SHALL MAKE PARTIAL PAYMENTS, AS DETERMINED BY THE DIVISION, TO INTERMEDIATE CARE FACILITY SERVICES AND TO DELETE CERTAIN PROVISIONS RELATING TO FAIR RENTAL REIMBURSEMENT FOR SUCH FACILITIES; TO DEFINE CLINIC SERVICES AS IT RELATES TO THE REIMBURSEMENTS BY MEDICAID FOR THOSE SERVICES; TO AUTHORIZE MEDICAID REIMBURSEMENT FOR THERAPEUTIC AND CASE MANAGEMENT MENTAL HEALTH SERVICES PROVIDED BY SERVICE PROVIDERS ACCREDITED BY THE JOINT COMMISSION OR CERTAIN OTHER ACCREDITING AGENCIES; TO PROVIDE THAT MEDICAID MAY ESTABLISH AN UPPER PAYMENT LIMITS PROGRAM FOR AMBULANCE TRANSPORTATION AND ASSESS PROVIDERS OF SUCH SERVICE; TO REQUIRE THE DIVISION OF MEDICAID TO RECOGNIZE FEDERALLY QUALIFIED HEALTH CENTERS (FQHC), RURAL HEALTH CLINICS (RHC) AND COMMUNITY MENTAL HEALTH CENTERS (CMHC) AS BOTH AN ORIGINATING AND DISTANT SITE PROVIDER FOR THE PURPOSES OF TELEHEALTH REIMBURSEMENT; TO DELETE THE PROVISIONS RELATING TO MEDICAID'S DEVELOPMENT OF AN ALTERNATIVE MODEL FOR DISTRIBUTION OF MEDICAL CLAIMS AND SUPPLEMENTAL PAYMENTS FOR SERVICES; TO AUTHORIZE REIMBURSEMENT FOR CERTAIN PSYCHIATRIC SERVICES; TO CLARIFY THE REIMBURSEMENT OF PEDIATRIC SKILLED NURSING SERVICES, INPATIENT PSYCHIATRIST SERVICES AND NONEMERGENCY TRANSPORTATION SERVICES; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REIMBURSE CROSSOVER CLAIMS FOR INPATIENT HOSPITAL SERVICES AND THOSE UNDER MEDICARE PART B; TO DELETE CERTAIN PROVISIONS RELATING TO THE REIMBURSEMENT OF PHYSICIAN ASSISTANT SERVICES; TO PROVIDE THAT THE DIVISION MAY ESTABLISH COPAYMENTS AND COINSURANCE FOR ANY MEDICAID SERVICES; TO ALLOW THE DIVISION TO USE ENHANCED REIMBURSEMENTS AND UPPER PAYMENT LIMIT PROGRAMS FOR ITS REIMBURSEMENT PROGRAM; TO AUTHORIZE REIMBURSEMENT FOR A BARIATRIC SURGERY PROGRAM; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REDUCE THE RATE OF REIMBURSEMENT TO CERTAIN PROVIDERS FOR SERVICES BY 5% OF THE ALLOWED AMOUNT FOR THAT SERVICE; TO REQUIRE PROVIDERS TO MAINTAIN RECORDS AS PRESCRIBED BY THE DIVISION

AND IN ACCORDANCE WITH FEDERAL LAW; TO DELETE CERTAIN ENROLLMENT LIMITATIONS AND PROVISIONS RELATING TO MANAGED CARE PROGRAMS; TO ALLOW THE DIVISION OF MEDICAID TO APPROVE THE USE OF ALTERNATIVE PAYMENT MODELS FOR REIMBURSEMENT RATES; TO CLARIFY LIMITATIONS ON MEDICAID ELIGIBILITY FOR ENROLLMENT IN MANAGED CARE PROGRAMS; TO DELETE THE PROVISIONS THAT PROVIDE FOR THE COMMISSION ON EXPANDING MEDICAID MANAGED CARE; TO REQUIRE CONTRACTORS RECEIVING PAYMENTS UNDER A MANAGED CARE DELIVERY SYSTEM TO DISCLOSE TO THE CHAIRMEN OF THE SENATE AND HOUSE MEDICAID COMMITTEES THE ADMINISTRATIVE EXPENSES FOR THE PRIOR YEAR, AND THE NUMBER OF EMPLOYEES IN MISSISSIPPI WHO ARE DEDICATED TO MEDICAID AND CHIP LINES OF BUSINESS AS OF JUNE 30 OF EACH YEAR; TO PROVIDE FOR REVIEWS OF THE MANAGED CARE PROGRAMS BY THE STATE AUDITOR; TO REQUIRE THAT ALL MANAGED CARE CONTRACTORS SHALL DEVELOP AND IMPLEMENT A UNIFORM CREDENTIALING PROCESS BY WHICH ALL PROVIDERS ARE CREDENTIALLED BY JULY 1, 2022; TO DELETE THE PROVISION THAT THERE SHALL NOT BE CUTS TO INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO DIRECT THE DIVISION TO EVALUATE THE FEASIBILITY OF CONTINUING TO ADMINISTER PHARMACY BENEFITS UNDER FEE-FOR-SERVICE AND DENTAL BENEFITS UNDER MANAGED CARE; TO DIRECT MANAGED CARE CONTRACTORS TO IMPLEMENT INNOVATIVE PROGRAMS FOR MEMBERS WITH PREDIABETES AND DIABETES; TO AUTHORIZE THE DIVISION TO NEGOTIATE A LIMITATION ON LIABILITY TO THE STATE OF CERTAIN PROSPECTIVE CONTRACTORS; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NURSING FACILITIES OPERATED BY THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER ARE NOT EXEMPT FROM THE ANNUAL ASSESSMENT FOR THE SUPPORT OF THE MEDICAID PROGRAM, TO DELETE CERTAIN TECHNICAL PROVISIONS RELATING TO THE ASSESSMENT AND COLLECTION OF THE HOSPITAL ASSESSMENT, TO CLARIFY THE PROCEDURE FOR PAYMENT OF THE HOSPITAL ASSESSMENT FOR THE NONFEDERAL SHARE NECESSARY FOR THE MEDICARE UPPER PAYMENT LIMITS (UPL) PROGRAM AND THE DISPROPORTIONATE SHARE HOSPITAL (DSH) PROGRAM; TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO PROVIDE UP TO 12 MONTHS OF CONTINUOUS COVERAGE POSTPARTUM FOR ANY INDIVIDUAL WHO QUALIFIES FOR MEDICAID AS A PREGNANT WOMAN TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE MORATORIUM ON THE AUTHORITY OF THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OR CONVERSION OF CHILD/ADOLESCENT PSYCHIATRIC OR CHEMICAL DEPENDENCY BEDS PARTICIPATING IN THE MEDICAID PROGRAM AND TO DELETE CERTAIN RESTRICTIONS ON MEDICAID REIMBURSEMENT FOR SUCH BEDS; TO AMEND SECTION 41-75-5, MISSISSIPPI CODE OF 1972, TO DELETE THE RESTRICTION ON POST ACUTE RESIDENTIAL BRAIN INJURY REHABILITATION FACILITIES PARTICIPATION IN THE MEDICAID PROGRAM; TO AMEND SECTION 83-9-353, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN RESTRICTIONS ON REMOTE PATIENT TELEMONITORING SERVICES; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1008 was adopted.

YEAS AND NAYS On H. B. No. 1008. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier,

Harkins, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--Chism, McDaniel, Sojourner. Total--3.

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

Voting Present--Hill. Total--1.

Senator Polk called up the following entitled bill:

H. B. No. 359: Municipally-owned utilities; may use accounting system accommodation for uncollectible customer indebtedness.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For purposes of this act, the term "utility" shall mean any utility created or operated pursuant to Section 21-27-11 et seq., Mississippi Code of 1972, or any entity created by or authorized by other legislation of the State of Mississippi providing water, sewer, electricity, gas, transportation or other utility services whose rates are not subject to regulation by the Mississippi Public Service Commission.

(2) For purposes of this act, "low-income customer" shall mean any customer of a utility whose household income equals or is less than two hundred percent (200%) of the Federal Poverty Guidelines for a household the size of the customer's. A utility may deem a customer to have income less than two hundred percent (200%) of the Federal Poverty Guidelines without further income verification if a member of the customer's household receives benefits through the Supplemental Nutritional Assistance Program (SNAP).

(3) Any utility may institute a program to address certain disputed or delinquent customer accounts. The utility must adopt rules and procedures to implement the program if instituted. The utility's authority to compromise doubtful claims is limited to the following cases:

(a) (i) Instances of error on the part of the utility such as equipment failure or process failure, but only to the extent the customer did not receive the benefit of the utility service;

(ii) Instances of error not on the part of the customer due to unforeseen circumstance such as damage, extreme weather-related event, declared disaster or emergency, or mandatory evacuation, but only to the extent the customer did not receive the benefit of the utility service; and

(b) Instances where a low-income customer's overdue balance for a utility service can be reasonably adjudged to be uncollectable, in which case the utility may use an installment payment agreement to allow the customer additional time to pay a prescribed portion of the outstanding balance, and as part of the installment payment plan, to offer the use by the utility of accounting procedures to move the remaining balance as an uncollectable debt to a special accounting category of uncollectable or inactive accounts as outlined in the program rules if the customer fulfills all terms of the installment plan. The program must provide that the accounting adjustments under this paragraph (b) do not result in forgiveness of uncollectable debts.

(4) The utility may set program parameters to take into account the principle of collateral estoppel as to its own prior service, billing or collection actions.

(5) Any utility that participates in the program shall provide to the Governor, Lieutenant Governor, Speaker of the House of Representatives and Mississippi Public Utilities Staff a biannual report that details the utility's revenue collection, the number of accounts that have been adjudged uncollectable, the number of accounts that are participating in the installment payment plans, the number of accounts that are overdue, the percentage of customers who are classified as low-income, and the effect of the program on the utility's revenue collection.

(6) This section shall stand repealed on July 1, 2024.

SECTION 2. Section 31-19-27, Mississippi Code of 1972, is amended as follows:

31-19-27. A doubtful claim of the state, or of the county, city, town, village, or levee board is one for which judgment has been rendered and for the collection of which the ordinary process of law has been ineffectual; debts due by drainage districts or other taxing districts or sinking funds to counties under the Rehabilitation Act of 1928, being Chapter 88 * * *, Laws of 1928, and Chapter 16 of the Acts of the Special Session of 1931; those debts due counties by drainage districts, which the Reconstruction Finance Corporation has heretofore refused to refinance; those debts due a municipal utility system as authorized under Section 1 of this act; debts due for sixteenth section township school fund loans made to churches, where the board of supervisors finds that the value of the security given therefor is insufficient or inadequate to pay or satisfy the principal and interest of said loan, and when the church repays the principal of said loan; and debts due by counties and townships to drainage districts for drainage district assessments or taxes levied and assessed upon sixteenth section lands.

SECTION 3. Section 31-19-29, Mississippi Code of 1972, is amended as follows:

31-19-29. The Governor, on the advice of the Attorney General or * * * the Commissioner of Revenue, may, upon application of the defendant or debtor proposing a compromise, settle and compromise any doubtful claim of the state, or of any county, city, town, or village, or of any levee board against such defendant or debtor, upon such terms as he may deem proper, the board of supervisors in the case of a county, and the municipal authorities in the case of a city, town or village, and the levee board in the case of a claim of a levee board, concurring therein. The Governor, upon application of a drainage district having obligations outstanding to a county under the provisions of Chapter 88, Laws of 1928, and Chapter 16, Laws of the Extraordinary Session of 1931, or obligations which the Reconstruction Finance Corporation has heretofore refused to refinance, may settle and compromise any claim, debt or obligation that said drainage district may owe any county in the State of Mississippi for money loaned said district under the provisions of said Chapter 88, Laws of 1928, or any other claim, debt or obligation that said drainage district may owe the county which the Reconstruction Finance Corporation has heretofore refused to finance, if the board of supervisors of said county concurs in the application of the drainage district. A utility may compromise a debt owed for water and sewer service only as provided in Section 1 of this act. The Governor, upon application by the board of supervisors for any taxing districts of said county or sinking funds of said county under the control and supervision of said board of supervisors having obligations outstanding and due to said county under the provisions of Chapter 88, Laws of 1928, and Chapter 16, Laws of the Extraordinary Session of 1931, may settle and compromise any claim, debt, or obligation that said taxing districts or sinking funds may owe said county for money loaned said taxing districts or sinking funds under the provisions of said Chapter 88, Laws of 1928; and provided that the Governor, on the advice of the Attorney General, and upon application of a church owing a sixteenth section township school fund loan, may settle and compromise such debt or obligation if the board of supervisors of the said county concurs in the application of the said church. The Governor may, on the advice of the Attorney General, in like manner compromise and settle a claim of a drainage

district for unpaid assessments or taxes upon sixteenth section lands upon application of the board of supervisors wherein such sixteenth section is situated, if the commissioners of the drainage district concur therein.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE MUNICIPALLY OWNED UTILITIES AND OTHER ENTITIES TO ADOPT RULES AND PROCEDURES AUTHORIZING ACCOUNTING SYSTEM ACCOMMODATION OF CERTAIN UNCOLLECTABLE INDEBTEDNESS OWED BY A CUSTOMER FOR UTILITY SERVICES; TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTIONS 31-19-27 AND 31-19-29, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Senators Blount and Horhn (in his absence) offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by deleting the language beginning with the word "or" on line 10 through the period on line 14.

FURTHER, AMEND by deleting subsection (2) on lines 15 through 23 and renumbering accordingly.

FURTHER, AMEND on line 25 by inserting the following:

The utility may consider the customer's ability to pay the full amount owed on the account.

FURTHER, AMEND on line 38 by deleting the words "low-income"

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 359 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 359 was adopted.

YEAS AND NAYS On H. B. No. 359. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Boyd, Bryan, Butler, Caughman, Chassaniol, Hill, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McDaniel, Michel, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--31.

Nays--Barrett, Blackwell, Chism, England, Fillingane, McMahan, Seymour, Suber, Tate. Total--9.

Absent and those not voting---None.

Voting Present--Branning, Carter, DeLano, Harkins, Hopson, McCaughn, Moran, Sparks. Total--8.

Senator DeBar, who would have voted nay on H. B. No. 359, announced a pair with Senator Horhn, who would have voted yea.

Senator McLendon, who would have voted nay on H. B. No. 359, announced a pair with Senator Frazier, who would have voted yea.

Senator Hopson moved that the rules be suspended for the immediate consideration of **H. B. No. 1290**, and the motion prevailed.

Senator Hopson called up the motion to reconsider the vote whereby **H. B. No. 1290** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 1290: Attorney General; allow salaries of assistants to exceed statutory limitation under certain circumstances..

The foregoing motion prevailed.

Senator Hopson moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 1290** was adopted by the Senate.

The foregoing motion prevailed.

Senators Hopson and Wiggins offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by deleting the words "and special assistant" on line 55, lines 59 through 60, and line 63.

FURTHER, AMEND on line 62 by inserting before the period the following:

, and provided further that such assistant attorneys general are litigation attorneys whose duties require them to appear regularly in court.

FURTHER, AMEND on line 101 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1290 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1290 was adopted.

YEAS AND NAYS On H. B. No. 1290. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.
Absent and those not voting--Horhn. Total--1.

Senator Wiggins moved that the rules be suspended for the immediate consideration of calendar item 83, **H. B. No. 1077**, and the motion prevailed.

Senator Wiggins called up the following entitled bill:

H. B. No. 1077: Open account; revise definition and require account creditor to send demand to current address of account debtor through certain means.

Senator Wiggins offered the following AMENDMENT NO. 1.

AMEND on line 80 be inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to H. B. No. 1077 was adopted.

YEAS AND NAYS On H. B. No. 1077. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.
Absent and those not voting--Horhn. Total--1.

Senator Barnett moved that the rules be suspended for the immediate consideration of calendar item 54, **H. B. No. 747**, and the motion prevailed.

Senator Barnett called up the motion to reconsider the vote whereby **H. B. No. 747** passed the Senate and moved that it be reconsidered:

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

The foregoing motion prevailed.

Senator McMahan offered the following AMENDMENT NO. 2.

AMEND by inserting the following after line 118 and renumber subsequent section(s) accordingly:

SECTION *. Section 93-17-1, Mississippi Code of 1972, is brought forward and amended as follows:

93-17-1. (1) The chancery court or the chancellor in vacation, of the county of the residence of the petitioners shall have jurisdiction upon the petition of any person to alter the names of such person, to make legitimate any living offspring of the petitioner not born in wedlock, and to decree said offspring to be an heir of the petitioner.

(2) An illegitimate child shall become a legitimate child of the natural father if the natural father marries the natural mother and acknowledges the child.

(3) No person while committed, sentenced, or otherwise placed under the custody of the Department of Corrections shall have standing before a chancery court for the purposes of identity or name change. No chancery judge shall order an identity change for a person while committed, sentenced, or otherwise placed under the custody of the Department of Corrections. No chancery clerk shall process requests for identity changes for any person committed, sentenced, or otherwise placed under the custody of the Department of Corrections.

(4) The following exceptions may apply to this subsection (3):

(a) A district attorney may petition a chancery judge on behalf of an incarcerated person for purposes of identity or name change.

(b) A sheriff of a county in which a person is incarcerated may petition a chancery judge on behalf of an incarcerated person within the county for purposes of a name or identity change.

(c) The requirements of this subsection shall not apply to an incarcerated person with contrary religious beliefs.

FURTHER, AMEND the title to conform.

POINT OF ORDER

A point of order was raised by Senator Blackmon that the Amendment No. 2 is not germane.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken. The fundamental purpose of the amendment does not relate to the purpose of the original bill.

Senator Barnett offered the following AMENDMENT NO. 3.

AMEND on line 121 by changing "30" to "29"

Amendment No. 3 to H. B. No. 747 was adopted.

YEAS AND NAYS On H. B. No. 747. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 55, **H. B. No. 1095**, and the motion prevailed.

Senator Harkins called up the motion to reconsider the vote whereby **H. B. No. 1095** passed the Senate and moved that it be reconsidered:

H. B. No. 1095: Department of Revenue; authorize to compromise and settle certain tax liabilities.

The foregoing motion prevailed.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 663 by deleting "30" and inserting "29" in lieu thereof.

Amendment No. 1 to H. B. No. 1095 was adopted.

YEAS AND NAYS On H. B. No. 1095. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

MESSAGE FROM THE HOUSE

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

S. B. No. 2087: Cemetery owners; authorize to disinter dead human remains for reinterment, reburial or delivery to a carrier for transportation.

S. B. No. 2261: Perpetual cemetery law; revise notice and maintenance provisions for counties and municipalities.

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state.

S. B. No. 2279: Parole and earned release; criminalize absconding.

S. B. No. 2373: Motor fuel sales; provide immunity for damages caused by the use of incompatible fuel upon certain conditions.

S. B. No. 2437: Distinctive motor vehicle license tags; authorize for Wildlife Mississippi.

S. B. No. 2621: Task Force; establish to study domestic law matters.

S. B. No. 2649: Energy efficiency contracts; extend repeal date on use of.

S. B. No. 2664: Early Learning Collaborative Act of 2013; prescribe standards and benchmarks.

S. B. No. 2807: Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized.

S. B. No. 2830: New Markets Tax Credit; extend MDA's ability to allocate by one year.

S. B. No. 2831: Historic structure income tax credit; cap per taxpayer and authorize sale or transfer.

S. B. No. 2832: Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026.

S. B. No. 2839: SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate.

Andrew Ketchings, Clerk of the House of Representatives

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

The motion prevailed, and at 4:46 PM, the Senate stood in recess.

The Senate resumed business at 5:35 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

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

S. B. No. 2124: Mississippi Department of Employment Security; revise various provisions regarding authority of.

S. B. No. 2282: Youth detention; raise minimum age for youth commitment to state training school and secure detention.

S. B. No. 2521: Mississippi Advantage Jobs Act; revise definition of "new direct job" for incentive applicants from and after July 1, 2010.

Andrew Ketchings, Clerk of the House of Representatives

Senator Bryan called up the following entitled bill:

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.

Senator Blackwell offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-136, Mississippi Code of 1972, is amended as follows:

41-29-136. (1) "CBD solution" means a pharmaceutical preparation consisting of processed cannabis plant extract in oil or other suitable vehicle.

(2) (a) CBD solution prepared from (i) Cannabis plant extract that is provided by the National Center for Natural Products Research at the University of Mississippi under appropriate federal and state regulatory approvals, or (ii) Cannabis extract from hemp produced pursuant to Sections 69-25-201 through 69-25-221, which is prepared and tested to meet compliance with regulatory specifications, may be dispensed by the Department of Pharmacy Services at the University of Mississippi Medical Center (UMMC Pharmacy) after mixing the extract with a suitable vehicle. The CBD solution may be prepared by the UMMC Pharmacy or by another pharmacy or laboratory in the state under appropriate federal and state regulatory approvals and registrations.

(b) The patient or the patient's parent, guardian or custodian must execute a hold-harmless agreement that releases from liability the state and any division, agency, institution or employee thereof involved in the research, cultivation, processing, formulating, dispensing, prescribing or administration of CBD solution obtained from entities authorized under this section to produce or possess cannabidiol for research under appropriate federal and state regulatory approvals and registrations.

(c) The National Center for Natural Products Research at the University of Mississippi and the Mississippi Agricultural and Forestry Experiment Station at Mississippi State University are the only entities authorized to produce cannabis plants for cannabidiol research.

(d) Research of CBD solution under this section must comply with the provisions of Section 41-29-125 regarding lawful possession of controlled substances, of Section 41-29-137 regarding record-keeping requirements relative to the dispensing, use or administration of controlled substances, and of Section 41-29-133 regarding inventory requirements, insofar as they are applicable. Authorized entities may enter into public-private partnerships to facilitate research.

(3) (a) In a prosecution for the unlawful possession of marijuana under the laws of this state, it is an affirmative and complete defense to prosecution that:

(i) The defendant suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section; or

(ii) The defendant is the parent, guardian or custodian of an individual who suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section.

(b) An agency of this state or a political subdivision thereof, including any law enforcement agency, may not initiate proceedings to remove a child from the home based solely upon the possession or use of CBD solution by the child or parent, guardian or custodian of the child as authorized under this section.

(c) An employee of the state or any division, agency, institution thereof involved in the research, cultivation, processing, formulation, dispensing, prescribing or administration of CBD solution shall not be subject to prosecution for unlawful possession, use, distribution or prescription of marijuana under the laws of this state for activities arising from or related to the use of CBD solution in the treatment of individuals diagnosed with a debilitating epileptic condition.

(4) This section shall be known as "Harper Grace's Law."

(5) This section shall stand repealed from and after July 1, * * * 2024.

SECTION 2. Title. Sections 2 through 26 of this act shall be known and may be cited as the "Mississippi Medical Cannabis Act."

SECTION 3. Definitions. For purposes of this act, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Allowable amount of cannabis" means a dispensary shall not provide to a qualifying patient, during any one (1) fourteen-day period, an amount of medical cannabis that exceeds two and one-half (2.5) ounces by weight. At no one (1) time shall a qualified patient possess more than two and one-half (2.5) ounces of medical cannabis. The weight limitation herein shall not include any ingredients combined with medical cannabis to prepare edible products, topical products, ointments, oils, tinctures, or other products.

(b) "Bona fide practitioner-patient relationship" means:

(i) A practitioner and patient have a treatment or consulting relationship, during the course of which the practitioner has completed an assessment of the patient's medical history and current medical condition;

(ii) The practitioner has consulted with the patient with respect to the patient's debilitating medical condition; and

(iii) The practitioner is available to or offers to provide follow-up care and treatment to the patient.

(c) "Cannabis" means all parts of the plant of the genus cannabis, the flower, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including whole plant extracts.

(d) "Cannabis products" means concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes, without limitation, edible cannabis

products, beverages, topical products, ointments, oils, and tinctures that contain tetrahydrocannabinol except those excluded from control under Sections 41-29-113 and 41-29-136.

(e) "Cannabis research facility" or "research facility" means an independent entity registered with MDAC pursuant to this act that acquires cannabis from cultivation-processing facilities in order to possess, deliver, transfer, and transport medical cannabis products during the process of investigating and analyzing cannabis in order to develop best practices for specific medical conditions, develop medicines, and provide commercial access for medical use.

(f) "Cannabis testing facility" or "testing facility" means an independent entity registered with MDAC pursuant to this act to analyze the safety and potency of cannabis.

(g) "Cardholder" means a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card.

(h) "Cultivation-processing facility" means an entity licensed by MDAC and registered with the Department of Revenue that acquires, possesses, grows, cultivates, harvests, processes, manufactures, delivers, transfers, transports, supplies, and sells cannabis and related supplies to medical cannabis establishments, pharmacies, and hospitals.

(i) "Debilitating medical condition" means:

(i) Cancer, Parkinson's disease, Huntington's disease, muscular dystrophy, glaucoma, spastic quadriplegia, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis, amyotrophic lateral sclerosis (ALS), Crohn's disease, ulcerative colitis, sickle-cell anemia, Alzheimer's disease, agitation of dementia, post-traumatic stress disorder, autism with self-injurious or aggressive behavior, pain refractory to appropriate opioid management, spinal cord disease or severe injury, or the treatment of these conditions;

(ii) A chronic or debilitating disease or medical condition, or its treatment, that produces one or more of the following: cachexia or wasting syndrome; chronic or debilitating pain; severe or intractable nausea; seizures; or severe and persistent muscle spasms, including, but not limited to, those characteristic of multiple sclerosis; or

(iii) Any other serious medical condition or its treatment added by the department, as provided for in Section 7 of this act.

(j) "Department" means the Mississippi State Department of Health.

(k) "Designated caregiver" means a person who:

(i) Is at least twenty-one (21) years of age unless the person is the parent or legal guardian of each qualifying patient the person assists;

(ii) Has agreed to assist with a qualifying patient's medical use of cannabis;

(iii) Has not been convicted of a disqualifying felony offense; and

(iv) Assists no more than the number of qualifying patients allowed by department regulations with their medical use of cannabis, unless the designated caregiver's qualifying patients each reside in or are admitted to a health care facility or residential care facility where the designated caregiver is employed.

A designated caregiver is prohibited from consuming cannabis provided for use to a qualified patient.

(l) "Disqualifying felony offense" means:

(i) A crime of violence, as defined in Section 97-3-2, or that was defined as a violent crime in the law of the jurisdiction in which the offense was committed, and that was classified as a felony in the jurisdiction where the person was convicted;

(ii) A violation of a state- or federal-controlled substances law that was classified as a felony in the jurisdiction where the person was convicted, not including:

1. An offense for which the sentence, including any term of probation, incarceration, or supervised release, was completed ten (10) or more years earlier; or

2. An offense that consisted of conduct for which this act would likely have prevented a conviction, but the conduct either occurred before the effective date of this act or was prosecuted by an authority other than the State of Mississippi; or

(iii) Embezzlement.

(m) "Edible cannabis products" means products that:

(i) Contain or are infused with cannabis or an extract thereof;

(ii) Are intended for human consumption by oral ingestion; and

(iii) Are presented in the form of foodstuffs, beverages, extracts, oils, tinctures, and other similar products.

(n) "MDAC" means the Mississippi Department of Agriculture and Commerce.

(o) "Medical cannabis" means cannabis, cannabis products, and edible cannabis.

(p) "Medical cannabis dispensary" or "dispensary" means an entity registered with the Department of Revenue that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses medical cannabis, paraphernalia, or related supplies and educational materials to cardholders.

(q) "Medical cannabis establishment" means a cultivation facility or processing facility, a cannabis testing facility, dispensary, cannabis research facility, or other medical cannabis entity licensed by the appropriate agency and registered with the Department of Revenue.

(r) "Medical cannabis establishment agent" means an owner, officer, board member, employee, volunteer, or agent of a medical cannabis establishment.

(s) "Medical use" includes the acquisition, administration, cultivation, manufacture, delivery, harvest, possession, preparation, transfer, transportation, or use of medical cannabis or paraphernalia relating to the administration of medical cannabis to treat or alleviate a registered qualifying patient's debilitating medical condition or

symptoms associated with the patient's debilitating medical condition. The term does not include:

(i) The cultivation of cannabis unless the cultivation is done by a cultivation-processing facility; or

(ii) The extraction of resin from cannabis by solvent extraction unless the extraction is done by a cannabis product cultivation-processing facility.

(t) "Nonresident cardholder" means a person who:

(i) Has been diagnosed with a debilitating medical condition by a practitioner, or is the parent, guardian, conservator, or other person with authority to consent to the medical treatment of a person who has been diagnosed with a debilitating medical condition;

(ii) Is not a resident of Mississippi or who has been a resident of Mississippi for less than forty-five (45) days; and

(iii) Has submitted any documentation required by department regulations and has received confirmation of registration.

(u) "Other minority group" shall mean an individual who is: (a) Hispanic American; (b) American Indian; (c) Asian American; (d) Pacific Islander American; (e) a woman; or (f) a service-connected veteran with a service-connected disability as designated by the United States Department of Veterans Affairs.

(v) "Practitioner" or "licensed medical provider" means a physician, nurse practitioner, optometrist, dentist, or other medical professional who is licensed to practice with authority to prescribe drugs to humans. In relation to a nonresident cardholder, the terms mean a physician, nurse practitioner, optometrist, dentist or chiropractor or other medical professional who is licensed with authority to prescribe drugs to humans in the state of the patient's residence.

(w) "Qualifying patient" means a person who has been diagnosed by a practitioner as having a debilitating medical condition or has been issued a written certification.

(x) "Registry identification card" means a document issued by the department that identifies a person as a registered qualifying patient or registered designated caregiver, or documentation that is deemed a registry identification card under Section 12 of this act.

(y) "Written certification" means a form approved by the department, signed and dated by a practitioner, certifying that a person suffers from a debilitating medical condition. The certification shall remain current for twelve (12) months, unless the practitioner specifies a shorter period of time, and shall be issued only after an assessment of the patient by a practitioner. A certification shall only be issued on behalf of a minor when the minor's parent or guardian is present and provides signed consent. Nothing herein shall require a practitioner to issue a certification.

SECTION 4. Protections for the medical use of cannabis. (1) A cardholder who possesses a valid registry identification card is not subject to arrest, prosecution, or penalty in any manner, or denial of any right or privilege, including any civil penalty or disciplinary action by a court or occupational or professional licensing board or bureau for:

(a) The medical use of cannabis under this act, if the cardholder does not possess more than the allowable amount of cannabis;

(b) Reimbursement by a registered qualifying patient to the patient's registered designated caregiver for direct costs incurred by the registered designated caregiver for assisting with the registered qualifying patient's medical use of cannabis;

(c) Transferring cannabis to a testing facility for testing;

(d) Compensating a dispensary, pharmacy, hospital, or a testing facility for goods or services provided; or

(e) Selling, transferring, or delivering cannabis seeds intended to target their specific medical condition to a cultivation-processing facility or dispensary.

(2) A nonresident cardholder shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including, but not limited to, civil penalty or disciplinary action by a business or occupational or professional licensing board or entity, for transporting, purchasing, possessing, or using medical cannabis pursuant to this act if the nonresident cardholder does not possess more than the allowable amount of cannabis.

(3) There is a presumption that a qualifying patient or designated caregiver is engaged in the medical use of cannabis under this act if the person is in possession of a registry identification card and an amount of cannabis that does not exceed the allowable amount. The presumption may be rebutted by evidence that conduct related to cannabis was not for the purpose of treating or alleviating a qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition under this act.

(4) A practitioner shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including, but not limited to, civil penalty or disciplinary action by the State Board of Medical Licensure or by any other occupational or professional licensing board or bureau, for providing written certifications or for otherwise stating that, in the practitioner's professional opinion, a patient is likely to receive medical or palliative benefit from the medical use of cannabis to treat or alleviate the patient's serious or debilitating medical condition or symptoms associated with the serious or debilitating medical condition, provided that nothing in this act shall prevent a practitioner from being sanctioned for:

(a) Issuing a written certification to a patient with whom the practitioner does not have a bona fide practitioner-patient relationship; or

(b) Failing to properly evaluate a patient's medical condition.

(5) A holder of a professional or occupational license may not be subject to professional discipline solely for providing advice or services related to medical cannabis activities that are allowed under this act.

(6) An applicant for a professional or occupational license may not be denied a license based on previous employment related to medical cannabis activities that are allowed under this act.

(7) No person may be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including any civil penalty or disciplinary action by a court or occupational or professional licensing board or bureau, for:

(a) Providing or selling paraphernalia to a cardholder, nonresident cardholder, or to a medical cannabis establishment;

(b) Being in the presence or vicinity of the medical use of cannabis that is exempt from criminal penalties under this act;

(c) Allowing the person's property to be used for activities that are exempt from criminal penalties under this act; or

(d) Assisting a registered qualifying patient with the act of using or administering cannabis.

(8) A medical cannabis establishment or a medical cannabis establishment agent is not subject to prosecution, search, or inspection, except by its licensing agency, under Section 18 of this act, or to seizure, or to penalty in any manner, and may not be denied any right or privilege, including civil penalty or disciplinary action by a court or business licensing board or entity, for acting pursuant to this act and rules authorized by this act to engage in activities related to medical cannabis that are allowed by its registration.

(9) A dispensary, a dispensary agent, pharmacy, pharmacy agent, hospital, or hospital agent is not subject to prosecution, search, or inspection, except by the licensing agency, under Section 18 of this act, or to seizure, or to penalty in any manner, and may not be denied any right or privilege, including civil penalty or disciplinary action by a court or business licensing board or entity, for acting pursuant to this act and rules authorized by this act to:

(a) Possess, transport, and store medical cannabis products;

(b) Deliver, transfer, and transport medical cannabis to testing facilities and compensate testing facilities for services provided;

(c) Accept medical cannabis products offered by a cardholder or nonresident cardholder if nothing of value is exchanged in return;

(d) Purchase or otherwise acquire medical cannabis products from cultivation-processing facilities, dispensaries, pharmacies, or hospitals; and

(e) Deliver, sell, supply, transfer, or transport medical cannabis products, and paraphernalia, and related supplies and educational materials to cardholders, nonresident cardholders, dispensaries, pharmacies, and hospitals.

(10) A cultivation-processing facility or a cultivation-processing facility agent is not subject to prosecution, search, or inspection, except by MDAC pursuant to Section 18 of this act, seizure, or penalty in any manner, and may not be denied any right or privilege, including civil penalty or disciplinary action by a court or business licensing board or entity, for acting pursuant to this act and rules authorized by this act to:

(a) Possess, plant, propagate, cultivate, grow, harvest, produce, process, manufacture, compound, convert, prepare, pack, repack, or store medical cannabis;

(b) Deliver, transfer, or transport medical cannabis and cannabis products to testing facilities and compensate testing facilities for services provided;

(c) Accept medical cannabis products offered by a cardholder or nonresident cardholder if nothing of value is exchanged in return;

(d) Purchase or otherwise acquire medical cannabis and cannabis products from medical cannabis establishments;

(e) Purchase cannabis seeds from cardholders, nonresident cardholders, and the equivalent of a medical cannabis establishment that is registered in another jurisdiction; and

(f) Deliver, sell, supply, transfer, or transport medical cannabis products, paraphernalia, and related supplies and educational materials to cultivation-processing facilities, dispensaries, pharmacies, and hospitals.

(11) A cannabis research facility or a cannabis research facility agent is not subject to prosecution, search, or inspection, except by MDAC as authorized under this act, seizure, or penalty in any manner, and may not be denied any right or privilege, including civil penalty or disciplinary action by a court or business licensing board or entity, for acting pursuant to this act and rules authorized by this act to:

(a) Purchase or otherwise acquire medical cannabis from cultivation-processing facilities;

(b) Possess, produce, manufacture, compound, convert, prepare, pack, repack, and store medical cannabis and cannabis products;

(c) Deliver, transfer, or transport medical cannabis, paraphernalia, and related supplies and educational materials to cultivation-processing facilities and other research facilities;

(d) Deliver, transfer, or transport medical cannabis to testing facilities and compensate testing facilities for services provided;

(e) Deliver, sell, supply, transfer, or transport medical cannabis, paraphernalia, and related supplies and educational materials to cannabis cultivation-processing facilities.

(12) A testing facility or testing facility agent is not subject to prosecution, search, or inspection, except by MDAC pursuant to Section 18 of this act, seizure, or penalty in any manner, and may not be denied any right or privilege, including civil penalty or disciplinary action by a court or business licensing board or entity, for acting pursuant to this act and rules authorized by this act to:

(a) Acquire, possess, transport, and store medical cannabis and cannabis products obtained from cardholders, nonresident cardholders, and medical cannabis establishments;

(b) Return the cannabis and cannabis products to the cardholders, nonresident cardholders, and medical cannabis establishments from whom it was obtained;

(c) Test cannabis, including for potency, pesticides, mold, or contaminants;
and

(d) Receive compensation for those services.

(13) A cardholder, nonresident cardholder, or the equivalent of a medical cannabis establishment that is registered in another jurisdiction may sell or donate cannabis seeds to cultivation-processing facilities.

(14) Any medical cannabis, cannabis product, paraphernalia, or other interest in or right to property that is possessed, owned, or used in connection with the medical use of cannabis as allowed under this act, or acts incidental to such use, shall not be seized or forfeited. This act shall not prevent the seizure or forfeiture of cannabis exceeding the amounts allowed under this act, nor shall it prevent seizure or forfeiture if the basis for the action is unrelated to the cannabis that is possessed, manufactured, transferred, or used pursuant to this act.

(15) Possession of, or application for, a registry identification card does not constitute probable cause or reasonable suspicion, nor shall it be used to support a search of the person or property of the person possessing or applying for the registry identification card, or otherwise subject the person or property of the person to inspection by any governmental agency.

(16) For the purposes of Mississippi state law, activities related to medical cannabis shall be considered lawful if done in accordance with this act.

(17) No law enforcement officer employed by an agency which receives state or local government funds shall expend any state or local resources, including the officer's time, to effect any arrest or seizure of medical cannabis, or conduct any investigation, on the sole basis of activity the officer believes to constitute a violation of federal law if the officer has reason to believe that such activity is in compliance with state medical cannabis laws, nor shall any such officer expend any state or local resources, including the officer's time, to provide any information or logistical support related to such activity to any federal law enforcement authority or prosecuting entity.

(18) It is the public policy of the State of Mississippi that contracts related to medical cannabis that are entered into by cardholders, medical cannabis establishments, or medical cannabis establishment agents, and those who allow property to be used by those persons, should be enforceable. It is the public policy of the State of Mississippi that no contract entered into by a cardholder, a medical cannabis establishment, or a medical cannabis establishment agent, or by a person who allows property to be used for activities that are exempt from state criminal penalties by this act, shall be unenforceable on the basis that activities related to cannabis are prohibited by federal law.

(19) Before sale, food or drink that has been combined with usable cannabis or cannabis products shall not exceed twenty milligrams (20mg) of active tetrahydrocannabinol (THC) per portion and shall be physically demarked. If portions of the food or drink cannot be physically demarked, the entirety of the food or drink that has been combined with usable cannabis or cannabis products shall not contain more than twenty milligrams (20mg) of active tetrahydrocannabinol (THC).

SECTION 5. Limitations. This act does not authorize any person to engage in, and does not prevent the imposition of any civil, criminal, or other penalties for engaging in, the following conduct:

(a) Undertaking any task under the influence of cannabis, when doing so would constitute negligence or professional malpractice;

(b) Possessing cannabis or otherwise engaging in the medical use of cannabis in any correctional facility, unless the correctional facility has elected to allow the cardholder to engage in the use of medical cannabis;

(c) Smoking cannabis in a public place; or

(d) Operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, or motorboat while under the influence of cannabis.

SECTION 6. Discrimination prohibited. (1) No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for the person's status as a cardholder, unless failing to do so would violate federal law or regulations or cause the school or landlord to lose a monetary or licensing-related benefit under federal law or regulations.

(2) For the purposes of medical care, including organ and tissue transplants, a registered qualifying patient's use of cannabis according to this act is considered the equivalent of the authorized use of any other medication used at the discretion of a

practitioner and does not constitute the use of an illicit substance or otherwise disqualify a qualifying patient from needed medical care.

(3) A person shall not be denied custody of or visitation rights or parenting time with a minor solely for the person's status as a cardholder, and there shall be no presumption of neglect or child endangerment for conduct allowed under this act, unless the person's behavior is such that it creates an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

(4) The rights provided by this section do not apply to the extent that they conflict with an employer's obligations under federal law or regulations or to the extent that they would disqualify an employer from a monetary or licensing-related benefit under federal law or regulations.

(5) No employer is required to allow the ingestion of cannabis in any workplace or to allow any employee to work while under the influence of cannabis. A registered qualifying patient shall not be considered to be under the influence of cannabis solely because of the presence of metabolites or components of cannabis that appear in insufficient concentration to cause impairment.

(6) No school, landlord, or employer may be penalized or denied any benefit under state law for enrolling, leasing to, or employing a cardholder.

(7) Facilities such as schools and daycares, and temporary care providers shall be allowed to administer medical cannabis as in the same manner as with medical prescriptions.

SECTION 7. Addition of debilitating medical conditions. Any resident of Mississippi may petition the department to add serious medical conditions or their treatments to the list of debilitating medical conditions listed in Section 3 of this act. The department shall consider petitions in accordance with its regulations, including public notice and hearing. The department shall approve or deny a petition within sixty (60) days of its submission. The approval or denial of any petition is a final decision of the department, subject to judicial review. Jurisdiction and venue for judicial review are vested in the circuit court.

SECTION 8. Acts not required and acts not prohibited. (1) Nothing in this act requires a government medical assistance program or private insurer to reimburse a person for costs associated with the medical use of cannabis.

(2) Nothing in this act prohibits an employer from disciplining an employee for ingesting cannabis in the workplace or for working while under the influence of cannabis.

SECTION 9. Facility restrictions. (1) Any nursing care institution, hospice, assisted living center, assisted living facility, assisted living home, residential care institution, adult day health care facility, or adult foster care home may adopt reasonable restrictions on the use of cannabis by their residents or persons receiving inpatient services, including:

(a) That the facility will not store or maintain the patient's supply of cannabis;

(b) That the facility, caregivers, or hospice agencies serving the facility's residents are not responsible for providing the cannabis for qualifying patients;

(c) That cannabis be consumed only in a place specified by the facility.

(2) Nothing in this section requires a facility listed in subsection (1) of this section to adopt restrictions on the medical use of cannabis.

(3) A facility listed in subsection (1) of this section may not unreasonably limit a registered qualifying patient's access to or use of cannabis authorized under this act unless failing to do so would cause the facility to lose a monetary or licensing-related benefit under federal law or regulations.

SECTION 10. Issuance and denial of registry identification cards. (1) No later than sixty (60) days after the effective date of this act, the department shall begin issuing registry identification cards to qualifying patients who submit the following:

(a) Medical records evidencing a diagnosis of a debilitating medical condition or a written certification issued by a practitioner within ninety (90) days immediately preceding the date of the application;

(b) The application or renewal fee;

(c) The name, address, and date of birth of the qualifying patient, except that if the applicant is homeless, no address is required;

(d) The name, address, and telephone number of the qualifying patient's practitioner issuing the written certification;

(e) The name, address, and date of birth of the designated caregiver, or designated caregivers, chosen by the qualifying patient; and

(f) If more than one (1) designated caregiver is designated at any given time, documentation demonstrating that a greater number of designated caregivers is needed due to the patient's age or medical condition.

(2) If the qualifying patient is unable to submit the information required by subsection (1) of this section due to the person's age or medical condition, the person responsible for making medical decisions for the qualifying patient may do so on behalf of the qualifying patient.

(3) Except as provided in subsection (5) of this section, the department shall:

(a) Verify the information contained in an application or renewal submitted under this act and approve or deny an application or renewal within thirty (30) days of receiving a completed application or renewal application;

(b) Issue registry identification cards to a qualifying patient and his or her designated caregiver(s), if any, within five (5) days of approving the application or renewal. A designated caregiver must have a registry identification card for each of his or her qualifying patients; and

(c) Enter the registry identification number of the dispensary, dispensaries, pharmacy or pharmacies the patient designates into the verification system.

(4) The department may conduct a background check of the prospective designated caregiver in order to carry out the provisions of this section.

(5) The department shall not issue a registry identification card to a qualifying patient who is younger than eighteen (18) years of age unless:

(a) The qualifying patient's practitioner has explained the potential risks and benefits of the use of medical cannabis to the custodial parent or legal guardian with responsibility for health care decisions for the qualifying patient; and

(b) The custodial parent or legal guardian with responsibility for health care decisions for the qualifying patient consents in writing to:

(i) Allow the qualifying patient's use of medical cannabis;

(ii) Serve as the qualifying patient's designated caregiver; and

(iii) Control the acquisition of the medical cannabis, the dosage, and the frequency of the use of medical cannabis by the qualifying patient.

(6) The department may deny an application or renewal of a qualifying patient's registry identification card only if the applicant:

(a) Did not provide the required information or materials;

(b) Previously had a registry identification card revoked; or

(c) Provided false information.

(7) The department may deny an application or renewal for a designated caregiver chosen by a qualifying patient whose registry identification card was granted only if:

(a) The designated caregiver does not meet the definition under Section 3 of this act;

(b) The applicant did not provide the information required;

(c) The designated caregiver previously had a registry identification card revoked; or

(d) The applicant or the designated caregiver provided false information.

(8) The department shall give written notice to the qualifying patient of the reason for denying a registry identification card to the qualifying patient or to the qualifying patient's designated caregiver.

(9) Denial of an application or renewal is considered a final department action, subject to judicial review. Jurisdiction and venue for judicial review are vested in the circuit court.

(10) Until a qualifying patient who has submitted an application to the department receives a registry identification card or a rejection, a copy of the individual's application, written certification, and proof that the application was submitted to the department shall be deemed a registry identification card.

(11) Until a designated caregiver whose qualifying patient has submitted an application and the required fees receives a registry identification card or a rejection, a copy of the qualifying patient's application, written certification, and proof that the application was submitted to the department shall be deemed a registry identification card.

SECTION 11. Registry identification cards. (1) Registry identification cards must contain all of the following:

(a) The name of the cardholder;

(b) A designation of whether the cardholder is a qualifying patient or a designated caregiver;

(c) The date of issuance and expiration date of the registry identification card;

(d) A random ten-digit alphanumeric identification number, containing at least four (4) numbers and at least four (4) letters, that is unique to the cardholder;

(e) If the cardholder is a designated caregiver, the random identification number of the qualifying patient the designated caregiver will assist;

(f) A photograph of the cardholder, if the department's regulations require one; and

(g) The phone number or internet address where the card can be verified.

(2) Except as provided in this section, the expiration date shall be one (1) year after the date of issuance.

(3) If the practitioner stated in the written certification that the qualifying patient would benefit from cannabis until a specified earlier date, then the registry identification card shall expire on that date.

SECTION 12. Temporary registry identification cards. (1) Until sixty (60) days after the department makes applications available, a valid, written certification issued within the previous year shall be deemed a registry identification card for a qualifying patient.

(2) Until sixty (60) days after the department makes applications available, the following shall be deemed a designated caregiver registry identification card:

(a) A copy of a qualifying patient's valid written certification issued within the previous year; and

(b) A signed affidavit attesting that the person has significant responsibility for managing the well-being of the patient and that the person has been chosen to assist the qualifying patient.

SECTION 13. Verification system. (1) The department shall maintain a confidential list of the persons to whom the department has issued registry identification cards and their addresses, phone numbers, and registry identification numbers. This confidential list shall not be combined or linked in any manner with any other list or database, nor shall it be used for any purpose not provided for in this act.

(2) All records containing the identity of qualifying patients, caregivers or practitioners shall be confidential and exempt from disclosure under the Mississippi Public Records Act of any related statute, rule or regulation pertaining to public disclosure of records. Within ninety (90) days after the effective date of this act, the department shall establish a secure phone or internet-based verification system. The verification system must allow law enforcement personnel and medical cannabis establishments to enter a registry identification number to determine whether the number corresponds with a current, valid registry identification card. The system may disclose only:

(a) Whether the identification card is valid;

(b) The name of the cardholder;

(c) Whether the cardholder is a qualifying patient or a designated caregiver;

(d) The registry identification number of any affiliated registered qualifying patient; and

(e) The registry identification of the qualifying patient's dispensary, dispensaries, pharmacy or pharmacies, if any.

SECTION 14. Notifications to department and responses. (1) The following notifications and department responses are required:

(a) A registered qualifying patient shall notify the department of any change in his or her name or address, or if the registered qualifying patient ceases to have his or her debilitating medical condition, within twenty (20) days of the change.

(b) A registered designated caregiver shall notify the department of any change in his or her name or address, or if the designated caregiver becomes aware the qualifying patient passed away, within twenty (20) days of the change.

(c) Before a registered qualifying patient changes his or her designated caregiver, the qualifying patient must notify the department.

(d) When a registered qualifying patient changes his or her preference as to the cultivation-processing facility that may cultivate medical cannabis unique to specific needs for the qualifying patient, the qualifying patient must notify the department.

(e) If a cardholder loses his or her registry identification card, he or she shall notify the department within ten (10) days of becoming aware that the card has been lost.

(f) Before a registered qualifying patient changes his or her designated dispensary, the qualifying patient must notify the department.

(2) Each notification that a registered qualifying patient is required to make shall instead be made by the patient's designated caregiver if the qualifying patient is unable to make the notification due to his or her age or medical condition.

(3) When a cardholder notifies the department of items listed in subsection (1) of this section but remains eligible under this act, the department shall issue the cardholder a new registry identification card with a new random ten-digit alphanumeric identification number within ten (10) days of receiving the updated information. If the person notifying the department is a registered qualifying patient, the department shall also issue his or her registered designated caregiver, if any, a new registry identification card within ten (10) days of receiving the updated information.

(4) If the registered qualifying patient's certifying practitioner notifies the department in writing that either the registered qualifying patient has ceased to suffer from a debilitating medical condition or that the practitioner no longer believes the patient would receive medical or palliative benefit from the use of medical cannabis, the card shall become null and void. However, the registered qualifying patient has fifteen (15) days to return any unused cannabis to the dispensing dispensary or pharmacy.

(5) A medical cannabis establishment shall notify the department within one (1) business day of any theft or loss of cannabis.

SECTION 15. Affirmative defense and dismissal for medical cannabis. (1) Except as provided in Section 5 of this act and this section, a person may assert the medical purpose for using cannabis as a defense to any prosecution involving cannabis, and such defense shall be presumed valid where the evidence shows that:

(a) A practitioner has stated that, in the practitioner's professional opinion, after having completed a full assessment of the person's medical history and current medical condition made in the course of a bona fide practitioner-patient relationship, the patient has a debilitating medical condition and the potential benefits of using medical cannabis would likely outweigh the health risks for the person;

(b) The person was in possession of no more than the allowable amount of cannabis;

(c) The person was engaged in the acquisition, possession, use, or transportation of cannabis, paraphernalia, or both, relating to the administration of cannabis to treat or alleviate the individual's debilitating medical condition or symptoms associated with the individual's debilitating medical condition.

(2) The defense and motion to dismiss shall not prevail if the prosecution proves that:

(a) The person had a registry identification card revoked for misconduct; or

(b) The purposes for the possession of cannabis were not solely for palliative or medical use by the individual with a debilitating medical condition who raised the defense.

(3) An individual is not required to possess a registry identification card to raise the affirmative defense set forth in this section.

(4) If an individual demonstrates the individual's medical purpose for using cannabis pursuant to this section, except as provided in Section 5 of this act, the individual shall not be subject to the following for the individual's use of cannabis for medical purposes:

(a) Disciplinary action by an occupational or professional licensing board or bureau; or

(b) Forfeiture of any interest in or right to any property other than cannabis.

SECTION 16. Licensing of medical cannabis establishments. (1) MDAC shall issue licenses for cultivation-processing facilities. MDAC shall issue at least one (1) dispensary license for each county in which there is an application.

(2) The cultivation-processing facility license application fee shall be a nonrefundable fee of Fifteen Thousand Dollars (\$15,000.00), and the initial medical cannabis dispensary license fee shall be a nonrefundable fee of Five Thousand Dollars (\$5,000.00). Each cultivation-processing facility shall be subject to an annual license renewal fee of Eight Thousand Dollars (\$8,000.00). Each medical cannabis dispensary shall be subject to an annual license renewal fee of Two Thousand Five Hundred Dollars (\$2,500.00).

(3) Upon the passage of this act, MDAC shall begin accepting applications for licenses to operate a cultivation-processing facility and dispensaries, and MDAC shall award the licenses set forth in this subsection (2) of this section.

(4) No individual shall have an economic interest in more than one (1) cultivation-processing license and more than five (5) dispensary licenses.

(5) A dispensary shall appoint a pharmacist consultant who is a pharmacist licensed with the Mississippi State Board of Pharmacy.

(6) Upon the passage of this act, MDAC shall begin accepting applications for prospective medical cannabis establishments.

(7) Minimum qualifications for applicants for a cultivation-processing facility and/or dispensary license(s) are as follows:

(a) An individual applicant for a medical cannabis cultivation facility or medical cannabis dispensary license shall be a natural person who:

(i) Is at least twenty-one (21) years of age;

(ii) Is a current resident of the State of Mississippi and has been a resident for five (5) consecutive years prior to the date of application as determined by this section;

(iii) Has not previously held a license for a cultivation-processing facility or dispensary that has been revoked;

(iv) Has no ownership in any other medical cannabis cultivation-processing facility or more than five (5) dispensaries in the State of Mississippi;

(v) Has not been convicted of a felony offense;

(vi) If possessing a professional license, that the license is in good standing; and

(vii) Has no outstanding tax delinquencies owed to the State of Mississippi.

(b) If the applicant is applying on behalf of an entity, in addition to paragraph (a) of this subsection, the individual applicant shall:

(i) Be legally authorized to submit an application on behalf of the entity;

(ii) Serve as the primary point of contact with MDAC;

(iii) Submit sufficient proof that:

1. The entity has no owner, board member, officer, or anyone with an economic interest in the entity who is under the age of twenty-one (21);

2. At least sixty percent (60%) of the equity ownership interests in the entity are held by individuals who have been residents of the State of Mississippi for at least five (5) consecutive years prior to the application date and any attempt to avoid this provision may result in denial of an application and revocation of a license;

3. The entity has at least one (1) owner who is an African American or one (1) owner who is a member of any other minority group as defined herein;

4. The entity has no owner, board member, officer, or anyone with an economic interest in the entity who has previously been an owner of a dispensary or cultivation-processing facility that has had its license revoked;

5. The entity has no owner, board member, officer, or anyone with an economic interest in the entity who has ownership in any other medical cannabis cultivation facility or more than five (5) medical cannabis dispensaries in the State of Mississippi;

6. The entity has no owner, board member, officer, or anyone with an economic interest in the entity who has been convicted of a disqualifying felony offense;

7. If an owner, board member, officer, or anyone with an economic interest in the entity who has or had a professional license, that the license is in good standing; and

8. The entity has no owner, board member, officer, or anyone with an economic interest in the entity who owes delinquent taxes to the State of Mississippi.

(iv) For purposes of this section, it shall be sufficient to prove Mississippi residency for the individual(s) to submit one (1) of the following source documents:

1. Mississippi Tax Return Form 80-105 or Form 80-205 for each of the five (5) years preceding the application without schedules, worksheets, or attachments, and redacted to remove all financial information and all but the last four (4) digits of the individual's social security number for the five (5) years preceding the application;

2. Evidence of voter registration for the five (5) years preceding the application;

3. Ownership, lease, or rental documents for place of primary domicile for the five (5) years preceding the application;

4. Billing statements, including utility bills for the five (5) years preceding the application; or

5. Vehicle registration for the five (5) years preceding the application.

(8) Ownership in a medical cannabis cultivation-processing facility license or a dispensary license or investment in a business that supports or benefits from such a license shall not disqualify or otherwise negatively impact the license or finding of suitability of such owner who is otherwise engaged in any other form of business operation in the state, should such business require the owner to hold a license or be found suitable under state law.

(9) The number of test facilities, pharmacies, hospitals, and research facilities shall not be limited. MDAC shall begin accepting and processing applications under this subsection upon the passage of this act. All test facilities, pharmacies, hospitals and research facilities shall be subject to an application fee of Five Thousand Dollars (\$5,000.00), and an annual license renewal fee of Three Thousand Dollars (\$3,000.00). No later than sixty (60) days after receiving an application for any medical cannabis establishment other than a cultivation processing facility or dispensary, MDAC shall register the prospective medical cannabis establishment and issue a registration certificate and a random ten-digit alphanumeric identification number if all of the conditions in Section 18(2) of this act are satisfied. The research facility at the University of Mississippi shall be exempt from all fees imposed under this subsection.

(10) All business or state entities applying for registration as a medical cannabis establishment must meet all the requirements specified in Section 18(2) of this act.

(11) A prospective medical cannabis establishment shall submit all of the following:

(a) An application, including:

(i) The legal name of the prospective medical cannabis establishment;

(ii) The physical address of the prospective medical cannabis establishment that is not within one thousand five hundred (1,500) feet of a public or private school, church in which regular services are held, or daycare existing before the date of the medical cannabis establishment application;

(iii) The name of each principal officer and board member of the proposed medical cannabis establishment; and

(iv) Any additional information requested by MDAC.

(b) Operating procedures consistent with rules for oversight of the proposed medical cannabis establishment, including procedures to ensure accurate recordkeeping and adequate security measures.

(c) If the city or county where the proposed medical cannabis establishment would be located has enacted zoning restrictions, a sworn statement certifying that the proposed medical cannabis establishment is in compliance with the restrictions.

(d) If the city or county where the proposed medical cannabis establishment requires a local registration, license, or permit, a copy of the registration, license, or permit.

(e) Verification that none of the principal officers or board members has served as a principal officer or board member for a medical cannabis establishment that has had its registration certificate revoked.

(f) Verification that none of the principal officers or board members is under twenty-one (21) years of age.

(12) MDAC shall issue a renewal registration certificate within ten (10) days of receipt of the prescribed renewal application and renewal fee from a medical cannabis establishment if its registration certificate is not under suspension and has not been revoked.

(13) A cultivation-processing facility shall collect and remit an excise tax of four percent (4%) of the list price of medical cannabis on forms and in a manner specified by the Commissioner of Revenue. A dispensary shall collect and remit a sales tax of seven percent (7%) from the gross receipts or gross proceeds derived from each sale of medical cannabis on forms and in a manner specified by the Commissioner of Revenue.

(14) No county or municipality shall impose a tax on the sale of medical cannabis or on any cannabis facilities.

SECTION 17. Local ordinances. (1) A local government may enact ordinances or regulations not in conflict with this act, or with regulations enacted under this act, governing the time, place, and manner of medical cannabis establishment operations in the locality. A local government may establish penalties for violation of an ordinance or regulations governing the time, place, and manner of a medical cannabis establishment that may operate in the locality.

(2) No local government may prohibit dispensaries, either expressly or through the enactment of ordinances or regulations that make their operation impracticable in the jurisdiction.

(3) A local government may require a medical cannabis establishment to obtain a local license, permit, or registration to operate, and may charge a normal fee for the local license, permit, or registration.

(4) A local government may not impose a tax on the sale of medical cannabis or on cannabis establishments.

SECTION 18. Requirements, prohibitions and penalties. (1) Medical cannabis establishments shall conduct a background check into the criminal history of every person seeking to become a principal officer, board member, agent, volunteer, or employee before the person begins working at the medical cannabis establishment.

(2) A medical cannabis establishment may not employ any person who:

- (a) Was convicted of a disqualifying felony offense; or
- (b) Is under twenty-one (21) years of age.

(3) The operating documents of a medical cannabis establishment must include procedures for the oversight of the medical cannabis establishment and procedures to ensure accurate recordkeeping.

(4) A medical cannabis establishment shall implement appropriate security measures designed to deter and prevent the theft of cannabis and unauthorized entrance into areas containing cannabis.

(5) Each cultivation-processing facility and dispensary shall provide a reliable and ongoing supply of medical cannabis needed for the registry program.

(6) All cultivation, harvesting, manufacture, and packaging of cannabis must take place in a secure facility with a physical address provided to MDAC during the registration process. The secure facility may only be accessed by agents of the medical cannabis establishment, emergency personnel, and adults who are twenty-one (21) years of age and older and who are accompanied by medical cannabis establishment agents.

(7) No medical cannabis establishment other than a cannabis cultivation-processing facility or research facility may produce cannabis concentrates, cannabis extractions, or other cannabis products.

(8) A medical cannabis establishment may not share office space with or refer patients to a practitioner.

(9) Medical cannabis establishments are subject to inspection by MDAC during business hours.

(10) Before cannabis may be dispensed to a cardholder, a dispensary agent must:

- (a) Make a diligent effort to verify that the registry identification card or registration presented to the dispensary or pharmacy is valid;
- (b) Make a diligent effort to verify that the person presenting the documentation is the person identified on the document presented to the dispensary or pharmacy agent;
- (c) Not believe that the amount dispensed would cause the person to possess more than the allowable amount of cannabis; and
- (d) Make a diligent effort to verify that the dispensary or pharmacy is the current dispensary or pharmacy that was designated by the cardholder.

(11) A dispensary or pharmacy may not dispense more than the allowable amount of cannabis to a nonresident cardholder or a registered qualifying patient, directly or via a designated caregiver in any twenty-four-day period. Dispensaries and pharmacies shall

ensure compliance with this limitation by maintaining internal, confidential records that include records specifying how much cannabis is being dispensed to the nonresident cardholder or registered qualifying patient and whether it was dispensed directly to a registered qualifying patient or to the designated caregiver.

(12) A medical cannabis establishment agent shall not issue a written certification.

SECTION 19. Agencies to issue regulations. (1) It is the intent of the Legislature that the department, MDAC, and the Department of Revenue jointly work together to accomplish the purposes of this act. Upon the passage of this act, the department, MDAC, and the Department of Revenue shall each, where relevant to the role of that particular agency, establish and promulgate rules and regulations:

(a) Governing the manner in which the department shall consider petitions from the public to add debilitating medical conditions or treatments to the list of debilitating medical conditions set forth in Section 3 of this act, including public notice of and opportunities to comment in public hearings on the petitions;

(b) Establishing the form and content of registration and renewal applications submitted under this act;

(c) Governing the manner in which it shall consider applications for and renewals of registry identification cards, which may include creating a standardized written certification form;

(d) Governing medical cannabis establishments with the goals of ensuring the health and safety of qualifying patients and preventing diversion and theft without imposing an undue burden or compromising the confidentiality of cardholders, including:

(i) Oversight requirements;

(ii) Recordkeeping requirements;

(iii) Qualifications that are directly and demonstrably related to the operation of cannabis establishments;

(iv) Security requirements, including lighting, physical security, and alarm requirements;

(v) Health and safety regulations, including restrictions on the use of pesticides that are injurious to human health;

(vi) Standards for the manufacture of cannabis products and the indoor cultivation of cannabis by cultivation-processing facilities;

(vii) Requirements for the transportation and storage of cannabis by medical cannabis establishments;

(viii) Employment and training requirements, including requiring that each medical cannabis establishment create an identification badge for each agent;

(ix) Standards for the safe manufacture of medical cannabis products, including extracts and concentrates;

(x) Restrictions on the advertising, signage, and display of medical cannabis, provided that the restrictions may not prevent appropriate signs on the property of a dispensary or pharmacy, listings in business directories, including phone books, listings in cannabis-related or medical publications, or the sponsorship of health or not-for-profit charity or advocacy events;

(xi) Requirements and procedures for the safe and accurate packaging and labeling of medical cannabis;

(xii) Standards for testing facilities, including requirements for equipment and qualifications for personnel;

(xiii) Protocol development for the safe delivery of cannabis from dispensaries to cardholders; and

(xiv) Reasonable requirements to ensure the applicant has sufficient property or capital to operate the applicant's proposed medical cannabis establishment;

(xv) Procedures for suspending or terminating the registration certificates or registry identification cards of cardholders and medical cannabis establishments that commit multiple or serious violations of the provisions of this act or the regulations promulgated pursuant to this section;

(xvi) Procedures for establishing a seed to sale tracking a program;

(xvii) Requirements for labeling cannabis and cannabis products, including requiring cannabis product labels to include the following:

1. The length of time it typically takes for the product to take effect;
2. Disclosure of ingredients and possible allergens;
3. A nutritional fact panel; and
4. For edible cannabis products, when practicable, a standard symbol indicating that the product contains cannabis;

(xviii) Procedures for the registration of nonresident cardholders and their designation of no more than two (2) dispensaries, which must require the submission of:

1. A practitioner's statement confirming that the patient has a debilitating medical condition; and
2. Documentation demonstrating that the nonresident cardholder is allowed to possess cannabis or cannabis preparations in the jurisdiction where he or she resides;

(xix) The amount of cannabis products, including the amount of concentrated cannabis, each cardholder and nonresident cardholder can possess;

(xx) Reasonable application and renewal fees for registry identification cards and registration certificates, according to the following:

1. The total fees collected must generate revenues sufficient to offset all expenses of implementing and administering this act;
2. The department may establish a sliding scale of patient application and renewal fees based upon a qualifying patient's household income provided that the initial fee schedule shall be set as follows:
 - a. The patient medical cannabis card application fee shall be Fifty Dollars (\$50.00);

b. The caregiver medical cannabis card application fee shall be Fifty Dollars (\$50.00);

c. The caregiver criminal background fee shall be Thirty-Seven Dollars (\$37.00);

d. The fee for a renewal of card shall be Fifty Dollars (\$50.00);

e. The fee for a visiting patient shall be Fifty Dollars (\$50.00)

3. The department may accept donations from private sources to reduce application and renewal fees;

4. The department may adjust the fee schedule at its discretion;

5. Fees collected by the department on applications, renewals, and the fees in this item shall be used to manage the program; and

(2) No later than one (1) year from the implementation of this article, and every one (1) year thereafter, the department, MDAC, and the Department of Revenue shall provide to the Legislature a comprehensive public report of the operation of this act. The Department of Revenue shall also provide quarterly reports for all sales of medical cannabis sold by dispensaries to qualified patients.

(4) The price of medical cannabis shall not be set by law or regulation.

SECTION 20. Public registry. (1) MDAC and the Department of Revenue shall jointly create and maintain a public registry of medical cannabis establishments, which shall include, but shall not be limited to, the following information:

- (a) The name of the establishment;
- (b) The owner and, if applicable, the beneficial owner of the establishment;
- (c) The physical address, including city and zip code, of the establishment;
- (d) The mailing address, including city and zip code, of the establishment;
- (e) The county in which the establishment is domiciled;
- (f) The phone number of the establishment;
- (g) The electronic mail address of the establishment;
- (h) The license number of the establishment;
- (i) The issuance date of the establishment's license;
- (j) The expiration date of the establishment's license;
- (k) The NAICS code of the establishment;
- (l) Any changes to the license holder's status; and

(m) Any other information determined necessary by MDAC and the Department of Revenue.

(2) The public registry shall not include personal information of an owner of a medical cannabis establishment.

(3) The registry shall be maintained electronically and shall be easily accessible to the public.

SECTION 21. Violations. (1) A cardholder or medical cannabis establishment that willfully fails to provide a notice required by Section 14 of this act is guilty of a civil offense, punishable by a fine of no more than One Thousand Five Hundred Dollars (\$1,500.00), which may be assessed and collected by the licensing agency.

(2) In addition to any other penalty provided by law, a medical cannabis establishment or an agent of a medical cannabis establishment that intentionally sells or otherwise transfers cannabis in exchange for anything of value to a person other than a cardholder, a nonresident cardholder, or to a medical cannabis establishment or its agent is guilty of a felony punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), or by commitment to the custody of the Department of Corrections for not more than two (2) years, or both. A person convicted under this subsection may not continue to be affiliated with the medical cannabis establishment and is disqualified from further participation under this act.

(3) In addition to any other penalty provided by law, a cardholder or nonresident cardholder who intentionally sells or otherwise transfers cannabis in exchange for anything of value to a person other than a cardholder or to a medical cannabis establishment or its agent is guilty of a felony punishable by a fine of not more than Three Thousand Dollars (\$3,000.00), or by commitment to the Department of Corrections for not more than two (2) years, or both.

(4) A person who intentionally makes a false statement to a law enforcement official about any fact or circumstance relating to the medical use of cannabis to avoid arrest or prosecution is guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000.00), by imprisonment in the county jail for not more than ninety (90) days, or both. This penalty is in addition to any other penalties that may apply for making a false statement or for the possession, cultivation, or sale of cannabis not protected by this act. If a person convicted of violating this subsection is a cardholder, the person is disqualified from further participation under this act.

(5) A person who knowingly submits false records or documentation to certify a medical cannabis establishment under this act is guilty of a felony punishable by a fine of not more than Three Thousand Dollars (\$3,000.00), or by commitment to the Department of Corrections for not more than two (2) years, or both.

(6) A practitioner who knowingly refers patients to a medical cannabis establishment or to a designated caregiver, who advertises in a medical cannabis establishment, or who issues written certifications while holding a financial interest in a medical cannabis establishment, is guilty of a civil offense for every false certification and shall be fined up to Five Thousand Dollars (\$5,000.00) by the department.

(7) Any person, including an employee or official of an agency or local government, who breaches the confidentiality of information obtained under this act is guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment for not more than one hundred eighty (180) days in the county jail, or both.

(8) No person, other than a cultivation-processing facility or its agents complying with this act and regulations promulgated under it, may extract compounds from cannabis

using solvents other than water, glycerin, propylene glycol, vegetable oil, or food-grade ethanol (ethyl alcohol). No person may extract compounds from cannabis using ethanol in the presence or vicinity of open flame. It shall be a felony punishable by up to three (3) years in prison and a Ten Thousand Dollar (\$10,000.00) fine for any person to violate this subsection.

(9) A medical cannabis establishment is guilty of a civil offense for any violation of this act or the regulations issued under this act where no penalty has been specified, and shall be fined not more than Three Thousand Dollars (\$3,000.00) for each such violation by its licensing agency. This penalty is in addition to any other penalties provided by law.

SECTION 22. Suspension and revocation. (1) The licensing agency may on its own motion or on complaint, after investigation and opportunity for a public hearing at which the medical cannabis establishment has been afforded an opportunity to be heard, suspend or revoke a registration certificate for multiple negligent or knowing violations or for a serious and knowing violation of this act or any rules under this act by the registrant or any of its agents.

(2) The licensing agency shall provide notice of suspension, revocation, fine, or other sanction, as well as the required notice of the hearing, by mailing or personal delivery the same in writing by certified mail, signature required, to the medical cannabis establishment at the address on the registration certificate. A suspension shall not be for a longer period than six (6) months.

(3) A medical cannabis establishment may continue to possess and cultivate cannabis, as the case may be, during a suspension, but it may not dispense, transfer, or sell cannabis.

(4) The department shall immediately revoke the registry identification card of any cardholder who sells cannabis to a person who is not allowed to possess cannabis for medical purposes under this act. The cardholder shall be disqualified from further participation under this act.

(5) The department may revoke the registry identification card of any cardholder who knowingly commits multiple unintentional violations or a serious knowing violation of this act.

(6) Revocation is a final decision of the applicable agency subject to judicial review. Jurisdiction and venue for judicial review are vested in the circuit court.

SECTION 23. Confidentiality. (1) Data in registration applications and supporting data submitted by qualifying patients, designated caregivers and medical cannabis establishments, nonresident cardholders, pharmacies, hospitals and medical cannabis establishments, including data on designated caregivers and practitioners, are private data on individuals that is confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17.

(2) Data kept or maintained by an agency may not be used for any purpose not provided for in this act and may not be combined or linked in any manner with any other list or database.

(3) Data kept or maintained by an agency may be disclosed as necessary for:

(a) The verification of registration certificates and registry identification cards under Section 13 of this act;

(b) Submission of the annual report required by Section 25 of this act;

(c) Notification of state or local law enforcement of apparent criminal violations of this act;

(d) Notification of state and local law enforcement about falsified or fraudulent information submitted for purposes of obtaining or renewing a registry identification card; or

(e) Notification of the State Board of Medical Licensure if there is reason to believe that a practitioner provided a written certification in violation of this act, or if the department has reason to believe the practitioner otherwise violated the standard of care for evaluating medical conditions.

(4) Any information kept or maintained by medical cannabis establishments must identify cardholders by their registry identification numbers and must not contain names or other personally identifying information.

(5) At the cardholder's request, the department may confirm the cardholder's status as a registered qualifying patient or a registered designated caregiver to a third party, such as a landlord, school, medical professional, or court.

(6) Any agency hard drives or other data-recording media that are no longer in use and that contain cardholder information shall be destroyed.

SECTION 24. Business expenses, deductions. Notwithstanding any federal tax law to the contrary, in computing net income for medical cannabis establishments, there shall be allowed as a deduction from state taxes all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on a trade or business as a medical cannabis establishment, including reasonable allowance for salaries or other compensation for personal services actually rendered.

SECTION 25. Annual reports. (1) The department shall report every year to the Legislature on the number of applications for registry identification cards received, the number of qualifying patients and designated caregivers approved, and the number of registry identification cards revoked. The department shall not include identifying information on qualifying patients, designated caregivers, or practitioners in the report.

(2) The Department of Revenue shall report every year to the Legislature on the number of each type of medical cannabis establishment that is registered, and the expenses incurred and revenues generated from the medical cannabis program.

SECTION 26. Banks to be held harmless. A bank may provide any services to any person or establishment licensed in this state to engage in the business of medical cannabis, or with any person or establishment engaging in business dealings with such licensee, provided the bank may otherwise provide those services to any other business.

SECTION 27. Not applicable to CBD oil. This act does not apply to or supersede any of the provisions of Section 41-29-136.

SECTION 28. The following shall be codified as Section 27-65-28, Mississippi Code of 1972:

27-65-28. Upon every person engaging or continuing within this state in the business of selling cannabis products, the sales of which are legal under the provisions of the Mississippi Medical Cannabis Act, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business.

SECTION 29. There is hereby imposed, levied and assessed an excise tax on each person or dealer in medical cannabis, upon the sale, use, consumption, handling or

distribution in the State of Mississippi, at the rate of four percent (4%) of the manufacturer's list price. This tax is levied upon the sale, use, gift, possession or consumption of medical cannabis in this state, and the impact of the tax levied by this section is declared to be on the vendee, user, consumer or possessor of tobacco in this state; and when this tax is paid by any other person, such payment shall be considered as an advance payment and shall thereafter be added to the price of the medical cannabis and recovered from the ultimate consumer or user.

SECTION 30. (1) There is hereby created a Workforce and College Opportunity Scholarship Fund in the State Treasury. Revenue generated from the seven percent (7%) retail sales tax imposed by Section 27-65-28, after the distribution to municipalities provided for in Section 27-65-75(1)(a), and from the four percent (4%) excise tax on the sale of cannabis products in the state shall be deposited into the fund by the State Fiscal Officer for the purpose of providing scholarships to students in Mississippi, and providing funds to Early Childhood Learning Collaboratives and a Standardized Dual Enrollment Program.

(2) The monies in the Workforce and College Opportunity Scholarship Fund shall be allocated as follows:

(a) The first twenty-five percent (25%) of revenue generated shall be distributed to the State Department of Education for the state share for Early Learning Collaboratives as established in Section 37-21-51;

(b) The next twenty-five percent (25%) of revenue generated shall be distributed to the State Department of Education to provide funding for a standardized dual enrollment program; and

(c) Remaining funds shall be allocated to the Postsecondary Education Financial Assistance Board as established in Section 37-106-9 to create a "last-dollar" scholarship program for community college students, university students, academic or career and technical, with the goal of providing tuition, room and board, books and materials to Mississippi students. The Postsecondary Education Financial Assistance Board shall present regulations for administering the scholarship program to the Mississippi Higher Education Corporation Board for final approval. Participating students may not receive more than Four Thousand Dollars (\$4,000.00) per year in scholarship funds. Participating students must complete eight (8) hours of community service for each semester during which they receive scholarship funds.

SECTION 31. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments

to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) * * *, 27-65-21 and 27-65-28, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 * * *, 27-65-24 and 27-65-28, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) * * *, 27-65-21 and 27-65-28, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county borders on the Mississippi Sound and the State of Alabama;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by

Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-17(2) and 27-65-28, shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year

equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-17(2) and 27-65-28, shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would

otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19) and Section 27-65-28, be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 32. Section 41-29-125, Mississippi Code of 1972, is amended as follows:

41-29-125. (1) The State Board of Pharmacy may promulgate rules and regulations relating to the registration and control of the manufacture, distribution and dispensing of controlled substances within this state and the distribution and dispensing of controlled substances into this state from an out-of-state location.

(a) Every person who manufactures, distributes or dispenses any controlled substance within this state or who distributes or dispenses any controlled substance into this state from an out-of-state location, or who proposes to engage in the manufacture, distribution or dispensing of any controlled substance within this state or the distribution or dispensing of any controlled substance into this state from an out-of-state location, must obtain a registration issued by the State Board of Pharmacy, the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing or the Mississippi Board of Veterinary Medicine, as appropriate, in accordance with its rules and the law of this state. Such registration shall be obtained annually or biennially, as specified by the issuing board, and a reasonable fee may be charged by the issuing board for such registration.

(b) Persons registered by the State Board of Pharmacy, with the consent of the United States Drug Enforcement Administration and the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing or the Mississippi Board of Veterinary Medicine to manufacture, distribute, dispense or conduct research with controlled substances may possess, manufacture, distribute, dispense or

conduct research with those substances to the extent authorized by their registration and in conformity with the other provisions of this article.

(c) The following persons need not register and may lawfully possess controlled substances under this article:

(1) An agent or employee of any registered manufacturer, distributor or dispenser of any controlled substance if he is acting in the usual course of his business or employment;

(2) A common or contract carrier or warehouse, or an employee thereof, whose possession of any controlled substance is in the usual course of business or employment;

(3) An ultimate user or a person in possession of any controlled substance pursuant to a valid prescription or in lawful possession of a Schedule V substance as defined in Section 41-29-121.

(d) The State Board of Pharmacy may waive by rule the requirement for registration of certain manufacturers, distributors or dispensers if it finds it consistent with the public health and safety.

(e) A separate registration is required at each principal place of business or professional practice where an applicant within the state manufactures, distributes or dispenses controlled substances and for each principal place of business or professional practice located out-of-state from which controlled substances are distributed or dispensed into the state.

(f) The State Board of Pharmacy, the Mississippi Bureau of Narcotics, the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing and the Mississippi Board of Veterinary Medicine may inspect the establishment of a registrant or applicant for registration in accordance with the regulations of these agencies as approved by the board.

(2) Whenever a pharmacy ships, mails or delivers any Schedule II controlled substance listed in Section 41-29-115 to a private residence in this state, the pharmacy shall arrange with the entity that will actually deliver the controlled substance to a recipient in this state that the entity will: (a) deliver the controlled substance only to a person who is eighteen (18) years of age or older; and (b) obtain the signature of that person before delivering the controlled substance. The requirements of this subsection shall not apply to a pharmacy serving a nursing facility or to a pharmacy owned and/or operated by a hospital, nursing facility or clinic to which the general public does not have access to purchase pharmaceuticals on a retail basis.

(3) This section does not apply to any of the acts regarding the medical use of cannabis that are lawful under the Mississippi Medical Cannabis Act. This subsection shall stand repealed three (3) years after the effective date of this act.

SECTION 33. Section 41-29-127, Mississippi Code of 1972, is amended as follows:

41-29-127. (a) The State Board of Pharmacy shall register an applicant to manufacture or distribute controlled substances included in Sections 41-29-113 through 41-29-121 unless it determines that the issuance of that registration would be inconsistent with the public interest. In determining the public interest, the State Board of Pharmacy shall consider the following factors:

(1) Maintenance of effective controls against diversion of controlled substances into other than legitimate medical, scientific, or industrial channels;

(2) Compliance with applicable state and local law;

(3) Any convictions of the applicant under any federal and state laws relating to any controlled substance;

(4) Past experience in the manufacture or distribution of controlled substances and the existence in the applicant's establishment of effective controls against diversion;

(5) Furnishing by the applicant of false or fraudulent material in any application filed under this article;

(6) Suspension or revocation of the applicant's federal registration to manufacture, distribute, or dispense controlled substances as authorized by federal law; and

(7) Any other factors relevant to and consistent with the public health and safety.

(b) Registration under subsection (a) does not entitle a registrant to manufacture and distribute controlled substances in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, other than those specified in the registration.

(c) Practitioners must be registered to dispense any controlled substances or to conduct research with controlled substances in Schedules II through V, as set out in Sections 41-29-115 through 41-29-121, if they are authorized to dispense or conduct research under the law of this state. The State Board of Pharmacy need not require separate registration under this section for practitioners engaging in research with nonnarcotic controlled substances in the said Schedules II through V where the registrant is already registered therein in another capacity. Practitioners registered under federal law to conduct research with Schedule I substances, as set out in Section 41-29-113, may conduct research with Schedule I substances within this state upon furnishing the State Board of Health evidence of that federal registration.

(d) Compliance by manufacturers and distributors with the provisions of the federal law respecting registration (excluding fees) entitles them to be registered under this article.

(e) This section does not apply to any of the acts regarding the medical use of cannabis that are lawful under the Mississippi Medical Cannabis Act. This subsection shall stand repealed three (3) years after the effective date of this act.

SECTION 34. Section 41-29-136, Mississippi Code of 1972, is amended as follows:

41-29-136. (1) "CBD solution" means a pharmaceutical preparation consisting of processed cannabis plant extract in oil or other suitable vehicle.

(2) (a) CBD solution prepared from (i) cannabis plant extract that is provided by the National Center for Natural Products Research at the University of Mississippi under appropriate federal and state regulatory approvals, or (ii) cannabis extract from hemp produced pursuant to Sections 69-25-201 through 69-25-221, which is prepared and tested to meet compliance with regulatory specifications, may be dispensed by the Department of Pharmacy Services at the University of Mississippi Medical Center (UMMC Pharmacy) after mixing the extract with a suitable vehicle. The CBD solution may be prepared by the UMMC Pharmacy or by another pharmacy or laboratory in the state under appropriate federal and state regulatory approvals and registrations.

(b) The patient or the patient's parent, guardian or custodian must execute a hold-harmless agreement that releases from liability the state and any division, agency, institution or employee thereof involved in the research, cultivation, processing, formulating, dispensing, prescribing or administration of CBD solution obtained from entities authorized under this section to produce or possess cannabidiol for research under appropriate federal and state regulatory approvals and registrations.

(c) The National Center for Natural Products Research at the University of Mississippi and the Mississippi Agricultural and Forestry Experiment Station at Mississippi State University are the only entities authorized to produce cannabis plants for cannabidiol research.

(d) Research of CBD solution under this section must comply with the provisions of Section 41-29-125 regarding lawful possession of controlled substances, of Section 41-29-137 regarding record-keeping requirements relative to the dispensing, use or administration of controlled substances, and of Section 41-29-133 regarding inventory requirements, insofar as they are applicable. Authorized entities may enter into public-private partnerships to facilitate research.

(3) (a) In a prosecution for the unlawful possession of marijuana under the laws of this state, it is an affirmative and complete defense to prosecution that:

(i) The defendant suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section; or

(ii) The defendant is the parent, guardian or custodian of an individual who suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section.

(b) An agency of this state or a political subdivision thereof, including any law enforcement agency, may not initiate proceedings to remove a child from the home based solely upon the possession or use of CBD solution by the child or parent, guardian or custodian of the child as authorized under this section.

(c) An employee of the state or any division, agency, institution thereof involved in the research, cultivation, processing, formulation, dispensing, prescribing or administration of CBD solution shall not be subject to prosecution for unlawful possession, use, distribution or prescription of marijuana under the laws of this state for activities arising from or related to the use of CBD solution in the treatment of individuals diagnosed with a debilitating epileptic condition.

(4) This section does not apply to any of the acts regarding the medical use of cannabis that are lawful under the Mississippi Medical Cannabis Act. This subsection shall stand repealed three (3) years after the effective date of this act.

(* * *5) This section shall be known as "Harper Grace's Law."

(* * *6) This section shall stand repealed from and after July 1, * * * 2025.

SECTION 35. Section 41-29-137, Mississippi Code of 1972, is amended as follows:

41-29-137. (a) (1) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, no controlled substance in Schedule II, as set out in Section 41-29-115, may be dispensed without the written valid prescription of a practitioner. A practitioner shall keep a record of all controlled substances in Schedule I, II and III administered, dispensed or professionally used by him otherwise than by prescription.

(2) In emergency situations, as defined by rule of the State Board of Pharmacy, Schedule II drugs may be dispensed upon the oral valid prescription of a practitioner, reduced promptly to writing and filed by the pharmacy. Prescriptions shall be retained in conformity with the requirements of Section 41-29-133. No prescription for a Schedule II substance may be refilled unless renewed by prescription issued by a licensed medical doctor.

(b) Except when dispensed directly by a practitioner, other than a pharmacy, to an ultimate user, a controlled substance included in Schedule III or IV, as set out in Sections 41-29-117 and 41-29-119, shall not be dispensed without a written or oral valid prescription of a practitioner. The prescription shall not be filled or refilled more than six (6) months after the date thereof or be refilled more than five (5) times, unless renewed by the practitioner.

(c) A controlled substance included in Schedule V, as set out in Section 41-29-121, shall not be distributed or dispensed other than for a medical purpose.

(d) An optometrist certified to prescribe and use therapeutic pharmaceutical agents under Sections 73-19-153 through 73-19-165 shall be authorized to prescribe oral analgesic controlled substances in Schedule IV or V, as pertains to treatment and management of eye disease by written prescription only.

(e) Administration by injection of any pharmaceutical product authorized in this section is expressly prohibited except when dispensed directly by a practitioner other than a pharmacy.

(f) (1) For the purposes of this article, Title 73, Chapter 21, and Title 73, Chapter 25, Mississippi Code of 1972, as it pertains to prescriptions for controlled substances, a "valid prescription" means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by:

(A) A practitioner who has conducted at least one (1) in-person medical evaluation of the patient, except as otherwise authorized by Section 41-29-137.1 through June 30, 2021; or

(B) A covering practitioner.

(2) (A) "In-person medical evaluation" means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals.

(B) "Covering practitioner" means a practitioner who conducts a medical evaluation other than an in-person medical evaluation at the request of a practitioner who has conducted at least one (1) in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine within the previous twenty-four (24) months and who is temporarily unavailable to conduct the evaluation of the patient.

(3) A prescription for a controlled substance based solely on a consumer's completion of an online medical questionnaire is not a valid prescription.

(4) Nothing in this subsection (f) shall apply to:

(A) A prescription issued by a practitioner engaged in the practice of telemedicine as authorized under state or federal law; or

(B) The dispensing or selling of a controlled substance pursuant to practices as determined by the United States Attorney General by regulation.

(g) This section does not apply to any of the acts regarding the medical use of cannabis that are lawful under the Mississippi Medical Cannabis Act. This subsection shall stand repealed three (3) years after the effective date of this act.

SECTION 36. Section 41-29-139, Mississippi Code of 1972, is amended as follows:

41-29-139. (a) Transfer and possession with intent to transfer. Except as authorized by this article, it is unlawful for any person knowingly or intentionally:

(1) To sell, barter, transfer, manufacture, distribute, dispense or possess with intent to sell, barter, transfer, manufacture, distribute or dispense, a controlled substance; or

(2) To create, sell, barter, transfer, distribute, dispense or possess with intent to create, sell, barter, transfer, distribute or dispense, a counterfeit substance.

(b) Punishment for transfer and possession with intent to transfer. Except as otherwise provided in Section 41-29-142, any person who violates subsection (a) of this section shall be, if convicted, sentenced as follows:

(1) For controlled substances classified in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, other than marijuana or synthetic cannabinoids:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than five (5) years nor more than thirty (30) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2) (A) For marijuana:

1. If thirty (30) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than thirty (30) grams but less than two hundred fifty (250) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(B) For synthetic cannabinoids:

1. If ten (10) grams or less, by imprisonment for not more than three (3) years or a fine of not more than Three Thousand Dollars (\$3,000.00), or both;

2. If more than ten (10) grams but less than twenty (20) grams, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

3. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than three (3) years nor more than ten (10) years or a fine of not more than Fifteen Thousand Dollars (\$15,000.00), or both;

4. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than five (5) years nor more than twenty (20) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(3) For controlled substances classified in Schedules III and IV, as set out in Sections 41-29-117 and 41-29-119:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both;

(D) If thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than twenty (20) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(4) For controlled substances classified in Schedule V, as set out in Section 41-29-121:

(A) If less than two (2) grams or ten (10) dosage units, by imprisonment for not more than one (1) year or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(B) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than five (5) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both;

(C) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not more than ten (10) years or a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both;

(D) For thirty (30) or more grams or forty (40) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not more than fifteen (15) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(c) Simple possession. It is unlawful for any person knowingly or intentionally to possess any controlled substance unless the substance was obtained directly from, or

pursuant to, a valid prescription or order of a practitioner while acting in the course of his professional practice, or except as otherwise authorized by this article. The penalties for any violation of this subsection (c) with respect to a controlled substance classified in Schedules I, II, III, IV or V, as set out in Section 41-29-113, 41-29-115, 41-29-117, 41-29-119 or 41-29-121, including marijuana or synthetic cannabinoids, shall be based on dosage unit as defined herein or the weight of the controlled substance as set forth herein as appropriate:

"Dosage unit (d.u.)" means a tablet or capsule, or in the case of a liquid solution, one (1) milliliter. In the case of lysergic acid diethylamide (LSD) the term, "dosage unit" means a stamp, square, dot, microdot, tablet or capsule of a controlled substance.

For any controlled substance that does not fall within the definition of the term "dosage unit," the penalties shall be based upon the weight of the controlled substance.

The weight set forth refers to the entire weight of any mixture or substance containing a detectable amount of the controlled substance.

If a mixture or substance contains more than one (1) controlled substance, the weight of the mixture or substance is assigned to the controlled substance that results in the greater punishment.

A person shall be charged and sentenced as follows for a violation of this subsection with respect to:

(1) A controlled substance classified in Schedule I or II, except marijuana and synthetic cannabinoids:

(A) If less than one-tenth (0.1) gram or two (2) dosage units, the violation is a misdemeanor and punishable by imprisonment for not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If one-tenth (0.1) gram or more or two (2) or more dosage units, but less than two (2) grams or ten (10) dosage units, by imprisonment for not more than three (3) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(C) If two (2) or more grams or ten (10) or more dosage units, but less than ten (10) grams or twenty (20) dosage units, by imprisonment for not more than eight (8) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(D) If ten (10) or more grams or twenty (20) or more dosage units, but less than thirty (30) grams or forty (40) dosage units, by imprisonment for not less than three (3) years nor more than twenty (20) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(2) (A) Marijuana and synthetic cannabinoids:

1. If thirty (30) grams or less of marijuana or ten (10) grams or less of synthetic cannabinoids, by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00). The provisions of this paragraph (2)(A) may be enforceable by summons if the offender provides proof of identity satisfactory to the arresting officer and gives written promise to appear in court satisfactory to the arresting officer, as directed by the summons. A second conviction under this section within two (2) years is a misdemeanor punishable by a fine of Two Hundred Fifty Dollars (\$250.00), not more than sixty (60) days in the county jail, and mandatory participation in a drug education program approved by the Division of Alcohol and Drug Abuse of the State Department of Mental Health, unless the court enters a written finding that a drug education program is inappropriate. A third or subsequent conviction under

this paragraph (2)(A) within two (2) years is a misdemeanor punishable by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than One Thousand Dollars (\$1,000.00) and confinement for not more than six (6) months in the county jail.

Upon a first or second conviction under this paragraph (2)(A), the courts shall forward a report of the conviction to the Mississippi Bureau of Narcotics which shall make and maintain a private, nonpublic record for a period not to exceed two (2) years from the date of conviction. The private, nonpublic record shall be solely for the use of the courts in determining the penalties which attach upon conviction under this paragraph (2)(A) and shall not constitute a criminal record for the purpose of private or administrative inquiry and the record of each conviction shall be expunged at the end of the period of two (2) years following the date of such conviction;

2. Additionally, a person who is the operator of a motor vehicle, who possesses on his person or knowingly keeps or allows to be kept in a motor vehicle within the area of the vehicle normally occupied by the driver or passengers, more than one (1) gram, but not more than thirty (30) grams of marijuana or not more than ten (10) grams of synthetic cannabinoids is guilty of a misdemeanor and, upon conviction, may be fined not more than One Thousand Dollars (\$1,000.00) or confined for not more than ninety (90) days in the county jail, or both. For the purposes of this subsection, such area of the vehicle shall not include the trunk of the motor vehicle or the areas not normally occupied by the driver or passengers if the vehicle is not equipped with a trunk. A utility or glove compartment shall be deemed to be within the area occupied by the driver and passengers;

(B) Marijuana:

1. If more than thirty (30) grams but less than two hundred fifty (250) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If two hundred fifty (250) or more grams but less than five hundred (500) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If five hundred (500) or more grams but less than one (1) kilogram, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If one (1) kilogram or more but less than five (5) kilograms, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both;

5. If five (5) kilograms or more, by imprisonment for not less than ten (10) years nor more than thirty (30) years or a fine of not more than One Million Dollars (\$1,000,000.00), or both.

(C) Synthetic cannabinoids:

1. If more than ten (10) grams but less than twenty (20) grams, by a fine of not more than One Thousand Dollars (\$1,000.00), or confinement in the county jail for not more than one (1) year, or both; or by a fine of not more than Three Thousand Dollars (\$3,000.00), or imprisonment in the custody of the Department of Corrections for not more than three (3) years, or both;

2. If twenty (20) or more grams but less than forty (40) grams, by imprisonment for not less than two (2) years nor more than eight (8) years or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both;

3. If forty (40) or more grams but less than two hundred (200) grams, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both;

4. If two hundred (200) or more grams, by imprisonment for not less than six (6) years nor more than twenty-four (24) years or a fine of not more than Five Hundred Thousand Dollars (\$500,000.00), or both.

(3) A controlled substance classified in Schedule III, IV or V as set out in Sections 41-29-117 through 41-29-121, upon conviction, may be punished as follows:

(A) If less than fifty (50) grams or less than one hundred (100) dosage units, the offense is a misdemeanor and punishable by not more than one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(B) If fifty (50) or more grams or one hundred (100) or more dosage units, but less than one hundred fifty (150) grams or five hundred (500) dosage units, by imprisonment for not less than one (1) year nor more than four (4) years or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(C) If one hundred fifty (150) or more grams or five hundred (500) or more dosage units, but less than three hundred (300) grams or one thousand (1,000) dosage units, by imprisonment for not less than two (2) years nor more than eight (8) years or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both.

(D) If three hundred (300) or more grams or one thousand (1,000) or more dosage units, but less than five hundred (500) grams or two thousand five hundred (2,500) dosage units, by imprisonment for not less than four (4) years nor more than sixteen (16) years or a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

(d) Paraphernalia. (1) It is unlawful for a person who is not authorized by the State Board of Medical Licensure, State Board of Pharmacy, or other lawful authority to use, or to possess with intent to use, paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Any person who violates this subsection (d)(1) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both; however, no person shall be charged with a violation of this subsection when such person is also charged with the possession of thirty (30) grams or less of marijuana under subsection (c)(2)(A) of this section.

(2) It is unlawful for any person to deliver, sell, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of the Uniform Controlled Substances Law. Except as provided in subsection (d)(3), a person who violates this subsection (d)(2) is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(3) Any person eighteen (18) years of age or over who violates subsection (d)(2) of this section by delivering or selling paraphernalia to a person under eighteen (18) years of age who is at least three (3) years his junior is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than one (1) year, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(4) It is unlawful for any person to place in any newspaper, magazine, handbill, or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as paraphernalia. Any person who violates this subsection is guilty of a misdemeanor and, upon conviction, may be confined in the county jail for not more than six (6) months, or fined not more than Five Hundred Dollars (\$500.00), or both.

(e) It shall be unlawful for any physician practicing medicine in this state to prescribe, dispense or administer any amphetamine or amphetamine-like anorectics and/or central nervous system stimulants classified in Schedule II, pursuant to Section 41-29-115, for the exclusive treatment of obesity, weight control or weight loss. Any person who violates this subsection, upon conviction, is guilty of a misdemeanor and may be confined for a period not to exceed six (6) months, or fined not more than One Thousand Dollars (\$1,000.00), or both.

(f) Trafficking. (1) Any person trafficking in controlled substances shall be guilty of a felony and, upon conviction, shall be imprisoned for a term of not less than ten (10) years nor more than forty (40) years and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The ten-year mandatory sentence shall not be reduced or suspended. The person shall not be eligible for probation or parole, the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(2) "Trafficking in controlled substances" as used herein means:

(A) A violation of subsection (a) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(B) A violation of subsection (a) of this section involving five hundred (500) or more grams or two thousand five hundred (2,500) or more dosage units of a Schedule III, IV or V controlled substance;

(C) A violation of subsection (c) of this section involving thirty (30) or more grams or forty (40) or more dosage units of a Schedule I or II controlled substance except marijuana and synthetic cannabinoids;

(D) A violation of subsection (c) of this section involving five hundred (500) or more grams or two thousand five hundred (2,500) or more dosage units of a Schedule III, IV or V controlled substance; or

(E) A violation of subsection (a) of this section involving one (1) kilogram or more of marijuana or two hundred (200) grams or more of synthetic cannabinoids.

(g) Aggravated trafficking. Any person trafficking in Schedule I or II controlled substances, except marijuana and synthetic cannabinoids, of two hundred (200) grams or more shall be guilty of aggravated trafficking and, upon conviction, shall be sentenced to a term of not less than twenty-five (25) years nor more than life in prison and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00). The twenty-five-year sentence shall be a mandatory sentence and shall not be reduced or suspended. The person shall not be eligible for probation or parole,

the provisions of Sections 41-29-149, 47-5-139, 47-7-3 and 47-7-33, to the contrary notwithstanding.

(h) Sentence mitigation. (1) Notwithstanding any provision of this section, a person who has been convicted of an offense under this section that requires the judge to impose a prison sentence which cannot be suspended or reduced and is ineligible for probation or parole may, at the discretion of the court, receive a sentence of imprisonment that is no less than twenty-five percent (25%) of the sentence prescribed by the applicable statute. In considering whether to apply the departure from the sentence prescribed, the court shall conclude that:

(A) The offender was not a leader of the criminal enterprise;

(B) The offender did not use violence or a weapon during the crime;

(C) The offense did not result in a death or serious bodily injury of a person not a party to the criminal enterprise; and

(D) The interests of justice are not served by the imposition of the prescribed mandatory sentence.

The court may also consider whether information and assistance were furnished to a law enforcement agency, or its designee, which, in the opinion of the trial judge, objectively should or would have aided in the arrest or prosecution of others who violate this subsection. The accused shall have adequate opportunity to develop and make a record of all information and assistance so furnished.

(2) If the court reduces the prescribed sentence pursuant to this subsection, it must specify on the record the circumstances warranting the departure.

(i) Mississippi Medical Cannabinoids. This section does not apply to any of the acts regarding the medical use of cannabis that are lawful under the Mississippi Medical Cannabis Act. This subsection shall stand repealed three (3) years after the effective date of this act.

SECTION 37. Section 41-29-141, Mississippi Code of 1972, is amended as follows:

41-29-141. (a) It is unlawful for any person:

(1) Who is subject to Section 41-29-125 to distribute or dispense a controlled substance in violation of Section 41-29-137;

(2) Who is a registrant under Section 41-29-125 to manufacture a controlled substance not authorized by his registration, or to distribute or dispense a controlled substance not authorized by his registration to another registrant or other authorized person;

(3) To refuse or fail to make, keep or furnish any record, notification, order form, statement, invoice or information required under this article;

(4) To refuse a lawful entry into any premises for any inspection authorized by this article; or

(5) Knowingly to keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place, which is resorted to by persons using controlled substances in violation of this article for the purpose of using these substances, or which is used for keeping or selling them in violation of this article.

Any person who violates this section shall, with respect to such violation, be subject to a civil penalty payable to the State of Mississippi of not more than Twenty-five Thousand Dollars (\$25,000.00).

In addition to the civil penalty provided in the preceding paragraph, any person who knowingly or intentionally violates this section shall be guilty of a crime and upon conviction thereof may be confined for a period of not more than one (1) year or fined not more than One Thousand Dollars (\$1,000.00), or both.

(b) This section does not apply to any of the acts regarding the medical use of cannabis that are lawful under the Mississippi Medical Cannabis Act. This subsection (b) shall stand repealed three (3) years after the effective date of this act.

SECTION 38. Section 41-29-143, Mississippi Code of 1972, is amended as follows:

41-29-143. (a) It is unlawful for any person knowingly or intentionally:

(1) To distribute as a registrant a controlled substance classified in Schedule I or II, as set out in Sections 41-29-113 and 41-29-115, except pursuant to an order form as required by Section 41-29-135;

(2) To use in the course of the manufacture or distribution of a controlled substance a registration number which is fictitious, revoked, suspended, or issued to another person * * *;

(3) To furnish false or fraudulent material information in, or omit any material information from, any application, report, or other document required to be kept or filed under this article, or any record required to be kept by this article; or

(4) To make, distribute, or possess any punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render the drug a counterfeit substance.

Any person who violates this section is guilty of a crime and upon conviction may be confined for not more than one (1) year or fined not more than One Thousand Dollars (\$1,000.00) or both.

(b) This section does not apply to any of the acts regarding the medical use of cannabis that are lawful under the Mississippi Medical Cannabis Act. This subsection (b) shall stand repealed three (3) years after the effective date of this act.

SECTION 39. Sections 2 through 39 of this act shall stand repealed three (3) years after its effective date.

SECTION 40. Section 1 of this act shall take effect and be in force from and after July 1, 2021. Sections 2 through 39 of this act shall take effect and be in force from and after the date, if any, that the provisions of Initiative Measure Number 65 of 2020 are enjoined or otherwise ruled of no legal force and effect, and shall stand repealed on January 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON HARPER GRACE'S LAW, WHICH AUTHORIZES RESEARCH AND THE DISPENSING, POSSESSION AND USE OF

CANNABIDIOL (CBD OIL) FOR MEDICAL PURPOSES; TO ENACT THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AUTHORIZE MEDICAL CANNABIS USE BY CERTAIN PATIENTS WHO HAVE DEBILITATING MEDICAL CONDITIONS; TO PROVIDE CERTAIN PROTECTIONS TO PATIENTS, CAREGIVERS, MEDICAL PROVIDERS, MEDICAL CANNABIS ESTABLISHMENTS, DISPENSARIES, PHARMACIES AND TESTING FACILITIES FOR THE MEDICAL USE OF CANNABIS; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH WILL ISSUE REGISTRY IDENTIFICATION CARDS TO QUALIFYING PATIENTS AND REGISTRATIONS TO QUALIFYING FACILITIES; TO PROVIDE FOR THE LICENSING OF CANNABIS RESEARCH FACILITIES, TESTING FACILITIES AND CULTIVATION-PROCESSING FACILITIES BY THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO EXEMPT THE RESEARCH FACILITY AT THE UNIVERSITY OF MISSISSIPPI FROM THE APPLICATION AND ANNUAL LICENSE RENEWAL FEES; TO AUTHORIZE LOCAL GOVERNMENTS TO ENACT CERTAIN ORDINANCES NOT IN CONFLICT WITH THIS ACT; TO PROHIBIT LOCAL TAXES ON CANNABIS OR CANNABIS ESTABLISHMENTS; TO REQUIRE THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF AGRICULTURE AND COMMERCE, AND THE DEPARTMENT OF REVENUE TO PROMULGATE RULES AND REGULATIONS SPECIFIC TO THE ROLE OF EACH DEPARTMENT IN ACCOMPLISHING THE PURPOSES OF THIS ACT; TO REQUIRE THE DEPARTMENT OF AGRICULTURE AND COMMERCE AND THE DEPARTMENT OF REVENUE TO MAINTAIN A PUBLIC REGISTRY OF MEDICAL CANNABIS ESTABLISHMENTS; TO PROVIDE CIVIL AND CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; TO REQUIRE THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE TO MAKE ANNUAL REPORTS TO THE LEGISLATURE; TO PROVIDE THAT BANKS MAY PROVIDE THE SERVICES TO MEDICAL CANNABIS LICENSEES THAT MAY BE PROVIDED TO ANY OTHER BUSINESS; TO CREATE NEW SECTION 27-65-28, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE RETAIL SALES OF MEDICAL CANNABIS PRODUCTS SHALL BE TAXED AT 7%; TO IMPOSE AN EXCISE TAX OF 4% ON MEDICAL CANNABIS PRODUCTS; TO CREATE THE WORKFORCE AND COLLEGE OPPORTUNITY SCHOLARSHIP FUND IN THE STATE TREASURY; TO PROVIDE THAT REVENUE GENERATED FROM THE SALES TAX AND EXCISE TAX ON MEDICAL CANNABIS PRODUCTS, ASIDE FROM THE 18.5% SALES TAX DIVERSION FOR MUNICIPALITIES, SHALL BE DEPOSITED INTO THE FUND; TO PROVIDE THAT THE FIRST 25% OF THE REVENUE IN THE FUND SHALL BE ALLOCATED TO THE DEPARTMENT OF EDUCATION FOR THE STATE SHARE FOR EARLY LEARNING COLLABORATIVES AS ESTABLISHED IN SECTION 37-21-51, THE NEXT 25% SHALL BE ALLOCATED TO THE DEPARTMENT OF EDUCATION FOR A STANDARDIZED DUAL ENROLLMENT PROGRAM, AND THE REMAINING FUNDS SHALL BE ALLOCATED TO THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD AS ESTABLISHED IN SECTION 37-106-9 TO CREATE A "LAST-DOLLAR" SCHOLARSHIP PROGRAM FOR COMMUNITY COLLEGE STUDENTS, UNIVERSITY STUDENTS, ACADEMIC OR CAREER AND TECHNICAL, WITH THE GOAL OF PROVIDING TUITION, ROOM AND BOARD, BOOKS AND MATERIALS TO MISSISSIPPI STUDENTS; TO AMEND SECTIONS 27-65-75, 41-29-125, 41-29-127, 41-29-136, 41-29-137, 41-29-139, 41-29-141 AND 41-29-143, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO PROVIDE THAT THE ACT SHALL REPEAL THREE YEARS FROM ITS EFFECTIVE DATE; TO PROVIDE THAT THE ACT SHALL TAKE EFFECT ON THE DATE, IF ANY, THAT THE PROVISIONS OF INITIATIVE 65 OF 2020 ARE ENJOINED OR OTHERWISE RULED OF NO LEGAL FORCE AND EFFECT; AND FOR RELATED PURPOSES.

POINT OF ORDER

A point of order was raised by Senator McDaniel that Amendment No. 1 is not germane.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken.

Amendment No. 1 to H. B. No. 119 was adopted.

PARLIAMENTARY INQUIRY

Senator Blackmon raised a point of inquiry that Amendment No. 1 changes the vote from a 1/2 vote to a 3/5 vote.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point well-taken because the amendment provides for certain taxes on medical cannabis products.

YEAS AND NAYS On H. B. No. 119. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Bryan, Carter, Caughman, Chassaniol, DeBar, DeLano, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McLendon, Michel, Moran, Parks, Polk, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--29.

Nays--Barnett, Blackmon, Blount, Branning, Butler, Chism, Jackson R. (11th), Jackson S. (32nd), Jordan, McDaniel, Norwood, Parker, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Thomas, Turner-Ford, Witherspoon. Total--19.

Absent and those not voting--Frazier, McMahan. Total--2.

Senator England, who would have voted nay on H. B. No. 119, announced a pair with Senator Horhn, who would have voted yea.

Senator Bryan entered a motion to reconsider the vote whereby **H. B. No. 108** passed the Senate as amended.

H. B. No. 108: Wireless Communication Commission; remove ITS control over.

Senator Tate entered a motion to reconsider the vote whereby **H. B. No. 320** passed the Senate as amended.

H. B. No. 320: Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **H. B. No. 119** passed the Senate as amended.

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.

Senator McDaniel entered a motion to reconsider the vote whereby **H. B. No. 1048** passed the Senate as amended.

H. B. No. 1048: Qualification deadline; change to February 1 for certain statewide, state district, county and county district offices.

Senators Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Rev. Armistead Christian Powell of Austin, TX.

Senator Jackson S. (32nd) moved that when the Senate adjourns, it adjourn in memory of Carolyn Evans of Preston, MS.

Senators Jackson R. (11th), Simmons D. T. (12th) and Simmons S. (13th) moved that when the Senate adjourns, it adjourn in memory of James Hicks of Clarksdale, MS.

Senators Simmons S. (13th), Simmons D. T. (12th), Jackson R. (11th) and Jordan moved that when the Senate adjourns, it adjourn in memory of Bishop Carey Sparks of Cleveland, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Don Clarence Janssen of Columbus, MS.

Senators Sojourner and Chassaniol moved that when the Senate adjourns, it adjourn in memory of Richard M. "Durk" Durkin, Sr. of Natchez, MS.

MESSAGE FROM THE GOVERNOR
March 10, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2221: Mississippi Dementia Care Program, Food Bank Pilot Programming; create. (March 10, 2021, 10:25 AM)

S. B. No. 2879: Appropriations; additional appropriations for Institutions of Higher Learning (IHL). (March 10, 2021, 10:02 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE HOUSE

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

S. B. No. 2024: Depositories; revise bid process for selection by counties and municipalities.

S. B. No. 2117: Juvenile offenders; provide alternative sentencing and parole options.

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person.

S. B. No. 2392: County port and harbor commission; provide for holdover of appointees.

S. B. No. 2435: Alcoholic beverages; revise various provisions relating to distilleries.

S. B. No. 2481: Memorial highways; designate various segments.

S. B. No. 2569: Urine; create the crime of selling or tampering with urine.

S. B. No. 2602: Nonadmitted insurer policy fee; divert certain amount to fund fire trucks and fire apparatus/protection grants.

S. B. No. 2623: Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act.

S. B. No. 2624: MS Real Estate Commission; require to establish pilot program using administrative hearing officers.

S. B. No. 2631: Health insurance; revise mandated coverage for telemedicine services.

S. B. No. 2638: Electronic documents; provide recording procedure for counties without electronic-recording capability.

S. B. No. 2689: State Auditor; increase fee which may be charged for performing audits and other services.

S. B. No. 2806: Department of Revenue; bring forward code sections relating to ABC Division and authority to contract for services.

S. B. No. 2816: Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors.

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature.

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create.

S. B. No. 2827: Public purchases; specify prequalification process for construction manager at risk soliciting bids for projects.

S. B. No. 2843: Tax; phase out June 25 deadline for taxpayers with average liability of at least \$50,000 to remit 75% of June liability.

S. B. No. 2850: Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership.

S. B. No. 2868: Qualified resort areas; include certain municipalities.

S. B. No. 2872: Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area.

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate adjourn until 9:00 AM, Thursday, March 11, 2021.

The motion prevailed, and at 5:49 PM, the Senate stood adjourned in memory of Rev. Armistead Christian Powell, Carolyn Evans, Richard M. "Durk" Durkin, Sr., Don Clarence Janssen, Bishop Carey Sparks and James Hicks.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, MARCH 10, 2021

SIXTY-SIXTH DAY, THURSDAY, MARCH 11, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Absent--Hopson, Horhn. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Horhn.

The invocation was delivered by Senator Caughman.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Fillingane called up the motion to reconsider the vote whereby **H. B. No. 631** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 631: Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours.

The foregoing motion prevailed.

YEAS AND NAYS On H. B. No. 631. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--36.

Nays--Barnett, Blackmon, Butler, DeBar, Frazier, Jackson R. (11th), Michel, Moran, Norwood, Polk, Thomas, Turner-Ford. Total--12.

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

Voting Present--Hill. Total--1.

Senator Blackwell, who would have voted yea on H. B. No. 631, announced a pair with Senator Hopson, who would have voted nay.

Senator Fillingane called up the motion to reconsider the vote whereby **H. B. No. 634** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 634: Firearms restriction; limit those by cities, counties and state agencies.

The foregoing motion prevailed.

Senator Caughman called up the motion to reconsider the vote whereby **H. B. No. 488** passed the Senate and moved that the motion to reconsider be tabled:
H. B. No. 488: Libraries; authorize use of debit and credit cards.

The foregoing motion prevailed.

Senator Whaley called up the motion to reconsider the vote whereby **H. B. No. 382** passed the Senate as amended and moved that the motion to reconsider be tabled:
H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 72** passed the Senate and moved that the motion to reconsider be tabled:
H. B. No. 72: Dentists; provide immunity for providing charitable and emergency services.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 551** passed the Senate as amended and moved that the motion to reconsider be tabled:
H. B. No. 551: Driver's license; require Department of Public Safety to allow official identifying document of MDOC to suffice for.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 1195** passed the Senate and moved that the motion to reconsider be tabled:
H. B. No. 1195: Electric bicycles; regulate.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 287** passed the Senate as amended and moved that the motion to reconsider be tabled:
H. B. No. 287: Drug Intervention Courts; standardize references.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 277** passed the Senate and moved that the motion to reconsider be tabled:
H. B. No. 277: Tribal identification cards; recognize as legal means of personal identification.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 196** passed the Senate as amended and moved that the motion to reconsider be tabled:
H. B. No. 196: "Dignity for Incarcerated Women Act"; create.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 357** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 357: Bonding requirement for county purchase clerk; increase.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 1205** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1205: Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 493** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 493: Counties and municipalities; authorize to offer Medicare eligible employee benefits when employees secures Medicare under certain circumstances.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 929** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 70** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 70: Autopsies; provide for confidentiality of photographs and video and audio recordings with exceptions.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 429** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 429: Contracts; authorize persons eighteen years of age or older to enter into for the purpose of investing in mutual funds.

The foregoing motion prevailed.

Senator Caughman called up the motion to reconsider the vote whereby **H. B. No. 1075** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1075: MS Credit Availability Act, Title Pledge Act, and Check Cashers Act; extend or remove repealer on certain provisions of.

The foregoing motion prevailed.

Senator Wiggins called up the motion to reconsider the vote whereby **H. B. No. 356** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 1174** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1174: Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 886** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 886: Law enforcement officers; exempt from concealed firearms permit fees and renewal fees.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 286** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 286: Cemeteries; authorize to disinter and reinter dead human remains for next of kin instructions.

The foregoing motion prevailed.

Senator Kirby called up the motion to reconsider the vote whereby **H. B. No. 550** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 550: Intermediate driver's license; delete all references to.

The foregoing motion prevailed.

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

The motion prevailed, and at 9:20 AM, the Senate stood in recess.

The Senate resumed business at 10:24 AM, pursuant to recess, with President Hosemann presiding.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 39, **H. B. No. 1230**, and the motion prevailed.

Senator Harkins called up the motion to reconsider the vote whereby **H. B. No. 1230** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1230: Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs.

The foregoing motion prevailed.

Senator Turner-Ford called up the motion to reconsider the vote whereby **H. B. No. 213** passed the Senate and moved that it be reconsidered:

H. B. No. 213: DFA; authorize Office of Surplus Property to administer the Federal Donation Program.

The foregoing motion prevailed.

Senator Turner-Ford moved that **H. B. No. 213** be recommitted to Public Property, and the motion prevailed.

Senator Polk entered a motion to reconsider the vote whereby **H. B. No. 1008** passed the Senate as amended.

H. B. No. 1008: Medicaid; make technical amendments to services, manage care and assessment provisions.

On request of Senator Bryan, unanimous consent was granted to make the following correction in **H. B. No. 294**:

Unanimous consent of the Senate by Senator Bryan is requested to make the following change to the Strike-All Amendment to House Bill No. 294, 2021 Regular Session:

On line 70, delete "through June 30, 2021"

Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 10:31 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON GAMING

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 33: Francis Clark (Franc) Lee, Flowood, Mississippi, Mississippi Gaming Commission, term effective immediately and ends September 30, 2024. Do Advise and Consent.

BLOUNT, Chairman

MESSAGE FROM THE HOUSE

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

S. B. No. 2785: Driver's license requirements; exempt military members, spouses and dependent children under certain conditions.

S. B. No. 2788: Radar speed detection; revise provisions concerning use by Highway Patrol and municipal law enforcement in certain cities.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

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

S. B. No. 2035: Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

S. B. No. 2598: Department of Public Safety; revise licensing.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 312: AN ACT TO AMEND SECTION 69-7-101, MISSISSIPPI CODE OF 1972, TO ABOLISH THE CENTRAL MARKET BOARD AND TRANSFER ITS FUNCTIONS AND RESPONSIBILITIES TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-109, MISSISSIPPI CODE OF 1972, TO TRANSFER POWERS OF DUTIES OF THE CENTRAL MARKET BOARD TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-113, MISSISSIPPI CODE OF 1972, TO TRANSFER RECORD-KEEPING RESPONSIBILITIES FROM THE STATE MARKET TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND SECTION 69-7-115, MISSISSIPPI CODE OF 1972, TO TRANSFER AUTHORITY OF THE CENTRAL MARKET BOARD FOR THE ACQUISITION OF FACILITIES TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTION 69-7-121, MISSISSIPPI CODE OF 1972, TO TRANSFER AUTHORITY OVER THE CENTRAL MARKET FUND FROM THE CENTRAL MARKET BOARD TO THE DEPARTMENT OF AGRICULTURE; TO REPEAL SECTIONS 69-7-103, 69-7-105, 69-7-107, 69-7-111, 69-7-117 AND 69-7-119, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 1302: AN ACT TO AMEND SECTION 73-19-1, MISSISSIPPI CODE OF 1972, TO DEFINE THE PRACTICE OF OPTOMETRY; TO PROVIDE FOR THE DISEASES AND CONDITIONS THAT OPTOMETRISTS ARE AUTHORIZED TO

EXAMINE, DIAGNOSE AND MANAGE; TO PROVIDE THAT AN OPTOMETRIST MAY UTILIZE LOCAL ANESTHESIA IN THE PERFORMANCE OF CERTAIN PROCEDURES; TO PROVIDE THAT NO OPTOMETRIST SHALL PERFORM CATARACT SURGERY NOR ANY OTHER INTRAOCULAR SURGERY NOT SPECIFICALLY ALLOWED IN THIS STATUTE; TO PROVIDE THAT AN OPTOMETRIST MAY PERFORM YAG LASER POSTERIOR CAPSULOTOMIES IF HE/SHE HAS BEEN CERTIFIED BY THE BOARD OF OPTOMETRY TO PERFORM OPTOMETRIC YAG LASER POSTERIOR CAPSULOTOMY PROCEDURES; TO AMEND SECTION 73-19-27, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION THAT ALLOWS OPTOMETRISTS TO USE PHARMACEUTICAL AGENTS IN THEIR PRACTICE; TO AMEND SECTION 73-19-157, MISSISSIPPI CODE OF 1972, TO PROVIDE OPTOMETRISTS THE AUTHORITY TO USE AND PRESCRIBE CERTAIN PHARMACEUTICAL MEDICATIONS; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. C. R. No. 518: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING HILLCREST CHRISTIAN SCHOOL "LADY COUGARS" FAST PITCH SOFTBALL TEAM AND HEAD COACH REINALDO DIXON FOR THEIR OUTSTANDING 2020 SEASON AND FOR WINNING THE MIDSOUTH ASSOCIATION OF INDEPENDENT SCHOOLS (MAIS) CLASS AAAA STATE CHAMPIONSHIP.

S. C. R. No. 527: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING COACH LANE KIFFIN AND THE OLE MISS "REBELS" FOOTBALL TEAM FOR THEIR IMPRESSIVE VICTORY OVER THE INDIANA "HOOSIERS" ON JANUARY 2, 2021, IN THE OUTBACK BOWL IN TAMPA AND FOR THEIR OUTSTANDING 2020 REGULAR SEASON UNDER ADVERSE CIRCUMSTANCES.

S. C. R. No. 531: A CONCURRENT RESOLUTION EXPRESSING LEGISLATIVE INTENT RELATIVE TO ENCOURAGING COOPERATION WITH MILITARY INSTALLATIONS TO ENCOURAGE COMPATIBLE LAND USE AND HELP PREVENT INCOMPATIBLE ENCROACHMENT NEAR MILITARY INSTALLATIONS AND FACILITATE THE CONTINUED PRESENCE OF MAJOR MILITARY INSTALLATIONS IN THIS STATE; TO SPECIFY THE COUNTIES, MUNICIPALITIES AND MILITARY INSTALLATIONS TO WHICH THIS RESOLUTION APPLIES; TO ENCOURAGE COUNTIES AND MUNICIPALITIES TO PROVIDE MILITARY INSTALLATIONS WITH INFORMATION RELATING TO LAND USE AND DEVELOPMENT WHICH WOULD AFFECT THE USE OF LAND ADJACENT TO OR IN CLOSE PROXIMITY TO MILITARY INSTALLATIONS IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

MESSAGE FROM THE HOUSE

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

S. B. No. 2121: Intimate visual material; criminalize disclosure of.

S. B. No. 2573: Department of Public Safety; implement uniform reporting standards for jail census data & create & maintain a centralized database.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE GOVERNOR
March 11, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2098: State Board of Funeral Service; extend repealer on. (March 11, 2021, 10:00 AM)

S. B. No. 2536: Athletics; provide that schools designate teams by biological sex. (March 11, 2021, 9:38 AM)

S. B. No. 2809: Public records; extend repealer on provision requiring public access to records. (March 11, 2021, 10:00 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

REPORT OF COMMITTEE ON FINANCE

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

H. B. No. 1296: Historic property income tax credit; revise certain provisions regarding. Title Sufficient. Do Pass As Amended.

H. B. No. 1297: Bonds; authorize issuance for the Water Pollution Control Revolving Fund. Title Sufficient. Do Pass As Amended.

H. B. No. 1420: Ad valorem tax; exempt property of certain not-for-profit corporations used to provide swimming lessons and training. Title Sufficient. Do Pass As Amended.

H. B. No. 1446: Income tax; allow deduction for Back to Business Mississippi Grant Program eligible expenses. Title Sufficient. Do Pass.

HARKINS, Chairman

REPORT OF COMMITTEES ON
HIGHWAYS AND TRANSPORTATION AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

H. B. No. 628: Highway privilege tax; add a gross vehicle weight category for carriers of property with additional tax. Title Sufficient. Do Pass.

BRANNING, Chairman
HARKINS, Chairman

On request of Senator Bryan, unanimous consent was requested to make a correction in **H. B. No. 119**:

There was an objection to the foregoing request for unanimous consent by Senator Blackmon.

Senator Bryan moved that the rules be suspended for the immediate consideration of calendar item 46, **H. B. No. 1312**, and the motion prevailed.

Senator Bryan called up the motion to reconsider the vote whereby **H. B. No. 1312** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1312: State Board of Cosmetology; extend repealer on.

The foregoing motion prevailed.

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

The motion prevailed, and at 1:48 PM, the Senate stood in recess.

The Senate resumed business at 1:59 PM, pursuant to recess, with President Hosemann presiding.

Senator Bryan called up the motion to reconsider the vote whereby **H. B. No. 119** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.

The foregoing motion prevailed.

Senator Blackwell moved to reconsider the vote whereby Amendment No. 1 to **H. B. No. 119** was adopted by the Senate.

The foregoing motion prevailed.

Senator Blackwell offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 1.

AMEND on line 2716 by deleting ", and shall stand repealed on January 1, 2021"

Amendment No. 1 to Amendment No. 1 to H. B. No. 119 was adopted.

Amendment No. 1 as amended to H. B. No. 119 was adopted.

YEAS AND NAYS On H. B. No. 119. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote, a three-fifths vote being required:

Yeas--Barrett, Blackwell, Boyd, Bryan, Carter, Caughman, Chassaniol, DeBar, DeLano, Fillingane, Harkins, Hill, Johnson, Kirby, McCaughn, McLendon, Michel, Moran, Polk, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--26.

Nays--Barnett, Blackmon, Blount, Branning, Chism, Frazier, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Seymour, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford, Witherspoon. Total--16.

Absent and those not voting--Butler, Hopson, Horhn, McDaniel, Parker, Sojourner. Total--6.

Senator McMahan, who would have voted nay on H. B. No. 119, announced a pair with Senator Parks, who would have voted yea.

Senator England, who would have voted nay on H. B. No. 119, announced a pair with Senator Suber, who would have voted yea.

Senator Tate called up the motion to reconsider the vote whereby **H. B. No. 1048** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1048: Qualification deadline; change to February 1 for certain statewide, state district, county and county district offices.

The foregoing motion prevailed.

Senator Barnett called up the following House Amendment to **S. B. No. 2795** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-7-3, Mississippi Code of 1972, is brought forward as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served not less than one-fourth (1/4) of the total of such term or terms for which such prisoner was sentenced, or, if sentenced to serve a term or terms of thirty (30) years or more, or, if sentenced for the term of the natural life of such prisoner, has served not less than ten (10) years of such life sentence, may be released on parole as hereinafter provided, except that:

(a) No prisoner convicted as a confirmed and habitual criminal under the provisions of Sections 99-19-81 through 99-19-87 shall be eligible for parole;

(b) Any person who shall have been convicted of a sex crime shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) (i) No person shall be eligible for parole who shall, on or after January 1, 1977, be convicted of robbery or attempted robbery through the display of a firearm until he shall have served ten (10) years if sentenced to a term or terms of more than ten (10) years or if sentenced for the term of the natural life of such person. If such person is sentenced to a term or terms of ten (10) years or less, then such person shall not be eligible for parole. The provisions of this paragraph (c)(i) shall also apply to any person who shall commit robbery or attempted robbery on or after July 1, 1982, through the display of a deadly weapon. This paragraph (c)(i) shall not apply to persons convicted after September 30, 1994;

(ii) No person shall be eligible for parole who shall, on or after October 1, 1994, be convicted of robbery, attempted robbery or carjacking as provided in Section 97-3-115 et seq., through the display of a firearm or drive-by shooting as provided in Section 97-3-109. The provisions of this paragraph (c)(ii) shall also apply to any person who shall commit robbery, attempted robbery, carjacking or a drive-by shooting on or after October 1, 1994, through the display of a deadly weapon. This paragraph (c)(ii) shall not apply to persons convicted after July 1, 2014;

(d) No person shall be eligible for parole who, on or after July 1, 1994, is charged, tried, convicted and sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101;

(e) No person shall be eligible for parole who is charged, tried, convicted and sentenced to life imprisonment under the provisions of Section 99-19-101;

(f) No person shall be eligible for parole who is convicted or whose suspended sentence is revoked after June 30, 1995, except that an offender convicted of only nonviolent crimes after June 30, 1995, may be eligible for parole if the offender meets the requirements in this subsection (1) and this paragraph. In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony, the offender must complete a drug and alcohol rehabilitation program prior to parole or the offender may be required to complete a post-release drug and alcohol program as a condition of parole. For purposes of this paragraph, "nonviolent crime" means a felony other than homicide, robbery, manslaughter, sex crimes, arson, burglary of an occupied dwelling, aggravated assault, kidnapping, felonious abuse of vulnerable adults, felonies with enhanced penalties, except enhanced penalties for the crime of possession of a controlled substance under Section 41-29-147, the sale or manufacture of a controlled substance under the Uniform Controlled Substances Law, felony child abuse, or exploitation or any crime under Section 97-5-33 or Section 97-5-39(2) or 97-5-39(1)(b), 97-5-39(1)(c) or a violation of Section 63-11-30(5). In addition, an offender incarcerated for committing the crime of possession of a controlled substance under the Uniform Controlled Substances Law after July 1, 1995, including an offender who receives an enhanced penalty under the provisions of Section 41-29-147 for such possession, shall be eligible for parole. An offender incarcerated for committing the crime of sale or manufacture of a controlled substance shall be eligible for parole after serving one-fourth (1/4) of the sentence imposed by the trial court. This paragraph (f) shall not apply to persons convicted on or after July 1, 2014;

(g) (i) No person who, on or after July 1, 2014, is convicted of a crime of violence pursuant to Section 97-3-2, a sex crime or an offense that specifically prohibits parole release shall be eligible for parole. All persons convicted of any other offense on

or after July 1, 2014, are eligible for parole after they have served one-fourth (1/4) of the sentence or sentences imposed by the trial court.

(ii) Notwithstanding the provisions in subparagraph (i) of this paragraph (g), a person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this subsection shall be required to have a parole hearing before the board prior to parole release. No inmate shall be eligible for parole under this subparagraph (ii) of this paragraph (g) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87;
2. The inmate is sentenced for a crime of violence under Section 97-3-2;
3. The inmate is sentenced for an offense that specifically prohibits parole release;
4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);
5. The inmate is sentenced for a sex crime; or
6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(iii) Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the parole board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if that senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter;

(h) Notwithstanding any other provision of law, an inmate who has not been convicted as a habitual offender under Sections 99-19-81 through 99-19-87, has not been convicted of committing a crime of violence, as defined under Section 97-3-2, has not been convicted of a sex crime or any other crime that specifically prohibits parole release, and has not been convicted of drug trafficking under Section 41-29-139 is eligible for parole if the inmate has served twenty-five percent (25%) or more of his or her sentence, but is otherwise ineligible for parole.

(2) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(3) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. The parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. The parole eligibility date shall not be earlier than one-fourth (1/4) of the prison sentence or sentences imposed by the court.

(4) Any inmate within twenty-four (24) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for

placement in any educational development and job training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job training program that is part of the case plan may be in jeopardy of noncompliance with the case plan and may be denied parole.

SECTION 2. Section 47-7-3.1, Mississippi Code of 1972, is brought forward as follows:

47-7-3.1. (1) In consultation with the Parole Board, the department shall develop a case plan for all parole eligible inmates to guide an inmate's rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.

(2) Within ninety (90) days of admission, the department shall complete a case plan on all inmates which shall include, but not limited to:

(a) Programming and treatment requirements based on the results of a risk and needs assessment;

(b) Any programming or treatment requirements contained in the sentencing order; and

(c) General behavior requirements in accordance with the rules and policies of the department.

(3) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.

(a) Within ninety (90) days of admission, the caseworker shall notify the inmate of their parole eligibility date as calculated in accordance with Section 47-7-3(3);

(b) At the time a parole-eligible inmate receives the case plan, the department shall send the case plan to the Parole Board for approval.

(4) The department shall ensure that the case plan is achievable prior to inmate's parole eligibility date.

(5) The caseworker shall meet with the inmate every eight (8) weeks from the date the offender received the case plan to review the inmate's case plan progress.

(6) Every four (4) months the department shall electronically submit a progress report on each parole-eligible inmate's case plan to the Parole Board. The board may meet to review an inmate's case plan and may provide written input to the caseworker on the inmate's progress toward completion of the case plan.

(7) The Parole Board shall provide semiannually to the Oversight Task Force the number of parole hearings held, the number of prisoners released to parole without a hearing and the number of parolees released after a hearing.

SECTION 3. Section 47-7-5, Mississippi Code of 1972, is brought forward as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall not receive compensation or per diem in addition to his salary as prohibited under Section 25-3-38. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an Internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, 2022.

SECTION 4. Section 47-7-13, Mississippi Code of 1972, is brought forward as follows:

47-7-13. A majority of the board shall constitute a quorum for the transaction of all business. A decision to parole an offender convicted of murder or a sex-related crime shall require the affirmative vote of three (3) members. The board shall maintain, in minute book form, a copy of each of its official actions with the reasons therefor. Suitable and sufficient office space and support resources and staff necessary to conducting Parole Board business shall be provided by the Department of Corrections. However, the principal place for conducting parole hearings shall be the State Penitentiary at Parchman.

SECTION 5. Section 47-7-15, Mississippi Code of 1972, is brought forward as follows:

47-7-15. The board shall adopt an official seal of which the courts shall take judicial notice. Decisions of the board shall be made by majority vote.

The board shall keep a record of its acts and shall notify each institution of its decisions relating to the persons who are or have been confined therein. At the close of each fiscal year the board shall submit to the Governor and to the Legislature a report with statistical and other data of its work.

SECTION 6. Section 47-7-17, Mississippi Code of 1972, is brought forward as follows:

47-7-17. Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

Before ruling on the application for parole of any offender, the board may require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed.

The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of him or her becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 7. Section 47-7-18, Mississippi Code of 1972, is brought forward as follows:

47-7-18 (1) Each inmate eligible for parole pursuant to Section 47-7-3, shall be released from incarceration to parole supervision on the inmate's parole eligibility date, without a hearing before the board, if:

- (a) The inmate has met the requirements of the parole case plan established pursuant to Section 47-7-3.1;
- (b) A victim of the offense has not requested the board conduct a hearing;
- (c) The inmate has not received a serious or major violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan. If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the inmate and that granting parole is not incompatible with public safety, the board may then parole the inmate with appropriate conditions. If the board determines that the inmate has sufficiently complied with the case plan but the discharge plan indicates that the inmate does not have appropriate housing immediately upon release, the board may parole the inmate to a transitional reentry center with the condition that the inmate spends no more than six (6) months in the center. If the board determines that the inmate has not substantively complied with the requirement(s) of the case plan it may deny parole. If the board denies parole, the board may schedule a subsequent parole hearing and, if a new date is scheduled, the board shall identify the corrective action the inmate will need to take in order to be granted parole. Any inmate not released at the time of the inmate's initial parole date shall have a parole hearing at least every year.

SECTION 8. Section 47-7-33.1, Mississippi Code of 1972, is brought forward as follows:

47-7-33.1. (1) The department shall create a discharge plan for any offender returning to the community, regardless of whether the person will discharge from the custody of the department, or is released on parole, pardon, or otherwise. At least ninety (90) days prior to an offender's earliest release date, the commissioner shall conduct a pre-release assessment and complete a written discharge plan based on the assessment results. The discharge plan for parole eligible offenders shall be sent to the Parole Board at least thirty (30) days prior to the offender's parole eligibility date for approval. The board may suggest changes to the plan that it deems necessary to ensure a successful transition.

(2) The pre-release assessment shall identify whether an inmate requires assistance obtaining the following basic needs upon release: transportation, clothing and food, financial resources, identification documents, housing, employment, education, health care and support systems. The discharge plan shall include information necessary to address these needs and the steps being taken by the department to assist in this process. Based on the findings of the assessment, the commissioner shall:

(a) Arrange transportation for inmates from the correctional facility to their release destination;

(b) Ensure inmates have clean, seasonally appropriate clothing, and provide inmates with a list of food providers and other basic resources immediately accessible upon release;

(c) Ensure inmates have a driver's license or a state-issued identification card that is not a Department of Corrections identification card;

(d) Assist inmates in identifying safe, affordable housing upon release. If accommodations are not available, determine whether temporary housing is available for at least ten (10) days after release. If temporary housing is not available, the discharge plan shall reflect that satisfactory housing has not been established and the person may be a candidate for transitional reentry center placement;

(e) Refer inmates without secured employment to employment opportunities;

(f) Provide inmates with contact information of a health care facility/provider in the community in which they plan to reside;

(g) Notify family members of the release date and release plan, if inmate agrees; and

(h) Refer inmates to a community or a faith-based organization that can offer support within the first twenty-four (24) hours of release;

(3) A written discharge plan shall be provided to the offender and supervising probation officer or parole officer, if applicable.

(4) A discharge plan created for a parole-eligible offender shall also include supervision conditions and the intensity of supervision based on the assessed risk to recidivate and whether there is a need for transitional housing. The board shall approve discharge plans before an offender is released on parole pursuant to this chapter.

SECTION 9. Section 47-7-3.2, Mississippi Code of 1972, is brought forward as follows:

47-7-3.2. (1) Notwithstanding Sections 47-5-138, 47-5-139, 47-5-138.1 or 47-5-142, no person convicted of a criminal offense on or after July 1, 2014, shall be released by the department until he or she has served no less than fifty percent (50%) of a sentence for a crime of violence pursuant to Section 97-3-2 or twenty-five percent (25%) of any other sentence imposed by the court.

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

(b) Offenders convicted as habitual offenders pursuant to Sections 99-19-81 through 99-19-87;

(c) Offenders serving a sentence for a sex offense; or

(d) Offenders serving a sentence for trafficking pursuant to Section 41-29-139(f).

SECTION 10. Section 47-5-28, Mississippi Code of 1972, is brought forward as follows:

47-5-28. The commissioner shall have the following powers and duties:

(a) To implement and administer laws and policy relating to corrections and coordinate the efforts of the department with those of the federal government and other state departments and agencies, county governments, municipal governments, and private agencies concerned with providing offender services;

(b) To establish standards, in cooperation with other state agencies having responsibility as provided by law, provide technical assistance, and exercise the requisite supervision as it relates to correctional programs over all state-supported adult correctional facilities and community-based programs;

(c) To promulgate and publish such rules, regulations and policies of the department as are needed for the efficient government and maintenance of all facilities and programs in accord insofar as possible with currently accepted standards of adult offender care and treatment;

(d) To provide the Parole Board with suitable and sufficient office space and support resources and staff necessary to conducting Parole Board business under the guidance of the Chairman of the Parole Board;

(e) To contract for transitional reentry center beds that will be used as noncorrections housing for offenders released from the department on parole, probation or post-release supervision but do not have appropriate housing available upon release. At least one hundred (100) but no more than eight hundred (800) transitional reentry center beds contracted by the department and chosen by the Parole Board shall be available for the Parole Board to place parolees without appropriate housing;

(f) To designate deputy commissioners while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department, to the status of peace officers anywhere in the state in any matter relating to the custody, control, transportation or recapture of such offender, and shall have the status of law enforcement officers and peace officers as contemplated by Sections 45-6-3, 97-3-7 and 97-3-19.

For the purpose of administration and enforcement of this chapter, deputy commissioners of the Mississippi Department of Corrections, who are certified by the Mississippi Board on Law Enforcement Officer Standards and Training, have the powers of a law enforcement officer of this state. Such powers shall include to make arrests and to serve and execute search warrants and other valid legal process anywhere within the State of Mississippi while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department in any matter relating to the custody, control, transportation or recapture of such offender.

(g) To make an annual report to the Governor and the Legislature reflecting the activities of the department and make recommendations for improvement of the services to be performed by the department;

(h) To cooperate fully with periodic independent internal investigations of the department and to file the report with the Governor and the Legislature;

(i) To make personnel actions for a period of one (1) year beginning July 1, 2016, that are exempt from State Personnel Board rules, regulations and procedures in order to give the commissioner flexibility in making an orderly, effective and timely reorganization and realignment of the department; and

(j) To perform such other duties necessary to effectively and efficiently carry out the purposes of the department as may be directed by the Governor.

SECTION 11. Section 47-5-931, Mississippi Code of 1972, is brought forward as follows:

47-5-931. (1) The Department of Corrections, in its discretion, may contract with the board of supervisors of one or more counties or with a regional facility operated by one or more counties, to provide for housing, care and control of offenders who are in the custody of the State of Mississippi. Any facility owned or leased by a county or counties for this purpose shall be designed, constructed, operated and maintained in accordance with American Correctional Association standards, and shall comply with all constitutional standards of the United States and the State of Mississippi, and with all court orders that may now or hereinafter be applicable to the facility. If the Department of Corrections contracts with more than one (1) county to house state offenders in county correctional facilities, excluding a regional facility, then the first of such facilities shall be constructed in Sharkey County and the second of such facilities shall be constructed in Jefferson County.

(2) The Department of Corrections shall contract with the board of supervisors of the following counties to house state inmates in regional facilities: (a) Marion and Walthall Counties; (b) Carroll and Montgomery Counties; (c) Stone and Pearl River Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba Counties; (f) Alcorn County and any contiguous county in which there is located an unapproved jail; (g) Yazoo County and any contiguous county in which there is located an unapproved jail; (h) Chickasaw County and any contiguous county in which there is located an unapproved jail; (i) George and Greene Counties and any contiguous county in which there is located an unapproved jail; (j) Washington County and any contiguous county in which there is located an unapproved jail; (k) Hinds County and any contiguous county in which there is located an unapproved jail; (l) Leake County and any contiguous county in which there is located an unapproved jail; (m) Issaquena County and any contiguous county in which there is located an unapproved jail; (n) Jefferson County and any contiguous county in which there is located an unapproved jail; (o) Franklin County and any contiguous county in which there is located an unapproved jail; (p) Holmes County and any contiguous county in which there is located an unapproved jail; and (q) Bolivar County and any contiguous county in which there is located an unapproved jail. The Department of Corrections shall decide the order of priority of the counties listed in this subsection with which it will contract for the housing of state inmates. For the purposes of this subsection, the term "unapproved jail" means any jail that the local grand jury determines should be condemned or has found to be of substandard condition or in need of substantial repair or reconstruction.

(3) In addition to the offenders authorized to be housed under subsection (1) of this section, the Department of Corrections may contract with any regional facility to provide for housing, care and control of not more than seventy-five (75) additional offenders who are in the custody of the State of Mississippi.

(4) The Governor and the Commissioner of Corrections are authorized to increase administratively the number of offenders who are in the custody of the State of Mississippi that can be placed in regional correctional facilities.

SECTION 12. Section 47-5-933, Mississippi Code of 1972, is brought forward as follows:

47-5-933. The Department of Corrections may contract for the purposes set out in Section 47-5-931 for a period of not more than twenty (20) years. The contract may provide that the Department of Corrections pay a fee of no more than Thirty-one Dollars (\$31.00) per day for each offender that is housed in the facility. The Department of Corrections may include in the contract, as an inflation factor, a three percent (3%) annual

increase in the contract price. The state shall retain responsibility for medical care for state offenders to the extent that is required by law; provided, however, the department may reimburse each facility for contract medical services as provided by law in an amount not to exceed Six Dollars and Twenty-five Cents (\$6.25) per day per offender.

SECTION 13. Section 47-5-938, Mississippi Code of 1972, is brought forward as follows:

47-5-938. (1) Offenders are encouraged to participate in work programs. The chief corrections officer as created in Section 47-5-935, with ratification of the board of supervisors of the county in which a correctional facility established pursuant to Sections 47-5-931 through 47-5-941, is located, may enter into agreements to provide work for any state offender housed in the facility, with the approval of the Commissioner of Corrections, to perform any work:

(a) Authorized in the Mississippi Prison Industries Act of 1990 as provided in Sections 47-5-531 through 47-5-575;

(b) Authorized in the Prison Agricultural Enterprises Act as provided in Sections 47-5-351 through 47-5-357;

(c) Authorized in the Penitentiary-Made Goods Law of 1978 as provided in Sections 47-5-301 through 47-5-331;

(d) Authorized in the Public Service Work Programs Act as provided in Sections 47-5-401 through 47-5-421;

(e) Authorized in Section 47-5-431, which authorizes the sheriff to use county or state offenders to pick up trash along public roads and state highways.

(2) The chief corrections officer shall promulgate rules and regulations as may be necessary to govern the work performance of the offenders for the parties to the agreements. Political subdivisions of the State of Mississippi including but not limited to counties, municipalities, school districts, drainage districts, water management districts and joint county-municipal endeavors are to have free use of the offender's labor but are responsible for reimbursing the facility for costs of transportation, guards, meals and other necessary costs when the inmates are providing work for that political body. Offenders may be compensated for work performed if the agreement so provides.

(3) There is created a special fund in the county treasury to be known as the "offender's compensation fund." All compensation paid to offenders shall be placed in the special fund for use by the offenders to purchase certain goods and other items of value as authorized in Section 47-5-109, for offenders housed in state correctional facilities. As provided in Section 47-5-194, no cash is to be paid to offenders. The agreement shall provide that a certain portion of the compensation shall be used for the welfare of the offenders. All money collected from the regional jail canteen operations shall be placed in a county special fund. Expenditures from that fund can be made by the chief corrections officer for any lawful purpose that is in the best interest and welfare of the offenders. The chief corrections officer, his employees and the county or counties owning the facility are given the authority necessary to carry out the provisions of this section.

(4) The provisions of this section shall be supplemental to any other provisions of law regarding offender labor and work programs.

SECTION 14. Section 47-7-4, Mississippi Code of 1972, is brought forward as follows:

47-7-4. The commissioner and the medical director of the department may place an offender who has served not less than one (1) year of his or her sentence, except an

offender convicted of a sex crime, on conditional medical release. However, a nonviolent offender who is bedridden may be placed on conditional medical release regardless of the time served on his or her sentence. Upon the release of a nonviolent offender who is bedridden, the state shall not be responsible or liable for any medical costs that may be incurred if such costs are acquired after the offender is no longer incarcerated due to his or her placement on conditional medical release. The commissioner shall not place an offender on conditional medical release unless the medical director of the department certifies to the commissioner that (a) the offender is suffering from a significant permanent physical medical condition with no possibility of recovery; (b) that his or her further incarceration will serve no rehabilitative purposes; and (c) that the state would incur unreasonable expenses as a result of his or her continued incarceration. Any offender placed on conditional medical release shall be supervised by the Division of Community Corrections of the department for the remainder of his or her sentence. An offender's conditional medical release may be revoked and the offender returned and placed in actual custody of the department if the offender violates an order or condition of his or her conditional medical release. An offender who is no longer bedridden shall be returned and placed in the actual custody of the department.

SECTION 15. Section 47-7-27, Mississippi Code of 1972, is brought forward as follows:

47-7-27. (1) The board may, at any time and upon a showing of probable violation of parole, issue a warrant for the return of any paroled offender to the custody of the department. The warrant shall authorize all persons named therein to return the paroled offender to actual custody of the department from which he was paroled.

(2) Any field supervisor may arrest an offender without a warrant or may deputize any other person with power of arrest by giving him a written statement setting forth that the offender has, in the judgment of that field supervisor, violated the conditions of his parole or earned-release supervision. The written statement delivered with the offender by the arresting officer to the official in charge of the department facility from which the offender was released or other place of detention designated by the department shall be sufficient warrant for the detention of the offender.

(3) The field supervisor, after making an arrest, shall present to the detaining authorities a similar statement of the circumstances of violation. The field supervisor shall at once notify the board or department of the arrest and detention of the offender and shall submit a written report showing in what manner the offender has violated the conditions of parole or earned-release supervision. An offender for whose return a warrant has been issued by the board shall, after the issuance of the warrant, be deemed a fugitive from justice.

(4) Whenever an offender is arrested on a warrant for an alleged violation of parole as herein provided, the board shall hold an informal preliminary hearing within seventy-two (72) hours to determine whether there is reasonable cause to believe the person has violated a condition of parole. A preliminary hearing shall not be required when the offender is not under arrest on a warrant or the offender signed a waiver of a preliminary hearing. The preliminary hearing may be conducted electronically.

(5) The right of the State of Mississippi to extradite persons and return fugitives from justice, from other states to this state, shall not be impaired by this chapter and shall remain in full force and effect. An offender convicted of a felony committed while on parole, whether in the State of Mississippi or another state, shall immediately have his parole revoked upon presentment of a certified copy of the commitment order to the board. If an offender is on parole and the offender is convicted of a felony for a crime committed prior to the offender being placed on parole, whether in the State of Mississippi or another state, the offender may have his parole revoked upon presentment of a certified copy of the commitment order to the board.

(6) (a) The board shall hold a hearing for any parolee who is detained as a result of a warrant or a violation report within twenty-one (21) days of the parolee's admission to detention. The board may, in its discretion, terminate the parole or modify the terms and conditions thereof. If the board revokes parole for one or more technical violations the board shall impose a period of imprisonment to be served in a technical violation center operated by the department not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the board may impose a period of imprisonment to be served in a technical violation center for up to one hundred and eighty (180) days or the board may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the board may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(b) If the board does not hold a hearing or does not take action on the violation within the twenty-one-day time frame in paragraph (a) of this subsection, the parolee shall be released from detention and shall return to parole status. The board may subsequently hold a hearing and may revoke parole or may continue parole and modify the terms and conditions of parole. If the board revokes parole for one or more technical violations the board shall impose a period of imprisonment to be served in a technical violation center operated by the department not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the board may impose a period of imprisonment to be served in a technical violation center for up to one hundred eighty (180) days or the board may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the board may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(c) For a parolee charged with one or more technical violations who has not been detained awaiting the revocation hearing, the board may hold a hearing within a reasonable time. The board may revoke parole or may continue parole and modify the terms and conditions of parole. If the board revokes parole for one or more technical violations the board shall impose a period of imprisonment to be served in a technical violation center operated by the department not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the board may impose a period of imprisonment to be served in a technical violation center for up to one hundred eighty (180) days or the board may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the board may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(7) Unless good cause for the delay is established in the record of the proceeding, the parole revocation charge shall be dismissed if the revocation hearing is not held within the thirty (30) days of the issuance of the warrant.

(8) The chairman and each member of the board and the designated parole revocation hearing officer may, in the discharge of their duties, administer oaths, summon and examine witnesses, and take other steps as may be necessary to ascertain the truth of any matter about which they have the right to inquire.

(9) The board shall provide semiannually to the Oversight Task Force the number of warrants issued for an alleged violation of parole, the average time between detention on a warrant and preliminary hearing, the average time between detention on a warrant and revocation hearing, the number of ninety-day sentences in a technical violation center issued by the board, the number of one-hundred-twenty-day sentences in a technical violation center issued by the board, the number of one-hundred-eighty-day sentences

issued by the board, and the number and average length of the suspended sentences imposed by the board in response to a violation.

SECTION 16. Section 47-7-33, Mississippi Code of 1972, is brought forward as follows:

47-7-33. (1) When it appears to the satisfaction of any circuit court or county court in the State of Mississippi having original jurisdiction over criminal actions, or to the judge thereof, that the ends of justice and the best interest of the public, as well as the defendant, will be served thereby, such court, in termtime or in vacation, shall have the power, after conviction or a plea of guilty, except in a case where a death sentence or life imprisonment is the maximum penalty which may be imposed, to suspend the imposition or execution of sentence, and place the defendant on probation as herein provided, except that the court shall not suspend the execution of a sentence of imprisonment after the defendant shall have begun to serve such sentence. In placing any defendant on probation, the court, or judge, shall direct that such defendant be under the supervision of the Department of Corrections.

(2) When any circuit or county court places an offender on probation, the court shall give notice to the Mississippi Department of Corrections within fifteen (15) days of the court's decision to place the offender on probation. Notice shall be delivered to the central office of the Mississippi Department of Corrections and to the regional office of the department which will be providing supervision to the offender on probation.

(3) When any circuit court or county court places a person on probation in accordance with the provisions of this section and that person is ordered to make any payments to his family, if any member of his family whom he is ordered to support is receiving public assistance through the State Department of Human Services, the court shall order him to make such payments to the county welfare officer of the county rendering public assistance to his family, for the sole use and benefit of said family.

SECTION 17. Section 47-7-34, Mississippi Code of 1972, is brought forward as follows:

47-7-34. (1) When a court imposes a sentence upon a conviction for any felony committed after June 30, 1995, the court, in addition to any other punishment imposed if the other punishment includes a term of incarceration in a state or local correctional facility, may impose a term of post-release supervision. However, the total number of years of incarceration plus the total number of years of post-release supervision shall not exceed the maximum sentence authorized to be imposed by law for the felony committed. The defendant shall be placed under post-release supervision upon release from the term of incarceration. The period of supervision shall be established by the court.

(2) The period of post-release supervision shall be conducted in the same manner as a like period of supervised probation, including a requirement that the defendant shall abide by any terms and conditions as the court may establish. Failure to successfully abide by the terms and conditions shall be grounds to terminate the period of post-release supervision and to recommit the defendant to the correctional facility from which he was previously released. Procedures for termination and recommitment shall be conducted in the same manner as procedures for the revocation of probation and imposition of a suspended sentence as required pursuant to Section 47-7-37.

(3) Post-release supervision programs shall be operated through the probation and parole unit of the Division of Community Corrections of the department. The maximum amount of time that the Mississippi Department of Corrections may supervise an offender on the post-release supervision program is five (5) years.

SECTION 18. Section 47-7-35, Mississippi Code of 1972, is brought forward as follows:

47-7-35. (1) The courts referred to in Section 47-7-33 or 47-7-34 shall determine the terms and conditions of probation or post-release supervision and may alter or modify, at any time during the period of probation or post-release supervision, the conditions and may include among them the following or any other:

That the offender shall:

- (a) Commit no offense against the laws of this or any other state of the United States, or of any federal, territorial or tribal jurisdiction of the United States;
- (b) Avoid injurious or vicious habits;
- (c) Avoid persons or places of disreputable or harmful character;
- (d) Report to the probation and parole officer as directed;
- (e) Permit the probation and parole officer to visit him at home or elsewhere;
- (f) Work faithfully at suitable employment so far as possible;
- (g) Remain within a specified area;
- (h) Pay his fine in one (1) or several sums;
- (i) Support his dependents;
- (j) Submit, as provided in Section 47-5-601, to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States;
- (k) Register as a sex offender if so required under Title 45, Chapter 33.

(2) When any court places a defendant on misdemeanor probation, the court must cause to be conducted a search of the probationer's name or other identifying information against the registration information regarding sex offenders maintained under Title 45, Chapter 33. The search may be conducted using the Internet site maintained by the Department of Public Safety Sex Offender Registry.

SECTION 19. Section 47-7-36, Mississippi Code of 1972, is brought forward as follows:

47-7-36. Any person who supervises an individual placed on parole by the Parole Board or placed on probation by the court shall set the times and locations for meetings that are required for parole or probation at such times and locations that are reasonably designed to accommodate the work schedule of an individual on parole or probation who is employed by another person or entity. To effectuate the provisions of this section, the parole officer or probation officer may utilize technology portals such as Skype, FaceTime or Google video chat, or any other technology portal that allows communication between the individual on parole or probation and the parole or probation officer, as applicable, to occur simultaneously in real time by voice and video in lieu of requiring a face-to-face in person meeting of such individual and the parole or probation officer, as applicable. For individuals who are self-employed, the provisions of this section shall only apply with the agreement of their supervising parole or probation officer.

SECTION 20. Section 47-7-37, Mississippi Code of 1972, is brought forward as follows:

47-7-37. (1) The period of probation shall be fixed by the court, and may at any time be extended or terminated by the court, or judge in vacation. Such period with any extension thereof shall not exceed five (5) years, except that in cases of desertion and/or failure to support minor children, the period of probation may be fixed and/or extended by the court for so long as the duty to support such minor children exists. The time served on probation or post-release supervision may be reduced pursuant to Section 47-7-40.

(2) At any time during the period of probation, the court, or judge in vacation, may issue a warrant for violating any of the conditions of probation or suspension of sentence and cause the probationer to be arrested. Any probation and parole officer may arrest a probationer without a warrant, or may deputize any other officer with power of arrest to do so by giving him a written statement setting forth that the probationer has, in the judgment of the probation and parole officer, violated the conditions of probation. Such written statement delivered with the probationer by the arresting officer to the official in charge of a county jail or other place of detention shall be sufficient warrant for the detention of the probationer.

(3) Whenever an offender is arrested on a warrant for an alleged violation of probation as herein provided, the department shall hold an informal preliminary hearing within seventy-two (72) hours of the arrest to determine whether there is reasonable cause to believe the person has violated a condition of probation. A preliminary hearing shall not be required when the offender is not under arrest on a warrant or the offender signed a waiver of a preliminary hearing. The preliminary hearing may be conducted electronically. If reasonable cause is found, the offender may be confined no more than twenty-one (21) days from the admission to detention until a revocation hearing is held. If the revocation hearing is not held within twenty-one (21) days, the probationer shall be released from custody and returned to probation status.

(4) If a probationer or offender is subject to registration as a sex offender, the court must make a finding that the probationer or offender is not a danger to the public prior to release with or without bail. In determining the danger posed by the release of the offender or probationer, the court may consider the nature and circumstances of the violation and any new offenses charged; the offender or probationer's past and present conduct, including convictions of crimes and any record of arrests without conviction for crimes involving violence or sex crimes; any other evidence of allegations of unlawful sexual conduct or the use of violence by the offender or probationer; the offender or probationer's family ties, length of residence in the community, employment history and mental condition; the offender or probationer's history and conduct during the probation or other supervised release and any other previous supervisions, including disciplinary records of previous incarcerations; the likelihood that the offender or probationer will engage again in a criminal course of conduct; the weight of the evidence against the offender or probationer; and any other facts the court considers relevant.

(5) (a) The probation and parole officer after making an arrest shall present to the detaining authorities a similar statement of the circumstances of violation. The probation and parole officer shall at once notify the court of the arrest and detention of the probationer and shall submit a report in writing showing in what manner the probationer has violated the conditions of probation. Within twenty-one (21) days of arrest and detention by warrant as herein provided, the court shall cause the probationer to be brought before it and may continue or revoke all or any part of the probation or the suspension of sentence. If the court revokes probation for one or more technical violations, the court shall impose a period of imprisonment to be served in either a technical violation center or a restitution center not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the court may impose a period of imprisonment to be served in either a technical violation center or a restitution center for up to one hundred eighty (180) days or the court may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the court may impose up to the remainder

of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(b) If the offender is not detained as a result of the warrant, the court shall cause the probationer to be brought before it within a reasonable time and may continue or revoke all or any part of the probation or the suspension of sentence, and may cause the sentence imposed to be executed or may impose any part of the sentence which might have been imposed at the time of conviction. If the court revokes probation for one or more technical violations, the court shall impose a period of imprisonment to be served in either a technical violation center or a restitution center not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the court may impose a period of imprisonment to be served in either a technical violation center or a restitution center for up to one hundred eighty (180) days or the court may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the court may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(c) If the court does not hold a hearing or does not take action on the violation within the twenty-one-day period, the offender shall be released from detention and shall return to probation status. The court may subsequently hold a hearing and may revoke probation or may continue probation and modify the terms and conditions of probation. If the court revokes probation for one or more technical violations, the court shall impose a period of imprisonment to be served in either a technical violation center operated by the department or a restitution center not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the court may impose a period of imprisonment to be served in either a technical violation center or a restitution center for up to one hundred eighty (180) days or the court may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the court may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(d) For an offender charged with a technical violation who has not been detained awaiting the revocation hearing, the court may hold a hearing within a reasonable time. The court may revoke probation or may continue probation and modify the terms and conditions of probation. If the court revokes probation for one or more technical violations the court shall impose a period of imprisonment to be served in either a technical violation center operated by the department or a restitution center not to exceed ninety (90) days for the first revocation and not to exceed one hundred twenty (120) days for the second revocation. For the third revocation, the court may impose a period of imprisonment to be served in either a technical violation center or a restitution center for up to one hundred eighty (180) days or the court may impose the remainder of the suspended portion of the sentence. For the fourth and any subsequent revocation, the court may impose up to the remainder of the suspended portion of the sentence. The period of imprisonment in a technical violation center imposed under this section shall not be reduced in any manner.

(6) If the probationer is arrested in a circuit court district in the State of Mississippi other than that in which he was convicted, the probation and parole officer, upon the written request of the sentencing judge, shall furnish to the circuit court or the county court of the county in which the arrest is made, or to the judge of such court, a report concerning the probationer, and such court or the judge in vacation shall have authority, after a hearing, to continue or revoke all or any part of probation or all or any part of the suspension of sentence, and may in case of revocation proceed to deal with the case as if there had been no probation. In such case, the clerk of the court in which the order of revocation is issued shall forward a transcript of such order to the clerk of the court of original jurisdiction, and the clerk of that court shall proceed as if the order of revocation had been issued by the court of original jurisdiction. Upon the revocation of probation or

suspension of sentence of any offender, such offender shall be placed in the legal custody of the State Department of Corrections and shall be subject to the requirements thereof.

(7) Any probationer who removes himself from the State of Mississippi without permission of the court placing him on probation, or the court to which jurisdiction has been transferred, shall be deemed and considered a fugitive from justice and shall be subject to extradition as now provided by law. No part of the time that one is on probation shall be considered as any part of the time that he shall be sentenced to serve.

(8) The arresting officer, except when a probation and parole officer, shall be allowed the same fees as now provided by law for arrest on warrant, and such fees shall be taxed against the probationer and paid as now provided by law.

(9) The arrest, revocation and recommitment procedures of this section also apply to persons who are serving a period of post-release supervision imposed by the court.

(10) Unless good cause for the delay is established in the record of the proceeding, the probation revocation charge shall be dismissed if the revocation hearing is not held within thirty (30) days of the warrant being issued.

(11) The Department of Corrections shall provide semiannually to the Oversight Task Force the number of warrants issued for an alleged violation of probation or post-release supervision, the average time between detention on a warrant and preliminary hearing, the average time between detention on a warrant and revocation hearing, the number of ninety-day sentences in a technical violation center issued by the court, the number of one-hundred-twenty-day sentences in a technical violation center issued by the court, the number of one-hundred-eighty-day sentences issued by the court, and the number and average length of the suspended sentences imposed by the court in response to a violation.

SECTION 21. Section 47-7-37.1, Mississippi Code of 1972, is brought forward as follows:

47-7-37.1. Notwithstanding any other provision of law to the contrary, if a court finds by a preponderance of the evidence, that a probationer or a person under post-release supervision has committed a felony or absconded, the court may revoke his probation and impose any or all of the sentence. For purposes of this section, "absconding from supervision" means the failure of a probationer to report to his supervising officer for six (6) or more consecutive months.

SECTION 22. Section 47-7-49, Mississippi Code of 1972, is brought forward as follows:

47-7-49. (1) Any offender on probation, parole, earned-release supervision, post-release supervision, earned probation or any other offender under the field supervision of the Community Services Division of the department shall pay to the department the sum of Fifty-five Dollars (\$55.00) per month by certified check or money order unless a hardship waiver is granted. An offender shall make the initial payment within sixty (60) days after being released from imprisonment unless a hardship waiver is granted. A hardship waiver may be granted by the sentencing court or the Department of Corrections. A hardship waiver may not be granted for a period of time exceeding ninety (90) days. The commissioner or his designee shall deposit Fifty Dollars (\$50.00) of each payment received into a special fund in the State Treasury, which is hereby created, to be known as the Community Service Revolving Fund. Expenditures from this fund shall be made for: (a) the establishment of restitution and satellite centers; and (b) the establishment, administration and operation of the department's Drug Identification Program and the intensive and field supervision program. The Fifty Dollars (\$50.00) may be used for salaries and to purchase equipment, supplies and vehicles to be used by the Community Services Division in the performance of its duties. Expenditures for the

purposes established in this section may be made from the fund upon requisition by the commissioner, or his designee.

Of the remaining amount, Three Dollars (\$3.00) of each payment shall be deposited into the Crime Victims' Compensation Fund created in Section 99-41-29, and Two Dollars (\$2.00) shall be deposited into the Training Revolving Fund created pursuant to Section 47-7-51. When a person is convicted of a felony in this state, in addition to any other sentence it may impose, the court may, in its discretion, order the offender to pay a state assessment not to exceed the greater of One Thousand Dollars (\$1,000.00) or the maximum fine that may be imposed for the offense, into the Crime Victims' Compensation Fund created pursuant to Section 99-41-29.

Any federal funds made available to the department for training or for training facilities, equipment or services shall be deposited into the Correctional Training Revolving Fund created in Section 47-7-51. The funds deposited in this account shall be used to support an expansion of the department's training program to include the renovation of facilities for training purposes, purchase of equipment and contracting of training services with community colleges in the state.

No offender shall be required to make this payment for a period of time longer than ten (10) years.

(2) The offender may be imprisoned until the payments are made if the offender is financially able to make the payments and the court in the county where the offender resides so finds, subject to the limitations hereinafter set out. The offender shall not be imprisoned if the offender is financially unable to make the payments and so states to the court in writing, under oath, and the court so finds.

(3) This section shall stand repealed from and after June 30, 2022.

SECTION 23. Section 45-1-3, Mississippi Code of 1972, is brought forward as follows:

45-1-3. When not otherwise specifically provided, the commissioner is authorized to make and promulgate reasonable rules and regulations to be coordinated, and carry out the general provisions of the Highway Safety Patrol and Driver's License Law of 1938.

SECTION 24. Section 9-23-11, Mississippi Code of 1972, is brought forward as follows:

9-23-11. (1) The Administrative Office of Courts shall establish, implement and operate a uniform certification process for all intervention courts and other problem-solving courts including juvenile courts, veterans courts or any other court designed to adjudicate criminal actions involving an identified classification of criminal defendant to ensure funding for intervention courts supports effective and proven practices that reduce recidivism and substance dependency among their participants.

(2) The Administrative Office of Courts shall establish a certification process that ensures any new or existing intervention court meets minimum standards for intervention court operation.

(a) These standards shall include, but are not limited to:

(i) The use of evidence-based practices including, but not limited to, the use of a valid and reliable risk and needs assessment tool to identify participants and deliver appropriate interventions;

(ii) Targeting medium to high-risk offenders for participation;

(iii) The use of current, evidence-based interventions proven to reduce dependency on drugs or alcohol, or both;

(iv) Frequent testing for alcohol or drugs;

(v) Coordinated strategy between all intervention court program personnel involving the use of graduated clinical interventions;

(vi) Ongoing judicial interaction with each participant; and

(vii) Monitoring and evaluation of intervention court program implementation and outcomes through data collection and reporting.

(b) Intervention court certification applications shall include:

(i) A description of the need for the intervention court;

(ii) The targeted population for the intervention court;

(iii) The eligibility criteria for intervention court participants;

(iv) A description of the process for identifying appropriate participants including the use of a risk and needs assessment and a clinical assessment;

(v) A description of the intervention court intervention components, including anticipated budget and implementation plan;

(vi) The data collection plan which shall include collecting the following data:

1. Total number of participants;

2. Total number of successful participants;

3. Total number of unsuccessful participants and the reason why each participant did not complete the program;

4. Total number of participants who were arrested for a new criminal offense while in the intervention court program;

5. Total number of participants who were convicted of a new felony or misdemeanor offense while in the intervention court program;

6. Total number of participants who committed at least one (1) violation while in the intervention court program and the resulting sanction(s);

7. Results of the initial risk and needs assessment or other clinical assessment conducted on each participant; and

8. Total number of applications for screening by race, gender, offenses charged, indigence and, if not accepted, the reason for nonacceptance; and

9. Any other data or information as required by the Administrative Office of Courts.

(c) Every intervention court shall be certified under the following schedule:

(i) An intervention court application submitted after July 1, 2014, shall require certification of the intervention court based on the proposed drug court plan.

(ii) An intervention court initially established and certified after July 1, 2014, shall be recertified after its second year of funded operation on a time frame consistent with the other certified courts of its type.

(iii) A certified adult felony intervention court in existence on December 31, 2018, must submit a recertification petition by July 1, 2019, and be recertified under the requirements of this section on or before December 31, 2019; after the recertification, all certified adult felony intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31st of every odd calendar year.

(iv) A certified youth, family, misdemeanor or chancery intervention court in existence on December 31, 2018, must submit a recertification petition by July 31, 2020, and be recertified under the requirements of this section by December 31, 2020. After the recertification, all certified youth, family, misdemeanor and chancery intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31st of every even calendar year.

(3) All certified intervention courts shall measure successful completion of the drug court based on those participants who complete the program without a new criminal conviction.

(4) (a) All certified drug courts must collect and submit to the Administrative Office of Courts each month, the following data:

(i) Total number of participants at the beginning of the month;

(ii) Total number of participants at the end of the month;

(iii) Total number of participants who began the program in the month;

(iv) Total number of participants who successfully completed the intervention court in the month;

(v) Total number of participants who left the program in the month;

(vi) Total number of participants who were arrested for a new criminal offense while in the intervention court program in the month;

(vii) Total number of participants who were convicted for a new criminal arrest while in the intervention court program in the month; and

(viii) Total number of participants who committed at least one (1) violation while in the intervention court program and any resulting sanction(s).

(b) By August 1, 2015, and each year thereafter, the Administrative Office of Courts shall report to the PEER Committee the information in subsection (4)(a) of this section in a sortable, electronic format.

(5) All certified intervention courts may individually establish rules and may make special orders and rules as necessary that do not conflict with the rules promulgated by the Supreme Court or the Administrative Office of Courts.

(6) A certified intervention court may appoint the full- or part-time employees it deems necessary for the work of the intervention court and shall fix the compensation of

those employees. Such employees shall serve at the will and pleasure of the judge or the judge's designee.

(7) The Administrative Office of Courts shall promulgate rules and regulations to carry out the certification and re-certification process and make any other policies not inconsistent with this section to carry out this process.

(8) A certified intervention court established under this chapter is subject to the regulatory powers of the Administrative Office of Courts as set forth in Section 9-23-17.

SECTION 25. Section 99-39-5, Mississippi Code of 1972, is brought forward as follows:

99-39-5. (1) Any person sentenced by a court of record of the State of Mississippi, including a person currently incarcerated, civilly committed, on parole or probation or subject to sex offender registration for the period of the registration or for the first five (5) years of the registration, whichever is the shorter period, may file a motion to vacate, set aside or correct the judgment or sentence, a motion to request forensic DNA testing of biological evidence, or a motion for an out-of-time appeal if the person claims:

(a) That the conviction or the sentence was imposed in violation of the Constitution of the United States or the Constitution or laws of Mississippi;

(b) That the trial court was without jurisdiction to impose sentence;

(c) That the statute under which the conviction and/or sentence was obtained is unconstitutional;

(d) That the sentence exceeds the maximum authorized by law;

(e) That there exists evidence of material facts, not previously presented and heard, that requires vacation of the conviction or sentence in the interest of justice;

(f) That there exists biological evidence secured in relation to the investigation or prosecution attendant to the petitioner's conviction not tested, or, if previously tested, that can be subjected to additional DNA testing, that would provide a reasonable likelihood of more probative results, and that testing would demonstrate by reasonable probability that the petitioner would not have been convicted or would have received a lesser sentence if favorable results had been obtained through such forensic DNA testing at the time of the original prosecution.

(g) That his plea was made involuntarily;

(h) That his sentence has expired; his probation, parole or conditional release unlawfully revoked; or he is otherwise unlawfully held in custody;

(i) That he is entitled to an out-of-time appeal; or

(j) That the conviction or sentence is otherwise subject to collateral attack upon any grounds of alleged error heretofore available under any common law, statutory or other writ, motion, petition, proceeding or remedy.

(2) A motion for relief under this article shall be made within three (3) years after the time in which the petitioner's direct appeal is ruled upon by the Supreme Court of Mississippi or, in case no appeal is taken, within three (3) years after the time for taking an appeal from the judgment of conviction or sentence has expired, or in case of a guilty plea, within three (3) years after entry of the judgment of conviction. Excepted from this three-year statute of limitations are those cases in which the petitioner can demonstrate either:

(a) (i) That there has been an intervening decision of the Supreme Court of either the State of Mississippi or the United States which would have actually adversely affected the outcome of his conviction or sentence or that he has evidence, not reasonably discoverable at the time of trial, which is of such nature that it would be practically conclusive that had such been introduced at trial it would have caused a different result in the conviction or sentence; or

(ii) That, even if the petitioner pled guilty or nolo contendere, or confessed or admitted to a crime, there exists biological evidence not tested, or, if previously tested, that can be subjected to additional DNA testing that would provide a reasonable likelihood of more probative results, and that testing would demonstrate by reasonable probability that the petitioner would not have been convicted or would have received a lesser sentence if favorable results had been obtained through such forensic DNA testing at the time of the original prosecution.

(b) Likewise excepted are those cases in which the petitioner claims that his sentence has expired or his probation, parole or conditional release has been unlawfully revoked. Likewise excepted are filings for post-conviction relief in capital cases which shall be made within one (1) year after conviction.

(3) This motion is not a substitute for, nor does it affect, any remedy incident to the proceeding in the trial court, or direct review of the conviction or sentence.

(4) Proceedings under this article shall be subject to the provisions of Section 99-19-42.

(5) For the purposes of this article:

(a) "Biological evidence" means the contents of a sexual assault examination kit and any item that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids or other identifiable biological material that was collected as part of the criminal investigation or may reasonably be used to incriminate or exculpate any person for the offense. This definition applies whether that material is catalogued separately, such as on a slide, swab or in a test tube, or is present on other evidence, including, but not limited to, clothing, ligatures, bedding or other household material, drinking cups, cigarettes or other items;

(b) "DNA" means deoxyribonucleic acid.

SECTION 26. Section 99-39-27, Mississippi Code of 1972, is brought forward as follows:

99-39-27. (1) The application for leave to proceed in the trial court filed with the Supreme Court under Section 99-39-7 shall name the State of Mississippi as the respondent.

(2) The application shall contain the original and two (2) executed copies of the motion proposed to be filed in the trial court together with such other supporting pleadings and documentation as the Supreme Court by rule may require.

(3) The prisoner shall serve an executed copy of the application upon the Attorney General simultaneously with the filing of the application with the court.

(4) The original motion, together with all files, records, transcripts and correspondence relating to the judgment under attack, shall promptly be examined by the court.

(5) Unless it appears from the face of the application, motion, exhibits and the prior record that the claims presented by those documents are not procedurally barred under Section 99-39-21 and that they further present a substantial showing of the denial of a state or federal right, the court shall by appropriate order deny the application. The court may, in its discretion, require the Attorney General upon sufficient notice to respond to the application.

(6) The court, upon satisfaction of the standards set forth in this article, is empowered to grant the application.

(7) In granting the application the court, in its discretion, may:

(a) Where sufficient facts exist from the face of the application, motion, exhibits, the prior record and the state's response, together with any exhibits submitted with those documents, or upon stipulation of the parties, grant or deny any or all relief requested in the attached motion.

(b) Allow the filing of the motion in the trial court for further proceedings under Sections 99-39-13 through 99-39-23.

(8) No application or relief shall be granted without the Attorney General being given at least five (5) days to respond.

(9) The dismissal or denial of an application under this section is a final judgment and shall be a bar to a second or successive application under this article. Excepted from this prohibition is an application filed under Section 99-19-57(2), raising the issue of the offender's supervening mental illness before the execution of a sentence of death. A dismissal or denial of an application relating to mental illness under Section 99-19-57(2) shall be res judicata on the issue and shall likewise bar any second or successive applications on the issue. Likewise excepted from this prohibition are those cases in which the prisoner can demonstrate either that there has been an intervening decision of the Supreme Court of either the State of Mississippi or the United States that would have actually adversely affected the outcome of his conviction or sentence or that he has evidence, not reasonably discoverable at the time of trial, that is of such nature that it would be practically conclusive that, if it had been introduced at trial, it would have caused a different result in the conviction or sentence. Likewise exempted are those cases in which the prisoner claims that his sentence has expired or his probation, parole or conditional release has been unlawfully revoked.

(10) Proceedings under this section shall be subject to the provisions of Section 99-19-42.

(11) Post-conviction proceedings in which the defendant is under sentence of death shall be governed by rules established by the Supreme Court as well as the provisions of this section.

SECTION 27. Section 41-29-153, Mississippi Code of 1972, is brought forward as follows:

41-29-153. (a) The following are subject to forfeiture:

(1) All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of this article or in violation of Article 5 of this chapter;

(2) All raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this article or in violation of Article 5 of this chapter;

(3) All property which is used, or intended for use, as a container for property described in paragraph (1) or (2) of this subsection;

(4) All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession or concealment of property described in paragraph (1) or (2) of this subsection, however:

A. No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this article;

B. No conveyance is subject to forfeiture under this section by reason of any act or omission proved by the owner thereof to have been committed or omitted without his knowledge or consent; if the confiscating authority has reason to believe that the conveyance is a leased or rented conveyance, then the confiscating authority shall notify the owner of the conveyance within five (5) days of the confiscation;

C. A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission;

D. A conveyance is not subject to forfeiture for a violation of Section 41-29-139(c)(2)(A) 1, 2 or (B)1 or (C)1, 2, 3;

(5) All money, deadly weapons, books, records, and research products and materials, including formulas, microfilm, tapes and data which are used, or intended for use, in violation of this article or in violation of Article 5 of this chapter;

(6) All drug paraphernalia as defined in Section 41-29-105(v); and

(7) Everything of value, including real estate, furnished, or intended to be furnished, in exchange for a controlled substance in violation of this article, all proceeds traceable to such an exchange, and all monies, negotiable instruments, businesses or business investments, securities, and other things of value used, or intended to be used, to facilitate any violation of this article. All monies, coin and currency found in close proximity to forfeitable controlled substances, to forfeitable drug manufacturing or distributing paraphernalia, or to forfeitable records of the importation, manufacture or distribution of controlled substances are presumed to be forfeitable under this paragraph; the burden of proof is upon claimants of the property to rebut this presumption.

A. No property shall be forfeited under the provisions of subsection (a)(7) of this section, to the extent of the interest of an owner, by reason of any act or omission established by him to have been committed or omitted without his knowledge or consent.

B. Neither personal property encumbered by a bona fide security interest nor real estate encumbered by a bona fide mortgage, deed of trust, lien or encumbrance shall be forfeited under the provisions of subsection (a)(7) of this section, to the extent of the interest of the secured party or the interest of the mortgagee, holder of a deed of trust, lien or encumbrance by reason of any act or omission established by him to have been committed or omitted without his knowledge or consent.

(b) Property subject to forfeiture may be seized by the bureau, local law enforcement officers, enforcement officers of the Mississippi Department of Transportation, highway patrolmen, the board, or the State Board of Pharmacy upon process issued by any appropriate court having jurisdiction over the property. Seizure without process may be made if:

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this article;

(3) The bureau, the board, local law enforcement officers, enforcement officers of the Mississippi Department of Transportation, or highway patrolmen, or the State Board of Pharmacy have probable cause to believe that the property is directly or indirectly dangerous to health or safety;

(4) The bureau, local law enforcement officers, enforcement officers of the Mississippi Department of Transportation, highway patrolmen, the board, or the State Board of Pharmacy have probable cause to believe that the property was used or is intended to be used in violation of this article; or

(5) The seizing law enforcement agency obtained a seizure warrant as described in paragraph (f) of this section.

(c) Controlled substances listed in Schedule I of Section 41-29-113 that are possessed, transferred, sold, or offered for sale in violation of this article are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in the said Schedule I, which are seized or come into the possession of the state, the owners of which are unknown, are contraband and shall be summarily forfeited to the state.

(d) Species of plants from which controlled substances in Schedules I and II of Sections 41-29-113 and 41-29-115 may be derived which have been planted or cultivated in violation of this article, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the state.

(e) The failure, upon demand by the bureau and/or local law enforcement officers, or their authorized agents, or highway patrolmen designated by the bureau, the board, or the State Board of Pharmacy, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored, to produce an appropriate registration, or proof that he is the holder thereof, constitutes authority for the seizure and forfeiture of the plants.

(f) (1) When any property is seized under the Uniform Controlled Substances Law, except as otherwise provided in paragraph (3) of this subsection, by a law enforcement agency with the intent to be forfeited, the law enforcement agency that seized the property shall obtain a seizure warrant from the county or circuit court having jurisdiction of such property within seventy-two (72) hours of any seizure, excluding weekends and holidays. Any law enforcement agency that fails to obtain a seizure warrant within seventy-two (72) hours as required by this section shall notify the person from whom the property was seized that it will not be forfeited and shall provide written instructions advising the person how to retrieve the seized property.

(2) A circuit or county judge having jurisdiction of any property other than a controlled substance, raw material or paraphernalia, may issue a seizure warrant upon proper oath or affirmation from a law enforcement agency. The law enforcement agency that is seeking a seizure warrant shall provide the following information to the judge:

A. Probable cause to believe that the property was used or intended to be used in violation of this article;

B. The name of the person from whom the property was seized; and

C. A detailed description of the property which is seized, including the value of the property.

(3) This subsection does not apply to seizures performed pursuant to Section 41-29-157 when property is specifically set forth in a search and seizure warrant.

SECTION 28. Section 41-29-154, Mississippi Code of 1972, is brought forward as follows:

41-29-154. Any controlled substance or paraphernalia seized under the authority of this article or any other law of Mississippi or of the United States, shall be destroyed, adulterated and disposed of or otherwise rendered harmless and disposed of, upon written authorization of the director, after such substance or paraphernalia has served its usefulness as evidence or after such substance or paraphernalia is no longer useful for training or demonstration purposes.

A record of the disposition of such substances and paraphernalia and the method of destruction or adulteration employed along with the names of witnesses to such destruction or adulteration shall be retained by the director.

No substance or paraphernalia shall be disposed of, destroyed or rendered harmless under the authority of this section without an order from the director and without at least two (2) officers or agents of the bureau present as witnesses.

SECTION 29. Section 41-29-157, Mississippi Code of 1972, is brought forward as follows:

41-29-157. (a) Except as otherwise provided in Section 41-29-107.1, issuance and execution of administrative inspection warrants and search warrants shall be as follows, except as provided in subsection (c) of this section:

(1) A judge of any state court of record, or any justice court judge within his jurisdiction, and upon proper oath or affirmation showing probable cause, may issue warrants for the purpose of conducting administrative inspections authorized by this article or rules thereunder, and seizures of property appropriate to the inspections. For purposes of the issuance of administrative inspection warrants, probable cause exists upon showing a valid public interest in the effective enforcement of this article or rules thereunder, sufficient to justify administrative inspection of the area, premises, building or conveyance in the circumstances specified in the application for the warrant. All such warrants shall be served during normal business hours;

(2) A search warrant shall issue only upon an affidavit of a person having knowledge or information of the facts alleged, sworn to before the judge or justice court judge and establishing the grounds for issuing the warrant. If the judge or justice court judge is satisfied that grounds for the application exist or that there is probable cause to believe they exist, he shall issue a warrant identifying the area, premises, building or conveyance to be searched, the purpose of the search, and, if appropriate, the type of property to be searched, if any. The warrant shall:

(A) State the grounds for its issuance and the name of each person whose affidavit has been taken in support thereof;

(B) Be directed to a person authorized by Section 41-29-159 to execute it;

(C) Command the person to whom it is directed to inspect the area, premises, building or conveyance identified for the purpose specified, and if appropriate, direct the seizure of the property specified;

(D) Identify the item or types of property to be seized, if any;

(E) Direct that it be served and designate the judge or magistrate to whom it shall be returned;

(3) A warrant issued pursuant to this section must be executed and returned within ten (10) days of its date unless, upon a showing of a need for additional time, the court orders otherwise. If property is seized pursuant to a warrant, a copy shall be given to the person from whom or from whose premises the property is taken, together with a receipt for the property taken. The return of the warrant shall be made promptly, accompanied by a written inventory of any property taken. The inventory shall be made in the presence of the person executing the warrant and of the person from whose possession or premises the property was taken, if present, or in the presence of at least one (1) credible person other than the person executing the warrant. A copy of the inventory shall be delivered to the person from whom or from whose premises the property was taken and to the applicant for the warrant;

(4) The judge or justice court judge who has issued a warrant shall attach thereto a copy of the return and all papers returnable in connection therewith and file them with the clerk of the appropriate state court for the judicial district in which the inspection was made.

(b) The Mississippi Bureau of Narcotics, the State Board of Pharmacy, the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing or the State Board of Optometry may make administrative inspections of controlled premises in accordance with the following provisions:

(1) For purposes of this section only, "controlled premises" means:

(A) Places where persons registered or exempted from registration requirements under this article are required to keep records; and

(B) Places including factories, warehouses, establishments and conveyances in which persons registered or exempted from registration requirements under this article are permitted to hold, manufacture, compound, process, sell, deliver, or otherwise dispose of any controlled substance.

(2) When authorized by an administrative inspection warrant issued in accordance with the conditions imposed in this section, an officer or employee designated by the Mississippi Bureau of Narcotics, the State Board of Pharmacy, the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing or the State Board of Optometry, upon presenting the warrant and appropriate credentials to the owner, operator or agent in charge, may enter controlled premises for the purpose of conducting an administrative inspection.

(3) When authorized by an administrative inspection warrant, an officer or employee designated by the Mississippi Bureau of Narcotics, the State Board of Pharmacy, the State Board of Medical Licensure, the State Board of Dental Examiners, the Mississippi Board of Nursing or the State Board of Optometry may:

(A) Inspect and copy records required by this article to be kept;

(B) Inspect, within reasonable limits and in a reasonable manner, controlled premises and all pertinent equipment, finished and unfinished material, containers and labeling found therein, and, except as provided in paragraph (5) of this subsection, all other things therein, including records, files, papers, processes, controls and facilities bearing on violation of this article; and

(C) Inventory any stock of any controlled substance therein and obtain samples thereof.

(4) This section does not prevent the inspection without a warrant of books and records pursuant to an administrative subpoena, nor does it prevent entries and administrative inspections, including seizures of property, without a warrant:

(A) If the owner, operator or agent in charge of the controlled premises consents;

(B) In situations presenting imminent danger to health or safety;

(C) In situations involving inspection of conveyances if there is reasonable cause to believe that the mobility of the conveyance makes it impracticable to obtain a warrant;

(D) In any other exceptional or emergency circumstance where time or opportunity to apply for a warrant is lacking; or

(E) In all other situations in which a warrant is not constitutionally required.

(5) An inspection authorized by this section shall not extend to financial data, sales data, other than shipment data, or pricing data unless the owner, operator or agent in charge of the controlled premises consents in writing.

(c) Any agent of the bureau authorized to execute a search warrant involving controlled substances, the penalty for which is imprisonment for more than one (1) year, may, without notice of his authority and purpose, break open an outer door or inner door, or window of a building, or any part of the building, if the judge issuing the warrant:

(1) Is satisfied that there is probable cause to believe that:

(A) The property sought may, and, if such notice is given, will be easily and quickly destroyed or disposed of; or

(B) The giving of such notice will immediately endanger the life or safety of the executing officer or another person; and

(2) Has included in the warrant a direction that the officer executing the warrant shall not be required to give such notice.

Any officer acting under such warrant shall, as soon as practical, after entering the premises, identify himself and give the reasons and authority for his entrance upon the premises.

Search warrants which include the instruction that the executing officer shall not be required to give notice of authority and purpose as authorized by this subsection shall be issued only by the county court or county judge in vacation, chancery court or by the chancellor in vacation, by the circuit court or circuit judge in vacation, or by a justice of the Mississippi Supreme Court.

This subsection shall expire and stand repealed from and after July 1, 1974, except that the repeal shall not affect the validity or legality of any search authorized under this subsection and conducted prior to July 1, 1974.

SECTION 30. Section 99-15-105, Mississippi Code of 1972, is brought forward as follows:

99-15-105. (1) Each district attorney, with the consent of a circuit court judge of his district, shall have the prosecutorial discretion as defined herein and may as a matter of such prosecutorial discretion establish a pretrial intervention program in the circuit court districts.

(2) A pretrial intervention program shall be under the direct supervision and control of the district attorney.

(3) An offender must make application to an intervention program within the time prescribed by the district attorney.

SECTION 31. Section 99-15-107, Mississippi Code of 1972, is brought forward as follows:

99-15-107. A person shall not be considered for intervention if he or she has been charged with any crime of violence pursuant to Section 97-3-2. A person shall not be eligible for acceptance into the intervention program provided by Sections 99-15-101 through 99-15-127 if such person has been charged with an offense pertaining to trafficking in a controlled substance, as provided in Section 41-29-139(f).

SECTION 32. Section 99-15-109, Mississippi Code of 1972, is brought forward as follows:

99-15-109. (1) Intervention shall be appropriate only when:

- (a) The offender is eighteen (18) years of age or older;
- (b) There is substantial likelihood that justice will be served if the offender is placed in an intervention program;
- (c) It is determined that the needs of the offender and the state can better be met outside the traditional criminal justice process;
- (d) It is apparent that the offender poses no threat to the community;
- (e) It appears that the offender is unlikely to be involved in further criminal activity;
- (f) The offender, in those cases where it is required, is likely to respond quickly to rehabilitative treatment;
- (g) The offender has no significant history of prior delinquency or criminal activity;
- (h) The offender has been indicted and is represented by an attorney; and
- (i) The court has determined that the office of district attorney or the Department of Corrections has sufficient support staff to administer such intervention program.

(2) When jurisdiction in a case involving a child is acquired by the circuit court pursuant to a transfer from the youth court, the provision of subsection (1)(a) of this section shall not be applicable.

(3) Notwithstanding any other provision of this section, in all criminal cases wherein an offender has been held in contempt of court for failure to pay fines or restitution, the offender may be placed in pretrial intervention for the purpose of collecting unpaid restitution and fines regardless of any prior criminal conviction, whether felony or misdemeanor.

SECTION 33. Section 99-15-111, Mississippi Code of 1972, is brought forward as follows:

99-15-111. Prior to admittance of an offender into an intervention program, the district attorney may require the offender to furnish information concerning the offender's past criminal record, education and work record, family history, medical or psychiatric treatment or care received, psychological tests taken and other information which, in the district attorney's opinion, bears on the decision as to whether the offender should be admitted.

SECTION 34. Section 99-15-113, Mississippi Code of 1972, is brought forward as follows:

99-15-113. Prior to any person's admittance to a pretrial intervention program the victim, if any, of the crime for which the applicant is charged and the law enforcement agency employing the arresting officer shall be asked to comment in writing as to whether or not the applicant should be allowed to enter an intervention program. In each case involving admission to an intervention program, the district attorney and a circuit court judge of his district shall consider the recommendations of the law enforcement agency and the victim, if any, in making a decision.

SECTION 35. Section 99-15-115, Mississippi Code of 1972, is brought forward as follows:

99-15-115. An offender who enters an intervention program shall:

(a) Waive, in writing and contingent upon his successful completion of the program, his or her right to a speedy trial;

(b) Agree, in writing, to the tolling while in the program of all periods of limitation established by statutes or rules of court;

(c) Agree, in writing, to the conditions of the intervention program established by the district attorney which shall not require or include a guilty plea;

(d) In the event there is a victim of the crime, agree, in writing, to make restitution to the victim within a specified period of time and in an amount to be determined by the district attorney and approved by the court; and

(e) Agree, in writing, to waive extradition.

SECTION 36. Section 99-15-117, Mississippi Code of 1972, is brought forward as follows:

99-15-117. In any case in which an offender agrees to an intervention program, a specific agreement shall be made between the district attorney and the offender. This agreement shall include the terms of the intervention program, the length of the program, which shall not exceed three (3) years, and a section therein stating the period of time after which the prosecutor will either dismiss the charge or seek a conviction based upon that charge. The agreement shall be signed by the offender and his or her counsel and filed in the district attorney's office. Before an offender is admitted to an intervention program, the court having jurisdiction of the charge must approve of the offender's admission to the program and the terms of the agreement.

SECTION 37. Section 99-15-119, Mississippi Code of 1972, is brought forward as follows:

99-15-119. In all cases where an offender is accepted for intervention a written report shall be made and retained on file in the district attorney's office, regardless of whether or not the offender successfully completes the intervention program. The district attorney shall furnish to the Mississippi Justice Information Center personal identification information on each person accepted for intervention. This information shall only be released by the Mississippi Justice Information Center in those cases where a district attorney inquires as to whether a person has previously been accepted into an intervention program.

SECTION 38. Section 99-15-121, Mississippi Code of 1972, is brought forward as follows:

99-15-121. Prior to the completion of the pretrial intervention program the offender shall make restitution, as determined by the district attorney and approved by the court, to the victim, if any, and shall pay any expenses to the administrator of this program which are incurred as a result of his participation in the program. The amount of such expenses shall be determined by the district attorney and made part of the initial agreement between the district attorney and the offender.

SECTION 39. Section 99-15-123, Mississippi Code of 1972, is brought forward as follows:

99-15-123. (1) In the event an offender successfully completes a pretrial intervention program, the court shall make a noncriminal disposition of the charge or charges pending against the offender.

(2) In the event the offender violates the conditions of the program agreement: (a) the district attorney may terminate the offender's participation in the program, (b) the waiver executed pursuant to Section 99-15-115 shall be void on the date the offender is removed from the program for the violation, and (c) the prosecution of pending criminal charges against the offender shall be resumed by the district attorney.

(3) Upon petition therefor, the court shall expunge the record of any case in which an arrest was made, the person arrested was released and the case was dismissed or the charges were dropped or there was no disposition of such case.

SECTION 40. Section 99-15-125, Mississippi Code of 1972, is brought forward as follows:

99-15-125. No law enforcement officer shall refer to, mention and/or offer participation in this program as an inducement to any statement, confession or waiver of any constitutional rights of any person accused of a crime except those enumerated in Section 99-15-115.

SECTION 41. Section 99-15-127, Mississippi Code of 1972, is brought forward as follows:

99-15-127. The Department of Corrections, Division of Community Corrections, is directed to support Sections 99-15-101 through 99-15-127 to the extent that field support personnel are available in circuit court districts, and the Commissioner of Corrections shall certify to the court that the Division of Community Corrections has sufficient field parole officers to supervise and oversee those individuals who may be placed in this program by the court.

SECTION 42. Section 9-23-5, Mississippi Code of 1972, is brought forward as follows:

9-23-5. For the purposes of this chapter, the following words and phrases shall have the meanings ascribed unless the context clearly requires otherwise:

(a) "Chemical" tests means the analysis of an individual's: (i) blood, (ii) breath, (iii) hair, (iv) sweat, (v) saliva, (vi) urine, or (vii) other bodily substance to determine the presence of alcohol or a controlled substance.

(b) "Crime of violence" means an offense listed in Section 97-3-2.

(c) "Intervention court" means a drug court, mental health court, veterans court or problem-solving court that utilizes an immediate and highly structured intervention process for eligible defendants or juveniles that brings together mental health professionals, substance abuse professionals, local social programs and intensive judicial monitoring.

(d) "Evidence-based practices" means supervision policies, procedures and practices that scientific research demonstrates reduce recidivism.

(e) "Risk and needs assessment" means the use of an actuarial assessment tool validated on a Mississippi corrections population to determine a person's risk to reoffend and the characteristics that, if addressed, reduce the risk to reoffend.

SECTION 43. Section 9-23-7, Mississippi Code of 1972, is brought forward as follows:

9-23-7. The Administrative Office of Courts shall be responsible for certification and monitoring of local intervention courts according to standards promulgated by the State Intervention Courts Advisory Committee.

SECTION 44. Section 9-23-9, Mississippi Code of 1972, is brought forward as follows:

9-23-9. (1) The State Intervention Courts Advisory Committee is established to develop and periodically update proposed statewide evaluation plans and models for monitoring all critical aspects of intervention courts. The committee must provide the proposed evaluation plans to the Chief Justice and the Administrative Office of Courts. The committee shall be chaired by the Director of the Administrative Office of Courts or a designee of the director and shall consist of eleven (11) members all of whom shall be appointed by the Supreme Court. The members shall be broadly representative of the courts, mental health, veterans affairs, law enforcement, corrections, criminal defense bar, prosecutors association, juvenile justice, child protective services and substance abuse treatment communities.

(2) The State Intervention Courts Advisory Committee may also make recommendations to the Chief Justice, the Director of the Administrative Office of Courts and state officials concerning improvements to intervention court policies and procedures including the intervention court certification process. The committee may make suggestions as to the criteria for eligibility, and other procedural and substantive guidelines for intervention court operation.

(3) The State Intervention Courts Advisory Committee shall act as arbiter of disputes arising out of the operation of intervention courts established under this chapter and make recommendations to improve the intervention courts; it shall also make recommendations to the Supreme Court necessary and incident to compliance with established rules.

(4) The State Intervention Courts Advisory Committee shall establish through rules and regulations a viable and fiscally responsible plan to expand the number of adult and juvenile intervention court programs operating in Mississippi. These rules and regulations shall include plans to increase participation in existing and future programs while maintaining their voluntary nature.

(5) The State Intervention Courts Advisory Committee shall receive and review the monthly reports submitted to the Administrative Office of Courts by each certified intervention court and provide comments and make recommendations, as necessary, to the Chief Justice and the Director of the Administrative Office of Courts.

SECTION 45. Section 9-23-11, Mississippi Code of 1972, is brought forward as follows:

9-23-11. (1) The Administrative Office of Courts shall establish, implement and operate a uniform certification process for all intervention courts and other problem-solving courts including juvenile courts, veterans courts or any other court designed to adjudicate criminal actions involving an identified classification of criminal defendant to ensure funding for intervention courts supports effective and proven practices that reduce recidivism and substance dependency among their participants.

(2) The Administrative Office of Courts shall establish a certification process that ensures any new or existing intervention court meets minimum standards for intervention court operation.

(a) These standards shall include, but are not limited to:

(i) The use of evidence-based practices including, but not limited to, the use of a valid and reliable risk and needs assessment tool to identify participants and deliver appropriate interventions;

(ii) Targeting medium to high-risk offenders for participation;

(iii) The use of current, evidence-based interventions proven to reduce dependency on drugs or alcohol, or both;

(iv) Frequent testing for alcohol or drugs;

(v) Coordinated strategy between all intervention court program personnel involving the use of graduated clinical interventions;

(vi) Ongoing judicial interaction with each participant; and

(vii) Monitoring and evaluation of intervention court program implementation and outcomes through data collection and reporting.

(b) Intervention court certification applications shall include:

(i) A description of the need for the intervention court;

(ii) The targeted population for the intervention court;

(iii) The eligibility criteria for intervention court participants;

(iv) A description of the process for identifying appropriate participants including the use of a risk and needs assessment and a clinical assessment;

(v) A description of the intervention court intervention components, including anticipated budget and implementation plan;

(vi) The data collection plan which shall include collecting the following data:

1. Total number of participants;

2. Total number of successful participants;
3. Total number of unsuccessful participants and the reason why each participant did not complete the program;
4. Total number of participants who were arrested for a new criminal offense while in the intervention court program;
5. Total number of participants who were convicted of a new felony or misdemeanor offense while in the intervention court program;
6. Total number of participants who committed at least one (1) violation while in the intervention court program and the resulting sanction(s);
7. Results of the initial risk and needs assessment or other clinical assessment conducted on each participant; and
8. Total number of applications for screening by race, gender, offenses charged, indigence and, if not accepted, the reason for nonacceptance; and
9. Any other data or information as required by the Administrative Office of Courts.

(c) Every intervention court shall be certified under the following schedule:

(i) An intervention court application submitted after July 1, 2014, shall require certification of the intervention court based on the proposed drug court plan.

(ii) An intervention court initially established and certified after July 1, 2014, shall be recertified after its second year of funded operation on a time frame consistent with the other certified courts of its type.

(iii) A certified adult felony intervention court in existence on December 31, 2018, must submit a recertification petition by July 1, 2019, and be recertified under the requirements of this section on or before December 31, 2019; after the recertification, all certified adult felony intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31st of every odd calendar year.

(iv) A certified youth, family, misdemeanor or chancery intervention court in existence on December 31, 2018, must submit a recertification petition by July 31, 2020, and be recertified under the requirements of this section by December 31, 2020. After the recertification, all certified youth, family, misdemeanor and chancery intervention courts must submit a recertification petition every two (2) years to the Administrative Office of Courts. The recertification process must be completed by December 31st of every even calendar year.

(3) All certified intervention courts shall measure successful completion of the drug court based on those participants who complete the program without a new criminal conviction.

(4) (a) All certified drug courts must collect and submit to the Administrative Office of Courts each month, the following data:

- (i) Total number of participants at the beginning of the month;
- (ii) Total number of participants at the end of the month;

(iii) Total number of participants who began the program in the month;

(iv) Total number of participants who successfully completed the intervention court in the month;

(v) Total number of participants who left the program in the month;

(vi) Total number of participants who were arrested for a new criminal offense while in the intervention court program in the month;

(vii) Total number of participants who were convicted for a new criminal arrest while in the intervention court program in the month; and

(viii) Total number of participants who committed at least one (1) violation while in the intervention court program and any resulting sanction(s).

(b) By August 1, 2015, and each year thereafter, the Administrative Office of Courts shall report to the PEER Committee the information in subsection (4)(a) of this section in a sortable, electronic format.

(5) All certified intervention courts may individually establish rules and may make special orders and rules as necessary that do not conflict with the rules promulgated by the Supreme Court or the Administrative Office of Courts.

(6) A certified intervention court may appoint the full- or part-time employees it deems necessary for the work of the intervention court and shall fix the compensation of those employees. Such employees shall serve at the will and pleasure of the judge or the judge's designee.

(7) The Administrative Office of Courts shall promulgate rules and regulations to carry out the certification and re-certification process and make any other policies not inconsistent with this section to carry out this process.

(8) A certified intervention court established under this chapter is subject to the regulatory powers of the Administrative Office of Courts as set forth in Section 9-23-17.

SECTION 46. Section 9-23-13, Mississippi Code of 1972, is brought forward as follows:

9-23-13. (1) An intervention court's alcohol and drug intervention component shall provide for eligible individuals, either directly or through referrals, a range of necessary court intervention services, including, but not limited to, the following:

(a) Screening using a valid and reliable assessment tool effective for identifying alcohol and drug dependent persons for eligibility and appropriate services;

(b) Clinical assessment; for a DUI offense, if the person has two (2) or more DUI convictions, the court shall order the person to undergo an assessment that uses a standardized evidence-based instrument performed by a physician to determine whether the person has a diagnosis for alcohol and/or drug dependence and would likely benefit from a court-approved medication-assisted treatment indicated and approved for the treatment of alcohol and/or drug dependence by the United States Food and Drug Administration, as specified in the most recent Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. Upon considering the results of the assessment, the court may refer the person to a rehabilitative program that offers one or more forms of court-approved medications that are approved for the treatment of alcohol and/or drug dependence by the United States Food and Drug Administration;

- (c) Education;
- (d) Referral;
- (e) Service coordination and case management; and
- (f) Counseling and rehabilitative care.

(2) Any inpatient treatment or inpatient detoxification program ordered by the court shall be certified by the Department of Mental Health, other appropriate state agency or the equivalent agency of another state.

(3) All intervention courts shall make available the option for participants to use court-approved medication-assisted treatment while participating in the programs of the court in accordance with the recommendations of the National Drug Court Institute.

SECTION 47. Section 9-23-15, Mississippi Code of 1972, is brought forward as follows:

9-23-15. (1) In order to be eligible for alternative sentencing through a local intervention court, the participant must satisfy each of the following criteria:

(a) The participant cannot have any felony convictions for any offenses that are crimes of violence as defined in Section 97-3-2 within the previous ten (10) years.

(b) The crime before the court cannot be a crime of violence as defined in Section 97-3-2.

(c) Other criminal proceedings alleging commission of a crime of violence cannot be pending against the participant.

(d) The participant cannot be charged with burglary of a dwelling under Section 97-17-23(2) or 97-17-37.

(e) The crime before the court cannot be a charge of driving under the influence of alcohol or any other drug or drugs that resulted in the death of a person.

(f) The crime charged cannot be one of trafficking in controlled substances under Section 41-29-139(f), nor can the participant have a prior conviction for same.

(2) Participation in the services of an alcohol and drug intervention component shall be open only to the individuals over whom the court has jurisdiction, except that the court may agree to provide the services for individuals referred from another intervention court. In cases transferred from another jurisdiction, the receiving judge shall act as a special master and make recommendations to the sentencing judge.

(3) (a) As a condition of participation in an intervention court, a participant may be required to undergo a chemical test or a series of chemical tests as specified by the intervention court. A participant is liable for the costs of all chemical tests required under this section, regardless of whether the costs are paid to the intervention court or the laboratory; however, if testing is available from other sources or the program itself, the judge may waive any fees for testing. The judge may waive all fees if the applicant is determined to be indigent.

(b) A laboratory that performs a chemical test under this section shall report the results of the test to the intervention court.

(4) A person does not have a right to participate in intervention court under this chapter. The court having jurisdiction over a person for a matter before the court shall have the final determination about whether the person may participate in intervention court under this chapter. However, any person meeting the eligibility criteria in subsection (1) of this section shall, upon request, be screened for admission to intervention court.

SECTION 48. Section 9-23-17, Mississippi Code of 1972, is brought forward as follows:

9-23-17. With regard to any intervention court, the Administrative Office of Courts shall do the following:

(a) Certify and re-certify intervention court applications that meet standards established by the Administrative Office of Courts in accordance with this chapter.

(b) Ensure that the structure of the intervention component complies with rules adopted under this section and applicable federal regulations.

(c) Revoke the authorization of a program upon a determination that the program does not comply with rules adopted under this section and applicable federal regulations.

(d) Make agreements and contracts to effectuate the purposes of this chapter with:

(i) Another department, authority or agency of the state;

(ii) Another state;

(iii) The federal government;

(iv) A state-supported or private university; or

(v) A public or private agency, foundation, corporation or individual.

(e) Directly, or by contract, approve and certify any intervention component established under this chapter.

(f) Require, as a condition of operation, that each intervention court created or funded under this chapter be certified by the Administrative Office of Courts.

(g) Collect monthly data reports submitted by all certified intervention courts, provide those reports to the State Intervention Courts Advisory Committee, compile an annual report summarizing the data collected and the outcomes achieved by all certified intervention courts and submit the annual report to the Oversight Task Force.

(h) Every three (3) years contract with an external evaluator to conduct an evaluation of the effectiveness of the intervention court program, both statewide and individual intervention court programs, in complying with the key components of the intervention courts adopted by the National Association of Drug Court Professionals.

(i) Adopt rules to implement this chapter.

SECTION 49. Section 9-23-19, Mississippi Code of 1972, is brought forward as follows:

9-23-19. (1) All monies received from any source by the intervention court shall be accumulated in a fund to be used only for intervention court purposes. Any funds remaining in this fund at the end of a fiscal year shall not lapse into any general fund, but

shall be retained in the Intervention Court Fund for the funding of further activities by the intervention court.

(2) An intervention court may apply for and receive the following:

(a) Gifts, bequests and donations from private sources.

(b) Grant and contract money from governmental sources.

(c) Other forms of financial assistance approved by the court to supplement the budget of the intervention court.

(3) The costs of participation in an alcohol and drug intervention program required by the certified intervention court may be paid by the participant or out of user fees or such other state, federal or private funds that may, from time to time, be made available.

(4) The court may assess such reasonable and appropriate fees to be paid to the local Intervention Court Fund for participation in an alcohol or drug intervention program; however, all fees may be waived if the applicant is determined to be indigent.

SECTION 50. Section 9-23-21, Mississippi Code of 1972, is brought forward as follows:

9-23-21. The director and members of the professional and administrative staff of the intervention court who perform duties in good faith under this chapter are immune from civil liability for:

(a) Acts or omissions in providing services under this chapter; and

(b) The reasonable exercise of discretion in determining eligibility to participate in the intervention court.

SECTION 51. Section 9-23-23, Mississippi Code of 1972, is brought forward as follows:

9-23-23. If the participant completes all requirements imposed upon him by the intervention court, including the payment of fines and fees assessed and not waived by the court, the charge and prosecution shall be dismissed. If the defendant or participant was sentenced at the time of entry of plea of guilty, the successful completion of the intervention court order and other requirements of probation or suspension of sentence will result in the record of the criminal conviction or adjudication being expunged. However, no expunction of any implied consent violation shall be allowed.

SECTION 52. This act shall take effect and be in force from and after July 1, 2021, and shall be repealed from and after June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTION 47-7-3, MISSISSIPPI CODE OF 1972, WHICH RELATES TO PAROLE ELIGIBILITY FOR INMATES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CASE PLANS FOR INMATES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-5, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE CREATION OF THE STATE PAROLE BOARD, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-13, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE VOTING REQUIREMENTS OF THE PAROLE BOARD, FOR PURPOSES OF POSSIBLE

AMENDMENT; TO BRING FORWARD SECTION 47-7-15, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE OFFICIAL SEAL OF THE PAROLE BOARD; TO BRING FORWARD SECTION 47-7-17, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE EXAMINATION OF INMATES RECORDS BY THE PAROLE BOARD, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-18, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CONDITIONS FOR PAROLE-ELIGIBLE INMATES WITHOUT A HEARING, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-33.1, MISSISSIPPI CODE OF 1972, REGARDING DEPARTMENT DISCHARGE PLANS FOR RELEASED INMATES; TO BRING FORWARD SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE MINIMUM TIME INMATES CONVICTED OF A CRIME OF VIOLENCE MUST SERVE BEFORE RELEASE AS WELL AS A MINIMUM PERCENTAGE OF OTHER SENTENCES OTHER INMATES MUST SERVE BEFORE RELEASE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-28, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE ADDITIONAL POWERS AND DUTIES OF THE COMMISSIONER OF CORRECTIONS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 47-5-931, 47-5-933 AND 47-5-938, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE INCARCERATION OF STATE INMATES IN CERTAIN FACILITIES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-4, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CONDITIONAL MEDICAL RELEASE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE RETURN OF A VIOLATOR OF PAROLE OR EARNED RELEASE SUPERVISION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-33, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE POWER OF THE COURT TO PLACE DEFENDANTS ON PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-34, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE POST-RELEASE SUPERVISION PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-35, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE TERMS AND CONDITIONS OF PROBATION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-36, MISSISSIPPI CODE OF 1972, WHICH RELATES TO PERSONS WHO SUPERVISE THOSE ON PROBATION OR PAROLE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE PERIOD OF PROBATION THAT IS SET BY A COURT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37.1, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE REVOCATION OF PROBATION OR POST-RELEASE SUPERVISION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-49, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE COMMUNITY SERVICE REVOLVING FUND, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-1-3, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE RULE MAKING POWER OF THE COMMISSIONER OF PUBLIC SAFETY, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 9-23-11, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE UNIFORM CERTIFICATION PROCESS FOR INTERVENTION AND CERTAIN OTHER COURTS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 99-39-5 AND 99-39-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO CERTAIN POST-CONVICTION PROCEEDINGS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 41-29-153 THROUGH 41-29-157, MISSISSIPPI CODE OF 1972, WHICH RELATE TO CERTAIN FORFEITURE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 99-15-105 THROUGH 99-15-127, MISSISSIPPI CODE OF 1972, WHICH RELATE TO PRETRIAL-INTERVENTION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 9-23-5 THROUGH 9-23-23, MISSISSIPPI CODE OF 1972, WHICH RELATE TO INTERVENTION COURTS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Simmons D. T. (12th) called up the following House Amendment to **S. B. No. 2261** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-5-105, Mississippi Code of 1972, is amended as follows:

19-5-105. (1) To determine whether property or a parcel of land located within a county is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, the board of supervisors of any county is authorized and empowered to conduct a hearing on its own motion, or upon the receipt of a petition requesting the board of supervisors to act signed by a majority of the residents eighteen (18) years of age or older, residing upon any street or alley, within reasonable proximity of any property alleged to be in need of cleaning, or within seven hundred fifty (750) feet of the precise location of the alleged menace situated on any parcel of land which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning.

Notice shall be provided to the property owner by:

(a) United States mail two (2) weeks before the date of the hearing mailed to the address of the subject property and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least two (2) weeks before the date of a hearing on the property or parcel of land alleged to be in need of cleaning and at the county courthouse or another place in the county where such notices are posted.

The notice required by this subsection (1) shall include language that informs the property owner that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the board of supervisors to reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing, if notice is posted on the property or parcel of land and at the county courthouse or another place in the county where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this subsection (1) shall be recorded in the minutes of the board of supervisors in conjunction with the hearing required by this subsection.

If at such hearing the board of supervisors shall in its resolution adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the board of supervisors may, if the owner not do so himself, proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water. Thereafter, the board of supervisors may at its next regular meeting by resolution adjudicate the actual cost of cleaning the land and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty shall become an assessment against the property. The "cost assessed against the property" means either the cost to the county of using its own employees to do the work or the cost to the county of any contract executed by the county to have the work done, and administrative costs and legal costs of the county.

A county may reenter the property or parcel of land to maintain cleanliness without further notice of hearing no more than six (6) times in any twelve-month period with respect to removing dilapidated buildings, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land. The expense of cleaning the property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. The board of supervisors may assess the same penalty each time the property or land is cleaned as otherwise provided in this subsection (1).

The penalty provided * * * in this subsection (1) shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a county clean a parcel owned by the State of Mississippi without first giving notice.

The assessment authorized by this subsection (1) shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, upon order of the board of supervisors, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent taxes. Furthermore, the property owner whose land has been sold pursuant to this subsection (1) shall have the same right of redemption as now provided by law for the sale of lands for delinquent taxes. All decisions rendered under the provisions of this subsection may be appealed in the same manner as other appeals from county boards.

(2) (a) If private property or a parcel of land located within a county is a perpetual care cemetery subject to Section 41-43-1 et seq., the board of supervisors of the county may proceed pursuant to the same provisions of subsection (1) of this section used to determine whether a property is a public health menace to instead determine if the perpetual care cemetery and all structures on the cemetery are not being properly maintained and have become detrimental to the public health and welfare. A perpetual care cemetery that is "not being properly maintained and has become detrimental to the public health and welfare" means a perpetual care cemetery that shows signs of neglect, including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, unusable entrances and exits, excess rubbish or debris, or the disintegration of grave markers or boundaries. Upon notice and opportunity to be heard as provided in subsection (1) of this section, the board of supervisors of the county may adjudicate the property or parcel of land in its then condition to be not properly maintained and detrimental to the public health and welfare, and if the owner does not do so itself, may proceed to clean the property or parcel of land as provided in subsection (1) of this section. When cleaning the property or parcel of land of a perpetual care cemetery pursuant to this subsection (2), the penalty or penalties provided in subsection (1) of this section shall not be assessed against owners of the perpetual care cemeteries.

(b) The board of supervisors of a county that cleans property or parcel of land of a perpetual care cemetery pursuant to this subsection (2) may make application to the Secretary of State for an order directing the trustee of the perpetual care cemetery trust fund to release accrued interest or principal of the trust fund sufficient to reimburse the county for only the actual cleanup costs incurred by the county. The application to the Secretary of State shall include a statement by the county that all of the requirements of this section have been met.

(c) If the Secretary of State is satisfied that the notice and hearing requirements of this section have been met, and that the application for an order directing the trustee to release accrued interest of the perpetual care cemetery trust fund does not threaten the ability of the trust fund to provide for the care and maintenance of the cemetery, the Secretary of State may order the trustee to release accrued interest of the trust fund sufficient to reimburse the county for the actual costs of cleanup performed by the county.

(d) If the Secretary of State is satisfied that the notice and hearing requirements of this section have been met, but makes a determination that the accrued interest of the perpetual care cemetery trust fund is insufficient to reimburse the county for the actual costs of cleanup performed by the county, or that an order to release accrued interest would threaten the ability of the trust fund to provide for the care and maintenance of the cemetery, the Secretary of State may consider an order directing the trustee to reimburse the county from the principal of the trust fund. If the Secretary of State determines that an order to the trustee to release principal from the trust fund will not threaten the solvency of the trust fund, the Secretary of State may order the trustee to release principal of the trust fund in an amount sufficient to reimburse the county for the actual costs of cleanup performed by the county.

SECTION 2. Section 21-19-11, Mississippi Code of 1972, is amended as follows:

21-19-11. (1) To determine whether property or parcel of land located within a municipality is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, a governing authority of any municipality shall conduct a hearing, on its own motion, or upon the receipt of a petition signed by a majority of the residents residing within four hundred (400) feet of any property or parcel of land alleged to be in need of the cleaning. Notice shall be provided to the property owner by:

(a) United States mail two (2) weeks before the date of the hearing mailed to the address of the subject property, except where the land or structure(s) is apparently vacant, and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least two (2) weeks before the date of a hearing on the property or parcel of land alleged to be in need of cleaning and at city hall or another place in the municipality where such notices are posted.

Any notice required by this section shall include language that informs the property owner that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this section shall be recorded in the minutes of the governing authority in conjunction with the hearing required by this section.

If, at such hearing, the governing authority shall adjudicate the property or parcel of land in its then condition to be a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The governing authority may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and administrative costs and legal costs of the municipality. For subsequent cleaning within the one-year period after the date of the hearing at which the property or parcel of land was adjudicated in need of cleaning, upon seven (7) days' notice posted both on the

property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipality's adjudication as authorized in this subsection (1), a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property, except as otherwise provided in this section for removal of hazardous substances, shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is more. The aggregate cost of removing hazardous substances will be the actual cost of such removal to the municipality and shall not be subject to the Twenty Thousand Dollars (\$20,000.00) limitation provided in this subsection. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. Upon written authority from the Secretary of State's office, for state-owned properties, a municipality may forgo the notification process that is prescribed in this subsection and proceed to clean the properties and assess costs as prescribed in this subsection, except that penalties shall not be assessed against the State of Mississippi.

(2) When the fee or cost to clean property or a parcel of land that is one (1) acre or less does not exceed Two Hundred Fifty Dollars (\$250.00), excluding administrative costs, and the property or parcel is located within a municipality having a population over one thousand five hundred (1,500), the governing authority of the municipality may authorize one or more of its employees to determine whether the property or parcel of land is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and the determination made by the authorized municipal employee shall be set forth and recorded in the minutes of the governing authority. Notice of this determination shall be provided to the property owner by:

(a) United States mail seven (7) days before the date of cleaning of the property or parcel of land mailed to the address of the subject property, except where the land or structure(s) is apparently vacant, and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least seven (7) days before the cleaning of the property or parcel of land and at city hall or another place in the municipality where such notices are posted.

Any notice required by this subsection shall include language that informs the property owner that the appropriate municipal official has determined that the property or parcel of land is a menace to the public health, safety and welfare of the community and in need of cleaning and the municipality is authorized to enter the property for cleaning and that the municipality is further authorized to reenter the property or parcel of land for a period of two (2) years after this cleaning without any further hearing or action if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this subsection shall be recorded in the minutes of the governing authority in conjunction with the determination made by the municipal employee in this subsection (2).

If an authorized municipal employee determines that the condition of property or parcel of land is a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land,

by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The governing authority shall by resolution adjudicate the actual cost of cleaning the property under this provision, provided the same does not exceed Two Hundred Fifty Dollars (\$250.00) and may also impose a penalty not to exceed One Hundred Dollars (\$100.00) or one hundred percent (100%) of the actual cost of cleaning the property, whichever is more. The cost and any penalty imposed may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and additionally may include administrative costs of the municipality not to exceed Fifty Dollars (\$50.00). For subsequent cleaning within the one-year period set forth in this subsection (2), upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipal official's determination as authorized in this subsection (2), a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing under this subsection (2) no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property shall not exceed an aggregate amount of One Thousand Dollars (\$1,000.00) per year under this subsection (2). The governing authority may assess the same actual costs, administrative costs and penalty for each time the property or land is cleaned as otherwise provided in this subsection (2). The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. Upon written authority from the Secretary of State's office, for state-owned properties, a municipality may forgo the notification process that is prescribed in this subsection and proceed to clean the properties and assess costs as prescribed in this subsection, except that penalties shall not be assessed against the State of Mississippi. A determination made by an appropriate municipal employee under this subsection (2) that the state or condition of property or a parcel of land is a menace to the public health, safety and welfare of the community shall not subsequently be used to replace a hearing if subsection (1) of this section is later utilized by a municipality when the prerequisites of this subsection (2) are not satisfied.

(3) If the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in a court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned.

(4) (a) If the governing authority declares that the cost and any penalty shall be collected as an assessment against the property, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the chancery clerk of the county as other liens and encumbrances are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes. The lien against the property shall be an encumbrance upon the property and shall follow title of the property.

(b) (i) All assessments levied under the provisions of this section shall be included with municipal ad valorem taxes and payment shall be enforced in the same manner in which payment is enforced for municipal ad valorem taxes, and all statutes regulating the collection of other taxes in a municipality shall apply to the enforcement and

collection of the assessments levied under the provisions of this section, including utilization of the procedures authorized under Sections 17-13-9(2) and 27-41-2.

(ii) All assessments levied under the provisions of this section shall become delinquent at the same time municipal ad valorem taxes become delinquent. Delinquencies shall be collected in the same manner and at the same time delinquent ad valorem taxes are collected and shall bear the same penalties as those provided for delinquent taxes. If the property is sold for the nonpayment of an assessment under this section, it shall be sold in the manner that property is sold for the nonpayment of delinquent ad valorem taxes. If the property is sold for delinquent ad valorem taxes, the assessment under this section shall be added to the delinquent tax and collected at the same time and in the same manner.

(5) All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken. However, an appeal from a decision of a municipal officer or official shall be made to the governing authority and such appeal shall be in writing, state the basis for the appeal and be filed with the city clerk no later than seven (7) days from the latest date of notice required under this section.

(6) Nothing contained under this section shall prevent any municipality from enacting criminal penalties for failure to maintain property so as not to constitute a menace to public health, safety and welfare.

(7) (a) If private property or a parcel of land located within a municipality is a perpetual care cemetery subject to Section 41-43-1 et seq., the governing authority of the municipality may proceed pursuant to the same provisions of this section used to determine whether a property is a public health menace to instead determine if the perpetual care cemetery and all structures on the cemetery are not being properly maintained and have become detrimental to the public health and welfare. A perpetual care cemetery that is "not being properly maintained and has become detrimental to the public health and welfare" means a perpetual care cemetery that shows signs of neglect, including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, unusable entrances and exits, excess rubbish or debris, or the disintegration of grave markers or boundaries. Upon notice and opportunity to be heard as provided in subsection (1) of this section, the governing authority of the municipality may adjudicate the property or parcel of land in its then condition to be not properly maintained and detrimental to the public health and welfare, and if the owner does not do so itself, may proceed to clean the property or parcel of land as provided in subsection (1) of this section. When cleaning the property or parcel of land of a perpetual care cemetery pursuant to this subsection (7), the penalty or penalties provided in subsection (1) of this section shall not be assessed against owners of the perpetual care cemeteries.

(b) The governing authority of a municipality that cleans the property or parcel of land of a perpetual care cemetery pursuant to this subsection (7) may make application to the Secretary of State for an order directing the trustee of the perpetual care cemetery trust fund to release accrued interest or principal of the trust fund sufficient to reimburse the municipality for only the actual cleanup costs incurred by the municipality. The application to the Secretary of State shall include a statement by the municipality that all of the requirements of this section have been met.

(c) If the Secretary of State is satisfied that the notice and hearing requirements of this section have been met, and that the application for an order directing the trustee to release accrued interest of the perpetual care cemetery trust fund does not threaten the ability of the trust fund to provide for the care and maintenance of the cemetery, the Secretary of State may order the trustee to release accrued interest of the trust fund sufficient to reimburse the municipality for the actual costs of cleanup performed by the municipality.

(d) If the Secretary of State is satisfied that the notice and hearing requirements of this section have been met, but makes a determination that the accrued interest of the perpetual care cemetery trust fund is insufficient to reimburse the municipality for the actual costs of cleanup performed by the municipality, or that an order to release accrued interest would threaten the ability of the trust fund to provide for the care and maintenance of the cemetery, the Secretary of State may consider an order directing the trustee to reimburse the municipality from the principal of the trust fund. If the Secretary of State determines that an order to the trustee to release principal from the trust fund will not threaten the solvency of the trust fund, the Secretary of State may order the trustee to release principal of the trust fund in an amount sufficient to reimburse the municipality for the actual costs of cleanup performed by the municipality.

SECTION 3. Section 41-43-57, Mississippi Code of 1972, is amended as follows:

41-43-57. (1) In exceptional circumstances only, a perpetual care owner can make an application to the Secretary of State for an order directing the trustee to release trust principal for the extended care, maintenance or improvements to the perpetual care cemetery for which interest funds are insufficient. Before issuing such an order, the Secretary of State shall satisfy himself that the request is for a major capital expenditure that will advance the perpetual care life of the cemetery without undue risk to the solvency of the perpetual care trust fund. Consistent with this section, this shall be the only instance in which a perpetual care trust corpus may be utilized for cemetery maintenance and improvements. In the consideration of the application, the Secretary of State may require the production of any records deemed necessary and relevant to the cemetery's application for a major capital expenditure.

(2) In addition the authority provided under subsection (1) of this section, subject to the provisions of Section 19-5-105(2) or 21-19-11(7), the board of supervisors of a county or the governing authority of a municipality also may make application to the Secretary of State for an order directing the trustee to release either accrued interest or principal of the trust fund for reimbursement to the county or municipality for the actual costs of cleanup performed by the county or municipality.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 19-5-105 AND 21-19-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CLEAN PROPERTY OR PARCELS OF LAND OF PERPETUAL CARE CEMETERIES THAT ARE NOT BEING PROPERLY MAINTAINED AND HAVE BECOME DETRIMENTAL TO THE PUBLIC HEALTH AND WELFARE; TO PRESCRIBE NOTICE AND HEARING REQUIREMENTS AND AN ADJUDICATION BY THE COUNTY OR MUNICIPALITY BEFORE IT MAY CLEAN THE PROPERTY; TO AUTHORIZE THE COUNTY OR MUNICIPALITY TO MAKE APPLICATION TO THE SECRETARY OF STATE FOR AN ORDER DIRECTING THE TRUSTEE OF THE PERPETUAL CARE CEMETERY TRUST FUND TO RELEASE ACCRUED INTEREST OR PRINCIPAL OF THE TRUST FUND SUFFICIENT TO REIMBURSE THE COUNTY OR MUNICIPALITY FOR ONLY THE ACTUAL CLEANUP COSTS INCURRED; TO AUTHORIZE THE SECRETARY OF STATE TO ORDER THE TRUSTEE TO RELEASE ACCRUED INTEREST OR PRINCIPAL OF THE TRUST FUND IN AN AMOUNT SUFFICIENT TO REIMBURSE THE COUNTY OR MUNICIPALITY FOR THE ACTUAL COSTS OF CLEANUP PERFORMED IF THE SECRETARY OF STATE MAKES CERTAIN DETERMINATIONS; TO AMEND SECTION 41-43-57, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Senator Hill called up the following House Amendment to **S. B. No. 2024** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 61 by inserting the following language after the word "2021": ", and shall stand repealed on June 30, 2021".

Senator Branning called up the following House Amendments to **S. B. No. 2481** and moved that the Senate do concur in the Amendments:

AMENDMENT NO. 1:

AMEND after line 35 by inserting the following new sections and renumbering the succeeding section:

" SECTION 4. (1) The segment of Mississippi Highway 489 in Newton County, Mississippi, beginning at its intersection with Mills Road and extending one (1) mile north, is designated as the "Jason Boyd Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 5. (1) The segment of U.S. Highway 82 in Leflore County, Mississippi, beginning at the western city limits of the City of Greenwood and extending one (1) mile west, is designated as the "Deputy Melvin P. 'Buster' Brown, Jr., Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section."

AMEND title as follows: "TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 489 IN NEWTON COUNTY, MISSISSIPPI, AS THE "JASON BOYD MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 82 IN LEFLORE COUNTY, MISSISSIPPI, AS THE "DEPUTY MELVIN P. 'BUSTER' BROWN, JR., MEMORIAL HIGHWAY";

AMENDMENT NO. 2:

AMEND on line 37 by deleting the language after the word "after" and inserting in lieu thereof the following: "its passage".

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendments to **S. B. No. 2481** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber,

Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.
Nays--None.
Absent and those not voting--Hopson, Horhn. Total--2.

On motion of Senator Branning, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. B. No. 2481.

Senator DeLano moved that the rules be suspended for the immediate consideration of calendar item 48, **H. B. No. 108**, and the motion prevailed.

Senator DeLano called up the motion to reconsider the vote whereby **H. B. No. 108** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 108: Wireless Communication Commission; remove ITS control over.

The foregoing motion prevailed.

Senator DeLano moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 108** was adopted by the Senate.

The foregoing motion prevailed.

Senator DeLano offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION *. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over \$5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars (\$5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars (\$5,000.00) or less.

(b) Bidding procedure for purchases over \$5,000.00 but not over \$50,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars (\$5,000.00) but not more than Fifty Thousand Dollars (\$50,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community/junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Fifty Thousand Dollars (\$50,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with

regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or their designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or their designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars (\$5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over \$50,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Fifty Thousand Dollars (\$50,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design or construction of public facilities, including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Fifty Thousand Dollars (\$50,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars

(\$25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars (\$25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the

governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars (\$50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar

amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall

not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars (\$10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure.

(i) If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration * * * 1. a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and * * * 2. a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

(ii) If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

(iii) Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

(iv) Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(v) Purchases by the State Board of Health for marijuana seed-to-sale software systems, registry software systems, software systems for licensing, and any other systems required by the State Board of Health for COVID-19 response shall be deemed an emergency purchase for purposes of this paragraph (j). This subparagraph (v) shall stand repealed on July 1, 2022.

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other

relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school

district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; provided, however, that state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method and dual-phase design-build method of contracting. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Fifty Thousand Dollars (\$50,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars (\$1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

SECTION *. This act shall take effect and be in force from and after its passage.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 108 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 108 was adopted.

YEAS AND NAYS On H. B. No. 108. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Hopson, Horhn. Total--2.

Voting Present--Turner-Ford. Total--1.

On motion of Senator DeLano, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 108.

Senator Wiggins entered a motion to reconsider the vote whereby the Senate declined to concur in the House Amendment to **S. B. No. 2795**.

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact.

Senator Wiggins entered a motion to reconsider the vote whereby the Senate declined to concur in the House Amendment to **S. B. No. 2261**.

S. B. No. 2261: Perpetual cemetery law; revise notice and maintenance provisions for counties and municipalities.

Senator Witherspoon moved that when the Senate adjourns, it adjourn in memory of Luzern (Sonny) Dillon of McComb, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, March 12, 2021.

The motion prevailed, and at 2:25 PM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

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

S. B. No. 2904: Appropriation; IHL - General support.

S. B. No. 2905: Appropriation; IHL - Subsidiary programs.

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

S. B. No. 2911: Appropriation; IHL - Student Financial Aid.

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center.

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses.

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

S. B. No. 2915: Appropriation; Corrections, Department of.

S. B. No. 2916: Appropriation; Public Safety, Department of.

S. B. No. 2917: Appropriation; Emergency Management Agency.

S. B. No. 2918: Appropriation; Military Department.

S. B. No. 2919: Appropriation; Veterans Affairs Board.

S. B. No. 2920: Appropriation; Ethics Commission.

S. B. No. 2921: Appropriation; Judicial Performance Commission.

S. B. No. 2922: Appropriation; Employment Security, Department of.

S. B. No. 2923: Appropriation; Revenue, Department of.

S. B. No. 2924: Appropriation; Tax Appeals Board.

S. B. No. 2925: Appropriation; Workers' Compensation Commission.

S. B. No. 2926: Appropriation; Mental Health, Department of.

S. B. No. 2927: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

S. B. No. 2929: Appropriation; Chiropractic Examiners, Board of.

S. B. No. 2930: Appropriation; Dental Examiners, Board of.

S. B. No. 2931: Appropriation; Funeral Services Board.

S. B. No. 2932: Appropriation; Massage Therapy, Board of.

S. B. No. 2933: Appropriation; Pharmacy, Board of.

S. B. No. 2934: Appropriation; Counselors, Board of Examiners for Licensed Professional.

S. B. No. 2935: Appropriation; Veterinary Examiners, Board of.

S. B. No. 2936: Appropriation; Architecture, Board of.

S. B. No. 2937: Appropriation; Gaming Commission.

- S. B. No. 2938:** Appropriation; Geologists, Board of Registered Professional.
- S. B. No. 2939:** Appropriation; Motor Vehicle Commission.
- S. B. No. 2940:** Appropriation; Accountancy, Board of Public.
- S. B. No. 2941:** Appropriation; Contractors, Board of.
- S. B. No. 2942:** Appropriation; Agriculture and Commerce, Department of.
- S. B. No. 2943:** Appropriation; Egg Marketing Board.
- S. B. No. 2944:** Appropriation; Animal Health, Board of.
- S. B. No. 2945:** Appropriation; Fair and Coliseum Commission - Livestock shows.
- S. B. No. 2946:** Appropriation; Audit, Department of.
- S. B. No. 2947:** Appropriation; Banking and Consumer Finance, Department of.
- S. B. No. 2948:** Appropriation; Finance and Administration, Department of.
- S. B. No. 2949:** Appropriation; Governor's Office and Mansion.
- S. B. No. 2950:** Appropriation; Information Technology Services, Department of.
- S. B. No. 2951:** Appropriation; Development Authority, Mississippi.
- S. B. No. 2952:** Appropriation; Personnel Board.
- S. B. No. 2953:** Appropriation; Secretary of State.
- S. B. No. 2954:** Appropriation; Treasurer's Office.
- S. B. No. 2955:** Appropriation; Debt Service-Gen. Obli.
- S. B. No. 2956:** Appropriations; additional appropriations for various state agencies.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

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

S. B. No. 2746: Hudson's Law; require healthcare providers to provide information to parents who receive a postnatal diagnosis of down syndrome.

S. B. No. 2798: Broadband services; provide for the participation of rate-regulated electric utilities in the expansion of.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2075: AN ACT TO CHANGE THE NAME OF THE NATCHEZ STATE PARK TO THE BOB M. DEARING NATCHEZ STATE PARK; AND FOR RELATED PURPOSES.

S. B. No. 2119: AN ACT TO AUTHORIZE PHARMACIES TO SELL AND PERSONS TO PURCHASE, WITHOUT A PRESCRIPTION, PRODUCTS THAT CONTAIN CERTAIN QUANTITIES OF PSEUDOEPHEDRINE OR EPHEDRINE; TO REQUIRE PHARMACIES SELLING PRODUCTS AUTHORIZED UNDER THIS ACT TO USE THE NPLEX SYSTEM BEFORE SELLING THOSE PRODUCTS; TO REQUIRE PHARMACIES TO MAINTAIN AN ELECTRONIC LOG OF REQUIRED INFORMATION FOR EACH TRANSACTION; TO REQUIRE THE PURCHASER OF THE PACKAGE TO BE AT LEAST EIGHTEEN YEARS OF AGE, AS SHOWN BY VALID IDENTIFICATION, AND TO SIGN A RECORD OF EACH TRANSACTION; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTION 41-29-117, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

S. B. No. 2282: AN ACT TO AMEND SECTION 43-21-605, MISSISSIPPI CODE OF 1972, TO RAISE THE MINIMUM AGE AT WHICH A CHILD MAY BE COMMITTED TO THE STATE TRAINING SCHOOL AND HELD IN SECURE DETENTION; AND FOR RELATED PURPOSES.

S. B. No. 2324: AN ACT TO REENACT SECTIONS 75-24-351 THROUGH 75-24-357, MISSISSIPPI CODE OF 1972, WHICH PROHIBIT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENT AND ESTABLISH REMEDIES FOR PREVAILING PLAINTIFFS IN CIVIL ACTIONS INSTITUTED UNDER THE PROVISIONS; TO AMEND REENACTED SECTION 75-24-359, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE REENACTED PROVISIONS; AND FOR RELATED PURPOSES.

S. B. No. 2552: AN ACT TO AMEND SECTION 99-15-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS CHARGED WITH CRIMES OF FRAUD OR EMBEZZLEMENT EXCEEDING A CERTAIN AMOUNT ARE NOT ELIGIBLE FOR PRETRIAL INTERVENTION; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2204: AN ACT TO AMEND SECTIONS 79-35-5, 79-35-6, 79-35-9, 79-35-10 AND 79-29-215, MISSISSIPPI CODE OF 1972, TO REQUIRE THE EMAIL ADDRESS OF REGISTERED AGENTS IN CERTAIN FILINGS UNDER THE MISSISSIPPI REGISTERED AGENTS ACT AND THE REVISED LIMITED LIABILITY COMPANY ACT; AND FOR RELATED PURPOSES.

S. B. No. 2293: AN ACT TO AMEND SECTION 75-24-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CLAIM OR ACTION UNDER THE PROVISIONS OF THE CONSUMER PROTECTION LAWS FILED ON BEHALF OF A VETERAN FOR A

FEE MUST INCLUDE CERTAIN ACKNOWLEDGMENTS THAT THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD OFFERS THE SAME SERVICE FREE OF CHARGE; AND FOR RELATED PURPOSES.

S. B. No. 2521: AN ACT TO AMEND SECTION 57-62-5, MISSISSIPPI CODE OF 1972, AS APPLYING TO INCENTIVE APPLICANTS FROM AND AFTER JULY 1, 2010, TO REVISE THE DEFINITION OF "NEW DIRECT JOB" SOLELY WITH RESPECT TO A FARM EQUIPMENT MANUFACTURER THAT LOCATES ITS NORTH AMERICAN HEADQUARTERS TO MISSISSIPPI BETWEEN JANUARY 1, 2018, AND DECEMBER 31, 2020, TO ALLOW A POSITION TO QUALIFY IF CREATED BEFORE A SPECIFIC DATE DETERMINED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY, THAT FALLS ON OR AFTER THE DATE THAT THE MDA FIRST ISSUES TO SUCH FARM EQUIPMENT MANUFACTURER ONE OR MORE WRITTEN COMMITMENTS OR OFFERS OF ANY INCENTIVES IN CONNECTION WITH THE NEW HEADQUARTERS PROJECT AND RELATED FACILITIES EXPECTED TO RESULT IN THE CREATION OF SUCH NEW JOB; AND FOR RELATED PURPOSES.

S. B. No. 2651: AN ACT TO AMEND SECTION 31-9-13, MISSISSIPPI CODE OF 1972, TO CLARIFY CURRENT POLICY FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION'S OFFICE OF SURPLUS PROPERTY'S PLAN OF OPERATION TO ALLOW CONTINUED STATE PARTICIPATION IN THE FEDERAL DONATION PROGRAM PER FEDERAL REGULATIONS; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. C. R. No. 530: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING OLE MISS AND ASSOCIATION OF TENNIS PROFESSIONALS TOUR TENNIS STANDOUT DAVE RANDALL UPON HIS INDUCTION INTO THE MISSISSIPPI SPORTS HALL OF FAME AND MUSEUM.

S. C. R. No. 532: A CONCURRENT RESOLUTION TO RECOGNIZE THAT MARCH 4, 2021, IS "HPV CANCER AWARENESS DAY" IN MISSISSIPPI TO CALL ATTENTION TO THE CONNECTION BETWEEN THE HUMAN PAPILLOMAVIRUS (HPV) AND CANCER.

Tammy Witherspoon, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Luzern (Sonny) Dillon.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, MARCH 11, 2021

SIXTY-SEVENTH DAY, FRIDAY, MARCH 12, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Williams, Witherspoon, Younger. Total--44.

Absent--Branning, Chassaniol, Fillingane, Johnson, Moran, Parker, Parks, Wiggins. Total--8.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Wiggins.

The invocation was delivered by Senator England.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator DeBar called up the following House Amendment to **S. B. No. 2267** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-3-2, Mississippi Code of 1972, is amended as follows:

37-3-2. (1) There is established within the State Department of Education the Commission on Teacher and Administrator Education, Certification and Licensure and

Development. It shall be the purpose and duty of the commission to make recommendations to the State Board of Education regarding standards for the certification and licensure and continuing professional development of those who teach or perform tasks of an educational nature in the public schools of Mississippi.

(2) (a) The commission shall be composed of fifteen (15) qualified members. The membership of the commission shall be composed of the following members to be appointed, three (3) from each of the four (4) congressional districts, as such districts existed on January 1, 2011, in accordance with the population calculations determined by the 2010 federal decennial census, including: four (4) classroom teachers; three (3) school administrators; one (1) representative of schools of education of public institutions of higher learning located within the state to be recommended by the Board of Trustees of State Institutions of Higher Learning; one (1) representative from the schools of education of independent institutions of higher learning to be recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the Mississippi Community College Board; one (1) local school board member; and four (4) laypersons. Three (3) members of the commission, at the sole discretion of the State Board of Education, shall be appointed from the state at large.

(b) All appointments shall be made by the State Board of Education after consultation with the State Superintendent of Public Education. The first appointments by the State Board of Education shall be made as follows: five (5) members shall be appointed for a term of one (1) year; five (5) members shall be appointed for a term of two (2) years; and five (5) members shall be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

(3) The State Board of Education when making appointments shall designate a chairman. The commission shall meet at least once every two (2) months or more often if needed. Members of the commission shall be compensated at a rate of per diem as authorized by Section 25-3-69 and be reimbursed for actual and necessary expenses as authorized by Section 25-3-41.

(4) (a) An appropriate staff member of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve as executive secretary and coordinator for the commission. No less than two (2) other appropriate staff members of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve on the staff of the commission.

(b) An Office of Educator Misconduct Evaluations shall be established within the State Department of Education to assist the commission in responding to infractions and violations, and in conducting hearings and enforcing the provisions of subsections (11), (12), (13), (14) and (15) of this section, and violations of the Mississippi Educator Code of Ethics.

(5) It shall be the duty of the commission to:

(a) Set standards and criteria, subject to the approval of the State Board of Education, for all educator preparation programs in the state;

(b) Recommend to the State Board of Education each year approval or disapproval of each educator preparation program in the state, subject to a process and schedule determined by the State Board of Education;

(c) Establish, subject to the approval of the State Board of Education, standards for initial teacher certification and licensure in all fields;

(d) Establish, subject to the approval of the State Board of Education, standards for the renewal of teacher licenses in all fields;

(e) Review and evaluate objective measures of teacher performance, such as test scores, which may form part of the licensure process, and to make recommendations for their use;

(f) Review all existing requirements for certification and licensure;

(g) Consult with groups whose work may be affected by the commission's decisions;

(h) Prepare reports from time to time on current practices and issues in the general area of teacher education and certification and licensure;

(i) Hold hearings concerning standards for teachers' and administrators' education and certification and licensure with approval of the State Board of Education;

(j) Hire expert consultants with approval of the State Board of Education;

(k) Set up ad hoc committees to advise on specific areas; and

(l) Perform such other functions as may fall within their general charge and which may be delegated to them by the State Board of Education.

(6) (a) Standard License - Approved Program Route. An educator entering the school system of Mississippi for the first time and meeting all requirements as established by the State Board of Education shall be granted a standard five-year license. Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such assistant teachers at the required salary level during the period of time such individual is completing student teaching requirements. Applicants for a standard license shall submit to the department:

(i) An application on a department form;

(ii) An official transcript of completion of a teacher education program approved by the department or a nationally accredited program, subject to the following: Licensure to teach in Mississippi prekindergarten through kindergarten classrooms shall require completion of a teacher education program or a Bachelor of Science degree with child development emphasis from a program accredited by the American Association of Family and Consumer Sciences (AAFCS) or by the National Association for Education of Young Children (NAEYC) or by the National Council for Accreditation of Teacher Education (NCATE). Licensure to teach in Mississippi kindergarten, for those applicants who have completed a teacher education program, and in Grade 1 through Grade 4 shall require the completion of an interdisciplinary program of studies. Licenses for Grades 4 through 8 shall require the completion of an interdisciplinary program of studies with two (2) or more areas of concentration. Licensure to teach in Mississippi Grades 7 through 12 shall require a major in an academic field other than education, or a combination of disciplines other than education. Students preparing to teach a subject shall complete a major in the respective subject discipline. All applicants for standard licensure shall demonstrate that such person's college preparation in those fields was in accordance with the standards set forth by the National Council for Accreditation of Teacher Education (NCATE) or the National Association of State Directors of Teacher Education and Certification (NASDTEC) or, for those applicants who have a Bachelor of Science degree with child development emphasis, the American Association of Family and Consumer Sciences (AAFCS). Effective July 1, 2016, for initial elementary education licensure, a

teacher candidate must earn a passing score on a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles as approved by the State Board of Education;

(iii) A copy of test scores evidencing satisfactory completion of nationally administered examinations of achievement, such as the Educational Testing Service's teacher testing examinations;

(iv) Any other document required by the State Board of Education;
and

(v) From and after July 1, 2020, no teacher candidate shall be licensed to teach in Mississippi who did not meet the following criteria for entrance into an approved teacher education program:

1. An ACT Score of twenty-one (21) (or SAT equivalent); or

2. Achieve a qualifying passing score on the Praxis Core Academic Skills for Educators examination as established by the State Board of Education; or

3. A minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program.

(b) Standard License - Nontraditional Teaching Route. From and after July 1, 2020, no teacher candidate shall be licensed to teach in Mississippi under the alternate route who did not meet the following criteria:

(i) An ACT Score of twenty-one (21) (or SAT equivalent); or

(ii) Achieve a qualifying passing score on the Praxis Core Academic Skills for Educators examination as established by the State Board of Education; or

(iii) A minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program.

Beginning July 1, 2020, an individual who has attained a passing score on the Praxis Core Academic Skills for Educators or an ACT Score of twenty-one (21) (or SAT equivalent) or a minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program and a passing score on the Praxis Subject Assessment in the requested area of endorsement may apply for admission to the Teach Mississippi Institute (TMI) program to teach students in Grades 7 through 12 if the individual meets the requirements of this paragraph (b). The State Board of Education shall adopt rules requiring that teacher preparation institutions which provide the Teach Mississippi Institute (TMI) program for the preparation of nontraditional teachers shall meet the standards and comply with the provisions of this paragraph.

(i) The Teach Mississippi Institute (TMI) shall include an intensive eight-week, nine-semester-hour summer program or a curriculum of study in which the student matriculates in the fall or spring semester, which shall include, but not be limited to, instruction in education, effective teaching strategies, classroom management, state curriculum requirements, planning and instruction, instructional methods and pedagogy, using test results to improve instruction, and a one (1) semester three-hour supervised internship to be completed while the teacher is employed as a full-time teacher intern in a local school district. The TMI shall be implemented on a pilot program basis, with courses to be offered at up to four (4) locations in the state, with one (1) TMI site to be located in each of the three (3) Mississippi Supreme Court districts.

(ii) The school sponsoring the teacher intern shall enter into a written agreement with the institution providing the Teach Mississippi Institute (TMI) program, under terms and conditions as agreed upon by the contracting parties, providing that the school district shall provide teacher interns seeking a nontraditional provisional teaching license with a one-year classroom teaching experience. The teacher intern shall successfully complete the one (1) semester three-hour intensive internship in the school district during the semester immediately following successful completion of the TMI and prior to the end of the one-year classroom teaching experience.

(iii) Upon completion of the nine-semester-hour TMI or the fall or spring semester option, the individual shall submit his transcript to the commission for provisional licensure of the intern teacher, and the intern teacher shall be issued a provisional teaching license by the commission, which will allow the individual to legally serve as a teacher while the person completes a nontraditional teacher preparation internship program.

(iv) During the semester of internship in the school district, the teacher preparation institution shall monitor the performance of the intern teacher. The school district that employs the provisional teacher shall supervise the provisional teacher during the teacher's intern year of employment under a nontraditional provisional license, and shall, in consultation with the teacher intern's mentor at the school district of employment, submit to the commission a comprehensive evaluation of the teacher's performance sixty (60) days prior to the expiration of the nontraditional provisional license. If the comprehensive evaluation establishes that the provisional teacher intern's performance fails to meet the standards of the approved nontraditional teacher preparation internship program, the individual shall not be approved for a standard license.

(v) An individual issued a provisional teaching license under this nontraditional route shall successfully complete, at a minimum, a one-year beginning teacher mentoring and induction program administered by the employing school district with the assistance of the State Department of Education.

(vi) Upon successful completion of the TMI and the internship provisional license period, applicants for a Standard License - Nontraditional Route shall submit to the commission a transcript of successful completion of the twelve (12) semester hours required in the internship program, and the employing school district shall submit to the commission a recommendation for standard licensure of the intern. If the school district recommends licensure, the applicant shall be issued a Standard License - Nontraditional Route which shall be valid for a five-year period and be renewable.

(vii) At the discretion of the teacher preparation institution, the individual shall be allowed to credit the twelve (12) semester hours earned in the nontraditional teacher internship program toward the graduate hours required for a Master of Arts in Teacher (MAT) Degree.

(viii) The local school district in which the nontraditional teacher intern or provisional licensee is employed shall compensate such teacher interns at Step 1 of the required salary level during the period of time such individual is completing teacher internship requirements and shall compensate such Standard License - Nontraditional Route teachers at Step 3 of the required salary level when they complete license requirements.

Implementation of the TMI program provided for under this paragraph (b) shall be contingent upon the availability of funds appropriated specifically for such purpose by the Legislature. Such implementation of the TMI program may not be deemed to prohibit the State Board of Education from developing and implementing additional alternative route

teacher licensure programs, as deemed appropriate by the board. The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

A Standard License - Approved Program Route shall be issued for a five-year period, and may be renewed. Recognizing teaching as a profession, a hiring preference shall be granted to persons holding a Standard License - Approved Program Route or Standard License - Nontraditional Teaching Route over persons holding any other license.

(c) Special License - Expert Citizen. In order to allow a school district to offer specialized or technical courses, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may grant a one-year expert citizen-teacher license to local business or other professional personnel to teach in a public school or nonpublic school accredited or approved by the state. Such person may begin teaching upon his employment by the local school board and licensure by the Mississippi Department of Education. The board shall adopt rules and regulations to administer the expert citizen-teacher license. A Special License - Expert Citizen may be renewed in accordance with the established rules and regulations of the State Department of Education.

(d) Special License - Nonrenewable. The State Board of Education is authorized to establish rules and regulations to allow those educators not meeting requirements in paragraph (a), (b) or (c) of this subsection (6) to be licensed for a period of not more than three (3) years, except by special approval of the State Board of Education.

(e) Nonlicensed Teaching Personnel. A nonlicensed person may teach for a maximum of three (3) periods per teaching day in a public school district or a nonpublic school accredited/approved by the state. Such person shall submit to the department a transcript or record of his education and experience which substantiates his preparation for the subject to be taught and shall meet other qualifications specified by the commission and approved by the State Board of Education. In no case shall any local school board hire nonlicensed personnel as authorized under this paragraph in excess of five percent (5%) of the total number of licensed personnel in any single school.

(f) Special License - Transitional Bilingual Education. Beginning July 1, 2003, the commission shall grant special licenses to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. Teachers of transitional bilingual education shall be compensated by local school boards at not less than one (1) step on the regular salary schedule applicable to permanent teachers licensed under this section. The commission shall grant special licenses to teachers of transitional bilingual education who present the commission with satisfactory evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the commission; and (v) are legally present in the United States and possess legal authorization for employment. A teacher of transitional bilingual education serving under a special license shall be under an exemption from standard licensure if he achieves the requisite qualifications therefor. Two (2) years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring a Standard Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in an appropriate field as approved by the State Department of Education to teach in a program in transitional bilingual education.

(g) In the event any school district meets the highest accreditation standards as defined by the State Board of Education in the accountability system, the State Board

of Education, in its discretion, may exempt such school district from any restrictions in paragraph (e) relating to the employment of nonlicensed teaching personnel.

(h) Highly Qualified Teachers. Beginning July 1, 2006, any teacher from any state meeting the federal definition of highly qualified, as described in the No Child Left Behind Act, must be granted a standard five-year license by the State Department of Education.

(7) Administrator License. The State Board of Education is authorized to establish rules and regulations and to administer the licensure process of the school administrators in the State of Mississippi. There will be four (4) categories of administrator licensure with exceptions only through special approval of the State Board of Education.

(a) Administrator License - Nonpracticing. Those educators holding administrative endorsement but having no administrative experience or not serving in an administrative position on January 15, 1997.

(b) Administrator License - Entry Level. Those educators holding administrative endorsement and having met the department's qualifications to be eligible for employment in a Mississippi school district. Administrator License - Entry Level shall be issued for a five-year period and shall be nonrenewable.

(c) Standard Administrator License - Career Level. An administrator who has met all the requirements of the department for standard administrator licensure.

(d) Administrator License - Nontraditional Route. The board may establish a nontraditional route for licensing administrative personnel. Such nontraditional route for administrative licensure shall be available for persons holding, but not limited to, a master of business administration degree, a master of public administration degree, a master of public planning and policy degree or a doctor of jurisprudence degree from an accredited college or university, with five (5) years of administrative or supervisory experience. Successful completion of the requirements of alternate route licensure for administrators shall qualify the person for a standard administrator license.

Individuals seeking school administrator licensure under paragraph (b), (c) or (d) shall successfully complete a training program and an assessment process prescribed by the State Board of Education. All applicants for school administrator licensure shall meet all requirements prescribed by the department under paragraph (b), (c) or (d), and the cost of the assessment process required shall be paid by the applicant.

(8) Reciprocity. * * * The department shall grant a standard five-year license to any individual who possesses a valid standard license from another state * * * within a period of fourteen (14) days from the date of a completed application. The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

* * *

(9) Renewal and Reinstatement of Licenses. The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing a master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree.

(10) All controversies involving the issuance, revocation, suspension or any change whatsoever in the licensure of an educator required to hold a license shall be initially heard in a hearing de novo, by the commission or by a subcommittee established by the commission and composed of commission members, or by a hearing officer retained and appointed by the commission, for the purpose of holding hearings. Any complaint seeking the denial of issuance, revocation or suspension of a license shall be by sworn affidavit filed with the Commission on Teacher and Administrator Education, Certification and Licensure and Development. The decision thereon by the commission, its subcommittee or hearing officer, shall be final, unless the aggrieved party shall appeal to the State Board of Education, within ten (10) days, of the decision of the commission, its subcommittee or hearing officer. An appeal to the State Board of Education shall be perfected upon filing a notice of the appeal and by the prepayment of the costs of the preparation of the record of proceedings by the commission, its subcommittee or hearing officer. An appeal shall be on the record previously made before the commission, its subcommittee or hearing officer, unless otherwise provided by rules and regulations adopted by the board. The decision of the commission, its subcommittee or hearing officer shall not be disturbed on appeal if supported by substantial evidence, was not arbitrary or capricious, within the authority of the commission, and did not violate some statutory or constitutional right. The State Board of Education in its authority may reverse, or remand with instructions, the decision of the commission, its subcommittee or hearing officer. The decision of the State Board of Education shall be final.

(11) (a) The State Board of Education, acting through the commission, may deny an application for any teacher or administrator license for one or more of the following:

(i) Lack of qualifications which are prescribed by law or regulations adopted by the State Board of Education;

(ii) The applicant has a physical, emotional or mental disability that renders the applicant unfit to perform the duties authorized by the license, as certified by a licensed psychologist or psychiatrist;

(iii) The applicant is actively addicted to or actively dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens or other drugs having similar effect, at the time of application for a license;

(iv) Fraud or deceit committed by the applicant in securing or attempting to secure such certification and license;

(v) Failing or refusing to furnish reasonable evidence of identification;

(vi) The applicant has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this subparagraph (vi) of this paragraph (a), a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(vii) The applicant or licensee is on probation or post-release supervision for a felony or conviction, as defined by federal or state law. However, this disqualification expires upon the end of the probationary or post-release supervision period.

(b) The State Board of Education, acting through the commission, shall deny an application for any teacher or administrator license, or immediately revoke the current teacher or administrator license, for one or more of the following:

(i) If the applicant or licensee has been convicted, has pled guilty or entered a plea of nolo contendere to a sex offense as defined by federal or state law. For purposes of this subparagraph (i) of this paragraph (b), a "guilty plea" includes a plea of

guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(ii) The applicant or licensee is on probation or post-release supervision for a sex offense conviction, as defined by federal or state law;

(iii) The license holder has fondled a student as described in Section 97-5-23, or had any type of sexual involvement with a student as described in Section 97-3-95; or

(iv) The license holder has failed to report sexual involvement of a school employee with a student as required by Section 97-5-24.

(12) The State Board of Education, acting through the commission, may revoke, suspend or refuse to renew any teacher or administrator license for specified periods of time or may place on probation, reprimand a licensee, or take other disciplinary action with regard to any license issued under this chapter for one or more of the following:

(a) Breach of contract or abandonment of employment may result in the suspension of the license for one (1) school year as provided in Section 37-9-57;

(b) Obtaining a license by fraudulent means shall result in immediate suspension and continued suspension for one (1) year after correction is made;

(c) Suspension or revocation of a certificate or license by another state shall result in immediate suspension or revocation and shall continue until records in the prior state have been cleared;

(d) The license holder has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this paragraph, a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(e) The license holder knowingly and willfully committing any of the acts affecting validity of mandatory uniform test results as provided in Section 37-16-4(1);

(f) The license holder has engaged in unethical conduct relating to an educator/student relationship as identified by the State Board of Education in its rules;

(g) The license holder served as superintendent or principal in a school district during the time preceding and/or that resulted in the Governor declaring a state of emergency and the State Board of Education appointing a conservator;

(h) The license holder submitted a false certification to the State Department of Education that a statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System; or

(i) The license holder has failed to comply with the Procedures for Reporting Infractions as promulgated by the commission and approved by the State Board of Education pursuant to subsection (15) of this section.

For purposes of this subsection, probation shall be defined as a length of time determined by the commission, its subcommittee or hearing officer, and based on the severity of the offense in which the license holder shall meet certain requirements as prescribed by the commission, its subcommittee or hearing officer. Failure to complete the requirements in the time specified shall result in immediate suspension of the license for one (1) year.

(13) (a) Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense.

(b) Any offense committed or attempted in any other state shall result in the same penalty as if committed or attempted in this state.

(c) A person may voluntarily surrender a license. The surrender of such license may result in the commission recommending any of the above penalties without the necessity of a hearing. However, any such license which has voluntarily been surrendered by a licensed employee may only be reinstated by a majority vote of all members of the commission present at the meeting called for such purpose.

(14) (a) A person whose license has been suspended or surrendered on any grounds except criminal grounds may petition for reinstatement of the license after one (1) year from the date of suspension or surrender, or after one-half (1/2) of the suspended or surrendered time has lapsed, whichever is greater. A person whose license has been suspended or revoked on any grounds or violations under subsection (12) of this section may be reinstated automatically or approved for a reinstatement hearing, upon submission of a written request to the commission. A license suspended, revoked or surrendered on criminal grounds may be reinstated upon petition to the commission filed after expiration of the sentence and parole or probationary period imposed upon conviction. A revoked, suspended or surrendered license may be reinstated upon satisfactory showing of evidence of rehabilitation. The commission shall require all who petition for reinstatement to furnish evidence satisfactory to the commission of good character, good mental, emotional and physical health and such other evidence as the commission may deem necessary to establish the petitioner's rehabilitation and fitness to perform the duties authorized by the license.

(b) A person whose license expires while under investigation by the Office of Educator Misconduct for an alleged violation may not be reinstated without a hearing before the commission if required based on the results of the investigation.

(15) Reporting procedures and hearing procedures for dealing with infractions under this section shall be promulgated by the commission, subject to the approval of the State Board of Education. The revocation or suspension of a license shall be effected at the time indicated on the notice of suspension or revocation. The commission shall immediately notify the superintendent of the school district or school board where the teacher or administrator is employed of any disciplinary action and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. The State Board of Education may reverse or remand with instructions any decision of the commission, its subcommittee or hearing officer regarding a petition for reinstatement of a license, and any such decision of the State Board of Education shall be final.

(16) An appeal from the action of the State Board of Education in denying an application, revoking or suspending a license or otherwise disciplining any person under the provisions of this section shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi, on the record made, including a verbatim transcript of the testimony at the hearing. The appeal shall be filed within thirty (30) days after notification of the action of the board is mailed or served and the proceedings in chancery court shall be conducted as other matters coming before the court. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the proceedings by the State Board of Education, and the filing of a bond in the sum of Two Hundred Dollars (\$200.00) conditioned that if the action of the board be affirmed by the chancery court, the applicant or license holder shall pay the costs of the appeal and the action of the chancery court.

(17) All such programs, rules, regulations, standards and criteria recommended or authorized by the commission shall become effective upon approval by the State Board of Education as designated by appropriate orders entered upon the minutes thereof.

(18) The granting of a license shall not be deemed a property right nor a guarantee of employment in any public school district. A license is a privilege indicating minimal eligibility for teaching in the public school districts of Mississippi. This section shall in no way alter or abridge the authority of local school districts to require greater qualifications or standards of performance as a prerequisite of initial or continued employment in such districts.

(19) In addition to the reasons specified in subsections (12) and (13) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL GRANT LICENSES WITHIN A PERIOD OF 14 DAYS FROM THE DATE OF A COMPLETED APPLICATION TO TEACHERS IF THEY POSSESS A VALID STANDARD LICENSE FROM ANOTHER STATE; AND FOR RELATED PURPOSES.

Senator Carter called up the following House Amendment to **S. B. No. 2373** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on line 12 after the comma by deleting the word "including" and inserting in lieu thereof the following:

"and the retailer includes"

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2373** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Williams, Witherspoon, Younger. Total--44.

Nays--None.

Absent and those not voting--Branning, Chassaniol, Fillingane, Johnson, Moran, Parker, Parks, Wiggins. Total--8.

Senator Carter called up the following House Amendment to **S. B. No. 2649** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-14, Mississippi Code of 1972, is reenacted and amended as follows:

31-7-14. (1) (a) For purposes of this section, the following words and phrases shall have the meaning ascribed herein, unless the context clearly indicates otherwise:

(i) "Division" means the Energy Division of the Mississippi Development Authority.

(ii) "Energy services" or "energy efficient services" means energy efficiency equipment, services relating to the installation, operation and maintenance of equipment and improvements reasonably required to existing or new equipment and existing or new improvements and facilities including, but not limited to, heating, ventilation and air-conditioning systems, lighting, windows, insulation and energy management controls, life safety measures that provide long-term, operating-cost reductions, building operation programs that reduce operating costs, alternative fuel motor vehicles including vehicles that have been converted to such and ancillary equipment related to or associated with the fueling of alternative fuel motor vehicles, or other energy-conservation-related improvements, including improvements or equipment related to renewable energy, water and other natural resources conservation, including accuracy and measurement of water distribution and/or consumption, and other equipment, services and improvements providing verifiable cost savings.

(iii) "Energy services provider" means a person or business with a successful record of documented energy savings projects that is experienced in the design, implementation and installation of energy conservation measures; has the technical capabilities to verify that such measures generate energy and operational cost savings or enhanced revenues; has the ability to guarantee the savings; has the ability to secure or arrange the financing necessary to support the implementation of the energy conservation measures; and is approved by the division.

Approval by the division of an energy services provider shall be granted in a prequalification process.

Such energy services providers may petition the division to review their qualifications and deem them to be qualified for inclusion on a prequalification list if they meet the qualifications set forth by the division.

Any energy services project that has been competitively bid and awarded prior to any change in law shall be allowed to continue under the laws current at the time the project was awarded.

The division shall ensure that small businesses are not disadvantaged in the determination of a qualified energy services provider.

(iv) "Entity" means the board of trustees of any public school district, junior college, institution of higher learning, publicly owned hospital, state agency or governmental authority under this chapter.

(v) "Energy services contract" means an agreement to provide energy services which include, but are not limited to, the design, installation, financing and maintenance or management of the energy systems or equipment in order to improve its energy efficiency. Payments for the contract are not contingent upon the actual savings realized from the equipment.

(vi) "Energy performance contract" means an agreement to provide energy services which includes, but is not limited to, the design, installation, financing and maintenance or management of the energy systems or equipment in order to improve its energy efficiency.

(vii) "Shared-savings contract" means an agreement where the contractor and the entity each receive a preagreed percentage or dollar value of the energy cost savings over the life of the contract.

(viii) "Reduce operating costs" means elimination of future expenses or avoidance of future replacement expenditures as a result of new equipment installed or services performed. Material savings, labor savings, cancelled maintenance contracts, et cetera, shall be considered as being viable to reduce operating costs. Reduce operating costs may be included in the performance contract or energy services agreement solely at the discretion of the entity. A contract that otherwise satisfies the requirements of this section shall satisfy the requirements allowing use of an energy performance, energy services or shared-savings contract even if the sole expense being eliminated is maintenance expense.

(ix) "Capital cost avoidance" means planned capital improvement expenditures that will be avoided through implementation of the energy services project. Capital cost avoidance may be included in an energy services contract or an energy performance contract solely at the discretion of the entity. Capital cost avoidance may be claimed as an annual avoidance or as a one-time avoidance in a specific year of the contract term, depending upon the nature of the avoided capital cost.

(x) "Alternative fuel motor vehicle" means a motor vehicle propelled by alternative fuel either as a dedicated alternative fuel vehicle, as a bi-fuel vehicle using alternative fuel as one of its fuels, or as a dual fuel vehicle using alternative fuel as one of its fuels.

(xi) "Energy conservation measure" means the individual items or components of a large energy services or energy efficient services program.

(xii) "Simple payback period" means the amount of time for the recuperation of the initial investment. The simple payback period is calculated by dividing the initial investment by the annual savings. The simple payback period for any contract shall not exceed twenty (20) years. The simple payback period of an individual energy conservation measure shall not be considered in any evaluation provided the simple payback period for the contract does not exceed twenty (20) years.

(b) An entity may enter into an energy services contract, energy performance contract, shared-savings contract, any of which may contain a lease, or lease-purchase contract for energy efficiency equipment, services relating to the installation, operation and maintenance of equipment or improvements reasonably required to existing or new equipment and existing or new improvements and facilities and shall contract in accordance with the following provisions:

(i) The division may assemble a list of prequalified energy services providers. The division shall use objective criteria in the selection process. The criteria for evaluation shall include, but shall not be limited to, the following factors: to assess the capability of the qualified energy services provider in the area of design engineering, installation, maintenance and repairs associated with energy services or guaranteed energy performance contracts; qualifications including engineering depth and experience, post-installation project monitoring, data collection, and verification of and reporting of savings; overall project experience and qualifications; management capability; ability to access long-term sources of project financing; financial health and stability, litigation history with customers and other factors determined by the division to be relevant and appropriate and related to the ability to perform the project. The division shall either accept or reject an application for prequalification from an energy services provider within sixty (60) days after receipt. If the division fails to act within sixty (60) days from the date of receiving an application, then the application shall automatically be accepted and the energy services provider shall be added to the prequalified list.

(ii) An entity shall publicly issue requests for proposals, advertised in the same manner as provided in Section 31-7-13 for seeking competitive sealed bids, concerning the provision of energy efficiency services relating to the installation, operation and maintenance of equipment, improvements reasonably required to existing or new equipment and existing or new improvements and facilities or the design, installation, ownership, operation and maintenance of energy efficiency equipment. Those requests for proposals shall contain terms and conditions relating to submission of proposals, evaluation and selection of proposals, financial terms, legal responsibilities, and any other matters as the entity determines to be appropriate for inclusion.

(iii) Upon receiving responses to the request for proposals, the entity may select the most qualified proposal or proposals on the basis of experience and qualifications of the proposers, the technical approach, the financial arrangements, the overall benefits to the entity and any other relevant factors determined to be appropriate.

(iv) An entity shall negotiate and enter into contracts with the person, persons, firm or firms submitting the proposal selected as the most qualified under this section.

(v) The annual rate of interest paid under any lease-purchase agreement authorized by this section shall not exceed the maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101. An entity may obtain lease-purchase financing under this section from a third-party source in the same manner as provided in Section 31-7-13(e).

(vi) The maximum lease-purchase term for any equipment acquired under this section shall not exceed the lesser of twenty (20) years or the average useful life of the energy conservation measures from the date the energy conservation measures have been completed and accepted by the governmental unit.

(vii) This subsection shall, with respect to the procurement of energy efficiency services and/or equipment, supersede any contradictory or conflicting provisions of Chapter 7, Title 31, Mississippi Code of 1972, and other laws with respect to awarding public contracts.

(2) (a) The division may contract with a party selected under this subsection to provide financing to entities and private "nonprofit" hospitals, to purchase energy efficiency equipment, services relating to the installation, operation and maintenance of equipment or improvements reasonably required to existing or new equipment and existing or new improvements and facilities or an energy saving performance contract, energy services contract, or lease-purchase basis. Any energy efficiency lease financing contract entered into by the division before May 15, 1992, shall be valid and binding when the contract was entered into under this subsection.

(b) The entities and private "nonprofit" hospitals that decide to contract for energy efficiency equipment, services relating to the installation, operation and maintenance of equipment or improvements reasonably required to existing or new equipment and existing or new improvements and facilities on a lease, energy services contract or lease-purchase basis, may request financial assistance from the division.

(c) The provisions of any energy efficiency lease-purchase agreements authorized under this subsection (2) shall comply with the requirements of subsection (1)(b)(v) of this section. The term of any lease or lease-purchase agreement for energy efficiency services and/or equipment entered into under this section shall not exceed twenty (20) years, commencing on the completion of the installation of equipment or improvements under the contract.

(d) Any entity or private "nonprofit" hospital having approval of the division may borrow money in anticipation of entering into a lease-purchase agreement pursuant to subsection (2)(b) of this section. Any borrowing may be upon terms and conditions as may be agreed upon by the borrowing entity and the party advancing interim funds; however, the principal on any borrowing shall be repaid within a period of time not to exceed one hundred eighty (180) days. In borrowing money under this paragraph (d), it is not necessary to publish notice of intention to do so or to secure the consent of the qualified electors, either by election or otherwise. Any borrowing may be negotiated between the parties and is not required to be publicly bid, may be evidenced by negotiable notes or lease and shall not be considered when computing any limitation of indebtedness of the borrowing entity established by law. The principal, interest and costs of incurring any borrowing shall not exceed the principal amount of the final contract or agreement approved by the division, and accepted by the borrowing entity, under subsection (2)(b) of this section.

(e) This subsection (2) shall, with respect to the procurement of energy efficiency services and/or equipment, supersede the provisions of any contradictory or conflicting provisions of Chapter 7, Title 31, Mississippi Code of 1972, and other laws with respect to awarding public contracts.

(3) All lease-purchase agreements authorized by this section and the income from those agreements shall be exempt from all taxation within the State of Mississippi, except gift, transfer and inheritance taxes.

(4) (a) An entity may contract for energy efficiency equipment services relating to the installation, operation or maintenance of equipment or improvements reasonably required to existing or new equipment and existing or new improvements and facilities on a shared-savings basis or performance basis.

(b) If an entity decides to enter into a contract for energy efficiency equipment, services relating to the installation, operation or maintenance of equipment or improvements reasonably required to existing or new equipment and existing or new improvements and facilities on a shared-savings basis or performance basis, the entity shall issue a request for proposals or a request for qualifications, as determined necessary by the division, in the same manner as prescribed under subsection (1)(b) of this section. The entity shall notify the division in writing of its intention to issue a request for proposals or a request for qualifications.

(c) The terms of any shared-savings contract, energy services contract, or energy performance contract entered into under this section may not exceed twenty (20) years, commencing on the completion of the installation of equipment or improvements under the contract.

(d) The terms of any shared-savings or energy performance contract entered into under this section must contain a guarantee of savings clause from the company providing energy efficiency equipment services relating to the installation, operation and maintenance of equipment or improvements reasonably required to existing or new equipment and existing or new improvements and facilities.

(5) (a) By March 1 and September 1 of each year, each entity that enters into an energy performance contract or shared-savings contract shall report to the division its energy usage by meter in dollars and consumption by fuel type for the previous six-month period determined by the division.

(b) The division shall remove qualified status of an energy services provider that fails to meet the reporting requirements of paragraph (a) of this subsection after two (2) such violations.

(c) Any costs associated with the reporting made under this subsection (5) shall be paid by the energy services provider.

(6) The contract may be construed to provide flexibility to public agencies in structuring agreements entered into hereunder so that economic benefits may be maximized.

(7) This section shall stand repealed on July 1, * * * 2025.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT AND AMEND SECTION 31-7-14, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON USE OF ENERGY EFFICIENT EQUIPMENT OR SERVICE CONTRACTS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2649** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Williams, Witherspoon, Younger. Total--44.

Nays--None.

Absent and those not voting--Branning, Chassaniol, Fillingane, Johnson, Moran, Parker, Parks, Wiggins. Total--8.

Senator DeBar called up the following House Amendment to **S. B. No. 2664** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-21-51, Mississippi Code of 1972, is amended as follows:

37-21-51. (1) As used in this section:

(a) "Preschool or prekindergarten children" means any children who have not entered kindergarten but will have obtained four (4) years of age on or before September 1 of a school year.

(b) An "early learning collaborative" is a district or countywide council that writes and submits an application to participate in the voluntary prekindergarten program. An early learning collaborative is comprised, at a minimum, of a public school district and/or a local Head Start affiliate if in existence, private or parochial schools, or one or more licensed child care centers. Agencies or other organizations that work with young children and their families may also participate in the collaborative to provide resources and coordination even if those agencies or organizations are not prekindergarten providers.

(c) A "prekindergarten provider" is a public, private or parochial school, licensed child care center or Head Start center that serves prekindergarten children and participates in the voluntary prekindergarten program.

(d) A "lead partner" is a public school district or other nonprofit entity with the instructional expertise and operational capacity to manage the early learning collaborative's prekindergarten program as described in the collaborative's approved application for funds. The lead partner serves as the fiscal agent for the collaborative and shall disburse awarded funds in accordance with the collaborative's approved application. The lead partner must facilitate a professional learning community for the teachers in the prekindergarten program and lead the collaborative. The lead partner ensures that the collaborative adopts and implements curriculum and assessments that align with the comprehensive early learning standards. The public school district shall be the lead partner if no other qualifying lead partner is selected.

(e) "Comprehensive early learning standards" are standards adopted by the State Board of Education that address the highest level of fundamental domains of early learning to include, but not be limited to, physical well-being and motor development, social/emotional development, approaches toward learning, language development and cognition and general knowledge. The comprehensive early learning standards shall also include standards for emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, and vocabulary and comprehension development.

(f) *** An "evidence-based curriculum" is an age-appropriate curriculum that *** demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on:

(i) Strong evidence from at least one (1) well-designed and well-implemented experimental study; or

(ii) Moderate evidence from at least one (1) well-designed and well-implemented quasi-experimental study; or

(iii) Promising evidence from at least one (1) well-designed and well-implemented correlational study with statistical controls for selection bias.

(2) To ensure that all children have access to quality early childhood education and development services, the Legislature finds and declares the following:

(a) Parents have the primary duty to educate their young preschool children;

(b) The State of Mississippi can assist and educate parents in their role as the primary caregivers and educators of young preschool children;

(c) There is a need to explore innovative approaches and strategies for aiding parents and families in the education and development of young preschool children; and

(d) There exists a patchwork of prekindergarten entities but no coordination of services and there needs to be a coordination of these services.

(3) (a) This subsection shall be known and may be cited as the "Early Learning Collaborative Act of 2013."

(b) Effective with the 2013-2014 school year, the Mississippi State Department of Education shall establish a voluntary prekindergarten program, which shall be a collaboration among the entities providing prekindergarten programs including Head Start, licensed child care facilities and licensed public, parochial and private school prekindergarten programs. This program shall be implemented no later than the 2014-2015 school year. Enrollment in the prekindergarten program shall be coordinated with the Head Start agencies in the local areas and shall not be permitted to cause a reduction in children served by the Head Start program. Under this program, eligible entities may submit an application for funds to (i) defray the cost of additional and/or more qualified teaching staff, appropriate educational materials and equipment and to improve the quality of educational experiences offered to four-year-old children in early care and education programs, and/or to (ii) extend developmentally appropriate education services at such programs currently serving four-year-old children to include practices of high quality instruction, and to (iii) administer, implement, monitor and evaluate the programs, and to (iv) defray the cost of professional development and age-appropriate child assessment.

(c) Subject to the availability of funds appropriated therefor, the State Department of Education shall administer the implementation, monitoring and evaluation of the voluntary prekindergarten program, including awards and the application process.

(i) The department shall establish a rigorous and transparent application process for the awarding of funds. Lead partners shall submit the applications on behalf of their early learning collaborative.

(ii) The department will establish monitoring policies and procedures that, at a minimum, will include at least one (1) site visit a year.

(iii) The department will provide technical assistance to collaboratives and their providers to improve the quality of prekindergarten programs. Technical assistance may include classroom-embedded support for teachers and assistant teachers.

(iv) The department will evaluate the effectiveness of each early childhood collaborative and each prekindergarten provider. If the State Department of

Education adopts a statewide kindergarten screening that assesses the readiness of each student for kindergarten, the State Department of Education shall adopt a minimum rate of readiness that each prekindergarten provider must meet in order to remain eligible for prekindergarten program funds. Each parent who enrolls his or her child in the prekindergarten program must submit the child for the statewide kindergarten screening, regardless of whether the child is admitted to kindergarten in a public school.

(d) Prekindergarten program funds shall be awarded to early childhood collaboratives whose proposed programs meet the program criteria. The criteria shall include:

(i) Voluntary enrollment of children;

(ii) Collaboration among prekindergarten providers and other early childhood programs through the establishment of an early learning collaborative;

(iii) Qualifications of master teachers, teachers and assistants, which must conform to guidelines in Section 37-21-3;

(iv) At least fifteen (15) hours of annual professional development for program instructional staff, including professional development in early literacy, and individualized professional development plans for all teachers and teaching assistants supplemented by classroom-embedded support on an as-needed basis;

(v) The use of state-adopted comprehensive early learning standards;

(vi) The use of a *** curriculum *** based on strong evidence as defined in subsection (1)(f)(i) of this section and aligned with the comprehensive early learning standards;

(vii) The use of a curriculum based on moderate evidence as defined in subsection (1)(f)(ii) of this section and aligned with the comprehensive early learning standards if no strong-evidence curriculum is available;

(viii) The use of a curriculum based on promising evidence as defined in subsection (1)(f)(iii) of this section and aligned with the comprehensive early learning standards if no strong-evidence curriculum or moderate-evidence curriculum is available;

(**ix) The use of age-appropriate assessments aligned to the comprehensive early learning standards;

(***x) Teacher/child ratios of one (1) adult for every ten (10) children with a maximum of twenty (20) children per classroom and a minimum of five (5) children per classroom;

(***xi) The provision of at least one (1) meal meeting state and federal nutrition guidelines for young children;

(***xii) Plans to screen and/or refer children for vision, hearing and other health issues;

(***xiii) *** Family engagement opportunities;

(***xiv) Plans to serve children with disabilities as indicated under IDEA;

(***xv) The number of instructional hours to be provided, which shall equal no less than five hundred forty (540) instructional hours per school year for

half-day programs and one thousand eighty (1,080) instructional hours per school year for full-day programs; and

(* * *xvi) A budget detailing the use of funds for allowed expenses.

Participating child care centers shall: (a) meet state child care facility licensure requirements unless exempted under Section 43-20-5, Mississippi Code of 1972, and (b) select and utilize a nationally recognized assessment tool, approved by the State Department of Education, designed to document classroom quality, which must be in place not later than July 1, 2016, as certified by the State Department of Education.

Within the prekindergarten program, a prekindergarten provider must comply with the antidiscrimination requirements applicable to public schools. A prekindergarten provider may not discriminate against a parent or child, including the refusal to admit a child for enrollment in the prekindergarten program, in violation of these antidiscrimination requirements. However, a prekindergarten provider may refuse to admit a child based on the provider's standard eligibility guidelines, provided that these guidelines do not violate the antidiscrimination requirements. Consistent with the Legislature's recognition of the primacy of a parent's role in the education of a preschool-age child and the related recognition of the state in assisting and educating parents in that role, if the State Department of Education adopts a statewide kindergarten screening that assesses the readiness of each student for kindergarten, the State Department of Education shall recognize each child's unique pattern of development when adopting a minimum rate of readiness that prekindergarten providers must meet in order to remain eligible for prekindergarten program funds. Each parent who enrolls his or her child in the prekindergarten program may submit the child for the statewide kindergarten screening, regardless of whether the child is admitted to kindergarten in a public school.

The State Department of Education may add program criteria not inconsistent with these requirements and shall develop policies and procedures to implement and enforce these criteria.

(e) The State Department of Education shall ensure that early learning collaboratives provide each parent enrolling a child in the voluntary prekindergarten program with a profile of every prekindergarten provider participating in the collaborative's geographic catchment area. The State Department of Education shall prescribe the information to be included in each profile as well as the format of the profiles. At a minimum, the profiles must include the prekindergarten provider's services, curriculum, instructor credentials and instructor-to-student ratio.

(f) A teacher, assistant teacher or other employee whose salary and fringe benefits are paid from state funds under this act shall only be classified as a state or local school district employee eligible for state health insurance benefits or membership in the Public Employees' Retirement System, if the person's employer is already an agency or instrumentality of the state, such as a school district, and the employee would be eligible for such benefits in the normal course of business.

(g) Funding shall be provided for this program beginning with the 2014 fiscal year subject to appropriation by the Legislature as provided in paragraph (h) of this subsection. The department shall make an annual report to the Legislature and the Governor regarding * * * program operations and outcomes. Every three (3) years, with the first report due July 1, 2023, the department shall provide to the Legislature and the Governor a rigorous evaluation of program effectiveness using longitudinal data to measure short-term and long-term effects, including both achievement and nonachievement effects. After each three-year report, the PEER Committee shall review the three-year report and the intervening annual reports and submit an independent summary of its findings prior to the next legislative session.

(h) (i) The Legislature shall use the following to appropriate funds to implement the Early *** Learning Collaborative Act of 2013 *** with every effort made to maintain and increase the percentage of four-year-old children in the state served by the program on an annual basis. The Legislature, subject to available appropriations, shall increase the amount of funds appropriated annually until the program serves twenty-five percent (25%) of the four-year-old children in the state by no later than the beginning of the 2023-2024 school year.

(** *ii) Funding shall be provided to early learning collaboratives *** as follows: no less than Two Thousand Five Hundred Dollars (\$2,500.00) per student in a full-day program and *** no less than One Thousand Two Hundred Fifty Dollars (\$1,250.00) per student in a half-day program, whichever is proposed in the collaborative's approved application. Once an early learning collaborative's plan is approved and funded, the collaborative and/or its prekindergarten providers shall receive funds on an ongoing basis unless the collaborative and/or its prekindergarten providers no longer meet the criteria to participate in the program. Existing early learning collaborative agreements must be modified on July 1 of each year to reflect any increased cost per child approved by the Legislature for that year.

(** *iii) Early learning collaboratives shall match state funds on a 1:1 basis. Local matching funds may include local tax dollars, federal dollars as allowed, parent tuition, philanthropic contributions, or in-kind donations of facilities, equipment and services required as part of the program such as food service or health screenings.

(** *iv) The State Department of Education shall reserve no more than five percent (5%) of the appropriation in any year for administrative costs. Funds remaining after awards to early learning collaboratives and the department's administrative needs are met may be carried over in the following year. In the first year of implementation of the program, the department may delay the awarding of funds until the 2014-2015 school year should time not be sufficient to establish the program's operation prior to the 2013-2014 school year.

(** *v) In the initial phase of implementation, the State Department of Education shall award state funds under the Early Learning Collaborative Act of 2013 based on a community's capacity, commitment and need. To determine capacity, commitment and need, the State Department of Education shall require evidence of existing strong local collaborations of early education stakeholders. Such evidence shall include, but not be limited to, collaborations resulting from any of the following:

1. Participation in Excel By 5;
2. Participation in Supporting Partnerships to Assure Ready Kids (SPARK);
3. Participation in the Gilmore Early Learning Initiative (GELI);
4. Participation in the Mississippi Building Blocks.

or

In determining community need, the department shall consider low academic achievement within the public school districts participating in an applicant early learning collaborative and the number and percentage of children without quality prekindergarten options.

(** *vi) All authority granted to the State Department of Education to establish program rules is subject to the public processes established in the provisions of the Mississippi Administrative Procedures Law, including, but not limited to, filing notice of the proposed rules, public hearings and any economic impact statement with the Office

of the Secretary of State before presenting such information to the State Board of Education for final approval.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, UNDER THE EARLY LEARNING COLLABORATIVE ACT; TO PRESCRIBE MINIMUM FUNDING LEVELS FOR PREKINDERGARTEN PROGRAMS; TO AUTHORIZE TECHNICAL TEACHER AND TEACHER ASSISTANT SUPPORT SERVICES; TO REQUIRE INDIVIDUALIZED PROFESSIONAL DEVELOPMENT PLANS AND APPROVED CURRICULUM; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE THE GOVERNOR AND THE LEGISLATURE WITH AN EVALUATION OF PROGRAM EFFECTIVENESS; TO REQUIRE THE PEER COMMITTEE TO REVIEW THE DEPARTMENT OF EDUCATION'S EVALUATIONS AND ANNUAL REPORTS AND SUBMIT A SUMMARY OF ITS FINDINGS TO THE LEGISLATURE; TO STATE THE INTENT OF THE LEGISLATURE TO INCREASE APPROPRIATED FUNDS ANNUALLY; AND FOR RELATED PURPOSES.

Senator Michel called up the following House Amendment to **S. B. No. 2602** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-34-4, Mississippi Code of 1972, is brought forward as follows:

83-34-4. (1) Nonadmitted insurers shall not be assessable insurers of the association. All surplus lines insurance producers placing insurance through nonadmitted insurers shall collect from the insured and remit to the association a nonadmitted policy fee on all premiums for all insurance written by such surplus lines insurance producer for a policy from a nonadmitted insurer for any and all risks in this state, except that policies or portions thereof that cover residential earthquake risks or residential flood risks that are not written through the National Flood Insurance Program shall be exempt from the nonadmitted policy fee. By procuring or selling insurance on property in this state from a nonadmitted insurer, each surplus lines insurance producer placing insurance through a nonadmitted insurer agrees to be bound by the provisions of this chapter and to collect and remit the nonadmitted policy fee provided for herein.

(2) The nonadmitted policy fee shall be a percentage of the total policy premium but the nonadmitted policy fee shall not be considered premium and is not subject to premium taxes or commissions. However, failure to pay the nonadmitted policy fee shall be treated the same as failure to pay premium. "Total policy premium" includes taxes and commissions.

(3) The nonadmitted policy fee percentage shall be three percent (3%).

(4) Within twenty (20) days of the end of the quarter, surplus lines insurance producers placing insurance through nonadmitted insurers shall remit directly to the association all nonadmitted policy fees collected in the preceding quarter. In addition to the nonadmitted policy fee provided for herein, surplus lines insurance producers placing insurance through nonadmitted insurers shall collect and remit excess deficit surcharges as provided by this chapter. Surplus lines insurance producers placing insurance through nonadmitted insurers may designate another surplus lines insurance producer that actually procured the insurance from the nonadmitted carrier to collect and remit the nonadmitted policy fees.

(5) Each insured in this state who directly procures or renews insurance with a nonadmitted insurer on properties, risks or exposures located or to be performed, in whole or in part, in this state, other than insurance procured through a surplus lines licensee, shall be subject to the nonadmitted policy fee which shall be paid by the insured according to the procedures provided for premium taxes in Section 83-21-17(5).

(6) Monies derived from the nonadmitted policy fee collected under this section may be used by the association, in addition to any uses provided for in Section 83-34-3(4), for education, public outreach, training of building officials and other programs targeted to reduce the number of policies within the association; however, beginning on July 1, 2018, and ending on June 30, 2019, before any fees are remitted to the association, One Million Five Hundred Thousand Dollars (\$1,500,000.00) shall be diverted and deposited into the Capital Expense Fund, and Four Million Five Hundred Thousand Dollars (\$4,500,000.00) shall be diverted and deposited into the Rural Fire Truck Fund or Supplementary Rural Fire Truck Fund. Further, beginning July 1, 2019, and ending on June 30, 2020, before any fees are remitted to the association, Three Million Five Hundred Thousand Dollars (\$3,500,000.00) shall be diverted and deposited into the Rural Fire Truck Fund or Supplementary Rural Fire Truck Fund.

(7) This section shall stand repealed from and after July 1, 2022.

SECTION 2. Section 17-23-1, Mississippi Code of 1972, is brought forward as follows:

17-23-1. (1) There is established the Rural Fire Truck Acquisition Assistance Program to be administered by the Department of Insurance for the purpose of assisting counties and municipalities in the acquisition of fire trucks.

(2) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Fund." The Legislature may appropriate that amount necessary to fulfill the obligations created under this section by the Department of Insurance, from the State General Fund to such special fund, which sum shall be added to the remainder of the money transferred on July 1, 1995, and during the 1996 Regular Session to the Rural Fire Truck Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Unobligated amounts remaining in the Rural Fire Truck Fund, Fund No. 3507, or in any fund created for funds appropriated or otherwise made available for this program, may be used as matching funds by any county with remaining eligibility as provided herein. It is the intent of the Legislature that the Department of Insurance continue to accept applications from the counties for fire trucks as provided in subsection (3) of this section.

(3) (a) A county that meets the requirements provided herein may receive an amount not to exceed Eight Hundred Thirty Thousand Dollars (\$830,000.00) as provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii) and (xiii) of this paragraph, and such amount shall be divided as follows: an amount of not more than Fifty Thousand Dollars (\$50,000.00) per fire truck for the first six (6) trucks and not more than Seventy Thousand Dollars (\$70,000.00) per fire truck for the seventh, eighth, ninth,

tenth and eleventh trucks, and not more than Ninety Thousand Dollars (\$90,000.00) per fire truck for the twelfth and thirteenth truck. Monies distributed under this chapter shall be expended only for the purchase of new fire trucks and such trucks must meet the National Fire Protection Association (NFPA) standards in the 1900 series.

(i) Any county that has not applied for a fire truck under this section is eligible to submit applications for thirteen (13) fire trucks as follows: six (6) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of Eight Hundred Thirty Thousand Dollars (\$830,000.00).

(ii) Any county that has received one (1) fire truck under this section is eligible to submit applications for twelve (12) fire trucks as follows: five (5) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of Seven Hundred Eighty Thousand Dollars (\$780,000.00).

(iii) Any county that has received two (2) fire trucks under this section is eligible to submit an application for eleven (11) fire trucks as follows: four (4) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Seven Hundred Thirty Thousand Dollars (\$730,000.00).

(iv) Any county that has received three (3) fire trucks under this section is eligible to submit an application for ten (10) fire trucks as follows: three (3) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Six Hundred Eighty Thousand Dollars (\$680,000.00).

(v) Any county that has received four (4) fire trucks under this section is eligible to submit an application for nine (9) fire trucks as follows: two (2) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Six Hundred Thirty Thousand Dollars (\$630,000.00).

(vi) Any county that has received five (5) fire trucks under this section is eligible to submit an application for eight (8) fire trucks as follows: one (1) fire truck at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Five Hundred Eighty Thousand Dollars (\$580,000.00).

(vii) Any county that has received six (6) fire trucks under this section is eligible to submit an application for seven (7) fire trucks as follows: five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Five Hundred Thirty Thousand Dollars (\$530,000.00).

(viii) Any county that has received seven (7) fire trucks under this section is eligible to submit an application for six (6) fire trucks as follows: four (4) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Four Hundred Sixty Thousand Dollars (\$460,000.00).

(ix) Any county that has received eight (8) fire trucks under this section is eligible to submit an application for five (5) fire trucks as follows: three (3) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Three Hundred Ninety Thousand Dollars (\$390,000.00).

(x) Any county that has received nine (9) fire trucks under this section is eligible to submit an application for four (4) fire trucks as follows: two (2) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Three Hundred Twenty Thousand Dollars (\$320,000.00).

(xi) Any county that has received ten (10) fire trucks under this section is eligible to submit an application for three (3) fire trucks as follows: one (1) fire truck at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00).

(xii) Any county that has received eleven (11) fire trucks under this section is eligible to submit an application for two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck.

(xiii) Any county may apply for two (2) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck as provided in subparagraph (xii), provided that the county agrees to forego any previous fire truck under subparagraphs (i) through (xi) for which the county has not previously applied, and that the county has received approval from the Rural Fire Truck Acquisition Assistance Program Committee to apply for and receive a truck under subparagraph (xii).

(b) The board of supervisors of the county shall submit its request for the receipt of monies to the Department of Insurance. A committee composed of the Commissioner of Insurance, the State Fire Coordinator, the Director of the Rating Bureau and the Director of the State Fire Academy shall review the requests by the boards of supervisors and shall determine whether the county or municipality for which the board of supervisors has requested a truck meets the requirements of eligibility under this chapter.

(c) To be eligible to receive monies under this chapter:

(i) A county or municipality must pledge to set aside or dedicate each year as matching funds, for a period not to extend over ten (10) years, local funds in an amount equal to or not less than one-tenth (1/10) of the amount of monies for which it is requesting distribution from the Rural Fire Truck Fund, which pledged monies may be derived from local ad valorem tax authorized by law or from any other funds available to the county or municipality, except for those funds received by municipalities or counties from the Municipal Fire Protection Fund or the County Volunteer Fire Department Fund, as defined in Sections 83-1-37 and 83-1-39.

(ii) A municipality must provide adequate documentation of its contract with the county that requires the municipality to provide fire protection in rural areas. The term "rural areas" means any area within the county located outside the boundaries of an incorporated municipality or any incorporated municipality with a population of two thousand five hundred (2,500) or less.

(d) The Department of Insurance shall maintain an accurate record of all monies distributed to counties and municipalities and the number of fire trucks purchased and the cost for each fire truck, such records to be kept separate from other records of the Department of Insurance; notify counties and municipalities of the Rural Fire Truck Acquisition Assistance Program and the requirements for them to become eligible to participate; adopt and promulgate such rules and regulations as may be necessary and

desirable to implement the provisions of this chapter; and file with the Legislature a report detailing how monies made available under this chapter were distributed and spent during the preceding portion of the fiscal year in each county and municipality, the number of fire trucks purchased, the counties and municipalities making such purchases, and the cost of each fire truck purchased.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTIONS 83-34-4 AND 17-23-1, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT REGARDING THE NONADMITTED POLICY FEE AND THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.

Senator Michel called up the following House Amendment to **S. B. No. 2623** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-16-1, Mississippi Code of 1972, is reenacted as follows:

63-16-1. This chapter shall be known as the "Public Safety Verification and Enforcement Act."

SECTION 2. Section 63-16-3, Mississippi Code of 1972, is reenacted as follows:

63-16-3. (1) The Department of Public Safety, hereinafter referred to in this section as "department," in cooperation with the Commissioner of Insurance and the Department of Revenue, shall establish an accessible common carrier-based motor vehicle insurance verification system to verify the compliance of a motor vehicle with motor vehicle liability policy requirements under the Mississippi Motor Vehicle Safety-Responsibility Law.

(2) The department, in cooperation with the Department of Revenue if applicable, may contract with a private vendor or vendors to establish and maintain the system.

(3) The system must:

(a) Send requests to insurers for verification of motor vehicle liability insurance using electronic services established by the insurers through the Internet, World Wide Web, or a similar proprietary or common carrier electronic system in compliance with the specifications and standards of the Insurance Industry Committee on Motor Vehicle Administration and other applicable industry standards;

(b) Include appropriate provisions to secure its data against unauthorized access and to maintain a record of all requests and responses;

(c) Be accessible, without fee, to authorized personnel of the department, the courts, law enforcement personnel, and other entities authorized by the department under the provisions of Section 63-16-7;

(d) Be able to interface with existing department systems;

(e) Be able to be accessed by authorized users via a secure web browser;

(f) Not more often than every thirty (30) days, receive insurance information from insurers under specifications and standards set forth in paragraph (a) of this subsection or other data file formats as approved by the department to identify motor vehicle insurance policy information; however, no insurer shall be required to provide information in a format other than those set forth by the Insurance Industry Committee on Motor Vehicle Administration "Insurance Data Transfer Guide," as amended;

(g) Provide a means by which low-volume insurers that are unable to deploy an online interface with the system can report insurance policy data to the department or their designee for inclusion in the system;

(h) Provide a means to track separately or distinguish motor vehicles that are subject to a certificate of insurance under Section 63-15-39 or 63-15-41, a certificate of self-insurance under Section 63-15-53, a bond under Section 63-15-49, or a certificate of deposit of money or securities under Section 63-15-51;

(i) Distinguish motor vehicles that are exempt from the provisions of this chapter;

(j) Be available twenty-four (24) hours a day, seven (7) days a week, subject to reasonable allowances for scheduled maintenance or temporary system failures, to verify the insurance status of any motor vehicle in a manner prescribed by the department; and

(k) Be installed and operational not later than March 1, 2016, followed by an appropriate testing period of not less than six (6) months.

(4) Every insurer shall cooperate with the department and the Insurance Department in establishing and maintaining the system and shall provide motor vehicle liability policy status and information to verify liability coverage for a motor vehicle insured by that company that is registered in this state.

SECTION 3. Section 63-16-5, Mississippi Code of 1972, is reenacted as follows:

63-16-5. (1) A law enforcement officer or authorized employee of a law enforcement agency may, during the course of a traffic stop or accident investigation, access the verification system established under Section 63-16-3 to verify whether a motor vehicle is covered by a valid motor vehicle liability policy in at least the minimum amounts required under Section 63-15-3(j).

(2) The response received from the system supersedes an insurance card produced by a motor vehicle operator, and notwithstanding the display of an insurance card by the operator, the law enforcement officer may issue a complaint and notice to appear to the operator for a violation of the Mississippi Motor Vehicle Safety-Responsibility Law. A law enforcement officer may exercise discretion in issuing a citation during the first sixty (60) days after proof of temporary insurance is issued by an insurance company, if the verification system shows that the insured's policy is expired and the operator provides proof of insurance with a new insurance company or a new insurance card.

(3) Except upon reasonable cause to believe that a driver has violated another traffic regulation or that the driver's motor vehicle is unsafe or not equipped as required by law, a law enforcement officer may not use the verification system to stop a driver for operating a motor vehicle in violation of this chapter.

SECTION 4. Section 63-16-7, Mississippi Code of 1972, is reenacted as follows:

63-16-7. (1) The Department of Public Safety, hereinafter referred to in this section as "department," shall administer and enforce the provisions of this chapter, as applicable, and shall make rules necessary for the administration of the motor vehicle insurance verification system created under Section 63-16-3.

(2) The rules must:

(a) Establish standards and procedures for accessing the system by authorized personnel of the department, the courts, law enforcement personnel and any other entities authorized by the department that are consistent with specifications and standards of the Insurance Industry Committee on Motor Vehicle Administration and other applicable industry standards;

(b) Provide for the suspension of a driver's license when required by this chapter;

(c) Prohibit the reinstatement of a driver's license unless the applicable fines have been paid; and

(d) Provide for insurance information from insurers, not more often than every thirty (30) days, to identify motor vehicle insurance policy information; however, no insurer shall be required to provide such information in a format other than those set forth by the Insurance Industry Committee on Motor Vehicle Administration "Insurance Data Transfer Guide," as amended.

(3) The department may adopt additional rules to:

(a) Assist authorized users in interpreting responses received from the motor vehicle insurance verification system and determining the appropriate action to be taken as a result of a response; and

(b) Otherwise clarify system operations and business rules.

SECTION 5. Section 63-16-11, Mississippi Code of 1972, is reenacted as follows:

63-16-11. (1) This chapter shall not apply to any motor vehicle that:

(a) Has commercial auto coverage;

(b) Is qualified for a fleet registration;

(c) Is part of a self-insured corporate or individual fleet registered under Section 27-19-66, or self-insured under Section 63-15-53;

(d) Is included in an insurance binder that has not been entered into the system at the time the verification system is accessed;

(e) Is exempted from the proof of insurance requirement under Section 63-15-4(1); or

(f) Has a gross vehicle weight of sixteen thousand (16,000) pounds or greater.

(2) For the purposes of this chapter, "commercial auto coverage" is defined as any coverage provided to an insured, regardless of number of vehicles or entity covered, under a commercial coverage form and rated from a commercial manual approved by the Department of Insurance. This chapter shall not apply to vehicles insured under commercial auto coverage; however, insurers of such vehicles may participate on a voluntary basis.

SECTION 6. Section 63-16-13, Mississippi Code of 1972, is reenacted as follows:

63-16-13. (1) If the operator of a motor vehicle being operated on the public roads, streets or highways of the State of Mississippi or registered in the State of Mississippi has been found failing to have motor vehicle liability insurance in at least the minimum amounts required under Section 63-15-3(j), it is a misdemeanor and, upon conviction, is punishable by a fine of One Hundred Dollars (\$100.00) and suspension of driving privilege for a period of one (1) year or until the owner of the motor vehicle shows proof of liability insurance that is in compliance with the liability limits required by Section 63-15-3(j) and has paid the fines and assessments imposed and the driver's license reinstatement fees imposed by the Department of Public Safety. A judge shall determine whether the defendant is indigent, and if a determination of indigence is made, shall authorize the reinstatement of that person's driver's license upon proof of mandatory liability insurance subject to compliance with a payment plan for any fines, assessments and/or fees. If such fines are levied in a municipal court, the funds from such fines shall be deposited in the general fund of the municipality. If such fines are levied in any of the courts of the county, the funds from such fines shall be deposited in the general fund of the county. A person convicted of a criminal offense under this subsection (1) shall not be convicted of a criminal offense under Section 63-15-4(4) arising from the same incident.

(2) (a) There is created in the State Treasury a special fund to be designated as the "Uninsured Motorist Identification Fund." The fund shall consist of monies deposited therein as provided under subsection (1) of this section and monies from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund; however, one-half (1/2) of any monies in excess of the amount needed to defray the expenses and costs of the verification system created under Section 63-16-3 remaining in the fund at the end of a fiscal year shall be transferred to a special fund created in the State Treasury for the purpose of funding a Highway Patrol Trooper School, and one-half (1/2) of any monies in excess of the amount needed to defray the expenses and costs of the verification system created under Section 63-16-3 remaining in the fund at the end of a fiscal year shall be transferred to the Mississippi Trauma Care Systems Fund created under Section 41-59-75.

(b) Monies in the Uninsured Motorist Identification Fund may be used by the Department of Public Safety, upon appropriation by the Legislature, only for the purpose of defraying expenses and costs for the motor vehicle insurance verification system created under Section 63-16-3. In addition, at any time during a fiscal year, if the Department of Public Safety determines that funds in the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund created under Section 45-2-1 are insufficient, the department may request the State Fiscal Officer to transfer funds from the Uninsured Motorist Identification Fund. The State Fiscal Officer may make an appropriate transfer if he determines that the funds in the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund are insufficient and the funds in the Uninsured Motorist Identification Fund will be sufficient for defraying the expenses and costs for the motor vehicle insurance verification system created under Section 63-16-3. Monies in the fund used for the purposes described in this paragraph (b) shall be in addition to other funds available from any other source for such purposes.

SECTION 7. Section 63-16-15, Mississippi Code of 1972, is amended as follows:

63-16-15. Sections 63-16-1 through 63-16-13 shall stand repealed from and after July 1, * * * 2025.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 63-16-1, 63-16-3, 63-16-5, 63-16-7, 63-16-11 AND 63-16-13, MISSISSIPPI CODE OF 1972, WHICH CREATE THE PUBLIC SAFETY VERIFICATION AND ENFORCEMENT ACT; TO AMEND SECTION 63-16-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

Senator Michel called up the following House Amendment to **S. B. No. 2631** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-9-351, Mississippi Code of 1972, is amended as follows:

83-9-351. (1) As used in this section:

(a) "Employee benefit plan" means any plan, fund or program established or maintained by an employer or by an employee organization, or both, to the extent that such plan, fund or program was established or is maintained for the purpose of providing for its participants or their beneficiaries, through the purchase of insurance or otherwise, medical, surgical, hospital care or other benefits.

(b) "Health insurance plan" means any health insurance policy or health benefit plan offered by a health insurer, and includes the State and School Employees Health Insurance Plan and any other public health care assistance program offered or administered by the state or any political subdivision or instrumentality of the state. The term does not include policies or plans providing coverage for specified disease or other limited benefit coverage.

(c) "Health insurer" means any health insurance company, nonprofit hospital and medical service corporation, health maintenance organization, preferred provider organization, managed care organization, pharmacy benefit manager, and, to the extent permitted under federal law, any administrator of an insured, self-insured or publicly funded health care benefit plan offered by public and private entities, and other parties that are by statute, contract, or agreement, legally responsible for payment of a claim for a health care item or service.

(d) "Telemedicine" means the delivery of health care services such as diagnosis, consultation, or treatment through the use of * * * HIPAA-compliant

telecommunications systems, including information, electronic and communication technologies, remote monitoring technologies, and store-and-forward transfers.

(2) All health insurance and employee benefit plans in this state must provide coverage for telemedicine services to the same extent that the services would be covered if they were provided through in-person consultation.

(3) A health insurance or employee benefit plan may charge a deductible, co-payment, or coinsurance for a health care service provided through telemedicine so long as it does not exceed the deductible, co-payment, or coinsurance applicable to an in-person consultation.

(4) A health insurance or employee benefit plan may limit coverage to health care providers in a telemedicine network approved by the plan.

(5) Nothing in this section shall be construed to prohibit a health insurance or employee benefit plan from providing coverage for only those services that are medically necessary, subject to the terms and conditions of the covered person's policy.

(6) In a claim for the services provided, the appropriate procedure code for the covered services shall be included with the appropriate modifier indicating interactive communication was used.

(7) The originating site is eligible to receive a facility fee, but facility fees are not payable to the distant site.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 83-9-351, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "TELEMEDICINE" FOR PROVISIONS OF LAW REGARDING COVERAGE OF TELEMEDICINE SERVICES; AND FOR RELATED PURPOSES.

Senator Whaley called up the following House Amendment to **S. B. No. 2035** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-7-37, Mississippi Code of 1972, is amended as follows:

49-7-37. (1) Any resident of this state licensed to hunt or otherwise take any legal game bird or game animal in this state by or with the use of firearms, may hunt, kill, shoot or otherwise take game animals or game birds by the use of falcons or hawks as may be prescribed by the commission and in compliance with federal guidelines.

(2) (a) The commission may extend the special archery seasons on any public hunting projects, game refuges or prescribed areas having surplus deer populations.

(b) The commission may declare a special season in any area of the state where the need to collect samples for testing for chronic wasting disease (CWD) is indicated. Special seasons for collecting CWD testing samples may be set within the open season or, if necessary, outside the open season. Lawful weapons for hunting during any special CWD sample collection season shall be consistent with the then-current open season or, if outside the open season, as directed by order of the commission.

(3) The killing by primitive firearms of an antlerless deer or any other deer protected during the regular deer season is prohibited, but the commission may designate areas of the state in which the killing of antlerless deer may be permitted or limited.

(4) The commission may make reasonable rules and regulations concerning the special seasons with falcons and hawks, bow and arrow * * *, primitive firearms, air guns, air bows and pre-charged pneumatic weapons which it deems necessary and proper. The commission shall define the terms "primitive firearm," "air gun," "air bow" and "pre-charged pneumatic weapon" for purposes of this section and other law or regulation.

(5) Air guns shall be lawful for hunting small game during the seasons for hunting small game. Air bows and pre-charged pneumatic weapons shall be lawful for hunting large game, except game birds, turkeys and migratory waterfowl. Air bows and pre-charged pneumatic weapons may be used during any open season on deer with primitive weapons after November 30, on private lands only, consistent with the requirements of Section 49-7-31(5)(a).

(* * *6) The use of dogs shall be prohibited for hunting deer during any of the special hunting seasons.

(* * *7) In addition to a hunting license allowing the taking of deer, any resident desiring to hunt deer with bow and arrow or primitive firearm during primitive weapon or archery season or special hunts established by the commission shall purchase a special resident archery and/or primitive firearms license at a fee of Fourteen Dollars (\$14.00) for each license plus the fee provided in Section 49-7-17.

(* * *8) Any person violating this section is guilty of a Class II violation and shall be punished as provided in Section 49-7-143.

(* * *9) All seasons provided for herein shall begin on Saturday.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

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

Senator Carter called up the following House Amendment to **S. B. No. 2798** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-3-2, Mississippi Code of 1972, is amended as follows:

77-3-2. (1) The Legislature finds and determines that the rates, services and operations of public utilities as defined in this title are affected with the public interest and that the availability of an adequate and reliable service by such public utilities to the people, economy and government of the State of Mississippi is a matter of public policy. The Legislature hereby declares to be the policy of the State of Mississippi:

- (a) To provide fair regulation of public utilities in the interest of the public;
- (b) To promote the inherent advantage of regulated public utilities;
- (c) To promote adequate, reliable and economical service to all citizens and residents of the state;
- (d) To provide just and reasonable rates and charges for public utility services without unjust discrimination, undue preferences or advantages, or unfair or destructive competitive practices and consistent with long-term management and conservation of energy resources by avoiding wasteful, uneconomic and inefficient uses of energy;
- (e) To encourage and promote harmony between public utilities, their users and the environment;
- (f) To foster the continued service of public utilities on a well-planned and coordinated basis that is consistent with the level of service needed for the protection of public health and safety and for the promotion of the general welfare;
- (g) To cooperate with other states and the federal government in promoting and coordinating interstate and intrastate public utility service and reliability;
- (h) To encourage the continued study and research for new and innovative rate-making procedures which will protect the state, the public, the ratepayers and the utilities, and where possible reduce the costs of the rate-making process; and
- (i) With respect to rate-regulated public utilities, to foster, encourage, enable and facilitate economic development in the State of Mississippi, * * * to support and augment economic development activities, * * * to expand deployment of existing and emerging technologies including fiber optic infrastructure and enhanced grid investments which will foster a more reliable and resilient utility delivery system and provide customer access to enhanced services, to encourage the deployment of adequate Internet services to unserved areas, to authorize and empower the Public Service Commission * * * in carrying out its statutory responsibilities, and to take every opportunity to advance the economic development of the state.

(2) To these ends, therefore, authority shall be vested in the Mississippi Public Service Commission to regulate public utilities in accordance with the provisions of this title.

(3) (a) The commission shall, in addition to its other powers and duties, be authorized and empowered, in its discretion, to consider and adopt a formula type rate of return evaluation rate which may include provision for the commission to:

(i) Periodically review and adjust, if required, the utility's level of revenues based upon the actual books and records of the utility which are periodically the subject of independent audits and regulatory audits;

(ii) Review the utility's performance in certain areas or categories which may be used by the commission in the manner selected by it which may include rate incentives or penalties so long as such are found to be fair and reasonable and result in a level of revenue which is fair and reasonable; and

(iii) Use such other provisions which may be permitted by this chapter.

(b) When a formula type rate of return evaluation rate with periodic revenue adjustments is adopted by the commission, each periodic revenue adjustment will be separately considered for the purpose of determining whether a hearing is required pursuant to Section 77-3-39(1), and no such hearing shall be required if the amount of any separate periodic adjustment to the level of revenues of the utility is not a "major change" as defined in Section 77-3-37(8).

(c) In administering any such formula type rate of return evaluation rate, the following procedures shall be observed by the commission:

(i) Each periodic evaluation shall be supported with a sworn filing by the utility incorporating the data specified in the formula rate adopted by the commission, and such data shall be verified by the commission; and

(ii) A hearing shall be required, as provided by law, to determine compliance with the formula rate plan and the accuracy of the data prior to any change in the level of revenues if the cumulative change in any calendar year exceeds the greater of Two Hundred Thousand Dollars (\$200,000.00) or four percent (4%) of the annual revenues of the utility.

(d) The requirements of paragraphs (a), (b) and (c) of this subsection and other applicable provisions of Title 77, Chapter 3, Article 1, Mississippi Code of 1972, which are observed by the commission in administering such rate, are hereby declared to be procedural but are not required to be included in the rate itself.

(4) It is the intention of the Legislature to validate, retroactively to its initial adoption by the commission, any formula type rate, including any revenue adjustments effected pursuant thereto, which has heretofore been adopted by the commission. For the purposes of the retroactive validation and the administration of any formula type rate heretofore adopted by the commission, should the provisions of Title 77, Chapter 3, Article 1, Mississippi Code of 1972, conflict with any provisions of such formula type rate, Title 77, Chapter 3, Article 1, Mississippi Code of 1972, shall be interpreted to prevail and the formula type rate shall hereafter be administered or revised to conform to Title 77, Chapter 3, Article 1, Mississippi Code of 1972; provided, however, such conflict, if any, shall not be held to invalidate the retroactive effect of this section upon such rate.

(5) The Public Service Commission is authorized and empowered to enter into contracts with federal agencies, including, but not limited to, the United States Department of Commerce, the Federal Communications Commission and the National

Telecommunications Information Agency, or state agencies, for the purposes only of providing services for the collection of data for mapping of broadband availability and related purposes. For purposes of this subsection, "state agencies" include any state agency including, but not limited to, state institutions of higher learning.

SECTION 2. Section 77-3-3, Mississippi Code of 1972, is amended as follows:

77-3-3. As used in this chapter:

(a) The term "corporation" includes a private or public corporation, a municipality, an association, a joint-stock association or a business trust.

(b) The term "person" includes a natural person, a partnership of two (2) or more persons having a joint or common interest, a cooperative, nonprofit, limited dividend or mutual association, a corporation, or any other legal entity.

(c) The term "municipality" includes any incorporated city, town or village.

(d) The term "public utility" includes persons and corporations, or their lessees, trustees and receivers now or hereafter owning or operating in this state equipment or facilities for:

(i) The generation, manufacture, transmission or distribution of electricity to or for the public for compensation;

(ii) The transmission, sale, sale for resale, or distribution of natural, artificial, or mixed natural and artificial gas to the public for compensation by means of transportation, transmission, or distribution facilities and equipment located within this state; however, the term shall not include the production and gathering of natural gas, the sale of natural gas in or within the vicinity of the field where produced, or the distribution or sale of liquefied petroleum gas or the sale to the ultimate consumer of natural gas for use as a motor vehicle fuel;

(iii) The transmission, conveyance or reception of any message over wire, of writing, signs, signals, pictures and sounds of all kinds by or for the public, where such service is offered to the public for compensation, and the furnishing, or the furnishing and maintenance, of equipment or facilities to the public, for compensation, for use as a private communications system or part thereof; however, no person or corporation not otherwise a public utility within the meaning of this chapter shall be deemed such solely because of engaging in this state in the furnishing, for private use as last aforementioned, and moreover, nothing in this chapter shall be construed to apply to television stations, radio stations, community television antenna services, video services, Voice over Internet Protocol services ("VoIP"), any wireless services including commercial mobile services, Internet protocol ("IP") - enabled services or broadband services; and

(iv) The transmission, distribution, sale or resale of water to the public for compensation, or the collection, transmission, treatment or disposal of sewage, or otherwise operating a sewage disposal service, to or for the public for compensation.

The term "public utility" shall not include any person not otherwise a public utility, who furnishes the services or commodity described in this paragraph only to himself, his employees or tenants as an incident of such employee service or tenancy, if such services are not sold or resold to such tenants or employees on a metered or consumption basis other than the submetering authorized under Section 77-3-97.

A public utility's business other than of the character defined in subparagraphs (i) through (iv) of this paragraph is not subject to the provisions of this chapter.

(e) The term "rate" means and includes every compensation, charge, fare, toll, customer deposit, rental and classification, or the formula or method by which such may be determined, or any of them, demanded, observed, charged or collected by any public utility for any service, product or commodity described in this section, offered by it to the public, and any rules, regulations, practices or contracts relating to any such compensation, charge, fare, toll, rental or classification; however, the term "rate" shall not include charges for electrical current furnished, delivered or sold by one (1) public utility to another for resale.

(f) The word "commission" shall refer to the Public Service Commission of the State of Mississippi, as now existing, unless otherwise indicated.

(g) The term "affiliated interest" or "affiliate" includes:

(i) Any person or corporation owning or holding, directly or indirectly, twenty-five percent (25%) or more of the voting securities of a public utility;

(ii) Any person or corporation in any chain of successive ownership of twenty-five percent (25%) or more of the voting securities of a public utility;

(iii) Any corporation of which fifteen percent (15%) or more of the voting securities is owned or controlled, directly or indirectly, by a public utility;

(iv) Any corporation twenty-five percent (25%) or more of the voting securities of which is owned or controlled, directly or indirectly, by any person or corporation that owns or controls, directly or indirectly, twenty-five percent (25%) or more of the voting securities of any public utility or by any person or corporation in any chain of successive ownership of twenty-five percent (25%) of such securities;

(v) Any person who is an officer or director of a public utility or of any corporation in any chain of successive ownership of fifteen percent (15%) or more of voting securities of a public utility; or

(vi) Any person or corporation that the commission, after notice and hearing, determines actually exercises any substantial influence or control over the policies and actions of a public utility, or over which a public utility exercises such control, or that is under a common control with a public utility, such control being the possession, directly or indirectly, of the power to direct or cause the discretion of the management and policies of another, whether such power is established through ownership of voting securities or by any other direct or indirect means.

However, the term "affiliated interest" or "affiliate" shall not include a joint agency organized pursuant to Section 77-5-701 et seq. nor a member municipality thereof.

(h) The term "facilities" includes all the plant and equipment of a public utility, used or useful in furnishing public utility service, including all real and personal property without limitation, and any and all means and instrumentalities in any manner owned, operated, leased, licensed, used, controlled, furnished or supplied for, by or in connection with its public utility business.

(i) The term "cost of service" includes operating expenses, taxes, depreciation, net revenue and operating revenue requirement at a claimed rate of return from public utility operations.

(j) The term "lead-lag study" includes an analysis to determine the amount of capital which investors in a public utility, the rates of which are subject to regulation under the provisions of this chapter, must provide to meet the day-to-day operating costs of the public utility prior to the time such costs are recovered from customers, and the

measurement of (i) the lag in collecting from the customer the cost of providing service, and (ii) the lag in paying the cost of providing service by the public utility.

(k) The term "broadband services" means any service that consists of or includes a high-speed access capability to transmit at a rate that is not less than two hundred (200) kilobits per second either in the upstream or downstream direction and either:

(i) Is used to provide access to the Internet, or

(ii) Provides computer processing, information storage, information content or protocol conversion, including any service applications or information service provided over such high-speed access service.

(l) The term "video services" means video programming services without regard to delivery technology, including Internet protocol technology ("Internet protocol television or IPTV") and video programming provided as a part of a service that enables users to access content, information, email or other services offered over the public Internet. The term "video programming" means any programming as defined in 47 USCS Section 522(20).

(m) The term "Voice over Internet Protocol services" or "VoIP services" means any service that: (i) enables real-time, two-way voice communications that originate from or terminate to the user's location in Internet protocol or any successor protocol; (ii) uses a broadband connection from the user's location; and (iii) permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

(n) The term "commercial mobile services" means any services as defined in 47 USCS Section 332(d).

(o) The term "Internet protocol-enabled services" or "IP-enabled services" means any service, capability, functionality, or application provided using Internet protocol, or any successor protocol, that enables an end user to send or receive a communication in Internet protocol format, or any successor format, regardless of whether the communications is voice, data or video.

(p) "Broadband service provider" means an entity that provides broadband services to others on a wholesale basis or to end-use customers on a retail basis.

(q) "Broadband operator" means a broadband service provider that uses the electric delivery system of any rate-regulated public utility of the type as defined in paragraph (d)(i) of this section with the rate-regulated utility's consent to provide broadband services.

(r) "Electric delivery system" means the poles, lines, fiber, cables, broadband system, materials, equipment, easements and other facilities or properties used by any rate-regulated public utility of the type as defined in paragraph (d)(i) of this section to deliver or facilitate the delivery, sale or use of electric energy.

(s) The term "enhanced grid investments" means investments in technologies and services that support and improve the operational performance, service reliability, resiliency and security of the electric delivery system.

(t) The term "unserved area" means an area lacking access to adequate Internet service.

Nothing contained in this paragraph shall apply to retail services that are tariffed by the commission.

SECTION 3. Section 77-3-44, Mississippi Code of 1972, is amended as follows:

77-3-44. (1) Any rate-regulated electric or natural gas public utility with certificated service area in Mississippi may undertake economic development activities, whether directly or indirectly, including activities such as providing capital, or investment in or acquisition and development of business or industrial sites and the necessary infrastructure or services needed to attract new or existing businesses or industry, to create or maintain employment opportunities, or expansion of fiber optic infrastructure and enhanced grid investments, including those which provide customer access to modern enhanced services, or otherwise to positively impact or in some manner promote the sale of electric energy or natural gas within its certificated service area. Any facilities developed, constructed or acquired in support of the activities described in this section, including fiber optic infrastructure and enhanced grid investments, including those which provide customer access to modern enhanced services, for which a certificate of public convenience and necessity or other commission approval has been granted after July 1, 2015, as well as any capital investment in natural gas reserves made directly or indirectly by an electric or natural gas public utility to foster long-term stability in the cost of fuel, may be deemed used and useful in the provision of electric or natural gas service regardless of whether or not any end-use customers are taking service from said facilities or investment and otherwise recoverable through the utility's rates.

(2) (a) Notwithstanding the foregoing, to further expand fiber optic infrastructure in the state, any rate-regulated public utility of the type as defined in Section 77-3-3(d)(i) may grant permission to broadband operators or broadband service providers to use the electric delivery system, including the fiber optic infrastructure and enhanced grid investments of the rate-regulated public utility to provide broadband services or other similar services as defined in Section 77-3-3(k) through (o), including to extend adequate Internet services to unserved areas, subject to the competitive safeguards in Section 4 of this act. The rate-regulated public utility shall not allow the use of its electric delivery system by a broadband operator to provide broadband services to diminish the reliability of the electric delivery system.

(b) To further expand fiber optic infrastructure and economic development in the state, any public utility, including electric cooperatives, of the type as defined in Section 77-3-3(d)(i), may grant permission to a retail customer with a nonaggregated load greater than twenty (20) megawatts to construct, install or maintain above or underground fiber optic infrastructure on the public utility's existing right-of-way of its electric delivery system.

(c) In instances where a landowner has previously been compensated for the use of his land through a right-of-way instrument with a rate-regulated public utility, the use of the rate-regulated public utility's electric delivery system for the provision of broadband services to a broadband operator or broadband service provider or use of the rate-regulated public utility's existing right-of-way on its electric delivery system by a retail customer to construct, install, or maintain above or underground fiber optic infrastructure shall not be considered an additional burden on the real property upon which the rate-regulated public utility's electric delivery system is located and shall not require the broadband operator, broadband service provider or retail customer to obtain the consent of anyone having an interest in the real property upon which the rate-regulated public utility's electric delivery system is located. If a portion of a rate-regulated public utility's electric delivery system is used by a broadband operator, broadband service provider or retail customer for the provision of broadband services to construct, install, or maintain above or underground fiber optic infrastructure and the landowner of the real property on which such portion is located believes his property has been damaged by such use, the landowner may petition the circuit court of the county in which the property is situated for any damages to which the landowner may be entitled under this subsection.

(i) The petition allowed and damages recoverable under this subsection shall be the landowner's exclusive remedy, and the landowner shall not be entitled to assert any other theory, claims or causes of action nor recover any other damages, punitive damages, costs, attorneys' fees, or other relief.

(ii) The recoverable damages, if any, shall be recoverable only from the broadband operator or retail customer and not from the rate-regulated electric public utility.

(iii) The damages recoverable shall be an amount equal to the difference between 1. the fair market value of the landowner's interest in the real property immediately before the rate-regulated electric public utility's electric delivery system on the owner's property was first used by the broadband operator, broadband service provider or retail customer for the provision of broadband services, and 2. the fair market value of the landowner's interest in the real property immediately after the rate-regulated electric public utility's electric delivery system on the landowner's property was first used by the broadband operator or retail customer for the provision of broadband services. The before and after values must be established by the testimony of a qualified real estate appraiser. The damages, if any, shall be fixed and shall not be deemed to continue, accumulate or accrue. The court shall, as part of its judgment, vest the rights granted by the rate-regulated public utility to the broadband operator or retail customer and his respective successors and assigns for the placement or use of a broadband system on or as part of the electric delivery system. The judgment will have the same effect of a conveyance executed in due form of law and shall run with the land; and a certified copy of said judgment may be filed by the broadband operator or retail customer in the land records of the county in which the subject property is located.

(iv) Evidence of past, current or future revenues or profits derived or to be derived by a broadband operator or retail customer from providing broadband services is not admissible for any purpose in any such proceeding.

(v) The landowner shall not be entitled to any damages or other relief relating to any broadband system or portion thereof or any fiber optic infrastructure by the retail customer that is located on the landowner's property and which is used by the rate-regulated electric public utility for its own operations.

(vi) The landowner shall not be entitled to any relief or damages if an easement has been granted to the broadband operator or retail customer if the landowner has authorized the rate-regulated electric public utility to use or allow others to use its electric delivery system for the provision of broadband services, or if the landowner has authorized the rate-regulated electric public utility to use its existing right-of-way to construct, install, or maintain above or underground fiber optic infrastructure.

(d) The total revenue collected by a rate-regulated public utility, derived from leasing their fiber optic infrastructure and enhanced grid investments and associated use of the rate-regulated public utility's right-of-way, shall all be credited back to the electric service customers annually in a method determined by the Public Service Commission.

(3) Nothing in this section shall affect, abrogate or eliminate in any way any obligation of a rate-regulated public utility or broadband operator to comply with any applicable safety and permitting requirements of any railroad company or any state governmental body or agency with respect to property that is held or controlled by such railroad company or state governmental body or agency, as the case may be, and in, on, over or across which an easement is located.

(4) Except for subsection (2)(b) of this section, nothing in this act shall be interpreted to affect the provisions of Sections 77-17-1 through 77-17-15, also known as the Mississippi Broadband Enabling Act.

SECTION 4. (1) To the extent a rate-regulated electric public utility grants permission to any broadband operator or broadband service provider to use any part of the utility's electric delivery system, including, without limitation, its fiber optic infrastructure and enhanced grid investments, it must grant such permission, on a first-come first-served basis, to all other broadband operators and broadband service providers on a nondiscriminatory basis.

(2) A rate-regulated electric public utility shall not offer or condition the provision of electric services, nor shall the rate-regulated electric public utility offer more favorable rates, terms or conditions for electric services, based on a customer decision to purchase broadband services from any broadband provider or broadband operator.

(3) The Public Service Commission shall enforce subsection (2) of this section. Before a rate-regulated electric public utility can grant permission to any broadband operator or broadband service provider to use any part of the utility's electric delivery system, including without limitation its fiber optic infrastructure and enhanced grid investments, the Public Service Commission must have approved such infrastructure and investments.

SECTION 5. Section 5 through 8 of this act shall be known and may be cited as the Mississippi Broadband Accessibility Act.

SECTION 6. The Legislature finds that the availability of high-speed broadband services, with the preference of speeds of twenty-five (25) megabits per second of download speed and three (3) megabits per second of upload speed or greater, in unserved rural Mississippi is important for economic development, education, health care, and emergency services in Mississippi, and that grants and other incentives set forth in Sections 5 through 8 of this act will further those objectives by encouraging new investment in broadband infrastructure.

SECTION 7. For the purposes of Sections 5 through 8 of this act, the following words shall have the following meanings unless the context clearly indicates otherwise:

(a) "End user" means a residential, business, institutional, or government entity that uses broadband services for its own purposes and does not resell such broadband services to other entities. An Internet service provider (ISP) and mobile wireless service provider are not an end-user for the purposes of Sections 5 through 8 of this act.

(b) "Middle mile project" means a broadband infrastructure project that does not provide broadband service to end-users or to end-user devices.

(c) "Minimum service threshold" means a connection to the Internet that provides capacity for transmission at an average speed per customer of at least twenty-five (25) megabits (Mbps) per second downstream and at least three (3) megabits (Mbps) per second upstream.

(d) "Rural area" means any area within this state not included within the boundaries of any incorporated city or town having a population in excess of twenty-five thousand (25,000) inhabitants, according to the latest federal decennial census.

(e) "Unserved area" means any rural area in which there is not at least one provider of terrestrial broadband service that is either: (i) offering a connection to the Internet meeting the minimum service threshold; or (ii) is required, under the terms of the Federal Universal Service Fund or other federal or state grant, to provide a connection to the Internet at speeds meeting the minimum service threshold by March 28, 2023.

SECTION 8. (1) The Director of Mississippi Public Utilities Staff shall establish and administer the broadband accessibility grant program for the purpose of promoting the deployment and adoption of broadband Internet access services to unserved areas. By August 1, 2021, the director shall adopt rules and policies to administer the program and begin to accept applications for grants, and shall adopt such rules as may be necessary to meet the future needs of the grant program.

(2) The program shall be administered pursuant to policies developed by the Public Utilities Staff in compliance with Sections 5 through 8 of this act. The policies shall provide for the awarding of grants to nongovernmental entities that are cooperatives, corporations, limited liability companies, partnerships, or other private business entities that provide broadband services. Nothing in Sections 5 through 8 of this act shall expand the authority under state law of any entity to provide broadband service.

(3) There is hereby created the Mississippi Broadband Accessibility Fund as a special fund in the State Treasury. The fund is subject to appropriations by the Legislature and gifts, grants, and other donations received by the Public Utilities Staff for the broadband accessibility grant program or fund. The Public Utilities Staff may not spend appropriations for the program for purposes other than those listed in this section. Any monies appropriated to the Public Utilities Staff for broadband grants that are unspent at the end of a fiscal year shall be carried over for use by the program in the next fiscal year. The Public Utilities Staff shall develop rules ensuring that expenses incurred to administer the program must not exceed the lesser of seven percent (7%) of the total amount appropriated for the program in any fiscal year or Seven Hundred Fifty Thousand Dollars (\$750,000.00). Monies in the fund shall be invested by the State Treasurer for the sole benefit of the fund.

(4) (a) Individual grants awarded by the Public Utilities Staff under this section may only be awarded for projects in unserved areas, and may not exceed the lesser of:

(i) Thirty-five percent (35%) of the project costs; or

(ii) One Million Five Hundred Thousand Dollars (\$1,500,000.00) for projects that will be capable of transmitting broadband signals at or above the minimum service threshold.

(b) The Public Utilities Staff shall ensure that not less than forty percent (40%) of funds appropriated for grants be utilized in unincorporated areas of the state.

(c) Subject to the limitations in this subsection (4), grants shall be awarded pursuant to the service criteria developed by the Public Utilities Staff, with priority given to projects that meet any of the following:

(i) Seek to leverage grant funds through private investment and extension of existing infrastructure;

(ii) Serve locations with demonstrated community support, including, but not limited to, documented support from local government;

(iii) Demonstrate the operator's technical and managerial capabilities to complete the project within two (2) years of the grant;

(iv) Demonstrate the applicants' necessary financial resources;

(v) Are most cost effective and technically efficient in that they propose to serve the highest number of unserved homes, businesses and community anchor points for the least cost and best level of service, emphasizing projects including the highest broadband speeds;

(vi) Provide material broadband enhancement to hospitals located in rural areas; and

(vii) Support local libraries in this state for the purpose of assisting the libraries in offering digital literacy training pursuant to state library and archive guidelines.

(d) For the purposes of awarding grants, the Public Utilities Staff shall take into consideration the average pole attachment rates that a grant applicant charges to an unaffiliated entity, provided that this paragraph (d) shall not apply to a public utility.

(e) In order to promote the deployment of grant funds in an inclusive manner that is consistent with the racial, gender, geographic, urban, rural, and economic diversity of the state, the Public Utilities Staff may give additional consideration to an applicant that provides documentation that it has been certified as a Disadvantaged Business Enterprise. For projects funded under Sections 5 through 8 of this act, the Public Utilities Staff shall encourage grant applicants to use vendors and subcontractors that have been certified as Disadvantaged Business Enterprises.

(5) For each fiscal year in which grant funds are available, the Public Utilities Staff shall accept applications within a 90-day grant window that it shall establish. Applications for eligible projects will be evaluated according to a scoring system developed by the Public Utilities Staff that incorporates the priorities listed in this section, with grant awards published within ninety (90) days after expiration of the filing window. Grant applications shall be published by the Public Utilities Staff on the Internet at the end of the filing window, and existing service providers shall have thirty (30) business days from the date of publication to file objections to the eligibility of a proposed project. The Public Utilities Staff shall address any objections within thirty (30) days of submission and shall make any appropriate changes to grant awards based on a finding of ineligibility resulting from such protest. Subject to such protest procedure, grants issued by the Public Utilities Staff shall be conditioned upon compliance with the terms of the grant but shall not otherwise be revocable. Providers' grants shall be paid within thirty (30) days upon the Public Utilities Staff receiving written certification of the completion of the project and evidence of compliance with the terms of the grant as prescribed by the Public Utilities Staff.

(6) Grants shall be conditioned on project completion within two (2) years of awarding of the grant. If a recipient fails to complete a project within the two-year deadline due to reasons other than delay caused by a government entity, the Public Utilities Staff may revoke the grant in its entirety and rededicate the funds to a new recipient.

(7) The Public Utilities Staff shall condition the release of any grant funds awarded under Sections 5 through 8 of this act on both of the following:

(a) The progressive completion, as measured on not more than a quarterly basis, of the approved project.

(b) Operational testing, when possible, to confirm the level of service proposed in the grant application. Such regulations shall not exceed in degree or differ in kind from testing and reporting requirements imposed on the grant recipient by the Federal Communications Commission, as adjusted for the service specifications in the Public Utilities Staff grant agreement.

(8) Notwithstanding any other provision of this section, eligible projects shall include any of the following:

(a) Projects to serve unserved areas in which the grant applicant is either or both: (i) an existing or future service provider which has or will receive support through federal universal service funding programs designed specifically to encourage broadband deployment in an area without broadband access; or (ii) an existing or future service

provider which has or will receive other forms of federal or state financial support or assistance, such as a grant or loan from the United States Department of Agriculture; provided, however, that any award of state funds under this section, when combined with other forms of state or federal support or assistance dedicated to the project, other than interest-bearing loans, may not exceed sixty percent (60%) of the total project costs. Nothing in this section shall prohibit a grant applicant who has not previously received any federal or state funds, grants or loans for broadband deployment from applying for and receiving grant funds under this section.

(b) Middle mile projects, where the applicant demonstrates that the project will connect other service providers eligible for grants under this section with broadband infrastructure further upstream in order to enable the providers to offer broadband service to end-users; provided that eligible projects under this paragraph (b) may include projects in an unserved area or a rural area that does not meet the definition of an unserved area but otherwise meets the requirements of this section, for which the grant applicant demonstrates, by specific evidence, the need for greater broadband speeds, capacity, or service which is not being offered by an existing service provider.

(c) Projects to provide broadband service to a specific hospital, public school, public safety, or economic development site in a rural area that does not meet the definition of an unserved area but otherwise meets the requirements of this section, for which the grant applicant demonstrates, by specific evidence, the need for greater broadband speeds, capacity, or service which is not being offered by an existing service provider.

(d) Grants issued under paragraphs (b) and (c) of this subsection (8) shall not exceed forty percent (40%) of the total funds appropriated for grants on an annual basis.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE FOR CERTAIN PARTICIPATION OF RATE-REGULATED ELECTRIC UTILITIES IN THE EXPANSION OF BROADBAND SERVICES IN THE STATE OF MISSISSIPPI; TO AMEND SECTION 77-3-2, MISSISSIPPI CODE OF 1972, TO DECLARE THE POLICY OF THIS STATE TO SUPPORT EXPANSION OF EXISTING AND EMERGING TECHNOLOGIES TO FOSTER RELIABLE AND RESILIENT SERVICE AND CUSTOMER ACCESS TO ENHANCED SERVICES; TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO INCLUDE DEFINITIONS OF "BROADBAND SERVICE PROVIDER," "BROADBAND OPERATOR," "ELECTRIC DELIVERY SYSTEM" AND "ENHANCED GRID INVESTMENTS"; TO AMEND SECTION 77-3-44, MISSISSIPPI CODE OF 1972, TO INCLUDE FIBER OPTIC INFRASTRUCTURE AND ENHANCED GRID INVESTMENTS AS AN ECONOMIC DEVELOPMENT ACTIVITY IN WHICH CERTAIN UTILITIES ARE AUTHORIZED TO UNDERTAKE, AND TO AUTHORIZE RATE-REGULATED ELECTRIC UTILITIES TO GRANT PERMISSION TO BROADBAND OPERATORS OR BROADBAND SERVICE PROVIDERS TO USE THE ELECTRIC DELIVERY SYSTEM; TO CREATE A NEW SECTION TO PROVIDE COMPETITIVE SAFEGUARDS WHEN A RATE-REGULATED ELECTRIC UTILITY GRANTS PERMISSION TO A BROADBAND OPERATOR OR BROADBAND SERVICE PROVIDER TO USE ANY PART OF THE UTILITY'S ELECTRIC DELIVERY SYSTEM; TO CREATE THE MISSISSIPPI BROADBAND ACCESSIBILITY ACT; TO PROVIDE LEGISLATIVE FINDINGS; TO PROVIDE DEFINITIONS FOR THE ACT; TO REQUIRE THE DIRECTOR OF MISSISSIPPI PUBLIC UTILITIES STAFF TO ESTABLISH AND ADMINISTER THE BROADBAND ACCESSIBILITY GRANT PROGRAM FOR THE PURPOSE OF PROMOTING THE DEPLOYMENT AND ADOPTION OF BROADBAND

INTERNET ACCESS SERVICES TO UNSERVED AREAS; TO PROVIDE THAT THE PROGRAM SHALL BE ADMINISTERED PURSUANT TO POLICIES DEVELOPED BY THE PUBLIC UTILITIES STAFF, SUBJECT TO THE REQUIREMENTS OF THE ACT, WHICH SHALL PROVIDE FOR THE AWARDED OF GRANTS TO NONGOVERNMENTAL ENTITIES THAT ARE COOPERATIVES, CORPORATIONS, LIMITED LIABILITY COMPANIES, PARTNERSHIPS, OR OTHER PRIVATE BUSINESS ENTITIES THAT PROVIDE BROADBAND SERVICES; AND FOR RELATED PURPOSES.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Louise Wieck Carron and John Alexander Starks, Sr. of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Brian Leslie Ross and Claude "Buddy" Smith of Wiggins, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Sharon R. Witkowski of Hattiesburg, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Rose M. Johnson Patterson and Mrs. Sandra Powell of Natchez, MS.

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

Senator Witherspoon moved that when the Senate adjourns, it adjourn in memory of Monesha Burton of McComb, MS.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2076: AN ACT TO REENACT SECTIONS 69-5-1, 69-5-3, 69-5-7, 69-5-8, 69-5-11, 69-5-13, 69-5-15, 69-5-27, 69-5-29 AND 69-5-31, MISSISSIPPI CODE OF 1972, WHICH ABOLISH THE STATE FAIR COMMISSION AND TRANSFER ITS FUNCTIONS AND RESPONSIBILITIES TO THE DEPARTMENT OF AGRICULTURE AND COMMERCE; TO AMEND REENACTED SECTION 69-5-1, MISSISSIPPI CODE OF 1972, TO ADD AN ADDITIONAL MEMBER TO THE MISSISSIPPI FAIR ADVISORY COUNCIL; TO REPEAL SECTION 69-5-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THOSE SECTIONS OF LAW; AND FOR RELATED PURPOSES.

S. B. No. 2124: AN ACT TO AMEND SECTION 71-5-11, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "UNEMPLOYMENT" TO EXCLUDE INDIVIDUALS RECEIVING VOLUNTARY PAYMENTS FROM EMPLOYERS IF THOSE PAYMENTS EQUAL THEIR REGULAR SALARY AND INDIVIDUALS ON ADMINISTRATIVE LEAVE; TO AMEND THE DEFINITION OF "WAGES" TO INCLUDE PAYMENTS FROM EMPLOYERS THAT ARE IN LIEU OF THE EMPLOYEE'S

REGULAR WAGES; TO AMEND SECTION 71-5-365, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT SECURITY TO DESIGNATE A DEPARTMENT EMPLOYEE TO DETERMINE WHETHER AN EMPLOYER REPORT ON CONTRIBUTIONS DUE IS INCORRECT OR INSUFFICIENT, MAKE AN ASSESSMENT ON BEST INFORMATION AVAILABLE, ASSESS THE CONTRIBUTIONS DUE, AND ASSESS A PENALTY IF ONE IS NEEDED FOR NONCOMPLIANT EMPLOYERS; TO AMEND SECTION 71-5-363, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT SECURITY TO ABATE INTEREST ACCRUED ON PAST-DUE CONTRIBUTIONS OR OVERPAYMENTS WHEN NEGOTIATING THE SETTLEMENTS OF SUCH PAST-DUE AMOUNTS; TO AMEND SECTION 71-5-389, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT TAX OFFSETS ARE FROM BOTH THE MISSISSIPPI DEPARTMENT OF REVENUE AND THE UNITED STATES DEPARTMENT OF TREASURY; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A PERSON WHO ACQUIRES A BUSINESS SOLELY TO OBTAIN A LOWER RATE OF UNEMPLOYMENT INSURANCE CONTRIBUTIONS SHALL HAVE A 2% INCREASE IN THE TAX RATE; AND FOR RELATED PURPOSES.

S. B. No. 2149: AN ACT TO AMEND SECTION 37-151-103, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO HOLD SCHOOL DISTRICTS HARMLESS WHEN CALCULATING AVERAGE DAILY ATTENDANCE FOR THE 2020-2021 SCHOLASTIC YEAR; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL USE EACH SCHOOL DISTRICT'S AVERAGE DAILY ATTENDANCE FOR THE 2019-2020 SCHOLASTIC YEAR IN PLACE OF THE SCHOOL DISTRICT'S AVERAGE DAILY ATTENDANCE FOR THE 2020-2021 SCHOLASTIC YEAR IF IT IS GREATER THAN THE SCHOOL DISTRICT'S AVERAGE DAILY ATTENDANCE FOR THE 2020-2021 SCHOLASTIC YEAR FOR THE PURPOSE OF CALCULATING FUNDING UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

S. B. No. 2165: AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN QUALIFICATIONS AND REQUIREMENTS FOR VETERANS SERVICE OFFICERS AND TO REQUIRE THE COUNTIES TO PROVIDE NECESSARY OFFICE SPACE AND CONNECTIVITY; AND FOR RELATED PURPOSES.

S. B. No. 2189: AN ACT TO AMEND SECTION 25-15-103, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY COUNTY OR MUNICIPALITY TO OFFER ANY MEDICARE-ELIGIBLE EMPLOYEE SUPPLEMENTAL COMPENSATION IF THE EMPLOYEE CHOOSES TO SECURE MEDICARE COVERAGE IN LIEU OF PARTICIPATING IN ANY COUNTY OR MUNICIPAL MEDICAL OR HEALTH INSURANCE PROGRAM; AND FOR RELATED PURPOSES.

S. B. No. 2253: AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO PROVIDE THE OPTION OF INCLUDING A CONCEALED CARRY WEAPONS PERMIT AS A NOTATION ON A DRIVER'S LICENSE OR IDENTIFICATION CARD; TO PROVIDE THAT THE EXPIRATION DATE SHALL BE THE SAME AS THAT OF THE DRIVER'S LICENSE OR IDENTIFICATION CARD; TO GRANT THE COMMISSIONER OF PUBLIC SAFETY THE AUTHORITY TO PROMULGATE RULES AND REGULATIONS WHICH MAY BE NECESSARY TO ENSURE THE EFFECTIVENESS OF THE CONCURRENT APPLICATION AND RENEWAL PROCESSES; AND FOR RELATED PURPOSES.

S. B. No. 2332: AN ACT TO REENACT AND AMEND SECTION 83-1-191, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE DEVELOPMENT AND IMPLEMENTATION OF THE COMPREHENSIVE HURRICANE DAMAGE MITIGATION PROGRAM; AND FOR RELATED PURPOSES.

S. B. No. 2336: AN ACT TO AMEND SECTION 25-15-409, MISSISSIPPI CODE OF 1972, TO REVISE THE DATE BY WHICH THE STATE, MUNICIPALITY, COUNTY OR FIRE PROTECTION DISTRICT MUST SHOW PROOF OF INSURANCE COVERAGE THAT MEETS THE REQUIREMENTS OF THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT; TO AMEND SECTION 7, CHAPTER 467, LAWS OF 2019, AS AMENDED BY SECTION 2, CHAPTER 471, LAWS OF 2020, TO REVISE THE EFFECTIVE DATE OF THE MISSISSIPPI FIRST RESPONDERS HEALTH AND SAFETY ACT; AND FOR RELATED PURPOSES.

S. B. No. 2603: AN ACT TO AMEND SECTION 83-11-551, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INSURER TO DIRECT AN AUCTION FIRM OR AUTOMOTIVE DISMANTLER TO RELEASE A VEHICLE TO THE VEHICLE'S OWNER OR LIENHOLDER WHEN THE INSURER DOES NOT TAKE OWNERSHIP OF THE VEHICLE; TO REQUIRE NOTICE TO THE OWNER AND LIENHOLDER THAT THE VEHICLE IS AVAILABLE FOR PICK UP; TO PROVIDE FOR A LIEN-FREE SALVAGE CERTIFICATE OF TITLE OR A PARTS-ONLY CERTIFICATE OF TITLE TO AN AUCTION FIRM OR AUTOMOTIVE DISMANTLER IF THE OWNER OR LIENHOLDER DOES NOT PICK UP THE VEHICLE WITHIN A CERTAIN NUMBER OF DAYS; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2605: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF MUNICIPALITIES TO ALLOW THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE MUNICIPALITY; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE OR TEMPORARY DRIVER'S PERMIT AND PROOF OF FINANCIAL RESPONSIBILITY; TO REQUIRE CERTAIN REGISTRATION OF GOLF CARTS AND LOW-SPEED VEHICLES; TO AMEND SECTIONS 27-19-3, 27-51-5 AND 63-17-155, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

S. B. No. 2630: AN ACT TO AMEND SECTION 19-7-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTY LAW LIBRARIES TO USE COLLECTED FUNDS FOR TECHNOLOGICAL PURPOSES, INCLUDING, BUT NOT LIMITED TO, ONLINE SUBSCRIPTION SERVICES AND ELECTRONIC RECORDS; AND FOR RELATED PURPOSES.

S. B. No. 2643: AN ACT TO AMEND SECTION 27-43-3, MISSISSIPPI CODE OF 1972, TO REVISE THE SERVICE OF NOTICE OF A TAX SALE TO INCLUDE SERVICE BY A CONSTABLE; TO BRING FORWARD SECTION 27-45-5, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

S. B. No. 2648: AN ACT TO AMEND SECTION 53-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE OIL AND GAS BOARD, INSTEAD OF THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY, SHALL HAVE JURISDICTION AND AUTHORITY TO ENFORCE THE PROVISIONS OF THE MISSISSIPPI GEOLOGIC SEQUESTRATION OF CARBON DIOXIDE ACT; TO PROVIDE THAT THE BOARD SHALL SERVE AS THE PERMITTING AGENCY FOR CLASS VI UNDERGROUND INJECTION CONTROL WELLS AND IS AUTHORIZED TO

PROMULGATE SUCH RULES AND REGULATIONS AS ARE NECESSARY FOR THE DEVELOPMENT AND ADMINISTRATION OF THE CLASS VI UNDERGROUND INJECTION CONTROL WELL PROGRAM; TO AMEND SECTIONS 53-11-5, 53-11-7 AND 53-11-23, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2785: AN ACT TO AMEND SECTION 63-1-7, MISSISSIPPI CODE OF 1972, TO EXEMPT THE REQUIREMENTS OF DRIVER'S EXAMINATION AND LICENSURE FROM ACTIVE OR RESERVE DUTY MILITARY MEMBERS, THEIR SPOUSES AND DEPENDENT CHILDREN WHO ARE LICENSED AS DRIVERS UNDER A LAW REQUIRING THE LICENSING OF DRIVERS IN THEIR HOME STATE AND WHO HAVE IN THEIR IMMEDIATE POSSESSION A VALID DRIVER'S LICENSE ISSUED IN THEIR HOME STATE; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. C. R. No. 521: A CONCURRENT RESOLUTION RECOGNIZING THE INDUCTION OF MULTIPLE GRAMMY AWARD-WINNING COUNTRY MUSIC SINGER-SONGWRITER MARTY STUART INTO THE COUNTRY MUSIC HALL OF FAME.

S. C. R. No. 528: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING OLE MISS AND PGA TOUR GOLF ICON RANDY WATKINS UPON HIS INDUCTION INTO THE MISSISSIPPI SPORTS HALL OF FAME AND MUSEUM.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 9: AN ACT TO RENAME THE MISSISSIPPI LAW ENFORCEMENT OFFICERS' TRAINING ACADEMY FIRING RANGE IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "LIEUTENANT COLONEL PAT CRONIN FIRING RANGE"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY, TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE MISSISSIPPI LAW ENFORCEMENT OFFICERS' TRAINING ACADEMY FIRING RANGE DISPLAYING THE OFFICIAL NAME AS THE "LIEUTENANT COLONEL PAT CRONIN FIRING RANGE"; AND FOR RELATED PURPOSES.

H. B. No. 135: AN ACT TO REENACT SECTIONS 37-159-1, 37-159-5, 37-159-7, 37-159-9, 37-159-11, 37-159-13 AND 37-159-17, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998 AND INCLUDE THE UNIVERSITY ASSISTED TEACHER RECRUITMENT AND RETENTION GRANT PROGRAM, THE MISSISSIPPI EMPLOYER-ASSISTED HOUSING TEACHER PROGRAM, AND A PILOT PROGRAM TO PROVIDE FOR THE CONSTRUCTION OF RENTAL HOUSING FOR TEACHERS IN WEST TALLAHATCHIE SCHOOL DISTRICT; TO AMEND REENACTED SECTIONS 37-159-1 AND 37-159-7, MISSISSIPPI CODE OF 1972, TO MAKE NONSUBSTANTIVE REVISIONS TO OUTDATED STATUTORY LANGUAGE; TO AMEND SECTION 37-159-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CRITICAL TEACHER SHORTAGE ACT OF 1998; AND FOR RELATED PURPOSES.

H. B. No. 189: AN ACT TO AMEND SECTION 35-1-43, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD TO MOVE THE MISSISSIPPI PERSIAN GULF WAR MEMORIAL FROM THE VETERANS MEMORIAL CEMETERY IN NEWTON, MISSISSIPPI, TO ANOTHER APPROPRIATE LOCATION; AND FOR RELATED PURPOSES.

H. B. No. 286: AN ACT TO AUTHORIZE CEMETERY OWNERS TO DISINTER DEAD HUMAN REMAINS FOR REINTERMENT OR FOR TRANSPORTATION FROM THE CEMETERY PURSUANT TO WRITTEN INSTRUCTIONS OF THE NEXT OF KIN, OR PURSUANT TO A FINAL ORDER OF THE CHANCERY COURT IN THE COUNTY IN WHICH THE CEMETERY IS LOCATED, OR IN ORDER TO CORRECT AN ERROR MADE IN THE ORIGINAL INTERMENT OF THE REMAINS UPON NOTICE; TO PROVIDE IMMUNITY FROM LIABILITY FOR OWNERS OF CEMETERIES AND FUNERAL ESTABLISHMENTS AND THEIR EMPLOYEES, OFFICERS AND DIRECTORS FOR CLAIMS ARISING FROM THE DISINTERMENT AND REINTERMENT OR DELIVERY OF DEAD HUMAN REMAINS MADE IN ACCORDANCE WITH THIS ACT; TO AMEND SECTIONS 41-37-25 AND 41-39-117, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS.

H. B. No. 487: AN ACT TO REPEAL SECTIONS 37-55-1, 37-55-3 AND 37-55-5, MISSISSIPPI CODE OF 1972, WHICH RESPECTIVELY ESTABLISH COUNTY LIBRARY COMMISSIONS AND THE REQUIRED ANNUAL LIBRARY REPORT TO BE INCLUDED WITH THE ANNUAL COUNTY SCHOOL REPORT, PROVIDE FOR GRANTS OF AID TO SCHOOL LIBRARIES FROM SCHOOL FUNDS AND AUTHORIZE COUNTY BOARDS OF SUPERVISORS TO APPROPRIATE AMOUNTS NOT TO EXCEED \$300.00 PER YEAR TO THE SUPPORT OF PUBLIC LIBRARIES; AND FOR RELATED PURPOSES.

H. B. No. 499: AN ACT TO AMEND SECTION 57-105-1, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL JANUARY 1, 2024, THE DATE AFTER WHICH THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL NOT ALLOCATE INCOME TAX AND INSURANCE PREMIUM TAX CREDITS FOR TAXPAYERS HOLDING CERTAIN QUALIFIED EQUITY INVESTMENTS; AND FOR RELATED PURPOSES.

H. B. No. 516: AN ACT TO AMEND SECTION 27-3-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SAME PAY INCREASES FOR DEPARTMENT OF REVENUE APPRAISERS UPON ATTAINMENT OF CERTAIN STATE CERTIFICATIONS AS AUTHORIZED FOR COUNTY TAX ASSESSORS AND THEIR DEPUTIES AND ASSISTANTS; AND FOR RELATED PURPOSES.

H. B. No. 519: AN ACT TO AMEND SECTION 27-19-31, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT FOR APPORTIONED VEHICLES TO HAVE A DECAL SPECIFYING THE MONTH AND YEAR OF EXPIRATION ATTACHED TO THE LICENSE TAG; AND FOR RELATED PURPOSES.

H. B. No. 632: AN ACT TO ESTABLISH THE "ALL FUELS ACT OF 2021"; TO PROVIDE THAT NO POLITICAL SUBDIVISION MAY PROHIBIT THE EXPANSION, CONNECTION OR RECONNECTION OF A SERVICE BASED UPON THE TYPE OR SOURCE OF ENERGY PROVIDED TO A CUSTOMER; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 955: AN ACT TO ESTABLISH A PROCEDURE FOR THE DISPOSITION OF ABANDONED MANUFACTURED OR MOBILE HOMES AND ASSOCIATED PERSONAL PROPERTY; TO PROVIDE DEFINITIONS; TO PROVIDE FOR A COMPLAINT FOR DISPOSITION OF ABANDONED MANUFACTURED OR MOBILE HOMES; TO PROVIDE FOR THE ENTRY OF AN ORDER BY THE COURT NAMING A COMMISSIONER TO HANDLE THE DISPOSITION AND SETTING THE DATE AND TIME OF THE SALE; TO PROVIDE FOR ADVERTISEMENT AND PROCEDURES FOR THE SALE; TO PROVIDE FOR PAYMENT OF DEBT AND EXERCISE OF POSSESSION; TO PROVIDE FOR DISBURSEMENT OF BID AMOUNT BY THE COMMISSIONER; TO PROVIDE FOR ENTRY OF A FINAL ORDER AND SUBMISSION OF THE BILL OF SALE TO THE MISSISSIPPI DEPARTMENT OF REVENUE; TO PROVIDE THAT THIS PROCEEDING IS A GOOD FAITH DEFENSE OF THE OWNER OF REAL PROPERTY TO CLAIMS OF WRONGFUL SALE; TO AMEND SECTION 19-3-85, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

H. B. No. 1034: AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE ISOTONITAZENE, FLUALPRAZOLAM, FLUBROMAZEPAM, FLUBROMAZOLAM AND CLONAZOLAM TO SCHEDULE I BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972, TO REVISE THE CHEMICAL NAME OF THIAFENTANIL; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE BREXANOLONE AND SOLRIAMFETOL AS SCHEDULE IV CONTROLLED SUBSTANCES BECAUSE THE FEDERAL DRUG ADMINISTRATION RECENTLY APPROVED THESE DRUGS FOR MEDICAL USE; AND FOR RELATED PURPOSES.

H. B. No. 1177: AN ACT TO AMEND SECTION 1-5-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE OFFICE OF THE SECRETARY OF STATE SHALL NOT PROVIDE COPIES OF THE GENERAL LAWS, JOURNALS AND LOCAL AND PRIVATE LAWS OF EACH SESSION OF THE LEGISLATURE FOR LEGISLATIVE COMMITTEE MEETING ROOMS IN THE NEW CAPITOL UNLESS SPECIFICALLY REQUESTED IN WRITING BY THE CLERK OF THE HOUSE OR THE SECRETARY OF THE SENATE FOR THE COMMITTEE ROOMS OF THEIR RESPECTIVE HOUSE; TO PROVIDE THAT ANY OTHER RECIPIENT OF THE GENERAL LAWS AND JOURNALS LISTED IN THIS SECTION MAY WAIVE THE RECEIPT OF THE GENERAL LAWS, JOURNALS OR BOTH BY WRITTEN REQUEST TO THE OFFICE OF THE SECRETARY OF STATE; TO DELETE THE AUTHORITY FOR THE LEGISLATIVE SERVICES OFFICES OF THE HOUSE AND SENATE TO RECEIVE ADDITIONAL COPIES OF THE GENERAL LAWS, JOURNALS AND LOCAL AND PRIVATE LAWS; TO PROVIDE THAT COPIES OF THE GENERAL LAWS, JOURNALS AND LOCAL AND PRIVATE LAWS SHALL BE PROVIDED TO THE LEGISLATIVE PEER COMMITTEE; TO CREATE NEW SECTION 23-17-42, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE

TO INSERT INTO THE CONSTITUTION PROPOSED CHANGES, ALTERATIONS OR AMENDMENTS PROPOSED TO THE CONSTITUTION BY INITIATIVE OF THE PEOPLE OR LEGISLATIVE ALTERNATIVE IN THE SAME WAY THAT THE SECRETARY OF STATE INSERTS INTO THE CONSTITUTION PROPOSED CHANGES, ALTERATIONS OR AMENDMENTS PROPOSED TO THE CONSTITUTION THAT ARE PASSED BY THE LEGISLATURE; AND FOR RELATED PURPOSES.

H. B. No. 1213: AN ACT TO AMEND SECTION 25-9-127, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH STATE AGENCY THAT IS GRANTED AN EXEMPTION FROM THE STATE PERSONNEL BOARD RULES, REGULATIONS AND PROCEDURES TO SUBMIT A COPY OF ITS ANNUAL REPORT TO THE STATE PERSONNEL BOARD, PEER COMMITTEE AND LEGISLATIVE BUDGET OFFICE; TO REQUIRE THE REPORT TO INCLUDE QUANTIFIABLE MEASURES SHOWING THAT THE EXEMPTION HAS HELPED THE AGENCY PERFORM MORE EFFICIENTLY OR EFFECTIVELY; AND FOR RELATED PURPOSES.

H. B. No. 1284: AN ACT TO AMEND SECTIONS 27-19-99 AND 27-19-155, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT OF THE MOTOR VEHICLE REGISTRATION AND TAG FEES RECEIVED BY THE DEPARTMENT OF REVENUE, THE PORTION OF THE RECEIPTS EQUAL TO THE COST OF LICENSE TAGS, DECALS AND ASSOCIATED FREIGHT COSTS SHALL BE DEPOSITED INTO THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND; TO AMEND SECTION 27-19-179, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES IN THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND MAY BE USED BY THE DEPARTMENT OF REVENUE FOR THE PURPOSE OF PAYING THE COSTS INCURRED FOR PURCHASING LICENSE TAGS AND DECALS AND ASSOCIATED FREIGHT COSTS; TO PROVIDE THAT ALL UNEXPENDED AMOUNTS REMAINING IN THE FUND ABOVE THE SUM OF \$500,000.00 AT THE END OF EACH FISCAL YEAR SHALL LAPSE INTO THE STATE GENERAL FUND; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT THE DEPARTMENT OF REVENUE LICENSE TAG FORMATIONS BE FUNDED BY APPROPRIATION OF THE LEGISLATURE FROM THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 1018: AN ACT TO NAME THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY'S GULF COAST REGIONAL FORENSICS LABORATORY, LOCATED IN BILOXI, HARRISON COUNTY, MISSISSIPPI, THE "GARY T. HARGROVE MEMORIAL FORENSICS LABORATORY"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDING DISPLAYING THE OFFICIAL NAME AS THE "GARY T. HARGROVE MEMORIAL FORENSICS LABORATORY"; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

SENATE JOURNAL
FRIDAY, MARCH 12, 2021

Senator Blackwell moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 2:00 PM, Monday, March 15, 2021.

The motion prevailed, and at 9:32 AM, the Senate stood in recess.

MESSAGE FROM THE GOVERNOR
March 11, 2021

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

Roderick Clarence (Rod) Givens, MD, Natchez, Mississippi, State Board of Medical Licensure to represent the Second Supreme Court District, unexpired term beginning immediately and ending June 30, 2026.

Oliver Steven (Steve) Bosarge, Pascagoula, Mississippi, Mississippi Advisory Commission on Marine Resources as the Commercial Fisherman representative, four year term effective immediately and ending June 30, 2024.

Tate Reeves
GOVERNOR

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

Roderick Clarence (Rod) Givens, MD, State Board of Medical Licensure to represent the Second Supreme Court District, unexpired term beginning immediately and ending June 30, 2026, Public Health and Welfare.

Oliver Steven (Steve) Bosarge, Mississippi Advisory Commission on Marine Resources as the Commercial Fisherman representative, four year term effective immediately and ending June 30, 2024, Ports and Marine Resources.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2481: AN ACT TO AMEND SECTION 9, CHAPTER 450, LAWS OF 2020, TO REVISE THE DESIGNATION OF A SEGMENT OF MISSISSIPPI HIGHWAY 42 IN GREENE COUNTY, MISSISSIPPI, AS THE "DEPUTY U.S. MARSHAL JAKE GREEN AND GREENE COUNTY DEPUTY LAWRENCE DUNNAM MEMORIAL HIGHWAY, EOW APRIL 1, 1921"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 389 IN CHICKASAW COUNTY, MISSISSIPPI, AS THE "JIMMY PORTER MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 49 IN HATTIESBURG, FORREST COUNTY, MISSISSIPPI, AS THE "CLYDE KENNARD MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 489 IN NEWTON COUNTY, MISSISSIPPI, AS THE "JASON BOYD MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 82 IN LEFLORE COUNTY, MISSISSIPPI, AS THE "DEPUTY MELVIN P. 'BUSTER' BROWN, JR., MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

S. B. No. 2626: AN ACT TO AMEND SECTIONS 79-4-7.01, 79-4-7.02 AND 79-4-7.05, MISSISSIPPI CODE OF 1972, UNDER THE MISSISSIPPI BUSINESS CORPORATION ACT, TO ALLOW CORPORATIONS TO HOLD ANNUAL OR SPECIAL SHAREHOLDER MEETINGS REMOTELY; AND FOR RELATED PURPOSES.

S. B. No. 2788: AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROHIBITION ON THE MISSISSIPPI HIGHWAY SAFETY PATROL SETTING UP RADAR ON HIGHWAYS IN MUNICIPALITIES WITH A POPULATION ABOVE 15,000; TO PROVIDE THAT THE MISSISSIPPI HIGHWAY SAFETY PATROL SHALL BE IMMEDIATELY NOTIFIED BY MUNICIPAL LAW ENFORCEMENT OF ANY ROAD BLOCKAGES OR EMERGENCIES OCCURRING ON ANY FEDERALLY DESIGNATED LIMITED-ACCESS HIGHWAYS LYING WITHIN THE CORPORATE LIMITS; AND FOR RELATED PURPOSES.

S. C. R. No. 529: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING OLE MISS LINEMAN TERRENCE METCALF UPON HIS INDUCTION INTO THE 2021 CLASS OF THE MISSISSIPPI SPORTS HALL OF FAME AND MUSEUM.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 8: AN ACT TO AMEND SECTION 1, CHAPTER 456, LAWS OF 2014, WHICH AUTHORIZED THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER, WITH THE APPROVAL OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO LEASE A CERTAIN PORTION OF ITS PROPERTY THAT IS LOCATED IN THE CITY OF JACKSON, MISSISSIPPI, FOR A TERM OF NO MORE THAN 40 YEARS, TO REVISE THE LEASING AUTHORITY BY REMOVING THE REQUIREMENTS THAT SUCH REAL PROPERTY SHALL CONSIST OF MIXED-USED DEVELOPMENT IMPROVEMENT AND THE MINIMUM SQUARE FOOTAGE OF DESIGNATED STREET-LEVEL OFFICE SPACE; AND FOR RELATED PURPOSES.

H. B. No. 72: AN ACT TO AMEND SECTION 73-25-38, MISSISSIPPI CODE OF 1972, TO INCLUDE DENTISTS IN THE STATUTE THAT PROVIDES IMMUNITY FROM LIABILITY FOR CERTAIN HEALTH CARE PROVIDERS WHO PROVIDE CHARITABLE HEALTH SERVICES OR PROVIDE HEALTH SERVICES WITHOUT CHARGE WHILE ASSISTING WITH EMERGENCY MANAGEMENT OR OPERATIONS IN AN EMERGENCY; AND FOR RELATED PURPOSES.

H. B. No. 74: AN ACT TO REENACT SECTIONS 19-5-303, 19-5-313, 19-5-319, 19-5-331, 19-5-333, 19-5-335, 19-5-337, 19-5-339, 19-5-341, 19-5-353, 19-5-357, 19-5-359 AND 19-5-361, MISSISSIPPI CODE OF 1972, WHICH REGULATE 911 AND E911 EMERGENCY TELECOMMUNICATIONS SERVICES AND REQUIRE THE COLLECTION OF SERVICE CHARGES; TO AMEND SECTION 19-5-371, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE REENACTED SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 100: AN ACT TO AMEND SECTION 77-3-721, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATUTE THAT REQUIRES ALL USER FEES AND CHARGES COLLECTED UNDER THE MISSISSIPPI TELEPHONE SOLICITATION ACT TO BE DEPOSITED INTO THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

H. B. No. 357: AN ACT TO AMEND SECTION 31-7-124, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$75,000.00 TO \$100,000.00 THE AMOUNT OF BOND THAT IS REQUIRED FOR COUNTY PURCHASE CLERKS; AND FOR RELATED PURPOSES.

H. B. No. 488: AN ACT TO AMEND SECTION 39-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PUBLIC LIBRARIES TO ACCEPT CREDIT CARDS, DEBIT CARDS AND OTHER FORMS OF ELECTRONIC PAYMENT; TO BRING FORWARD SECTION 39-3-369, MISSISSIPPI CODE OF 1972, WHICH RELATES TO DISCLOSING INFORMATION AND COLLECTING FINES FOR OVERDUE ITEMS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 886: AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO EXEMPT LAW ENFORCEMENT OFFICERS WHO ARE EMPLOYED WITH A LAW ENFORCEMENT AGENCY OF A MUNICIPALITY, COUNTY OR STATE AT THE TIME OF APPLICATION FOR A CONCEALED CARRY PERMIT FROM PERMITTING FEES AND RENEWAL FEES; AND FOR RELATED PURPOSES.

H. B. No. 1137: AN ACT TO AMEND SECTION 27-35-50, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING USE OF AN INCOME CAPITALIZATION APPROACH AS A CRITERIA FOR THE CALCULATION OF TRUE VALUE FOR LAND USED FOR AGRICULTURAL PURPOSES; TO PROVIDE THAT GOVERNMENT PAYMENTS AND CROP INSURANCE INDEMNITIES SHALL NOT BE INCLUDED IN DETERMINING THE TRUE VALUE OF LAND USED FOR AGRICULTURAL PURPOSES AND THAT A CHARGE FOR CROP MANAGEMENT EQUAL TO TWENTY-FIVE PERCENT OF THE SUM OF A CROP'S ESTIMATED VARIABLE COST, MACHINERY OWNERSHIP COST, AND GENERAL FARM OVERHEAD COST, SHALL BE DEDUCTED IN DETERMINING THE TRUE VALUE OF SUCH LAND; TO PROVIDE THAT THE FACT THAT LAND IS LEASED FOR HUNTING OR FISHING PURPOSES SHALL NOT PRECLUDE THE LAND FROM BEING DEEMED TO BE USED FOR AGRICULTURAL PURPOSES; TO PROVIDE THAT INCOME DERIVED FROM A HUNTING OR FISHING LEASE MAY BE USED IN COMBINATION WITH OTHER RELEVANT CRITERIA TO DETERMINE THE TRUE VALUE OF LAND; AND FOR RELATED PURPOSES.

H. B. No. 1288: AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO CREATE A CHARTER VESSEL OPERATOR'S PERMIT TO AUTHORIZE THE HOLDER THEREOF TO SELL AND SERVE ALCOHOL TO THE PASSENGERS OF A CHARTER VESSEL OPERATOR; TO DEFINE A CHARTER VESSEL OPERATOR AS A COMMON CARRIER THAT IS CERTIFIED TO CARRY AT LEAST 49 PASSENGERS, OPERATES ONLY IN THE WATERS WITHIN THE STATE OF MISSISSIPPI, WHICH LIE SOUTH OF INTERSTATE-10 IN THE THREE (3) MOST SOUTHERN COUNTIES IN THE STATE OF MISSISSIPPI, EXTENDING NOT FURTHER THAN ONE (1) MILE SOUTH OF SUCH COUNTIES, AND PROVIDES VESSEL SERVICES FOR TOURS AND CRUISES IN SUCH WATERS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

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

MESSAGE FROM THE HOUSE

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

H. B. No. 1479: AN ACT TO AMEND CHAPTER 916, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 910, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE FROM JULY 1, 2021, TO JULY 1, 2023, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF MCCOMB, MISSISSIPPI, TO IMPOSE A TOURISM TAX WITHIN THE CITY, AND TO EXPEND THE PROCEEDS OF THE TAX TO PROMOTE TOURISM, PARKS AND RECREATION; AND FOR RELATED PURPOSES.

H. B. No. 1480: AN ACT TO AMEND CHAPTER 947, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 950, LOCAL AND PRIVATE LAWS OF 2012, AS AMENDED BY CHAPTER 920, LOCAL AND PRIVATE LAWS OF 2013, TO EXPAND THE BOUNDARIES OF THE MARSHALL UTILITY SERVICES SEWER DISTRICT; AND FOR RELATED PURPOSES.

H. B. No. 1481: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF SHANNON, MISSISSIPPI, TO EXPAND THE TOWN'S NATURAL GAS DISTRIBUTION SYSTEM; AND FOR RELATED PURPOSES.

H. B. No. 1482: AN ACT TO AMEND CHAPTER 931, LOCAL AND PRIVATE LAWS OF 2003, AS LAST AMENDED BY CHAPTER 928, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE FROM JULY 1, 2021, TO JULY 1, 2025, ON THE LAW THAT CREATES THE INDIANOLA TOURISM COMMISSION, PROVIDES FOR THE COMPOSITION OF THE COMMISSION, PRESCRIBES THE POWERS AND DUTIES OF THE COMMISSION AND AUTHORIZES THE GOVERNING AUTHORITIES TO LEVY A TAX TO FUND THE COMMISSION; AND FOR RELATED PURPOSES.

H. B. No. 1483: AN ACT TO AMEND CHAPTER 913, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF SENATOBIA, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS; AND FOR RELATED PURPOSES.

H. B. No. 1487: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO EXECUTE AN AGREEMENT WITH THE VICKSBURG WARREN COUNTY ECONOMIC DEVELOPMENT FOUNDATION TO MAKE CONTRIBUTIONS TO THE VICKSBURG WARREN ECONOMIC DEVELOPMENT FOUNDATION FOR THE BENEFIT OF THE THAD COCHRAN MISSISSIPPI CENTER FOR INNOVATION AND TECHNOLOGY PROJECT; AND FOR RELATED PURPOSES.

H. B. No. 1490: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF COAHOMA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO TRI-COUNTY WORKFORCE ALLIANCE; AND FOR RELATED PURPOSES.

H. B. No. 1491: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF COAHOMA COUNTY, MISSISSIPPI, TO CONTRIBUTE ANNUALLY TO THE FAMILY AND YOUTH OPPORTUNITIES DIVISION, A NONPROFIT CORPORATION; AND FOR RELATED PURPOSES.

H. B. No. 1493: AN ACT TO AMEND CHAPTER 814, LOCAL AND PRIVATE LAWS OF 1990, AS AMENDED BY CHAPTER 935, LOCAL AND PRIVATE LAWS OF 1996, TO REMOVE THE AUTHORITY OF THE CIVIL SERVICE COMMISSION FOR

THE SHERIFF'S DEPARTMENT TO MAKE RULES PERTAINING TO THE MANNER OF CONDUCTING EXAMINATIONS, APPOINTMENTS, PROMOTIONS, TRANSFERS AND REINSTATEMENTS FOR THE DEPARTMENT; TO REMOVE THE AUTHORITY OF THE COMMISSION TO FORMULATE METHODS OF DETERMINING QUALIFICATIONS FOR THOSE SEEKING EMPLOYMENT WITH THE SHERIFF'S DEPARTMENT; AND FOR RELATED PURPOSES.

H. B. No. 1495: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY, MISSISSIPPI, TO LEASE TO THE CITY OF CHARLESTON, MISSISSIPPI, A CERTAIN WATER WELL; TO PROVIDE THAT SUCH LEASE MAY BE ENTERED INTO FOR A PERIOD OF UP TO 25 YEARS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 277: AN ACT TO CREATE NEW SECTION 1-3-42, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS DESCRIBING PHOTO IDENTIFICATION THAT ARE LEGAL IN THIS STATE; TO CREATE NEW SECTION 97-7-77, MISSISSIPPI CODE OF 1972, TO CREATE THE CRIME OF COUNTERFEITING, FRAUD OR MISREPRESENTATION IN RELATION TO A TRIBAL IDENTIFICATION CARD; TO AMEND SECTION 27-115-73, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF AGE TO BUY A LOTTERY TICKET; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY FOR A CONCEALED CARRY LICENSE; TO AMEND SECTION 49-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY TO OBTAIN A HUNTING OR FISHING LICENSE; TO AMEND SECTION 63-21-39, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY REQUIRED FOR SCRAP SALES; TO AMEND SECTION 67-3-69, MISSISSIPPI CODE OF 1972, TO REVISE PROOF OF IDENTITY FOR PURCHASE OF ALCOHOL; TO AMEND SECTION 75-9-503, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY IN UCC FILING STATEMENTS; TO AMEND SECTION 75-24-29, MISSISSIPPI CODE OF 1972, TO CONFORM THE PERSONALLY IDENTIFYING INFORMATION THAT CAN BE COMPROMISED IN A SECURITY BREACH; TO AMEND SECTION 75-67-305, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY FOR PAWNSHOP TRANSACTIONS; TO AMEND SECTION 75-95-5, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY REQUIRED FOR PRECIOUS ITEM RESALE; TO AMEND SECTION 93-1-5, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF AGE REQUIRED TO OBTAIN A MARRIAGE LICENSE; TO AMEND SECTION 93-29-13, MISSISSIPPI CODE OF 1972, TO CONFORM FACTORS TO DETERMINE RISK OF ABDUCTION; TO AMEND SECTION 97-17-71, MISSISSIPPI CODE OF 1972, TO CONFORM PROOF OF IDENTITY REQUIRED FOR SCRAP SALES; TO AMEND SECTION 97-45-1, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF PERSONAL INFORMATION IN THE CONTEXT OF CERTAIN COMPUTER CRIMES; TO AMEND SECTION 45-35-13, MISSISSIPPI CODE OF 1972, DEALING WITH FRAUDULENT NONDRIVER IDENTIFICATION CARDS, TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; AND FOR RELATED PURPOSES.

H. B. No. 341: AN ACT TO PROHIBIT THE CONSIDERATION OF THE DEPLOYMENT OF MOTOR CARRIER SAFETY IMPROVEMENTS IN DETERMINING AN INDIVIDUAL'S EMPLOYMENT STATUS WITH A MOTOR CARRIER; AND FOR RELATED PURPOSES.

H. B. No. 429: AN ACT TO AMEND SECTION 93-19-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PERSONS EIGHTEEN YEARS OF AGE OR OLDER TO ENTER INTO BINDING CONTRACTUAL RELATIONSHIPS FOR THE PURPOSE OF INVESTING IN MUTUAL FUNDS; TO BRING FORWARD SECTION 1-3-27, MISSISSIPPI CODE OF 1972, WHICH DEFINES THE TERM "MINOR", FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 1-3-41, MISSISSIPPI CODE OF 1972, WHICH DEFINES THE TERM "PERSONAL PROPERTY", FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 872: AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 61 LOCATED IN JEFFERSON COUNTY, MISSISSIPPI, AS THE "HIGHWAY PATROL LIEUTENANT TROY MORRIS MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1062: AN ACT TO PROVIDE THAT DAYLIGHT SAVING TIME SHALL BE THE YEAR-ROUND STANDARD TIME OF THE STATE OF MISSISSIPPI IF FEDERAL LAW IS AMENDED TO AUTHORIZE STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR-ROUND; AND FOR RELATED PURPOSES.

H. B. No. 1075: AN ACT TO REENACT SECTIONS 75-67-601 THROUGH 75-67-637, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI CREDIT AVAILABILITY ACT; TO REENACT SECTION 75-67-403, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS USED UNDER THE MISSISSIPPI TITLE PLEDGE ACT; TO REENACT SECTION 75-67-505, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES LICENSING REQUIREMENTS FOR CHECK CASHERS UNDER THE MISSISSIPPI CHECK CASHERS ACT; TO AMEND SECTION 75-67-639, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI CREDIT AVAILABILITY ACT TO 2026; TO REMOVE THE REPEALER ON THOSE REENACTED SECTIONS UNDER THE MISSISSIPPI TITLE PLEDGE ACT AND THE MISSISSIPPI CHECK CASHERS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1230: AN ACT TO AMEND SECTIONS 57-1-16, 57-1-221 AND 57-93-1, MISSISSIPPI CODE OF 1972, TO ALLOW BUSINESSES LOCATED ON TRIBAL LANDS WITHIN THE GEOGRAPHICAL BOUNDARY OF MISSISSIPPI TO BE ELIGIBLE FOR MISSISSIPPI DEVELOPMENT AUTHORITY DISCRETIONARY PROGRAMS THROUGH THE ACE FUND, THE INDUSTRY INCENTIVE FINANCING REVOLVING FUND AND THE EXISTING INDUSTRY PRODUCTIVITY LOAN FUND; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

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

H. B. No. 1437: Town of Byhalia; authorize transfer of certain funds for infrastructure improvements. Local and Private.

H. B. No. 1453: City of Booneville; extend date of repeal on city's hotel, motel and restaurant tax. Local and Private.

H. B. No. 1465: Town of Mize; authorize a tax on restaurants to promote tourism, parks and recreation. Local and Private; Finance.

H. B. No. 1466: Oxford Municipal Reserve and Trust Fund; make technical correction concerning certain internal reference within. Local and Private.

H. B. No. 1479: City of McComb; extend date of repeal on hotel/motel tourism tax. Local and Private.

H. B. No. 1480: Marshall County; expand boundaries of Marshall Utility Services Sewer District. Local and Private.

H. B. No. 1481: Town of Shannon; authorize expansion of its gas distribution system. Local and Private.

H. B. No. 1482: City of Indianola; extend repeal date on tourism commission and hotel, motel and restaurant tax. Local and Private.

H. B. No. 1483: City of Senatobia; extend repeal date on hotel/motel tourism tax. Local and Private.

H. B. No. 1487: City of Vicksburg; authorize to execute certain agreement to make contributions to Vicksburg Warren Economic Development Foundation. Local and Private.

H. B. No. 1490: Coahoma County; authorize contributions to Tri-County Workforce Alliance. Local and Private.

H. B. No. 1491: Coahoma County; authorize contributions to the Family and Youth Opportunities, Inc. Local and Private.

H. B. No. 1493: Jackson County; revise duties of civil service commission for sheriff's department relating to certain personnel matters. Local and Private.

H. B. No. 1495: Tallahatchie County; authorize leasing of certain water well to City of Charleston. Local and Private.

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 512: AN ACT TO AMEND SECTION 67-1-31, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE POWERS AND DUTIES OF THE AGENTS AND INSPECTORS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE, TO DELETE THE PROVISION THAT PROVIDES THAT NOTHING IN THAT SECTION SHALL BE CONSTRUED AS GRANTING AGENTS AND INSPECTORS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE GENERAL POLICE POWERS; AND FOR RELATED PURPOSES.

H. B. No. 576: AN ACT TO AMEND SECTION 65-37-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BRIDGES MUST BE DEFICIENT AS DETERMINED BY THE NATIONAL BRIDGE INSPECTION STANDARDS TO BE ELIGIBLE UNDER THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION PROGRAM; TO AMEND SECTION 65-37-3, MISSISSIPPI CODE OF 1972, TO REVISE AND CREATE CERTAIN DEFINITIONS RELATED TO THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION PROGRAM; TO REVISE THE ALLOCATION FORMULA FOR THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND; TO AMEND SECTIONS 65-37-7, 65-37-11 AND 65-37-15, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 945: AN ACT TO AMEND SECTION 67-3-7, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF QUALIFIED ELECTORS OF A COUNTY REQUIRED FOR A PETITION TO HAVE AN ELECTION TO PROHIBIT OR AUTHORIZE THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, RECEIPT OR MANUFACTURE OF BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT IN A COUNTY; TO AMEND SECTION 67-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF QUALIFIED ELECTORS OF A MUNICIPALITY REQUIRED FOR A PETITION TO HAVE AN ELECTION TO PROHIBIT OR AUTHORIZE THE TRANSPORTATION, STORAGE, SALE, DISTRIBUTION, RECEIPT OR MANUFACTURE OF BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT IN CERTAIN MUNICIPALITIES; AND FOR RELATED PURPOSES.

H. B. No. 995: AN ACT TO DESIGNATE A SEGMENT OF INTERSTATE HIGHWAY 269 LOCATED IN MARSHALL COUNTY, MISSISSIPPI, AS THE "REPRESENTATIVE TOMMY WOODS MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1195: AN ACT TO CREATE NEW SECTION 63-3-1315, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REGULATION OF ELECTRIC BICYCLES; TO AMEND SECTIONS 17-17-403, 21-37-3, 27-19-3, 27-51-5, 63-3-103, 63-15-3, 63-17-55, 63-17-155, 63-19-3, 63-21-5 AND 63-31-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 1326: AN ACT TO AMEND SECTION 3-7-1, MISSISSIPPI CODE OF 1972, RELATING TO THE COMPACT FOR A BALANCED BUDGET TO REVISE THE MEMBERSHIP OF DELEGATES TO THE CONVENTION TO DECIDE ISSUES ON BEHALF OF THIS MEMBER STATE AND TO EXTEND THE SUNSET PROVISION OF THE COMPACT; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Louise Wieck Carron, John Alexander Starks, Sr., Brian Leslie Ross, Claude "Buddy" Smith, Sharon R. Witkowski, Rose M. Johnson Patterson, Mrs. Sandra Powell, Oscar Bunch and Monesha Burton.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, MARCH 12, 2021

S. B. No. 3085: Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF MERIDIAN, MISSISSIPPI, TO COLLECT OR LEVY AN OCCUPANCY TAX OF \$5.75 PER NIGHT FOR EACH OCCUPIED HOTEL OR MOTEL ROOM, FOR THE PURPOSES OF PROVIDING FUNDS FOR THE DEVELOPMENT OF A SPORTS COMPLEX, INCLUDING, BUT NOT LIMITED TO, PURCHASING PROPERTY, EQUIPPING, CONSTRUCTING, OPERATING AND FURNISHING THE COMPLEX, ENTERING INTO A BINDING LEASE AGREEMENT, MANAGEMENT CONTRACT OR OTHER SUCH AGREEMENT, AND CONSTRUCTING, DEVELOPING, EXTENDING AND IMPLEMENTING INFRASTRUCTURE IMPROVEMENTS, AND/OR PAYING THE PRINCIPAL OF AND INTEREST ON BONDS ISSUED UNDER THIS ACT; TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY TO ISSUE BONDS FOR

THE SAME PURPOSES; TO ESTABLISH THE MERIDIAN-LAUDERDALE SPORTS COMMISSION TO FACILITATE THE DEVELOPMENT AND MANAGEMENT OF THE SPORTS COMPLEX; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 3086: Local and Private

AN ACT TO AMEND CHAPTER 991, LOCAL AND PRIVATE LAWS OF 1997, AS LAST AMENDED BY CHAPTER 911, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE DATE OF REPEAL TO OCTOBER 1, 2023, ON THE LAW THAT ESTABLISHES THE LAUDERDALE COUNTY TOURISM COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Tate

S. B. No. 3087: Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CENTRAL MISSISSIPPI PREVENTION SERVICES, INC.; VICKSBURG FAMILY DEVELOPMENT SERVICE, INC.; TRIUMPH MINISTRIES, INC.; WOMEN'S RESTORATION SHELTER OF MOUNTAIN OF FAITH MINISTRIES; GOOD SHEPHERD, INC.; AND WE CARE COMMUNITY SERVICES, INC.; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

S. B. No. 3088: Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BALDWIN, MISSISSIPPI, TO EXPAND AND OPERATE ITS NATURAL GAS DISTRIBUTION SYSTEM WITHIN A CERTAIN AREA OUTSIDE THE CORPORATE LIMITS IN ORDER TO PROVIDE GAS SERVICE TO UNDERSERVED AREAS OF TIPPACH COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Parks

S. B. No. 3089: Local and Private

AN ACT TO EXEMPT CERTAIN TRACTS OF LAND IN PANOLA COUNTY, MISSISSIPPI, FROM THE REQUIREMENTS OF THE MISSISSIPPI INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEM LAW CONTAINED IN SECTIONS 41-67-5 THROUGH 41-67-7, MISSISSIPPI CODE OF 1972, PROVIDED THE TRACTS ARE AT LEAST 1-1/2 ACRES AND MEET CERTAIN OTHER CONDITIONS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Jackson (11th)

SEVENTIETH DAY, MONDAY, MARCH 15, 2021

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

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

Present--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Absent--Barrett, Fillingane, McMahan, Parks. Total--4.

The Secretary announced a quorum present.

Leave of absence was granted to Senators Barrett, McMahan and Fillingane.

The invocation was delivered by Senator Tate, written by Rev. John Wesley Leek, Pastor, Enterprise United Methodist Church, Enterprise, MS and Concord United Methodist Church, Enterprise, MS.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

MESSAGE FROM THE GOVERNOR
March 12, 2021

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

Franklin Keith Davis, DVM, Hattiesburg, Mississippi, Mississippi Board of Veterinary Medicine representing the Second Supreme Court District, five year term beginning May 23, 2021 and ending May 22, 2026.

Thomas Kevin (Kevin) Smith, DVM, Carriere, Mississippi, Mississippi Board of Veterinary Medicine representing the Second Supreme Court District, term effective immediately and ending May 22, 2025.

Stuart G. Denman, Jr., DVM, Charleston, Mississippi, Mississippi Board of Veterinary Medicine representing the Third Supreme Court District, term effective immediately and ending April 22, 2024.

Jillian James Foster, Pharm.D., Olive Branch, Mississippi, State Board of Pharmacy to represent the First Congressional District as it existed on July 1, 2001, designated as Post 1, five year term beginning July 1, 2021 and ending June 30, 2026.

Ryan Charles Harper, Pharm.D., Pelahatchie, Mississippi, State Board of Pharmacy to represent the Third Congressional District as it existed on July 1, 2001, designated as Post 3, five year term beginning July 1, 2021 and ending June 30, 2026.

Donald Everett (Don) Hinton, Jr., Hattiesburg, Mississippi, Mississippi Charter School Authorizer Board to represent the Second Supreme Court District, unexpired balance of the three year term ending August 31, 2023.

Mark Charles Baker, Sr., Brandon, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired balance of the three year term ending August 31, 2023.

Tate Reeves
GOVERNOR

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

Franklin Keith Davis, DVM, Mississippi Board of Veterinary Medicine, five year term beginning May 23, 2021 and ending May 22, 2026, Agriculture.

Thomas Kevin (Kevin) Smith, DVM, Mississippi Board of Veterinary Medicine, term effective immediately and ending May 22, 2025, Agriculture.

Stuart G. Denman, Jr., DVM, Mississippi Board of Veterinary Medicine, term effective immediately and ending April 22, 2024, Agriculture.

Jillian James Foster, Pharm.D., State Board of Pharmacy to represent the First Congressional District as it existed on July 1, 2001, designated as Post 1, five year term beginning July 1, 2021 and ending June 30, 2026, Public Health and Welfare.

Ryan Charles Harper, Pharm.D., State Board of Pharmacy to represent the Third Congressional District as it existed on July 1, 2001, designated as Post 3, five year term beginning July 1, 2021 and ending June 30, 2026, Public Health and Welfare.

Donald Everett (Don) Hinton, Jr., Mississippi Charter School Authorizer Board to represent the Second Supreme Court District, unexpired balance of the three year term ending August 31, 2023, Education.

Mark Charles Baker, Sr., Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired balance of the three year term ending August 31, 2023, Education.

Senator Harkins called up the following entitled nomination:

S. N. No. 1: David Banister Russell, Flora, Mississippi, Public Procurement Review Board, term effective immediately and ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 1 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McMahan, Parks. Total--4.

Senator Harkins called up the following entitled nomination:

S. N. No. 10: Michael Warren Boerner, Jackson, Mississippi, Mississippi Business Finance Corporation, term effective December 17, 2020 and ending March 31, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 10 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McMahan, Parks. Total--4.

Senator Harkins called up the following entitled nomination:

S. N. No. 15: Mark Talbot Buys, Sr., Vicksburg, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 15 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McMahan, Parks. Total--4.

Senator Harkins called up the following entitled nomination:

S. N. No. 22: Derek Royce Arrington, Hattiesburg, Mississippi, State Bond Attorney, term effective immediately and is concurrent with the Governor's term of office.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 22 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McMahan, Parks. Total--4.

Senator Harkins called up the following entitled nomination:

S. N. No. 30: William Green (Will Green) Poindexter, III, Inverness, Mississippi, State Tax Appeals Board as an associate member, six year term effective immediately and ending June 30, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 30 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McMahan, Parks. Total--4.

Senator Harkins called up the following entitled nomination:

S. N. No. 49: Philip Alan Chamblee, Madison, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective immediately and ending December 31, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 49 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McMahan, Parks. Total--4.

Senator Simmons D. T. (12th) called up the motion to reconsider the vote whereby the Senate declined to concur in the House Amendment to **S. B. No. 2261** and moved that the motion to reconsider be tabled:

S. B. No. 2261: Perpetual cemetery law; revise notice and maintenance provisions for counties and municipalities.

The foregoing motion prevailed.

Senator Wiggins called up the motion to reconsider the vote whereby the Senate declined to concur in the House Amendment to **S. B. No. 2795** and moved that the motion to reconsider be tabled:

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact.

The foregoing motion prevailed.

REPORT OF COMMITTEE ON RULES

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

S. C. R. No. 535: Suspend rules; further consideration of Senate Bill No. 2799, Medicaid Technical Amendments. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Senator Kirby moved that the rules be suspended for the immediate consideration of **S. C. R. No. 535**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

S. C. R. No. 535: Suspend rules; further consideration of Senate Bill No. 2799, Medicaid Technical Amendments.

YEAS AND NAYS On S. C. R. No. 535. On motion of Senator Blackwell, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McMahan, Parks. Total--4.

On motion of Senator Blackwell, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. C. R. No. 535.

Senator Wiggins called up the following House Amendment to **S. B. No. 2434** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 300 after "2021" by inserting the following:

", and shall stand repealed on April 30, 2021"

Senator Wiggins called up the following House Amendment to **S. B. No. 2621** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is hereby established the "Task Force to Study Mississippi's Laws Regarding the Awarding and Calculating of Child Support, Alimony and Other Related Matters in Domestic Law" to develop a recommendation to the Legislature and the Mississippi Supreme Court relative to revising Mississippi's domestic relations laws to reflect current jurisprudence in these areas and to propose legislation and rule changes based upon its recommendation.

(2) The members of the Task Force shall be as follows:

(a) The Chairmen of the Judiciary A Committees of the Mississippi Senate and the Mississippi House of Representatives;

(b) One (1) designee of the Mississippi Supreme Court to be named by the Chief Justice of the Supreme Court;

(c) Two (2) sitting Chancellors to be named by the Chief Justice of the Supreme Court;

(d) Two (2) practicing attorneys in the State of Mississippi with expertise in the area of domestic relations, one (1) from each of the federal judicial districts to be named by the Mississippi Bar Association;

(e) One (1) practicing attorney who is a general practitioner with expertise in the area of domestic relations and who practices in a firm with five (5) or fewer licensed attorneys to be named by the Mississippi Bar Association;

(f) Two (2) practicing guardians-ad-litem to be named by the Mississippi Bar Association;

(g) One (1) practicing or retired attorney with expertise in disability law and domestic law to be named by the Mississippi Bar Association;

(h) One (1) designee of the Child Support Unit of the Mississippi Department of Child Protection Services to be named by the executive director of the department;

(i) One (1) professor of law with expertise in domestic law to be named by the Dean of the University of Mississippi School of Law; and

(j) One (1) professor of law with expertise in domestic law to be named by the Dean of the Mississippi College School of Law.

(3) The Task Force shall meet within forty-five (45) days of the effective date of this act, upon the call of the Governor, and shall evaluate the current domestic laws and cases in Mississippi. Specifically the Task Force shall:

(a) Review the models used by states to determine the base child support amount due, including the "Income Shares Model," the "Percentage of Income Model" and the "Melson Formula," which incorporate a self-support reserve for the obligor and take into consideration the health care expenses of the children;

(b) Review special provisions for child care expenses, formulas for shared custody, split custody and extraordinary visitation, and deductions for the support of previous and subsequent children;

(c) Review the current trends of law regarding "No-Fault Divorce";

(d) Review the current trends in the imposition and cost of fees for guardian-ad-litem and related issues on guardians; and

(e) Any other matters related to the above issues or related to domestic law.

(4) The Task Force may request the assistance of the University of Mississippi School of Law and the Mississippi College School of Law, the Mississippi Judicial College and the proper section of the Mississippi Bar Association, or any other related organization with expertise in domestic relations.

(5) The members of the Task Force shall elect a Chair from among the members. The Task Force shall develop and report its findings and recommendations for proposed legislation to the Legislature and proposed rule changes to the Mississippi Supreme Court on or before December 1, 2021. A quorum of the membership shall be required to approve any final report and recommendation. Members of the Task Force shall be reimbursed for necessary travel expense in the same manner as public employees are reimbursed for official duties from any available funds and members of the Legislature shall be reimbursed in the same manner as for attending out-of-session committee meetings.

(6) The Mississippi Bar Association and the Mississippi Judicial College shall provide necessary clerical support for the meetings of the Task Force and the preparation of the report. Proposed legislation shall be prepared by the Legislative Services Offices of the Senate and House as requested.

(7) Upon presentation of its report the Task Force shall be dissolved.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH A "TASK FORCE TO STUDY MISSISSIPPI'S LAWS REGARDING THE AWARDED AND CALCULATING OF CHILD SUPPORT, ALIMONY AND OTHER RELATED MATTERS IN DOMESTIC LAW"; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK FORCE; AND FOR RELATED PURPOSES.

Senator England called up the following House Amendment to **S. B. No. 2117** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-19-81, Mississippi Code of 1972, is amended as follows:

99-19-81. Every person convicted in this state of a felony who shall have been convicted twice previously of any felony or federal crime upon charges separately brought and arising out of separate incidents at different times and who shall have been sentenced to separate terms of one (1) year or more in any state and/or federal penal institution, whether in this state or elsewhere, within fifteen (15) years shall be sentenced to the maximum term of imprisonment prescribed for such felony unless the court provides an

explanation in its sentencing order setting forth the cause for deviating from the maximum sentence, and such sentence shall not be reduced or suspended nor shall such person be eligible for * * * probation.

For purposes of this section, fifteen (15) years shall be counted:

(a) From the date of the conviction for the crime, if the person was not incarcerated for the crime; or

(b) From the date that the person was physically released from incarceration for the crime, if the person was incarcerated for the crime.

SECTION 2. Section 99-19-83, Mississippi Code of 1972, is amended as follows:

99-19-83. Every person convicted in this state of a felony that is defined as a crime of violence in Section 97-3-2 who shall have been convicted twice previously of any felony or federal crime upon charges separately brought and arising out of separate incidents at different times and who shall have been sentenced to and served separate terms of one (1) year or more, whether served concurrently or not, in any state and/or federal penal institution, whether in this state or elsewhere, and where any one (1) of such felonies shall have been a crime of violence, as defined by Section 97-3-2, shall be sentenced to life imprisonment, and such sentence shall not be reduced or suspended nor shall such person be eligible for * * * probation * * *.

SECTION 3. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served not less than one-fourth (1/4) of the total of such term or terms for which such prisoner was sentenced, or, if sentenced to serve a term or terms of thirty (30) years or more, or, if sentenced for the term of the natural life of such prisoner, has served not less than ten (10) years of such life sentence, may be released on parole as hereinafter provided, except that:

(a) No prisoner convicted as a confirmed and habitual criminal under the provisions of Sections 99-19-81 through 99-19-87 shall be eligible for parole, unless the person was convicted before the effective date of this act, in which case the person may be considered for parole if their conviction would result in a reduced sentence based on the changes in Sections 1 and 2 of this act;

(b) Any person who shall have been convicted of a sex crime shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) (i) No person shall be eligible for parole who shall, on or after January 1, 1977, be convicted of robbery or attempted robbery through the display of a firearm until he shall have served ten (10) years if sentenced to a term or terms of more than ten (10) years or if sentenced for the term of the natural life of such person. If such person is sentenced to a term or terms of ten (10) years or less, then such person shall not be eligible for parole. The provisions of this paragraph (c)(i) shall also apply to any person who shall commit robbery or attempted robbery on or after July 1, 1982, through the display of a deadly weapon. This paragraph (c)(i) shall not apply to persons convicted after September 30, 1994;

(ii) No person shall be eligible for parole who shall, on or after October 1, 1994, be convicted of robbery, attempted robbery or carjacking as provided in Section 97-3-115 et seq., through the display of a firearm or drive-by shooting as provided

in Section 97-3-109. The provisions of this paragraph (c)(ii) shall also apply to any person who shall commit robbery, attempted robbery, carjacking or a drive-by shooting on or after October 1, 1994, through the display of a deadly weapon. This paragraph (c)(ii) shall not apply to persons convicted after July 1, 2014;

(d) No person shall be eligible for parole who, on or after July 1, 1994, is charged, tried, convicted and sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101;

(e) No person shall be eligible for parole who is charged, tried, convicted and sentenced to life imprisonment under the provisions of Section 99-19-101;

(f) No person shall be eligible for parole who is convicted or whose suspended sentence is revoked after June 30, 1995, except that an offender convicted of only nonviolent crimes after June 30, 1995, may be eligible for parole if the offender meets the requirements in this subsection (1) and this paragraph. In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony, the offender must complete a drug and alcohol rehabilitation program prior to parole or the offender may be required to complete a post-release drug and alcohol program as a condition of parole. For purposes of this paragraph, "nonviolent crime" means a felony other than homicide, robbery, manslaughter, sex crimes, arson, burglary of an occupied dwelling, aggravated assault, kidnapping, felonious abuse of vulnerable adults, felonies with enhanced penalties, except enhanced penalties for the crime of possession of a controlled substance under Section 41-29-147, the sale or manufacture of a controlled substance under the Uniform Controlled Substances Law, felony child abuse, or exploitation or any crime under Section 97-5-33 or Section 97-5-39(2) or 97-5-39(1)(b), 97-5-39(1)(c) or a violation of Section 63-11-30(5). In addition, an offender incarcerated for committing the crime of possession of a controlled substance under the Uniform Controlled Substances Law after July 1, 1995, including an offender who receives an enhanced penalty under the provisions of Section 41-29-147 for such possession, shall be eligible for parole. An offender incarcerated for committing the crime of sale or manufacture of a controlled substance shall be eligible for parole after serving one-fourth (1/4) of the sentence imposed by the trial court. This paragraph (f) shall not apply to persons convicted on or after July 1, 2014;

(g) (i) No person who, on or after July 1, 2014, is convicted of a crime of violence pursuant to Section 97-3-2, a sex crime or an offense that specifically prohibits parole release shall be eligible for parole. All persons convicted of any other offense on or after July 1, 2014, are eligible for parole after they have served one-fourth (1/4) of the sentence or sentences imposed by the trial court.

(ii) Notwithstanding the provisions in subparagraph (i) of this paragraph (g), a person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this subsection shall be required to have a parole hearing before the board prior to parole release. No inmate shall be eligible for parole under this subparagraph (ii) of this paragraph (g) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87, unless the person was convicted before the effective date of this act, in which case the person may be considered for parole if their conviction would result in a reduced sentence based on the changes in Sections 1 and 2 of this act;

2. The inmate is sentenced for a crime of violence under Section 97-3-2;

3. The inmate is sentenced for an offense that specifically prohibits parole release;

4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);

5. The inmate is sentenced for a sex crime; or

6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(iii) Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the parole board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if that senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter;

(h) Notwithstanding any other provision of law, an inmate who has not been convicted as a habitual offender under Sections 99-19-81 through 99-19-87, has not been convicted of committing a crime of violence, as defined under Section 97-3-2, has not been convicted of a sex crime or any other crime that specifically prohibits parole release, and has not been convicted of drug trafficking under Section 41-29-139 is eligible for parole if the inmate has served twenty-five percent (25%) or more of his or her sentence, but is otherwise ineligible for parole.

(2) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(3) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. The parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. The parole eligibility date shall not be earlier than one-fourth (1/4) of the prison sentence or sentences imposed by the court.

(4) Any inmate within twenty-four (24) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job training program that is part of the case plan may be in jeopardy of noncompliance with the case plan and may be denied parole.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO PROVIDE A TIME PERIOD FOR QUALIFICATION OF CERTAIN HABITUAL OFFENDERS; TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS THAT REGULATE HABITUAL OFFENDERS; TO REMOVE RESTRICTIONS FOR REDUCTION OF PAROLE; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING CHANGES; AND FOR RELATED PURPOSES.

Senator England called up the following House Amendment to **S. B. No. 2569** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 71 before the period by deleting the following:

"; and shall stand repealed on June 30, 2021"

Senator Caughman called up the following House Amendment to **S. B. No. 2624** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 235 after "2021" by inserting the following:

", and shall stand repealed on June 30, 2021"

Senator Wiggins called up the following House Amendment to **S. B. No. 2638** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 89-3-1, Mississippi Code of 1972, is amended as follows:

* * *

89-3-1. (1) A document concerning real property or conveying personal property may not be recorded unless, in the case of a paper document, it contains an original signature or signatures, or in the case of an electronic document, contains an electronic signature or signatures that comply with the Uniform Real Property Electronic Recording Act (Article 3, Chapter 5, Title 89, Mississippi Code of 1972). For purposes of this section, the terms "document," "paper document" and "electronic document" have the meaning given in the Uniform Real Property Electronic Recording Act. A document concerning real property or conveying personal property which conforms to this subsection may be recorded if it is acknowledged or proved according to law, or in the case of a document that is an affidavit, verified upon oath or affirmation.

(2) (a) A tangible copy of an electronic document that is otherwise eligible for recording under the laws of this state may be recorded if the tangible copy of the electronic document has been certified to be a true and correct copy of the electronic document as required in paragraph (b) of this subsection (2).

(b) The certificate must be transmitted with and be recorded as a part of the tangible copy of the electronic document being recorded and must:

(i) Contain an original signature of a licensed attorney or custodian of the electronic document that is verified upon oath or affirmation;

(ii) Identify the jurisdiction in which the certification is performed;

(iii) Contain the title of the notarial officer;

(iv) Indicate the date of expiration, if any, of the notarial officer's commission; and

(v) Include an official seal of the notary public affixed to the certificate.

(c) The following form of certificate is sufficient for purposes of this subsection if completed with the information required in paragraph (b) of this subsection:

"CERTIFICATE OF ELECTRONIC DOCUMENT

I, _____, [the custodian of the electronic document], hereby certify that the attached document, _____ (insert title), on _____ (date), and containing _____ pages, is a true and correct copy of an electronic document printed by me or under my supervision.

(Signature of person making certification)

STATE OF _____

COUNTY OF _____

Signed and sworn to (or affirmed) before me on _____ (date) by _____
(name(s) of individual(s) making statement).

(Signature of Notarial Officer)

(Title of officer)

My commission expires:

(Affix official seal, if applicable)"

(d) All tangible copies of electronic documents eligible for recording under this subsection (2) are validly recorded when accepted for recording by the chancery clerk's office. Tangible copies of electronic documents recorded by a chancery clerk before the effective date of the Revised Mississippi Law on Notarial Acts shall be considered validly recorded with or without the certification provided in paragraph (b) of this subsection (2).

(e) The person making the certification provided in this section must:

(i) Confirm that the electronic document contains an electronic signature that is capable of independent verification and renders any subsequent changes or modifications to the electronic document evident;

(ii) Personally print or supervise the printing of the electronic document onto paper; and

(iii) Not make any changes or modifications to the electronic document other than the certification described in this subsection (2).

(f) If a certificate is completed with the information required by paragraph (b) of this subsection (2) and is attached to or made part of a tangible copy of an electronic document, the certificate is prima facie evidence that the requirements of paragraph (e) of this subsection (2) have been satisfied.

(g) This section does not apply to maps or plats that are subject to the requirements of Section 19-27-23, 19-27-25 or 19-27-27.

(** *3) The chancery clerk's office may refuse to record a document that does not satisfy ** * the requirements of this section. However, if a document does not satisfy subsection (1) or (2) of this section, but is otherwise admitted to record, then all persons shall be on constructive notice of the contents of the document.

(** *4) If the relative priorities of conflicting claims to real property were established before July 1, 2011, then the law applicable to those claims at the time those claims were established shall determine their priority.

(** *5) This section does not require the acknowledgement or verification upon oath or affirmation or prohibit the recording of any of the following filed for record under the Uniform Commercial Code or otherwise specially provided for by law:

(a) A financing statement;

(b) A security agreement filed as a financing statement; or

(c) A continuation statement.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 89-3-1, MISSISSIPPI CODE OF 1972, TO PROVIDE A RECORDING PROCEDURE FOR ELECTRONIC DOCUMENTS IN COUNTIES THAT DO NOT HAVE ELECTRONIC CAPABILITY; AND FOR RELATED PURPOSES.

Senator England called up the following House Amendment to **S. B. No. 2598** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on lines 44 and 46 by inserting the following language before the word "component":

"or reserve"

AMEND the title as follows on line 4 by inserting the following language before the word "COMPONENT":

"OR RESERVE"

Senator England called up the following House Amendment to **S. B. No. 2121** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 142 after "2021" by inserting the following:

", and shall stand repealed on June 30, 2021"

Senator England called up the following House Amendments to **S. B. No. 2573** and moved that the Senate decline to concur in the Amendments, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 175 by inserting the following after "2021":

", and shall be repealed on June 30, 2021"

AMENDMENT NO. 2:

AMEND by inserting the following language after 173 and by renumbering the succeeding section:

SECTION 5. (1) Whenever used in this section, the term: (a)
"Educational program" means a program of learning recognized by the State Board of Education, Department of Mental Health, Mississippi Department of Corrections, or the sheriff, administrator or director of the work release program.

(b) "Rehabilitative program" includes an alcohol and drug treatment program, mental health program, family counseling, community service or other community program approved by the court having jurisdiction over the offender.

(c) "Sheriff" means the sheriff of the jurisdiction where the person charged with the criminal offense was convicted and sentenced, provided that the sheriff may designate a deputy sheriff or jail administrator to assign offenders to work release programs under this section.

(d) "Mississippi Department of Corrections" means the Commissioner of Mississippi Department of Corrections, provided that the Commissioner or designated deputy commissioner may assign offenders to work release programs administered by Mississippi Prison Industries Corporation under this section.

(e) "Work release" means full-time or part-time employment or participation in suitable career and technical education programs.

(2) Any court having jurisdiction for the trial of a person charged with a felony offense, except those charges listed in Section 97-3-2 may, if the defendant is convicted and (i) sentenced to confinement in jail, state or regional correctional facility or (ii) being held in jail, state or regional correctional facility pending completion of a presentence report, and if it appears to the court that such offender is a suitable candidate for work release, and such offender volunteers, assign the offender to a work release program under the supervision of the Mississippi Department of Corrections, Mississippi Prison Industries Corporation, sheriff or a program designated by the court. The court further may authorize the offender to participate in educational or other rehabilitative programs designed to supplement his or her work release employment. The court shall be notified in writing by the director or administrator of the program to which the offender is assigned of the offender's place of employment and the location of any educational or rehabilitative program in which the offender participates.

(3) Any person who has been sentenced to confinement in jail, a state or regional correctional facility or who has been convicted of a felony, except those charges listed in Section 97-3-2, but is confined in jail, a state or regional correctional facility, at the discretion of the Mississippi Department of Corrections and sheriff to a work release program under the supervision of the Mississippi Prison Industries Corporation or sheriff. The Mississippi Department of Corrections or sheriff may further authorize the offender to participate in educational or other rehabilitative programs as defined in this section designed to supplement his or her work release employment.

(4) The court that sentenced the offender shall be notified in writing by the Mississippi Department of Corrections or sheriff of any such assignment and of the offender's place of employment or other rehabilitative program. The court, in its discretion, may thereafter revoke the authority for such an offender to participate in a work release program.

(5) If an offender who has been assigned to such a program by the court is in violation of the rules of the program, the Mississippi Department of Corrections, sheriff or jail administrator may remove the offender from the work release program or the Mississippi Department of Corrections, either temporarily or for the duration of the offender's confinement. Upon removing an offender from the work release program, the sheriff or jail administrator shall notify in writing the court that sentenced the offender and indicate the specific violations that led to the decision.

(6) Any offender assigned to such a program by the court, Mississippi Department of Corrections, or sheriff who, without proper authority or just cause, leaves the area to which he or she has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is found guilty under this section shall be ineligible for further participation in a work release program during his or her current term of confinement.

(7) Any wages earned pursuant to this section by an offender may, upon order of the court, be paid to the Mississippi Prison Industries Corporation, director or administrator of the program after standard payroll deductions required by law. In the alternative, the offender may, if so approved, maintain an account through Mississippi Prison Industries Corporation or a local financial institution provided the offender provides a physical accounting to the Mississippi Prison Industries Corporation or sheriff, administrator or the

court which they were sentenced. Distribution of wages shall be made for the following purposes:

(a) To pay travel and other such expenses made necessary by his or her work release employment or participation in an educational or rehabilitative program;

(b) To pay support of dependents or to Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

(c) To pay any fines, restitution or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

Any balance at the end of his or her sentence shall be paid to the offender upon his or her release.

AMEND the title on line 9 by adding the following language after the semicolon:

TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS, ANY COURT OR SHERIFF TO ASSIGN A NONVIOLENT CONVICTED OFFENDER TO A WORK RELEASE PROGRAM, IF THE OFFENDER IS CONFINED IN JAIL, STATE OR REGIONAL CORRECTIONAL FACILITY; TO PROVIDE THAT THE OFFENDER ASSIGNED TO THE PROGRAM SHALL BE UNDER THE SUPERVISION OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS, MISSISSIPPI PRISON INDUSTRIES CORPORATION, THE SHERIFF OR A PROGRAM DESIGNATED BY THE COURT; TO PROVIDE THAT THE OFFENDER MAY BE REMOVED FROM THE PROGRAM IF RULES ARE VIOLATED; TO PROVIDE THAT WAGES EARNED BY THE OFFENDER MAY, UPON ORDER OF THE COURT, BE PAID TO THE DIRECTOR OR ADMINISTRATOR OF THE PROGRAM AFTER STANDARD PAYROLL DEDUCTIONS ARE PAID; TO PROVIDE THAT THE OFFENDER, IF APPROVED, MAY MAINTAIN A BANK ACCOUNT AS LONG AS A PHYSICAL ACCOUNTING IS PROVIDED TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS, SHERIFF, ADMINISTRATOR OR THE COURT; TO PROVIDE THAT THE OFFENDER'S WAGES MAY BE DISTRIBUTED TO PAY CERTAIN TRAVEL EXPENSES RELATED TO HIS OR HER EMPLOYMENT, TO PAY CHILD SUPPORT, FINES, RESTITUTION OR COSTS, INCLUDING FEES FOR OBTAINING A DRIVER'S LICENSE UPON RELEASE;

Senator England moved that the rules be suspended for the immediate consideration of calendar item 32, **S. B. No. 2107**, and the motion prevailed.

Senator England called up the following House Amendment to **S. B. No. 2107** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-9-51, Mississippi Code of 1972, is amended as follows:

45-9-51. (1) (a) Subject to the provisions of Section 45-9-53, no county or municipality may adopt any ordinance or enter into any contract or rental agreement that

restricts the possession, carrying, transportation, sale, transfer or ownership of firearms or ammunition or their components.

(b) No state agency may adopt a posted written notice, rule, regulation, order or policy or enter into any contract or rental agreement that restricts the possession, carrying, transportation, sale, transfer or ownership of firearms or ammunition or their components.

(c) No state agency or their officers or employees may participate in any program in which individuals are given a thing of value provided by another individual or other entity in exchange for surrendering a firearm to the state agency or other governmental body.

(2) No public housing authority operating in this state may adopt any rule or regulation restricting a lessee or tenant of a dwelling owned and operated by such public housing authority from lawfully possessing firearms or ammunition or their components within individual dwelling units or the transportation of such firearms or ammunition or their components to and from such dwelling.

(3) (a) A citizen of this state, or a person licensed to carry a concealed pistol or revolver under Section 45-9-101, or a person licensed to carry a concealed pistol or revolver with the endorsement under Section 97-37-7, who is adversely affected by a posted written notice, rule, regulation, order or policy adopted or verbally imposed by a state agency in violation of this section may file suit for declarative and injunctive relief against the state agency's head or member of the state agency's governing body in the circuit court which shall have jurisdiction over the state agency where the violation of this section occurs.

(b) If the circuit court finds that a state agency adopted a posted written notice, rule, regulation, order or policy in violation of this section, the circuit court shall issue a permanent injunction against the state agency prohibiting it from enforcing the posted written notice, rule, regulation, order or policy. Any state agency head or member of a state agency's governing body under whose jurisdiction the violation occurred may be civilly liable in a sum not to exceed One Thousand Dollars (\$1,000.00), plus all reasonable attorney's fees and costs incurred by the party bringing the suit. Public funds shall not be used to defend or reimburse officials who are found by the court to have violated this section.

(c) It shall be an affirmative defense to any claim brought against a state agency head or member of a state agency's governing body under this subsection (3) that the state official:

(i) Did not vote in the affirmative for the adopted posted written notice, rule, regulation, order or policy deemed by the court to be in violation of this section;

(ii) Did attempt to take recorded action to rescind the posted written notice, rule, regulation, order, or policy deemed by the court to be in violation of this section.

(4) This section does not apply to:

(a) The authority of a state law enforcement agency from adopting and enforcing regulations pertaining to the possession, carrying, transportation, sale, transfer or ownership of firearms or ammunition or their components issued or used by law enforcement officers in the course of their official duties.

(b) The authority of the Commission on Wildlife, Fisheries and Parks or the Department of Wildlife, Fisheries and Parks from regulating the use of firearms or

ammunition as a method of taking wildlife and regulating the shooting ranges managed by the commission and department.

(c) A state agency listed in Article VIII, Section 213-A of the Mississippi Constitution of 1890, provided that such agency or institution has adopted related rules and regulations which comply with all applicable state and federal laws.

(d) A public community or junior college coordinated under Section 37-4-3(1), provided the institution has adopted related rules and regulations which comply with all applicable state and federal laws.

SECTION 2. Section 45-9-53, Mississippi Code of 1972, is amended as follows:

45-9-53. (1) This section and Section 45-9-51 do not affect the authority that a county or municipality may have under another law:

(a) To require citizens or public employees to be armed for personal or national defense, law enforcement, or another lawful purpose;

(b) To regulate the discharge of firearms within the limits of the county or municipality. A county or municipality may not apply a regulation relating to the discharge of firearms or other weapons in the extraterritorial jurisdiction of the county or municipality or in an area annexed by the county or municipality after September 1, 1981, if the firearm or other weapon is:

(i) A shotgun, air rifle or air pistol, BB gun or bow and arrow discharged:

1. On a tract of land of ten (10) acres or more and more than one hundred fifty (150) feet from a residence or occupied building located on another property; and

2. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract; or

(ii) A center fire or rimfire rifle or pistol or a muzzle-loading rifle or pistol of any caliber discharged:

1. On a tract of land of fifty (50) acres or more and more than three hundred (300) feet from a residence or occupied building located on another property; and

2. In a manner not reasonably expected to cause a projectile to cross the boundary of the tract;

(c) To regulate the use of property or location of businesses for uses therein pursuant to fire code, zoning ordinances, or land-use regulations, so long as such codes, ordinances and regulations are not used to circumvent the intent of Section 45-9-51 or paragraph (e) of this subsection;

(d) To regulate the use of firearms in cases of insurrection, riots and natural disasters in which the city finds such regulation necessary to protect the health and safety of the public. However, the provisions of this section shall not apply to the lawful possession, transfer, sale, transportation, storage, display, carry or use of firearms, ammunition or components of firearms or ammunition;

(e) To regulate the storage or transportation of explosives in order to protect the health and safety of the public, with the exception of black powder which is exempt up to twenty-five (25) pounds per private residence and fifty (50) pounds per retail dealer;

(f) To regulate the carrying of a firearm at: (i) a public park or at a public meeting of a county, municipality or other governmental body; (ii) a political rally, parade or official political meeting; or (iii) a nonfirearm-related school, college or professional athletic event; or

(g) To regulate the receipt of firearms by pawnshops.

(2) The exception provided by subsection (1)(f) of this section does not apply if the firearm was in or carried to and from an area designated for use in a lawful hunting, fishing or other sporting event and the firearm is of the type commonly used in the activity.

(3) This section and Section 45-9-51 do not authorize a county or municipality or their officers or employees to act in contravention of Section 33-7-303.

(4) No county or a municipality including, but not limited to, bureaus and other local government entities, may use * * * any notice provisions * * *, or any other rule, regulation, order, policy or practice to ban, delay, deny or impose additional entry requirements for concealed firearms or otherwise impede or "shadow" a license holder with a concealed firearm * * * on property under their control except:

(a) At a location listed in Section 45-9-101(13) indicating that a license issued under Section 45-9-101 does not authorize the holder to carry a firearm into that location, as long as the * * * notice or policy also indicates that carrying a firearm is unauthorized only for license holders without a training endorsement or that it is a location included in Section 97-37-7(2) where carrying a firearm is unauthorized for all license holders; and

(b) At any location under the control of the county or municipality aside from a location listed in subsection (1)(f) of this section or Section 45-9-101(13) indicating that the possession of a firearm is prohibited on the premises, as long as the * * * notice or policy also indicates that it does not apply to a person properly licensed under Section 45-9-101 or Section 97-37-7(2) to carry a concealed firearm or to a person lawfully carrying a firearm that is not concealed.

(5) (a) A citizen of this state, or a person licensed to carry a concealed pistol or revolver under Section 45-9-101, or a person licensed to carry a concealed pistol or revolver with the endorsement under Section 97-37-7, who is adversely affected by an ordinance * * *, notice or any other rule, regulation, order or policy adopted or verbally imposed by a county or municipality in violation of this section may file suit for declarative and injunctive relief against a county or municipality in the circuit court which shall have jurisdiction over the county or municipality where the violation of this section occurs.

(b) (i) Before instituting suit under this subsection, the party adversely impacted by the ordinance * * *, notice or policy shall notify the Attorney General in writing of the violation and include evidence of the violation. The Attorney General shall, within thirty (30) days, investigate whether the county or municipality * * * violated this section and provide the chief administrative officer of the county or municipality notice of his findings, including, if applicable, a description of the violation * * *, specific language of * * * any ordinance * * *, posted written notice or any other notice found to be in violation. The county or municipality shall have thirty (30) days from receipt of that notice to cure the violation. If the county or municipality fails to cure the violation within that thirty-day time period, a suit under paragraph (a) of this subsection may proceed. The findings of the Attorney General shall constitute a "Public Record" as defined by the Mississippi Public Records Act of 1983, Section 25-61-1 et seq.

(ii) The Attorney General is also authorized to pursue criminal charges against any public official or his or her employee who violates the rights of any enhanced license holder under the provisions of Section 45-9-51, 45-9-53, 45-9-101 or

97-32-7(2) as a case of official corruption under Section 7-5-59 if the officials responsible for the violation fail to correct such violation within thirty (30) days of being notified of the violation.

(c) If the circuit court finds that a county or municipality adopted an ordinance * * *, posted written notice or imposed any rule, regulation, order or policy in violation of this section and failed to cure that violation in accordance with paragraph (b) of this subsection, the circuit court shall issue a permanent injunction against a county or municipality prohibiting it from enforcing the ordinance, rule, regulation, order, policy or posted written notice. Any elected county or municipal official under whose jurisdiction the violation occurred may be civilly liable in a sum not to exceed One Thousand Dollars (\$1,000.00), plus all reasonable attorney's fees and costs incurred by the party bringing the suit. Public funds may not be used to defend or reimburse officials who are found by the court to have violated this section.

(d) It shall be an affirmative defense to any claim brought against an elected county or municipal official under this subsection (5) that the elected official:

(i) Did not vote in the affirmative for the adopted ordinance * * *, posted written notice, rule, regulation, order or policy deemed by the court to be in violation of this section;

(ii) Did attempt to take recorded action to cure the violation as noticed by the Attorney General in paragraph (b) of this subsection; or

(iii) Did attempt to take recorded action to rescind the ordinance, rule, regulation, order or policy or remove the posted written notice deemed by the court to be in violation of this section.

(6) No county or municipality or their officers or employees may participate in any program in which individuals are given a thing of value provided by another individual or other entity in exchange for surrendering a firearm to the county, municipality or other governmental body * * *.

* * *

SECTION 3. Section 45-9-101, Mississippi Code of 1972, is amended as follows:

45-9-101. (1) (a) Except as otherwise provided, the Department of Public Safety is authorized to issue licenses to carry stun guns, concealed pistols or revolvers to persons qualified as provided in this section. Such licenses shall be valid throughout the state for a period of five (5) years from the date of issuance. Any person possessing a valid license issued pursuant to this section may carry a stun gun, concealed pistol or concealed revolver.

(b) The licensee must carry the license, together with valid identification, at all times in which the licensee is carrying a stun gun, concealed pistol or revolver and must display both the license and proper identification upon demand by a law enforcement officer. No licensee shall be required to submit to any further demands unless the officer granting passage has probable cause that the licensee has or is about to commit a crime. A violation of the provisions of this paragraph (b) shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by summons.

(2) The Department of Public Safety shall issue a license if the applicant:

(a) Is a resident of the state. However, this residency requirement may be waived if the applicant possesses a valid permit from another state, is active military personnel stationed in Mississippi, or is a retired law enforcement officer establishing residency in the state;

(b) (i) Is twenty-one (21) years of age or older; or

(ii) Is at least eighteen (18) years of age but not yet twenty-one (21) years of age and the applicant:

1. Is a member or veteran of the United States Armed Forces, including National Guard or Reserve; and

2. Holds a valid Mississippi driver's license or identification card issued by the Department of Public Safety;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a stun gun, pistol or revolver;

(d) Is not ineligible to possess a firearm by virtue of having been convicted of a felony in a court of this state, of any other state, or of the United States without having been pardoned or without having been expunged for same;

(e) Does not chronically or habitually abuse controlled substances to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses controlled substances to the extent that his faculties are impaired if the applicant has been voluntarily or involuntarily committed to a treatment facility for the abuse of a controlled substance or been found guilty of a crime under the provisions of the Uniform Controlled Substances Law or similar laws of any other state or the United States relating to controlled substances within a three-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages to the extent that his normal faculties are impaired if the applicant has been voluntarily or involuntarily committed as an alcoholic to a treatment facility or has been convicted of two (2) or more offenses related to the use of alcohol under the laws of this state or similar laws of any other state or the United States within the three-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself;

(h) Has not been adjudicated mentally incompetent, or has waited five (5) years from the date of his restoration to capacity by court order;

(i) Has not been voluntarily or involuntarily committed to a mental institution or mental health treatment facility unless he possesses a certificate from a psychiatrist licensed in this state that he has not suffered from disability for a period of five (5) years;

(j) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled;

(k) Is not a fugitive from justice; and

(l) Is not disqualified to possess a weapon based on federal law.

(3) The Department of Public Safety may deny a license if the applicant has been found guilty of one or more crimes of violence constituting a misdemeanor unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred prior to the date on which the application is submitted,

or may revoke a license if the licensee has been found guilty of one or more crimes of violence within the preceding three (3) years. The department shall, upon notification by a law enforcement agency or a court and subsequent written verification, suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime which would disqualify such person from having a license under this section, until final disposition of the case. The provisions of subsection (7) of this section shall apply to any suspension or revocation of a license pursuant to the provisions of this section.

(4) The application shall be completed, under oath, on a form promulgated by the Department of Public Safety and shall include only:

(a) The name, address, place and date of birth, race, sex and occupation of the applicant;

(b) The driver's license number or social security number of applicant;

(c) Any previous address of the applicant for the two (2) years preceding the date of the application;

(d) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3) of this section;

(e) A statement that the applicant has been furnished a copy of this section and is knowledgeable of its provisions;

(f) A conspicuous warning that the application is executed under oath and that a knowingly false answer to any question, or the knowing submission of any false document by the applicant, subjects the applicant to criminal prosecution; and

(g) A statement that the applicant desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself.

(5) The applicant shall submit only the following to the Department of Public Safety:

(a) A completed application as described in subsection (4) of this section;

(b) A full-face photograph of the applicant taken within the preceding thirty (30) days in which the head, including hair, in a size as determined by the Department of Public Safety, except that an applicant who is younger than twenty-one (21) years of age must submit a photograph in profile of the applicant;

(c) A nonrefundable license fee of Eighty Dollars (\$80.00). Costs for processing the set of fingerprints as required in paragraph (d) of this subsection shall be borne by the applicant. Honorably retired law enforcement officers, disabled veterans and active duty members of the Armed Forces of the United States shall be exempt from the payment of the license fee;

(d) A full set of fingerprints of the applicant administered by the Department of Public Safety; and

(e) A waiver authorizing the Department of Public Safety access to any records concerning commitments of the applicant to any of the treatment facilities or institutions referred to in subsection (2) and permitting access to all the applicant's criminal records.

(6) (a) The Department of Public Safety, upon receipt of the items listed in subsection (5) of this section, shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing.

(b) The Department of Public Safety shall forward a copy of the applicant's application to the sheriff of the applicant's county of residence and, if applicable, the police chief of the applicant's municipality of residence. The sheriff of the applicant's county of residence and, if applicable, the police chief of the applicant's municipality of residence may, at his discretion, participate in the process by submitting a voluntary report to the Department of Public Safety containing any readily discoverable prior information that he feels may be pertinent to the licensing of any applicant. The reporting shall be made within thirty (30) days after the date he receives the copy of the application. Upon receipt of a response from a sheriff or police chief, such sheriff or police chief shall be reimbursed at a rate set by the department.

(c) The Department of Public Safety shall, within forty-five (45) days after the date of receipt of the items listed in subsection (5) of this section:

(i) Issue the license;

(ii) Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsections (2) and (3) of this section. If the Department of Public Safety denies the application, it shall notify the applicant in writing, stating the ground for denial, and the denial shall be subject to the appeal process set forth in subsection (7); or

(iii) Notify the applicant that the department is unable to make a determination regarding the issuance or denial of a license within the forty-five-day period prescribed by this subsection, and provide an estimate of the amount of time the department will need to make the determination.

(d) In the event a legible set of fingerprints, as determined by the Department of Public Safety and the Federal Bureau of Investigation, cannot be obtained after a minimum of two (2) attempts, the Department of Public Safety shall determine eligibility based upon a name check by the Mississippi Highway Safety Patrol and a Federal Bureau of Investigation name check conducted by the Mississippi Highway Safety Patrol at the request of the Department of Public Safety.

(7) (a) If the Department of Public Safety denies the issuance of a license, or suspends or revokes a license, the party aggrieved may appeal such denial, suspension or revocation to the Commissioner of Public Safety, or his authorized agent, within thirty (30) days after the aggrieved party receives written notice of such denial, suspension or revocation. The Commissioner of Public Safety, or his duly authorized agent, shall rule upon such appeal within thirty (30) days after the appeal is filed and failure to rule within this thirty-day period shall constitute sustaining such denial, suspension or revocation. Such review shall be conducted pursuant to such reasonable rules and regulations as the Commissioner of Public Safety may adopt.

(b) If the revocation, suspension or denial of issuance is sustained by the Commissioner of Public Safety, or his duly authorized agent pursuant to paragraph (a) of this subsection, the aggrieved party may file within ten (10) days after the rendition of such decision a petition in the circuit or county court of his residence for review of such decision. A hearing for review shall be held and shall proceed before the court without a jury upon the record made at the hearing before the Commissioner of Public Safety or his duly authorized agent. No such party shall be allowed to carry a stun gun, concealed pistol or revolver pursuant to the provisions of this section while any such appeal is pending.

(8) The Department of Public Safety shall maintain an automated listing of license holders and such information shall be available online, upon request, at all times, to all law enforcement agencies through the Mississippi Crime Information Center. However, the records of the department relating to applications for licenses to carry stun guns, concealed pistols or revolvers and records relating to license holders shall be exempt from

the provisions of the Mississippi Public Records Act of 1983, and shall be released only upon order of a court having proper jurisdiction over a petition for release of the record or records.

(9) Within thirty (30) days after the changing of a permanent address, or within thirty (30) days after having a license lost or destroyed, the licensee shall notify the Department of Public Safety in writing of such change or loss. Failure to notify the Department of Public Safety pursuant to the provisions of this subsection shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by a summons.

(10) In the event that a stun gun, concealed pistol or revolver license is lost or destroyed, the person to whom the license was issued shall comply with the provisions of subsection (9) of this section and may obtain a duplicate, or substitute thereof, upon payment of Fifteen Dollars (\$15.00) to the Department of Public Safety, and furnishing a notarized statement to the department that such license has been lost or destroyed.

(11) A license issued under this section shall be revoked if the licensee becomes ineligible under the criteria set forth in subsection (2) of this section.

(12) (a) No less than ninety (90) days prior to the expiration date of the license, the Department of Public Safety shall mail to each licensee a written notice of the expiration and a renewal form prescribed by the department. The licensee must renew his license on or before the expiration date by filing with the department the renewal form, a notarized affidavit stating that the licensee remains qualified pursuant to the criteria specified in subsections (2) and (3) of this section, and a full set of fingerprints administered by the Department of Public Safety or the sheriff of the county of residence of the licensee.

The first renewal may be processed by mail and the subsequent renewal must be made in person. Thereafter every other renewal may be processed by mail to assure that the applicant must appear in person every ten (10) years for the purpose of obtaining a new photograph.

(i) Except as provided in this subsection, a renewal fee of Forty Dollars (\$40.00) shall also be submitted along with costs for processing the fingerprints;

(ii) Honorably retired law enforcement officers, disabled veterans and active duty members of the Armed Forces of the United States shall be exempt from the renewal fee; and

(iii) The renewal fee for a Mississippi resident aged sixty-five (65) years of age or older shall be Twenty Dollars (\$20.00).

(b) The Department of Public Safety shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing. The license shall be renewed upon receipt of the completed renewal application and appropriate payment of fees.

(c) A licensee who fails to file a renewal application on or before its expiration date must renew his license by paying a late fee of Fifteen Dollars (\$15.00). No license shall be renewed six (6) months or more after its expiration date, and such license shall be deemed to be permanently expired. A person whose license has been permanently expired may reapply for licensure; however, an application for licensure and fees pursuant to subsection (5) of this section must be submitted, and a background investigation shall be conducted pursuant to the provisions of this section.

(13) No license issued pursuant to this section shall authorize any person to carry a stun gun, concealed pistol or revolver into any place of nuisance as defined in Section

95-3-1, Mississippi Code of 1972; any police, sheriff or highway patrol station; any detention facility, prison or jail; any courthouse; any courtroom, except that nothing in this section shall preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his courtroom; any polling place; any meeting place of the governing body of any governmental entity; any meeting of the Legislature or a committee thereof; any school, college or professional athletic event not related to firearms; any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages; any portion of an establishment in which beer, light spirit product or light wine is consumed on the premises, that is primarily devoted to such purpose; any elementary or secondary school facility; any junior college, community college, college or university facility unless for the purpose of participating in any authorized firearms-related activity; inside the passenger terminal of any airport, except that no person shall be prohibited from carrying any legal firearm into the terminal if the firearm is encased for shipment, for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; any church or other place of worship, except as provided in Section 45-9-171; or any place where the carrying of firearms is prohibited by federal law. In addition to the places enumerated in this subsection, the carrying of a stun gun, concealed pistol or revolver may be disallowed in any place in the discretion of the person or entity exercising control over the physical location of such place by the placing of a written notice clearly readable at a distance of not less than ten (10) feet that the "carrying of a pistol or revolver is prohibited * * *" or authorizing a policy with the same effect. No license issued pursuant to this section shall authorize the participants in a parade or demonstration for which a permit is required to carry a stun gun, concealed pistol or revolver.

(14) A law enforcement officer as defined in Section 45-6-3, chiefs of police, sheriffs and persons licensed as professional bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of 1972, shall be exempt from the licensing requirements of this section. The licensing requirements of this section do not apply to the carrying by any person of a stun gun, pistol or revolver, knife, or other deadly weapon that is not concealed as defined in Section 97-37-1.

(15) Any person who knowingly submits a false answer to any question on an application for a license issued pursuant to this section, or who knowingly submits a false document when applying for a license issued pursuant to this section, shall, upon conviction, be guilty of a misdemeanor and shall be punished as provided in Section 99-19-31, Mississippi Code of 1972.

(16) All fees collected by the Department of Public Safety pursuant to this section shall be deposited into a special fund hereby created in the State Treasury and shall be used for implementation and administration of this section. After the close of each fiscal year, the balance in this fund shall be certified to the Legislature and then may be used by the Department of Public Safety as directed by the Legislature.

(17) All funds received by a sheriff or police chief pursuant to the provisions of this section shall be deposited into the general fund of the county or municipality, as appropriate, and shall be budgeted to the sheriff's office or police department as appropriate.

(18) Nothing in this section shall be construed to require or allow the registration, documentation or providing of serial numbers with regard to any stun gun or firearm.

(19) Any person holding a valid unrevoked and unexpired license to carry stun guns, concealed pistols or revolvers issued in another state shall have such license recognized by this state to carry stun guns, concealed pistols or revolvers. The Department of Public Safety is authorized to enter into a reciprocal agreement with another state if that state requires a written agreement in order to recognize licenses to carry stun guns, concealed pistols or revolvers issued by this state.

(20) The provisions of this section shall be under the supervision of the Commissioner of Public Safety. The commissioner is authorized to promulgate reasonable rules and regulations to carry out the provisions of this section.

(21) For the purposes of this section, the term "stun gun" means a portable device or weapon from which an electric current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure, momentarily stun, knock out, cause mental disorientation or paralyze.

(22) (a) From and after January 1, 2016, the Commissioner of Public Safety shall promulgate rules and regulations which provide that licenses authorized by this section for honorably retired law enforcement officers and honorably retired correctional officers from the Mississippi Department of Corrections shall (i) include the words "retired law enforcement officer" on the front of the license, and (ii) that the license itself have a red background to distinguish it from other licenses issued under this section.

(b) An honorably retired law enforcement officer and honorably retired correctional officer shall provide the following information to receive the license described in this section: (i) a letter, with the official letterhead of the agency or department from which such officer is retiring, which explains that such officer is honorably retired, and (ii) a letter with the official letterhead of the agency or department, which explains that such officer has completed a certified law enforcement training academy.

(23) A disabled veteran who seeks to qualify for an exemption under this section shall be required to provide a veterans health services identification card issued by the United States Department of Veterans Affairs indicating a service-connected disability, which shall be sufficient proof of such service-connected disability.

(24) A license under this section is not required for a loaded or unloaded pistol or revolver to be carried upon the person in a sheath, belt holster or shoulder holster or in a purse, handbag, satchel, other similar bag or briefcase or fully enclosed case if the person is not engaged in criminal activity other than a misdemeanor traffic offense, is not otherwise prohibited from possessing a pistol or revolver under state or federal law, and is not in a location prohibited under subsection (13) of this section.

SECTION 4. Section 7-5-59, Mississippi Code of 1972, is amended as follows:

7-5-59. (1) The following terms shall have the meanings ascribed to them herein unless the context requires otherwise:

(a) "Computer crimes" means those crimes defined in Chapter 45 of Title 97 and sex offenses involving a computer affecting children as defined in Chapter 5 of Title 97.

(b) "White-collar crime and official corruption" includes crimes chargeable under the following provisions of law:

(i) Paragraphs (b) and (c) of Section 7-5-59(4), which relates to obstruction of white-collar crime investigations.

(ii) Section 97-7-10, which relates to the defrauding of state and local governments.

(iii) Section 97-19-73, which relates to fraud by mail, wire, radio or television.

(iv) Section 97-9-10, which relates to commercial bribery.

(v) Section 97-45-3, which relates to computer fraud.

(vi) Sections 97-11-25 through 97-11-31, which relate to embezzlement by public officials.

(vii) Section 97-11-33, which relates to extortion by public officials.

(viii) Sections 97-19-5 through 97-19-31, which relate to unlawful procurement or use of credit cards.

(ix) Sections 97-23-1 and 97-23-3, which relate to false, misleading or deceptive advertising.

(x) Sections 97-15-3 and 97-15-5, which relate to bribery of members and employees of the Highway Commission and the defrauding of the state by Highway Commission members, employees or highway contractors.

(xi) Section 97-9-5, which relates to bribery of jurors.

(xii) Sections 97-11-11, 97-11-13 and 97-11-53, which relate to acceptance of bribes by public officials and bribery of public officials.

(xiii) Sections 97-13-1 and 97-13-3, which relate to bribery of electors or election officials.

(xiv) Sections 97-23-19 through 97-23-27, which relate to embezzlement.

(xv) Section 45-9-53 which relates to corruption for violating concealed firearm provisions.

(c) "White-collar crime investigations" means an investigation into any illegal act or acts defined as white-collar crime.

(d) "Computer crimes investigations" means an investigation into any illegal act or acts defined as computer crime.

(e) "Person" means and includes not only an individual, but also a partnership, corporation, professional firm, nonprofit organization or other business entity.

(2) The Attorney General is hereby authorized to conduct official corruption investigations and such other white-collar crime investigations and computer crime investigations that are of statewide interest or which are in the protection of public rights.

(3) (a) In conducting white-collar crime and computer crime investigations, the Attorney General shall have the authority to issue and serve subpoenas to any person in control of any designated documents for the production of such documents, including, but not limited to, writings, drawings, graphs, charts, photographs, phono-records, subscriber records and other data compilations from which information can be obtained, or translated through detection devices into reasonably usable form. Such subpoenas shall require the named person, his agent or attorney, to appear and deliver the designated documents to a location in the county of his residence unless the court for good cause shown directs that the subpoena be issued for the person to deliver such documents to a location outside of the county of his residence. Mere convenience of the Attorney General shall not be considered good cause. The Attorney General or his designee shall have the authority to inspect and copy such documents. Such subpoenas shall be issued only upon the ex parte and in camera application of the Attorney General to the circuit or chancery court of the county of residence of the person in control of the documents or the circuit or chancery court of the county where the person in control of the documents may be found, and only upon a showing that the documents sought are relevant to a criminal investigation under

this section or may lead to the discovery of such relevant evidence. Thereafter said court shall have jurisdiction to enforce or quash such subpoenas and to enter appropriate orders thereon, and nothing contained in this section shall affect the right of a person to assert a claim that the information sought is privileged by law.

(b) A subpoena issued pursuant to this subsection shall be in substantially the following form:

"SUBPOENA TO PRODUCE DOCUMENTS PURSUANT TO AN
INVESTIGATION BY THE ATTORNEY GENERAL

TO:

YOU ARE HEREBY COMMANDED to appear before the Attorney General of the State of Mississippi or his designated staff attorney at the place, date and time specified below in an investigation being conducted by the Attorney General pursuant to Section 7-5-59, Mississippi Code of 1972:

Place _____ Date and Time _____

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s).

You are advised that the _____ Court of the _____ Judicial District of _____ County, Mississippi, has approved the ex parte and in camera application of the Attorney General to issue this subpoena, and jurisdiction to enforce and/or quash the subpoena and to enter appropriate orders thereon is statutorily vested in the said court; enforcement and penal provisions applicable to an Attorney General's investigation include those set forth in Section 7-5-59(4), Mississippi Code of 1972; and disclosure of testimony and/or records coming into possession of the Attorney General pursuant to this subpoena shall be limited by and subject to the provisions of Section 7-5-59(6), Mississippi Code of 1972, (for informational purposes, these cited statutes are reproduced on the reverse side of this subpoena).

You may wish to consult an attorney in regard to this subpoena. You have certain state and federal constitutional rights, including your protection against self-incrimination and unreasonable search and seizure which this subpoena may affect.

ISSUED BY AND UNDER SEAL OF THE ATTORNEY GENERAL OF THE STATE OF MISSISSIPPI, this the ____ day of _____, 20__.

(SEAL) _____ "

(c) Following service of any subpoena, pursuant to the provisions of this subsection, a record of the return shall be made and kept by the Attorney General and subject only to such disclosure as may be authorized pursuant to the provisions of this section.

(4) Enforcement and penal provisions applicable to an investigation under this section shall include the following:

(a) If a person who has been served with a subpoena, which has been issued and served upon him in accordance with the provisions of this section, shall fail to deliver or have delivered the designated documents at the time and place required in the subpoena, on application of the Attorney General the circuit or chancery court having approved the issuance of the subpoena may issue an attachment for such person,

returnable immediately, or at such time and place as the court may direct. Bond may be required and fine imposed and proceedings had thereon as in the case of a subpoenaed witness who fails to appear in circuit or chancery court.

(b) Every person who shall knowingly and willfully obstruct, interfere with or impede an investigation under this section by concealing or destroying any documents, papers or other tangible evidence which are relevant to an investigation under this section shall be guilty of a felony and, upon conviction, shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment.

(c) Every person who shall knowingly and willfully endeavor, by means of bribery, force or intimidation, to obstruct, delay or prevent the communication of information to any agent or employee of the Office of the Attorney General or who injures another person for the purpose of preventing the communication of such information or an account of the giving of such information relevant to an investigation under this section shall be guilty of a felony and, upon conviction, shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment.

(d) The provisions of paragraphs (a), (b) and (c) of this subsection shall not prohibit the enforcement of, or prosecution under, any other statutes of this state.

(5) (a) If any person shall refuse, or is likely to refuse, on the basis of his privilege against self-incrimination, produce the designated documents as requested by a subpoena issued under this section or issued by a court, the Attorney General may request the court, ex parte and in camera, to issue an order requiring such person to produce the documents information which he refuses to give or provide on the basis of his privilege against self-incrimination. The Attorney General may request said order under this subsection when, in his judgment:

(i) The documents sought from such individual may be necessary to the public interest; and

(ii) Such individual has refused or is likely to refuse to produce the designated document on the basis of his privilege against self-incrimination.

Following such request, an order shall issue in accordance with this section requiring such person to produce the documents which he refuses to produce on the basis of his privilege against self-incrimination.

(b) Whenever a witness refuses, on the basis of his privilege against self-incrimination, to produce documents, and the court issues to the witness an order under paragraph (a) of this subsection, the witness may not refuse to comply with the order on the basis of his privilege against self-incrimination, but no documents or information compelled under the aforesaid order, or any information directly or indirectly derived from such documents may be used against the witness in any criminal proceeding, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with the order.

(6) Documents in the possession of the Attorney General gathered pursuant to the provisions of this section and subpoenas issued by him shall be maintained in confidential files with access limited to prosecutorial and other law enforcement investigative personnel on a "need-to-know" basis and shall be exempt from the provisions of the Mississippi Public Records Act of 1983, except that upon the filing of an indictment or information, or upon the filing of an action for recovery of property, funds or fines, such documents shall be subject to such disclosure as may be required pursuant to the applicable statutes or court rules governing the trial of any such judicial proceeding.

(7) No person, including the Attorney General, a member of his staff, prosecuting attorney, law enforcement officer, witness, court reporter, attorney or other person, shall disclose to an unauthorized person documents, including subpoenas issued and served, gathered by the Attorney General pursuant to the provisions of this section, except that upon the filing of an indictment or information, or upon the filing of an action for recovery of property, funds or fines, or in other legal proceedings, such documents shall be subject to such disclosure as may be required pursuant to applicable statutes and court rules governing the trial of any such judicial proceeding. In event of an unauthorized disclosure of any such documents gathered by the Attorney General pursuant to the provisions of this section, the person making any such unauthorized disclosure shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or imprisonment of not more than six (6) months, or by both such fine and imprisonment.

(8) The powers of the Attorney General under this section shall not diminish the powers of local authorities to investigate or prosecute any type of white-collar crime violation, computer crime violation or any other criminal conduct within their respective jurisdictions, and the provisions of this section shall be in addition to the powers and authority previously granted the Attorney General by common, constitutional, statutory or case law.

(9) No person, agent or employee upon whom a subpoena is served pursuant to this section shall disclose the existence of the investigation to any person unless such disclosure is necessary for compliance with the subpoena. Any person who willfully violates this subsection shall be guilty of a misdemeanor and may be confined in the county jail for a period not to exceed one (1) year or fined not more than Ten Thousand Dollars (\$10,000.00), or both.

SECTION 5. Section 97-37-7, Mississippi Code of 1972, is amended as follows:

97-37-7. (1) (a) It shall not be a violation of Section 97-37-1 or any other statute for pistols, firearms or other suitable and appropriate weapons to be carried by duly constituted bank guards, company guards, watchmen, railroad special agents or duly authorized representatives who are not sworn law enforcement officers, agents or employees of a patrol service, guard service, or a company engaged in the business of transporting money, securities or other valuables, while actually engaged in the performance of their duties as such, provided that such persons have made a written application and paid a nonrefundable permit fee of One Hundred Dollars (\$100.00) to the Department of Public Safety.

(b) No permit shall be issued to any person who has ever been convicted of a felony under the laws of this or any other state or of the United States. To determine an applicant's eligibility for a permit, the person shall be fingerprinted. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Department of Public Safety to the Federal Bureau of Investigation for a national criminal history record check. The department shall charge a fee which includes the amounts required by the Federal Bureau of Investigation and the department for the national and state criminal history record checks and any necessary costs incurred by the department for the handling and administration of the criminal history background checks. In the event a legible set of fingerprints, as determined by the Department of Public Safety and the Federal Bureau of Investigation, cannot be obtained after a minimum of three (3) attempts, the Department of Public Safety shall determine eligibility based upon a name check by the Mississippi Highway Safety Patrol and a Federal Bureau of Investigation name check conducted by the Mississippi Highway Safety Patrol at the request of the Department of Public Safety.

(c) A person may obtain a duplicate of a lost or destroyed permit upon payment of a Fifteen Dollar (\$15.00) replacement fee to the Department of Public Safety,

if he furnishes a notarized statement to the department that the permit has been lost or destroyed.

(d) (i) No less than ninety (90) days prior to the expiration date of a permit, the Department of Public Safety shall mail to the permit holder written notice of expiration together with the renewal form prescribed by the department. The permit holder shall renew the permit on or before the expiration date by filing with the department the renewal form, a notarized affidavit stating that the permit holder remains qualified, and the renewal fee of Fifty Dollars (\$50.00); honorably retired law enforcement officers shall be exempt from payment of the renewal fee. A permit holder who fails to file a renewal application on or before its expiration date shall pay a late fee of Fifteen Dollars (\$15.00).

(ii) Renewal of the permit shall be required every four (4) years. The permit of a qualified renewal applicant shall be renewed upon receipt of the completed renewal application and appropriate payment of fees.

(iii) A permit cannot be renewed six (6) months or more after its expiration date, and such permit shall be deemed to be permanently expired; the holder may reapply for an original permit as provided in this section.

(2) It shall not be a violation of this or any other statute for pistols, firearms or other suitable and appropriate weapons to be carried by Department of Wildlife, Fisheries and Parks law enforcement officers, railroad special agents who are sworn law enforcement officers, investigators employed by the Attorney General, criminal investigators employed by the district attorneys, all prosecutors, public defenders, investigators or probation officers employed by the Department of Corrections, employees of the State Auditor who are authorized by the State Auditor to perform investigative functions, employees of the Secretary of State who are authorized by the Secretary to perform investigative or regulatory enforcement functions, or any deputy fire marshal or investigator employed by the State Fire Marshal, while engaged in the performance of their duties as such, or by fraud investigators with the Department of Human Services, or by judges of the Mississippi Supreme Court, Court of Appeals, circuit, chancery, county, justice and municipal courts, or by coroners. Before any person shall be authorized under this subsection to carry a weapon, he shall complete a weapons training course approved by the Board of Law Enforcement Officer Standards and Training. Before any criminal investigator employed by a district attorney shall be authorized under this section to carry a pistol, firearm or other weapon, he shall have complied with Section 45-6-11 or any training program required for employment as an agent of the Federal Bureau of Investigation. A law enforcement officer, as defined in Section 45-6-3, shall be authorized to carry weapons in courthouses in performance of his official duties. A person licensed under Section 45-9-101 to carry a concealed pistol, who (a) has voluntarily completed an instructional course in the safe handling and use of firearms offered by an instructor certified by a nationally recognized organization that customarily offers firearms training, or by any other organization approved by the Department of Public Safety, (b) is a member or veteran of any active or reserve component branch of the United States of America Armed Forces having completed law enforcement or combat training with pistols or other handguns as recognized by such branch after submitting an affidavit attesting to have read, understand and agree to comply with all provisions of the enhanced carry law, or (c) is an honorably retired law enforcement officer or honorably retired member or veteran of any active or reserve component branch of the United States of America Armed Forces having completed law enforcement or combat training with pistols or other handguns, after submitting an affidavit attesting to have read, understand and agree to comply with all provisions of Mississippi enhanced carry law shall also be authorized to carry weapons in courthouses except in courtrooms during a judicial proceeding, and any location listed in subsection (13) of Section 45-9-101, except any place of nuisance as defined in Section 95-3-1, any police, sheriff or highway patrol station or any detention facility, prison or jail. For the purposes of this subsection (2), component branch of the United States Armed Forces includes the Army, Navy, Air Force, Coast Guard or Marine Corps, or the Army National Guard, the Army National Guard of the United States, the Air National Guard or

the Air National Guard of the United States, as those terms are defined in Section 101, Title 10, United States Code, and any other reserve component of the United States Armed Forces enumerated in Section 10101, Title 10, United States Code. The department shall promulgate rules and regulations allowing concealed pistol permit holders to obtain an endorsement on their permit indicating that they have completed the aforementioned course and have the authority to carry in these locations. This section shall in no way interfere with the right of a trial judge to restrict the carrying of firearms in the courtroom.

For purposes of this subsection (2), the following words shall have the meanings described herein, unless the context otherwise requires:

(i) "Courthouse" means any building in which a circuit court, chancery court, youth court, municipal court, justice court or any appellate court is located, or any building in which a court of law is regularly held.

(ii) "Courtroom" means the actual room in which a judicial proceeding occurs, including any jury room, witness room, judge's chamber, office housing the judge's staff, or similar room. "Courtroom" shall not mean hallways, courtroom entrances, courthouse grounds, lobbies, corridors, or other areas within a courthouse which are generally open to the public for the transaction of business outside of an active judicial proceeding, the grassed areas, cultivated flower beds, sidewalks, parking lots, or other areas contained within the boundaries of the public land upon which the courthouse is located.

(3) It shall not be a violation of this or any other statute for pistols, firearms or other suitable and appropriate weapons, to be carried by any out-of-state, full-time commissioned law enforcement officer who holds a valid commission card from the appropriate out-of-state law enforcement agency and a photo identification. The provisions of this subsection shall only apply if the state where the out-of-state officer is employed has entered into a reciprocity agreement with the state that allows full-time commissioned law enforcement officers in Mississippi to lawfully carry or possess a weapon in such other states. The Commissioner of Public Safety is authorized to enter into reciprocal agreements with other states to carry out the provisions of this subsection.

SECTION 6. Section 97-37-5, Mississippi Code of 1972, is amended as follows:

97-37-5. (1) It shall be unlawful for any person who has been convicted of a felony under the laws of this state, any other state, or of the United States to possess any firearm or any bowie knife, dirk knife, butcher knife, switchblade knife, metallic knuckles, blackjack, or any muffler or silencer for any firearm unless such person has received a pardon for such felony, has received a relief from disability pursuant to Section 925(c) of Title 18 of the United States Code, or has received a certificate of rehabilitation pursuant to subsection (3) of this section.

(2) Any person violating this section shall be guilty of a felony and, upon conviction thereof, shall be fined not more than Five Thousand Dollars (\$5,000.00), or committed to the custody of the State Department of Corrections for not less than one (1) year nor more than ten (10) years, or both.

(3) A person who has been convicted of a federal crime or a felony under the laws of this state or any other state may apply to the court in which he was convicted or in the court of the person's residence if the person was convicted out of state or of a federal crime for a certificate of rehabilitation. A person who has been convicted of a federal crime or a felony in another state shall attach a certified copy of his or her judgment and a certified copy of his or her completion of sentence to the petition for a certificate of rehabilitation. The court may grant such certificate in its discretion upon a showing to the satisfaction of the court that the applicant has been rehabilitated and has led a useful,

productive and law-abiding life since the completion of his sentence and upon the finding of the court that he will not be likely to act in a manner dangerous to public safety.

(4) (a) A person who is discharged from court-ordered mental health treatment may petition the court which entered the commitment order for an order stating that the person qualifies for relief from a firearms disability.

(b) In determining whether to grant relief, the court must hear and consider evidence about:

(i) The circumstances that led to imposition of the firearms disability under 18 * * * USCS, Section 922(d)(4);

(ii) The person's mental history;

(iii) The person's criminal history; and

(iv) The person's reputation.

(c) A court may not grant relief unless it makes and enters in the record the following affirmative findings:

(i) That the person is no longer likely to act in a manner dangerous to public safety; and

(ii) Removing the person's disability to purchase a firearm is not against the public interest.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO PROHIBIT STATE AGENCIES FROM RESTRICTING THE POSSESSION OF FIREARMS; TO AMEND SECTION 45-9-53, MISSISSIPPI CODE OF 1972, TO PROHIBIT CITIES AND COUNTIES FROM USING A NOTICE OR BAN TO RESTRICT A LICENSED CONCEALED FIREARM HOLDER FROM ENTERING CERTAIN LOCATIONS; TO AUTHORIZE THE ATTORNEY GENERAL TO PROSECUTE VIOLATIONS OF THIS PROVISION USING STATE CORRUPTION PROVISIONS; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 7-5-59, MISSISSIPPI CODE OF 1972, TO ADD TO THE LIST OF CORRUPTION CRIMES VIOLATIONS OF SECTION 45-9-53; TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INVESTIGATIVE AND REGULATORY EMPLOYEES OF THE SECRETARY OF STATE'S OFFICE TO CARRY WEAPONS; TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A CERTIFICATE OF REHABILITATION FOR ANY PERSON CONVICTED OF A FEDERAL CRIME OR A FELONY OUT OF STATE; AND FOR RELATED PURPOSES.

Senator England moved that the rules be suspended for the immediate consideration of calendar item 33, **S. B. No. 2223**, and the motion prevailed.

Senator England called up the following House Amendment to **S. B. No. 2223** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is created the Mississippi Warrants Task Force. The purpose of the task force is to study: how warrants are issued in the state, the procedural elements of knock and announce warrants, the number of injuries, if any, that have occurred when executing warrants in the state, and the geographical locations of such executions and injuries occurred.

(2) The Mississippi Warrants Task Force shall be composed of the following members:

- (a) The Commissioner of the Department of Public Safety, who shall serve as chair;
- (b) Executive Director of the Mississippi Bureau of Narcotics, or his or her designee;
- (c) The Executive Director of the Mississippi Association of Police Chiefs;
- (d) The Executive Director of the Mississippi Prosecutor's Association;
- (e) The Executive Director of the Mississippi Sheriff's Association;
- (f) The Director of the Office of State Public Defender;
- (g) One (1) member appointed by the Speaker of the Mississippi House of Representatives;
- (h) One (1) member appointed by the Lieutenant Governor; and
- (i) One (1) member appointed from the Bureau of Investigations by the Commissioner of the Department of Safety.

(3) The Mississippi Warrants Task Force shall have the following duties, to:

- (a) Study how warrants are issued throughout the state;
- (b) Study all entities who are authorized to issue warrants, and provide a list of such entities;
- (c) Provide all documented circumstances in which warrants are issued in the state;
- (d) Study the number of injuries, if any, incurred when executing warrants in the state;
- (e) Create standards for issuing and executing warrants, which shall include knock and announce warrants;

(f) Make recommendations regarding procedures for knock and announce warrants to the Speaker of the Mississippi House of Representatives and the Lieutenant Governor by October 1, 2021.

(4) The members of the task force shall serve at the will and pleasure of their respective appointing authorities. A majority of the members of the task force shall constitute a quorum for the transaction of business.

(5) (a) The task force shall hold its first meeting no later than fifteen (15) days after July 1, 2021. At its first meeting, the task force shall adopt rules for transacting its business and keeping records.

(b) The task force shall meet and conduct business at least once a month. All meetings of the task force and any committees of the task force will be open to the public, with opportunities for public comment provided on a regular basis. Notice of all meetings shall be given as provided in the Open Meetings Act, Section 25-41-1 et seq. and appropriate notice also shall be given to all persons so requesting of the date, time and place of each meeting.

(c) The task force is assigned to the Mississippi Department of Public Safety for administrative purposes only, and the department shall designate staff to assist the task force.

(6) Members of the task force who are not state officials or state employees may be compensated at the per diem rate authorized by Section 25-3-69 and may be reimbursed in accordance with Section 25-3-41 for mileage and actual expenses incurred in the performance of their duties. If legislative members are appointed to the task force, they will be paid from the contingent expense funds of their respective houses in the same manner as provided for committee meetings when the Legislature is not in session. However, legislative members will not be paid per diem or expenses for attending meetings of the task force while the Legislature is in session. No task force member may incur per diem, travel or other expenses unless previously authorized by vote, at a meeting of the task force, which action must be recorded in the official minutes of the meeting. Nonlegislative members may be paid from any funds made available to the task force for that purpose.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI WARRANTS TASK FORCE; TO PROVIDE THE PURPOSE OF THE TASK FORCE; TO PROVIDE DUTIES FOR THE TASK FORCE; TO REQUIRE A REPORT OF RECOMMENDATIONS FROM THE TASK FORCE TO THE SPEAKER OF THE MISSISSIPPI HOUSE OF REPRESENTATIVES AND THE LIEUTENANT GOVERNOR BY A CERTAIN DATE; TO PROVIDE HOW MEMBERS OF THE COMMITTEE ARE COMPENSATED; AND FOR RELATED PURPOSES.

Senator England moved that the rules be suspended for the immediate consideration of calendar item 41, **S. B. No. 2279**, and the motion prevailed.

Senator England called up the following House Amendment to **S. B. No. 2279** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 27 after "2021" by inserting the following:

"and shall stand repealed on June 30, 2021"

Senator Whaley entered a motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2649**.

S. B. No. 2649: Energy efficiency contracts; extend repeal date on use of.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Robert R. Williams of Ridgeland, MS.

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

Senators Younger and Bryan moved that when the Senate adjourns, it adjourn in memory of Nancy McClanahan Imes of Columbus, MS.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Frances Kuykendall McFerson of Marks, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Samuel "Sammy" L. Cauthen of Natchez, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Mr. Pettus Eugene "Gene" Bates of Church Hill, MS.

Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Ralph Posey Montgomery of Belmont, MS.

Senator Blackwell moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 16, 2021.

The motion prevailed, and at 2:40 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON FINANCE

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

H. B. No. 1351: Bonds; increase amount that may be issued for the Local Governments and Rural Water Systems Improvements Revolving Loan Fund. Title Sufficient. Do Pass As Amended.

H. B. No. 1356: Income tax and sales tax; revise deduction for depreciation, exempt sales of certain aircraft. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

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

S. B. No. 2606: AN ACT TO CREATE NEW SECTIONS 67-11-1, 67-11-3, 67-11-5, 67-11-7, 67-11-9 AND 67-11-11, MISSISSIPPI CODE OF 1972, TO BE KNOWN AS THE "MISSISSIPPI NATIVE SPIRIT LAW"; TO DEFINE "NATIVE SPIRIT" AS A BEVERAGE PRODUCED IN MISSISSIPPI FOR SALE POSSESSING A VOLUME OF AT LEAST 51% OF THE FINISHED PRODUCT OBTAINED FROM DISTILLATION OF FERMENTED GRAIN, STARCH, MOLASSES OR SUGAR GROWN AND PRODUCED IN MISSISSIPPI; TO DEFINE "NATIVE DISTILLERY" AS AN ESTABLISHMENT WITHIN THIS STATE WHERE NATIVE SPIRIT IS PRODUCED IN WHOLE OR IN PART FOR SALE; TO LEGALIZE THE MANUFACTURE AND SALE OF NATIVE SPIRITS, TO BE REGULATED IN THE SAME MANNER AS NATIVE WINES; TO ESTABLISH PRIVILEGE AND EXCISE TAXES UPON PRODUCERS OF NATIVE SPIRITS; TO AMEND SECTIONS 67-1-5, 67-1-7, 67-1-13, 67-1-37, 67-1-41, 67-1-45, 67-1-51, 67-1-73, 27-4-3, 27-71-5, 27-71-7, 27-71-21, 27-77-1 AND 27-77-17, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

S. C. R. No. 502: A CONCURRENT RESOLUTION REMEMBERING THE LEGACY OF FORMER GOVERNOR WILLIAM F. WINTER AND EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY AND FRIENDS ON HIS PASSING.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON APPROPRIATIONS

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

H. B. No. 1387: Appropriation; Education, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1388: Appropriation; Educational Television, Authority for. Title Sufficient. Do Pass As Amended.

H. B. No. 1390: Appropriation; Library Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1385: Appropriation; Attorney General. Title Sufficient. Do Pass As Amended.

H. B. No. 1382: Appropriation; Capital Post-Conviction Counsel, Office of. Title Sufficient. Do Pass As Amended.

H. B. No. 1378: Appropriation; District attorneys and staff. Title Sufficient. Do Pass As Amended.

H. B. No. 1383: Appropriation; State Public Defender, Office of. Title Sufficient. Do Pass As Amended.

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services. Title Sufficient. Do Pass As Amended.

H. B. No. 1379: Appropriation; Insurance, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1380: Appropriation; Fire Academy. Title Sufficient. Do Pass As Amended.

H. B. No. 1377: Appropriation; Real Estate Commission and Appraiser Licensing and Certification Board. Title Sufficient. Do Pass As Amended.

H. B. No. 1400: Appropriation; Medicaid, Division of. Title Sufficient. Do Pass As Amended.

H. B. No. 1398: Appropriation; Human Services, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1399: Appropriation; Rehabilitation Services, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1401: Appropriation; Health, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1386: Appropriation; Archives and History, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1389: Appropriation; Arts Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1394: Appropriation; Grand Gulf Military Monument Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1412: Appropriation; Marine Resources, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1407: Appropriation; Port Authority, State. Title Sufficient. Do Pass As Amended.

H. B. No. 1405: Appropriation; Pat Harrison Waterway District. Title Sufficient. Do Pass As Amended.

H. B. No. 1406: Appropriation; Pearl River Valley Water Supply District. Title Sufficient. Do Pass As Amended.

H. B. No. 1408: Appropriation; Tombigbee River Valley Water Management District. Title Sufficient. Do Pass As Amended.

H. B. No. 1409: Appropriation; Yellow Creek State Inland Port Authority. Title Sufficient. Do Pass As Amended.

H. B. No. 1413: Appropriation; Transportation, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1366: Appropriation; Barber Examiners, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1367: Appropriation; Cosmetology, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1369: Appropriation; Medical Licensure, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1370: Appropriation; Nursing, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1371: Appropriation; Nursing Home Administrators, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1372: Appropriation; Optometry, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1373: Appropriation; Physical Therapy Board. Title Sufficient. Do Pass As Amended.

H. B. No. 1374: Appropriation; Psychology, Board of. Title Sufficient. Do Pass As Amended.

H. B. No. 1368: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Title Sufficient. Do Pass As Amended.

H. B. No. 1365: Appropriation; Athletic Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1376: Appropriation; Auctioneers Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1375: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Title Sufficient. Do Pass As Amended.

H. B. No. 1402: Appropriation; Foresters, Board of Registration for. Title Sufficient. Do Pass As Amended.

H. B. No. 1396: Appropriation; Public Service Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1397: Appropriation; Public Utilities Staff. Title Sufficient. Do Pass As Amended.

H. B. No. 1411: Appropriation; Veterans' Home Purchase Board. Title Sufficient. Do Pass As Amended.

H. B. No. 1392: Appropriation; Environmental Quality, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1403: Appropriation; Forestry Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1395: Appropriation; Oil and Gas Board. Title Sufficient. Do Pass As Amended.

H. B. No. 1404: Appropriation; Soil and Water Conservation Commission. Title Sufficient. Do Pass As Amended.

H. B. No. 1393: Appropriation; Wildlife, Fisheries and Parks, Department of. Title Sufficient. Do Pass As Amended.

H. B. No. 1391: Appropriation; reappropriation, DFA - Bureau of Building; FY21. Title Sufficient. Do Pass.

H. B. No. 1381: Appropriation; Legislative expenses. Title Sufficient. Do Pass As Amended.

H. B. No. 1410: Appropriation; Public Employees' Retirement System. Title Sufficient. Do Pass As Amended.

H. B. No. 1414: Appropriation; additional for various state agencies for Fiscal Year 2021. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

MESSAGE FROM THE MS DEPT OF EDUCATION
March 15, 2021

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

Jean Cook, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning immediately and ending August 31, 2021.

Jean Cook, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning September 1, 2021 and ending August 31, 2024.

Carey M. Wright, Ed.D., State Superintendent of Education
MS DEPT OF EDUCATION

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

Jean Cook, Mississippi Charter School Authorizer Board, term beginning immediately and ending August 31, 2021, Education.

Jean Cook, Mississippi Charter School Authorizer Board, term beginning September 1, 2021 and ending August 31, 2024, Education.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 106: State budget; revise provisions in several FY21 appropriation bills.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 294: Hospices; delete repealer on authority for prescribing certain drugs without in-person visit with a patient.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

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

H. B. No. 106: AN ACT TO AMEND SECTION 14, CHAPTER 42, LAWS OF 2020, TO INCREASE THE AMOUNT IN THE FISCAL YEAR 2021 APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS THAT IS AUTHORIZED FOR EXPENDITURE IN THE INMATE WELFARE FUND; TO AMEND SECTION 8, CHAPTER 92, LAWS OF 2020, TO EXTEND THE PERIOD FOR WHICH FUNDS IN THE FISCAL YEAR 2021 APPROPRIATION TO THE DEPARTMENT OF EMPLOYMENT SECURITY MAY BE USED TO PURCHASE ACCUMULATED COMPENSATORY TIME BY EMPLOYEES WHOSE ACTIVITIES ARE DEEMED ESSENTIAL TO AGENCY OPERATIONS FOR RESPONDING TO COVID-19; TO AMEND SECTION 35, CHAPTER 102, LAWS OF 2020, TO EXTEND THE PERIOD FOR WHICH FUNDS IN THE FISCAL YEAR 2021 APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH MAY BE USED TO PURCHASE ACCUMULATED COMPENSATORY TIME BY EMPLOYEES WHOSE ACTIVITIES ARE DEEMED ESSENTIAL TO AGENCY OPERATIONS FOR RESPONDING TO COVID-19 AND TO INCREASE THE AMOUNT OF FUNDS THAT MAY BE USED FOR THAT PURPOSE; TO AMEND SECTION 18, CHAPTER 106, LAWS OF 2020, TO CLARIFY THE NAME OF A RECIPIENT OF PROJECT FUNDS FROM THE GULF COAST RESTORATION FUND IN THE FISCAL YEAR 2021 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY AND TO CORRECT THE PURPOSE OF ONE OF THE PROJECTS; TO AMEND SECTION 28, CHAPTER 107, LAWS OF 2020, TO CLARIFY THE NAMES OF TWO RECIPIENTS OF PROJECT FUNDS FROM THE BP SETTLEMENT FUND IN THE FISCAL YEAR 2021 APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE STATE FIRE ACADEMY WORKFORCE PROGRAM FUND, WHICH SHALL CONSIST OF MONIES MADE AVAILABLE BY THE LEGISLATURE AND MONIES RECEIVED BY THE STATE FIRE ACADEMY FOR WORKFORCE PROGRAMS; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO EXEMPT THE STATE FIRE ACADEMY WORKFORCE PROGRAM FUND FROM THE PROVISION REQUIRING THE STATE FIRE ACADEMY BE FUNDED BY APPROPRIATIONS FROM THE GENERAL FUND; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

MESSAGE FROM THE GOVERNOR
March 15, 2021

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

Brig. Gen. George Edward Irvin, Sr., Jackson, Mississippi, State Veterans Affairs Board to represent the Second Congressional District, unexpired portion of a five year term beginning immediately and ending May 31, 2025.

Kenneth Charles (Ken) Lippincott, MD, Tupelo, Mississippi, Mississippi State Board of Medical Licensure to represent the Third Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026.

Tate Reeves
GOVERNOR

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

Brig. Gen. George Edward Irvin, Sr., State Veterans Affairs Board to represent the Second Congressional District, unexpired portion of a five year term beginning immediately and ending May 31, 2025, Veterans and Military Affairs.

Kenneth Charles (Ken) Lippincott, MD, Mississippi State Board of Medical Licensure to represent the Third Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026, Public Health and Welfare.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 4:20 PM in memory of Robert R. Williams, Harry Brown, Nancy McClanahan Imes, Frances Kuykendall McFerson, Samuel "Sammy" L. Cauthen, Mr. Pettus Eugene "Gene" Bates and Ralph Posey Montgomery.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, MARCH 15, 2021**S. C. R. No. 535:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES AND OTHER PROVISIONS OF JOINT RULE NO. 40 FOR THE PURPOSE OF THE FURTHER CONSIDERATION AND PASSAGE OF SENATE BILL NO. 2799, 2021 REGULAR SESSION, ENTITLED "AN ACT RELATING TO THE MISSISSIPPI MEDICAID PROGRAM; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, RELATING TO REIMBURSEMENT FOR CARE AND SERVICES UNDER THE MEDICAID PROGRAM; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING TO REIMBURSEMENT OF INPATIENT HOSPITAL SERVICES; TO PROVIDE THAT

MEDICAID IS AUTHORIZED TO MAKE PARTIAL PAYMENTS FOR NURSING SERVICES; TO PROVIDE FOR NURSING FACILITY REIMBURSEMENT FOR HOME LEAVE DAYS; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING TO REIMBURSEMENT OF NURSING FACILITY SERVICES; TO PROVIDE FOR REIMBURSEMENT FOR FEES FOR PHYSICIAN SERVICES COVERED ONLY BY MEDICAID; TO AUTHORIZE THE DIVISION TO REIMBURSE OBSTETRICIANS AND GYNECOLOGISTS FOR CERTAIN PRIMARY CARE SERVICES AT 100% OF THE MEDICARE RATE; TO DELETE THE PROVISION THAT REQUIRES THE DIVISION TO ALLOW PHYSICIAN-ADMINISTERED DRUGS TO BE BILLED AND REIMBURSED AS A MEDICAL CLAIM OR PHARMACY POINT-OF-SALE; TO PROVIDE THAT THE DIVISION SHALL MAKE PARTIAL PAYMENTS, AS DETERMINED BY THE DIVISION, TO INTERMEDIATE CARE FACILITY SERVICES AND TO DELETE CERTAIN PROVISIONS RELATING TO FAIR RENTAL REIMBURSEMENT FOR SUCH FACILITIES; TO DEFINE CLINIC SERVICES AS IT RELATES TO THE REIMBURSEMENTS BY MEDICAID FOR THOSE SERVICES; TO AUTHORIZE MEDICAID REIMBURSEMENT FOR THERAPEUTIC AND CASE MANAGEMENT MENTAL HEALTH SERVICES PROVIDED BY SERVICE PROVIDERS ACCREDITED BY THE JOINT COMMISSION OR CERTAIN OTHER ACCREDITING AGENCIES; TO PROVIDE THAT MEDICAID MAY ESTABLISH AN UPPER PAYMENT LIMITS PROGRAM FOR AMBULANCE TRANSPORTATION AND ASSESS PROVIDERS OF SUCH SERVICE; TO REQUIRE THE DIVISION OF MEDICAID TO RECOGNIZE FEDERALLY QUALIFIED HEALTH CENTERS (FQHC), RURAL HEALTH CLINICS (RHC) AND COMMUNITY MENTAL HEALTH CENTERS (CMHC) AS BOTH AN ORIGINATING AND DISTANT SITE PROVIDER FOR THE PURPOSES OF TELEHEALTH REIMBURSEMENT; TO DELETE THE PROVISIONS RELATING TO MEDICAID'S DEVELOPMENT OF AN ALTERNATIVE MODEL FOR DISTRIBUTION OF MEDICAL CLAIMS AND SUPPLEMENTAL PAYMENTS FOR SERVICES; TO AUTHORIZE REIMBURSEMENT FOR CERTAIN PSYCHIATRIC SERVICES; TO CLARIFY THE REIMBURSEMENT OF PEDIATRIC SKILLED NURSING SERVICES, INPATIENT PSYCHIATRIST SERVICES AND NONEMERGENCY TRANSPORTATION SERVICES; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REIMBURSE CROSSOVER CLAIMS FOR INPATIENT HOSPITAL SERVICES AND THOSE UNDER MEDICARE PART B; TO DELETE CERTAIN PROVISIONS RELATING TO THE REIMBURSEMENT OF PHYSICIAN ASSISTANT SERVICES; TO PROVIDE THAT THE DIVISION MAY ESTABLISH COPAYMENTS AND COINSURANCE FOR ANY MEDICAID SERVICES; TO ALLOW THE DIVISION TO USE ENHANCED REIMBURSEMENTS AND UPPER PAYMENT LIMIT PROGRAMS FOR ITS REIMBURSEMENT PROGRAM; TO AUTHORIZE REIMBURSEMENT FOR A BARIATRIC SURGERY PROGRAM; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REDUCE THE RATE OF REIMBURSEMENT TO CERTAIN PROVIDERS FOR SERVICES BY 5% OF THE ALLOWED AMOUNT FOR THAT SERVICE; TO REQUIRE PROVIDERS TO MAINTAIN RECORDS AS PRESCRIBED BY THE DIVISION AND IN ACCORDANCE WITH FEDERAL LAW; TO DELETE CERTAIN ENROLLMENT LIMITATIONS AND PROVISIONS RELATING TO MANAGED CARE PROGRAMS; TO ALLOW THE DIVISION OF MEDICAID TO APPROVE THE USE OF ALTERNATIVE PAYMENT MODELS FOR REIMBURSEMENT RATES; TO CLARIFY LIMITATIONS ON MEDICAID ELIGIBILITY FOR ENROLLMENT IN MANAGED CARE PROGRAMS; TO DELETE THE PROVISIONS THAT PROVIDE FOR THE COMMISSION ON EXPANDING MEDICAID MANAGED CARE; TO REQUIRE CONTRACTORS RECEIVING PAYMENTS UNDER A MANAGED CARE DELIVERY SYSTEM TO DISCLOSE TO THE CHAIRMEN OF THE SENATE AND HOUSE MEDICAID COMMITTEES THE ADMINISTRATIVE EXPENSES FOR THE PRIOR YEAR, AND THE NUMBER OF EMPLOYEES IN MISSISSIPPI WHO ARE DEDICATED TO MEDICAID AND CHIP LINES OF BUSINESS AS OF JUNE 30 OF EACH YEAR; TO PROVIDE FOR REVIEWS OF THE MANAGED CARE PROGRAMS BY THE STATE AUDITOR; TO REQUIRE THAT ALL MANAGED CARE CONTRACTORS SHALL DEVELOP AND IMPLEMENT A UNIFORM CREDENTIALING PROCESS BY WHICH ALL PROVIDERS ARE CREDENTIALLED BY JULY 1, 2022; TO DELETE THE PROVISION THAT THERE SHALL NOT BE CUTS TO INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS; TO

EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO DIRECT THE DIVISION TO EVALUATE THE FEASIBILITY OF CONTINUING TO ADMINISTER PHARMACY BENEFITS UNDER FEE-FOR-SERVICE AND DENTAL BENEFITS UNDER MANAGED CARE; TO DIRECT MANAGED CARE CONTRACTORS TO IMPLEMENT INNOVATIVE PROGRAMS FOR MEMBERS WITH PREDIABETES AND DIABETES; TO AUTHORIZE THE DIVISION TO NEGOTIATE A LIMITATION ON LIABILITY TO THE STATE OF CERTAIN PROSPECTIVE CONTRACTORS; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NURSING FACILITIES OPERATED BY THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER ARE NOT EXEMPT FROM THE ANNUAL ASSESSMENT FOR THE SUPPORT OF THE MEDICAID PROGRAM, TO DELETE CERTAIN TECHNICAL PROVISIONS RELATING TO THE ASSESSMENT AND COLLECTION OF THE HOSPITAL ASSESSMENT, TO CLARIFY THE PROCEDURE FOR PAYMENT OF THE HOSPITAL ASSESSMENT FOR THE NONFEDERAL SHARE NECESSARY FOR THE MEDICARE UPPER PAYMENT LIMITS (UPL) PROGRAM AND THE DISPROPORTIONATE SHARE HOSPITAL (DSH) PROGRAM; TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO PROVIDE UP TO 12 MONTHS OF CONTINUOUS COVERAGE POSTPARTUM FOR ANY INDIVIDUAL WHO QUALIFIES FOR MEDICAID AS A PREGNANT WOMAN TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE MORATORIUM ON THE AUTHORITY OF THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OR CONVERSION OF CHILD/ADOLESCENT PSYCHIATRIC OR CHEMICAL DEPENDENCY BEDS PARTICIPATING IN THE MEDICAID PROGRAM AND TO DELETE CERTAIN RESTRICTIONS ON MEDICAID REIMBURSEMENT FOR SUCH BEDS; TO AMEND SECTION 41-75-5, MISSISSIPPI CODE OF 1972, TO DELETE THE RESTRICTION ON POST ACUTE RESIDENTIAL BRAIN INJURY REHABILITATION FACILITIES PARTICIPATION IN THE MEDICAID PROGRAM; TO AMEND SECTION 83-9-353, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN RESTRICTIONS ON REMOTE PATIENT TELEMONITORING SERVICES; AND FOR RELATED PURPOSES."

By Senator(s) Blackwell

SEVENTY-FIRST DAY, TUESDAY, MARCH 16, 2021

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Fillingane. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Fillingane.

The invocation was delivered by Senator Polk.

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

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

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

Senator Hopson called up the following entitled bill:

H. B. No. 1387: Appropriation; Education, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division..... \$ 89,722,617.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education
\$ 73,546,001.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972..... \$ 19,576,109.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program.....
\$ 2,092,314,374.00.

(e) To the State Board of Education for the purpose of defraying the expenses of the Mississippi School for the Blind and the Mississippi School for the Deaf.....\$ 7,580,510.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED

BY THIS SECTION BEING.....\$ 2,282,739,611.00.

SECTION 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the

following paragraphs for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division \$ 899,918,151.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education
\$ 20,981,914.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Adequate Education Program\$ 245,112,197.00.

(d) To the State Board of Education for the purpose of defraying the expenses of the Mississippi School for the Blind and the Mississippi School for the Deaf
\$ 2,158,848.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED

BY THIS SECTION BEING\$ 1,168,171,110.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars (\$126,472.00), or so much of that sum as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund to the State Department of Education for the purpose of defraying the expenses of the department for the Mississippi Eye Screening Program for providing vision safety services.

SECTION 4. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment \$ 6,333,806.00.

Educable Child \$ 7,000,000.00.

Grants to school districts for capital

facilities and buses \$ 16,000,000.00.

Instructional materials \$ 12,000,000.00.

Students with Special Needs \$ 1,800,000.00.

Implementing Performance Based Data

Collection and Accreditation

Model \$ 274,937.00.

Testing \$ 6,125,670.00.

Mississippi School for Math

and Science \$ 125,000.00.

Mississippi School for Fine Arts \$ 125,000.00.

TOTAL \$ 49,784,413.00.

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division
\$ 4,937,258.00.

(c) To the State Department of Education to provide funding for the Mississippi Adequate Education Program
\$ 225,112,197.00.

(d) To the State Board of Education for the purpose of defraying the expenses of the Mississippi School for the Blind and the Mississippi School for the Deaf\$ 1,207,037.00.

SECTION 5. Of the funds appropriated in this act, the following positions are authorized for the State Department of Education, excluding the expenses of the Vocational and Technical Education Division:

AUTHORIZED POSITIONS:

Permanent:	Full Time	305
	Part Time	3
Time-Limited:	Full Time	149
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

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

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

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

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in this act shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2022

Performance Measures	Target
Special Education	
Special Education teachers (FTE) (Number of)	6,300
Gifted Education teachers (Number of)	875
Increase percentage of children with disabilities in general education early childhood programs while decreasing the percentage in self-contained special education early childhood classrooms (%)	80.00
General Administration	
Total Dollars Spent on General Administration (\$)	23,000,000.00
Total Budget Spent on General Administration (%)	16.00
Create a public-facing data system for all stakeholders (%)	100.00
Create a user-friendly website for the public and school districts to access data to make decisions (%)	100.00
Create a roadmap to improve the Mississippi Student Information System (%)	100.00
Publish research results to support improved student outcomes and teacher effectiveness (Number of)	9
Graduation & Career Readiness	
Increase the percentage of students graduating from high school ready for college or career in each subgroup (%)	90.00
Early Childhood Education	
Increase percentage of kindergarten students achieving end-of-year target score on Kindergarten Readiness post-test (%)	75.00
Increase the percentage of Early Learning Collaborative sites meeting required rate of readiness (%)	100.00
Increase number of students enrolled in Title I or locally funded pre-K classes (Number of)	8,022
Teacher Tng & Professional Dev	
Increase the percentage of districts reporting Professional Growth System (PGS) ratings for teachers and leaders (%)	80.00
Increase the number of licensed, diverse teachers and leaders (Number of)	50
Increase the percentage of teacher candidates passing licensure exams on the first attempt (%)	70.00
Reduce the proportion of inexperienced and non-certified teachers in schools that are High Poverty (%)	25.00
Reduce the proportion of inexperienced and non-certified teachers in schools that are High Minority (%)	24.00
Elementary Education	
Increase the percentage of students who pass the 3rd grade reading assessment at	

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the first administration in each subgroup (%)	85.00
Secondary Education	
Increase the number of students participating in and passing Advanced Placement (AP), International Baccalaureate (IB) and Cambridge exams in each subgroup (Number of)	40.00
Increase the percentage of students ready for college as measured by meeting ACT benchmarks in each content area (public school class data, grade 11) (Number of)	40.00
Assessment & Development	
Increase the percentage of students proficient (levels 4 and 5) on statewide assessments (grades 3-8 and high school composite) in each subgroup	60.00
Decrease the percentage of students scoring levels 1-3 on statewide assessments in each subgroup	40.00
Increase percentage of pre-kindergarten students in public schools attaining kindergarten readiness on the pre-K end-of-year assessment	75.00
School Performance	
Increase the percentage of schools rated "C" or higher	80.00
Increase the percentage of districts rated "C" or higher	80.00
Increase the percentage of students demonstrating growth on statewide ELA assessments in each subgroup	70.00
Increase the percentage of students demonstrating growth on statewide Math assessments in each subgroup	70.00
Increase the percentage of students participating in dual credit in each subgroup	50.00
Increase the percentage of students passing dual credit in each subgroup	98.00
Increase the growth of D and F districts demonstrating growth, by improving the letter grade and/or increasing the number of points within a letter grade	80.00
Increase the growth of D and F schools demonstrating growth, by improving the letter grade and/or increasing the number of points within a letter grade	80.00
Increase the growth of Districts of Transformation by improving the letter grade and/or increasing the number of points within a letter grade	100.00
Increase the growth of schools under Districts of Transformation by improving the letter grade and/or increasing the number of points within a letter grade	100.00
Decrease the number of high schools rated D or F	40

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 7. No school district shall expend any funds, received under the School Ad Valorem Reduction Grant, unless such school district has specifically identified the amount of the grant within the published budget as required by Section 37-61-9, Mississippi Code of 1972. The published budget shall include the following statement: "Ad Valorem taxes will be \$_____ less as a result of the Ad Valorem Reduction Grants enacted by the Mississippi Legislature in 1992."

SECTION 8. Of the funds appropriated in Section 2, Two Million One Hundred Thousand Dollars (\$2,100,000.00) shall be derived from the Technology in Classroom Fund 3203 for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division.

SECTION 9. Of the funds appropriated in Section 2, funds in the amount of One Million Dollars (\$1,000,000.00) shall come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi Constitution of 1890, and One Million Dollars (\$1,000,000.00) shall be used for the School for Math and Science.

SECTION 10. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

AUTHORIZED POSITIONS:

Permanent:	Full Time	48
	Part Time	0
Time-Limited:	Full Time	5
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

SECTION 11. Of the funds appropriated in this act, an amount not to exceed Two Hundred Twenty-nine Thousand Six Hundred Eighty-four Dollars (\$229,684.00) is authorized for the support of vocational and technical education programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 12. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 1, transfer no more than Seventy-five Thousand Dollars (\$75,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 13. Of the funds appropriated in this act, no more than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 14. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Detention Centers	\$ 900,000.00.
Dubard School	\$ 575,000.00.
Dyslexia Program	\$ 225,000.00.
Jobs for MS Graduates, Inc.	\$ 700,000.00.
Stride \$ 600,000.00.	
Amplify Data Coaching	\$ 800,000.00.
Magnolia Speech School	\$ 500,000.00.
Principal Corp.....	\$ 300,000.00.
Sight Savers.....	\$ 300,000.00.
Teach for America	\$ 1,500,000.00.
Teacher Corp	\$ 100,000.00.
USM-Autism Program.....	\$ 40,000.00.
Children's Center for Comm & Develop	\$ 574,032.00.
Vision Screening Research	\$ 225,000.00.
Algebra Nation	\$ 725,000.00.
Save the Children.....	\$ 100,000.00.
Mississippi Construction Education Program	\$ 112,500.00.
Microsoft IT Academy	\$ 200,000.00.
Jumpstart ACT	\$ 175,000.00.
CampusKnot	\$ 75,000.00.
Mastery Prep.....	\$ 100,000.00.
Lighthouse Academy for Dyslexia.....	\$ 200,000.00.
Total \$ 9,026,532.00.	

SECTION 15. Of the funds appropriated in this act, an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM programs from the Career and Technical Education Division of the State Department of Education. All programs must meet Mississippi Science Standards and/or College and Career Standards.

Of the funds appropriated in this Section, an amount not to exceed Sixty Thousand Dollars (\$60,000.00) shall be used for a certification pilot program for agriculture. Of the funds appropriated in this section, an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) shall be distributed to the Mississippi State University Center for Cyber Education and used for computer science programs development and teacher training for elementary schools, middle schools, and high

schools for the purpose of developing K-12 computer science curricula, including both academic and career and technical education programs, developing and delivering teacher training, and working with the State Board of Education and Institutions of Higher Learning in the state to develop teacher preparation programs for computer science endorsements. All programs must meet the 2018 Mississippi Computer Science Standards and/or Mississippi College and Career Standards.

SECTION 16. Of the funds appropriated in Section 1, the sum of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate sum that the school districts in the Chickasaw Cession receive annually from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890, shall be deducted from the allocations to the school districts as provided in Section 29-3-137, Mississippi Code of 1972, and shall be distributed among the school districts in the Chickasaw Cession by the State Department of Education in the manner that those interest payments were distributed during Fiscal Year 1985.

SECTION 17. Of the funds provided in this act for the purpose of funding the Mississippi Adequate Education Program as determined under Section 37-151-7, Mississippi Code of 1972, the base student cost in Fiscal Year 2022 shall be Five Thousand Eight Hundred Seventy-four Dollars and Eight Cents (\$5,874.08).

SECTION 18. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Mississippi School for the Blind and the Mississippi School for the Deaf:

AUTHORIZED POSITIONS:

Permanent:	Full Time	124
	Part Time	13
Time-Limited:	Full Time	1
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation, or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

SECTION 19. With the funds provided in this act, it is the intention of the Legislature that School Attendance Officers and academic teachers at the Mississippi School for the Deaf and the Mississippi School for the Blind shall receive their annual increment.

SECTION 20. It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget requests for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 21. Of the funds appropriated in Section 1(a) to the State Board of Education, not less than Twenty-three Million Eighty Thousand Dollars (\$23,080,000.00) shall be used for National Board Certification. Of this amount, Five Hundred Fifty Thousand Dollars (\$550,000.00) shall be used for the World Class Teacher Program providing instruction and assistance to teachers seeking National Board Certification.

SECTION 22. Of the funds appropriated in Section 1 and Section 4(a) not less than Fifteen Million Fifty-eight Thousand Dollars (\$15,058,000.00) shall be used for the Educable Child Program. It is the intention of the Legislature that the State Board of Education shall allocate funding for the Educable Child Program based upon a recalculated formula in a manner to include only those billable days funded through appropriation of state funds and not District funds. It is the intent of the Legislature that the Educable Child funds shall be exempt from budget cuts made to the Department of Education by the Legislature and/or the Office of the Governor.

SECTION 23. Of the funds appropriated in Section 1(a) and Section 4(a), not less than Three Million Dollars (\$3,000,000.00) shall be used for the Education Scholarship Account (ESA) Program. It is the intent of the Legislature that the Education Scholarship Account (ESA) funds shall not be reduced by the State Department of Education and/or the Office of the Governor.

SECTION 24. The public school districts of the state are authorized at their discretion to pay with local funds one hundred percent (100%) of the cost of the health insurance premiums of the State and School Employees Health Insurance Plan for all retired members of the Public Employees' Retirement System who are employed as school bus drivers by the school districts. It is the intention of the Legislature that no state funds shall be used for this purpose.

SECTION 25. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 26. Of the funds appropriated in Section 1, not less than Six Million Three Hundred Twenty-one Thousand Nine Hundred Twenty-seven Dollars (\$6,321,927.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

SECTION 27. Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Sixty Thousand Dollars (\$3,060,000.00) shall be used for the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Sixty Thousand Dollars (\$3,060,000.00) is provided from the Department of Health.

SECTION 28. The State Department of Education shall contract with a Certified Public Accountant to calculate components of the Mississippi Adequate Education Program to include the base student cost, school district allocations, total program cost, add-on programs, and any other required components of Section 37-151-7, Mississippi Code of 1972. The contractor shall be responsible for calculating the estimates of these components due to the Legislative Budget Office and the Governor by August 1 and the final estimates due to the Legislative Budget Office and the Governor no later than January 2. A report detailing the funding of this contract shall be submitted by the State Department of Education to the Legislature no later than January 30, 2021.

SECTION 29. Of the funds appropriated in this act, it is the intention of the Legislature that Twenty Million Dollars (\$20,000,000.00) from the Public School Building Fund shall be used for the Mississippi Adequate Education Program.

SECTION 30. It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health Insurance Program. The amount of such fees shall be Five Hundred Dollars (\$500.00) for each semester.

SECTION 31. It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

SECTION 32. It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars (\$5,000,000.00), to any school district for the purpose of providing funds to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2021, and ending June 30, 2022. The school districts receiving these loans shall repay the Mississippi Department of Education the amount of the loan on or before June 30, 2022.

SECTION 33. Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars (\$700,000.00) shall be transferred to the Board of Health no later than December 31, 2021.

SECTION 34. Any school district receiving funds through Save the Children and Stride may provide a ten percent (10%) match from local funds for implementation of the program.

SECTION 35. Of the funds appropriated in Section 1(a), Two Million Dollars (\$2,000,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program. A portion of these funds not to exceed three percent (3%) may be used for training and administrative costs related to oversight and auditing of the program.

SECTION 36. Of the funds appropriated in Section 1(a), Seven Million Seven Hundred Eighty-nine Thousand Four Hundred Seventy-Four Dollars (\$7,789,474.00) is provided for an Early Childhood Education Initiative program. The funding shall be provided to early learning collaboratives in Fiscal Year 2022 as follows: no less than Two Thousand Five Hundred Dollars (\$2,500.00) per student in a full-day program and no less than One Thousand Two Hundred Fifty Dollars (\$1,250.00) per student in a half-day program. Funds must be matched as provided by Section 37-21-51.

SECTION 37. Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred Dollars (\$15,094,500.00) shall be used for the Literacy Initiative and Assessment.

SECTION 38. Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

SECTION 39. Of the funds appropriated in Section 1(a), Two Million Six Hundred One Thousand Nine Hundred Eighteen Dollars (\$2,601,918.00) shall be used for the Mississippi School of the Arts and Three Million Seven Hundred Fifty-eight Thousand Seven Hundred Thirty-three Dollars (\$3,758,733.00) shall be used for the Mississippi School for Mathematics and Science. It is the intention of the Legislature that of the funds appropriated in Section 1(a) for the Mississippi School of the Arts One Million Three Hundred Thousand Nine Hundred Fifty-nine Dollars (\$1,300,959.00) shall be paid

to the school no later than July 10, 2021, and One Million Three Hundred Thousand Nine Hundred Fifty-nine Dollars (\$1,300,959.00) shall be paid no later than January 10, 2022. All funds appropriated from Section 4(a) for the Mississippi School of the Arts shall be paid to the school each month within ten (10) working days after such amount was received by the Department of Education. It is the intention of the Legislature that the State Board of Education shall not reduce the appropriated amounts provided in this act for the Mississippi School of the Arts and the Mississippi School for Mathematics and Science.

SECTION 40. Of the funds appropriated in Section 1(b) and Section 2(b), Five Hundred Thousand Dollars (\$500,000.00) is provided for career and technical grants to schools for qualified students as authorized by Section 37-153-15, Mississippi Code of 1972.

SECTION 41. Of the funds appropriated in Section 1(d), an amount not to exceed Fifty-one Million Four Hundred Twenty Thousand Six Hundred Twenty-seven Dollars (\$51,420,627.00) shall be allocated for the purpose of providing funds to each public school district in the state for an annual salary increase of One Thousand Dollars (\$1,000.00) or One Thousand One Hundred Ten Dollars (\$1,110.00) as prescribed in the Minimum Salary Schedule in House Bill 852, 2021 Regular Session, for each state funded certified teacher, teacher assistant, reading and librarian aide, counselor and librarian, excluding non-instructional personnel and administrators, for the 2021-2022 school year, and school years thereafter.

SECTION 42. The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 43. It is the intent of the Legislature that each eligible professional school counselor employee who meets the year of teaching experience requirements under Section 37-151-5(m), Mississippi Code of 1972, shall be considered having a year of experience for purposes of the annual experience salary increment.

SECTION 44. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1387 was adopted.

YEAS AND NAYS On H. B. No. 1387. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Hopson called up the following entitled bill:

H. B. No. 1390: Appropriation; Library Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Library Commission and for carrying out the provisions of Section 39-3-107, Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 8,881,501.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Library Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 2,977,641.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	47
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

Funds to be distributed to eligible public library systems under the Personnel Incentive Grants Program shall be paid quarterly in advance on or before September 30, December 31, March 31 and June 30.

SECTION 4. It is the intention of the Legislature that the Mississippi Library Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, Four Hundred Ninety-three Thousand Eight Hundred Forty-seven Dollars (\$493,847.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Administrative Services	
Help desk tickets resolved (Number of)	1,350
Library Services	
Continuing education workshops held per year (Number of)	30
Increase of citizens informed by acquiring needed information through Mississippi libraries (%)	1.00
Library visits by commission staff (Number of)	175
Patrons utilizing Braille, Audio, etc (Number of)	3,500
Children participating in Statewide Summer Library program (Number of)	120,000
Items borrowed and loaned on the interlibrary loan system (Number of)	13,000
Items available for use statewide on the interlibrary loan system (Number of)	5,000,000
Searches on MAGNOLIA (Number of)	45,000,000
Items available for use at MLC (primary resource library) (Number of)	100,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 7. It is the intention of the Legislature that no less than One Million Dollars (\$1,000,000.00) shall be expended for the Magnolia Database.

SECTION 8. Of the funds appropriated herein, Three Million Six Hundred Sixty-one Thousand One Hundred Fifteen Dollars (\$3,661,115.00) is provided for the cost of health insurance for all full-time library staff members in each public library in Mississippi.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL
YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1390 was adopted.

YEAS AND NAYS On H. B. No. 1390. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Hopson called up the following entitled bill:

H. B. No. 1382: Appropriation; Capital Post-Conviction Counsel, Office of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
...\$ 1,487,102.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time	9
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

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

SECTION 3. It is the intention of the Legislature that the Office of Capital Post-Conviction Counsel shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that the Office of Capital Post – Conviction Counsel is hereby authorized to pay invoices submitted by Dr. Robert G. Stanulis, for services in prior fiscal years in an amount not to exceed Twelve Thousand Seventy-five Dollars (\$12,075.00).

SECTION 5. It is the intention of the Legislature that the Office of Capital Post – Conviction Counsel is hereby authorized to pay invoices submitted by Dr. Robert D. Shaffer, for services in prior fiscal years in an amount not to exceed Two Hundred Fifty Dollars (\$250.00).

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1382 was adopted.

YEAS AND NAYS On H. B. No. 1382. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Hopson called up the following entitled bill:

H. B. No. 1378: Appropriation; District attorneys and staff.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries and travel expenses of district attorneys, assistant district attorneys, criminal investigators, tort claims assessments, and paying office expenses of district attorneys for the fiscal year beginning July 1, 2021, and ending June 30, 2022..

\$ 25,051,231.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Prosecutor Compensation Fund, referred to in Section 99-19-73, Mississippi Code of 1972, for the purpose of paying salaries of assistant district attorneys of the state as authorized in Section 25-31-5(1) for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 713,062.00.

SECTION 3. None of the funds authorized in this section shall be used to reimburse district attorneys or their staff for taxable meals incurred within their geographical district.

SECTION 4. Of the funds appropriated herein, office expenses of district attorneys as authorized by Section 25-31-8, Mississippi Code of 1972, in the amount of One Million Two Hundred Thirty-four Thousand Dollars (\$1,234,000.00).

SECTION 5. Of the funds appropriated in Section 1, office expenses and such funds for salaries shall be provided as authorized in Section 25-3-35(6), Mississippi Code of 1972, to fund the salary for one (1) full-time legal assistant in the Sixth Circuit Court District as authorized in Section 25-31-5(2)(f), Mississippi Code of 1972.

SECTION 6. It is the intention of the Legislature that the district attorneys and assistant district attorneys of the state shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of details as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget requests for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 7. It is the intention of the Legislature that with the funds provided herein, the district attorneys shall submit their Five-Year Strategic Plan(s) as required in Section 27-103-129(1), Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1378 was adopted.

YEAS AND NAYS On H. B. No. 1378. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Hopson called up the following entitled bill:

H. B. No. 1383: Appropriation; State Public Defender, Office of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of State Public Defender of the State of Mississippi for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 2,997,795.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time	25
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

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

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2022
Performance Measures	Target
Capital Defense	
Percentage of trial cases opened less	
than one year	75.00
Percentage Change in Running Average of	
Reversals due to Ineffective Assistance	
of Counsel	0.10
Average of Reversals due to Ineffective	
Assistance of Counsel	8

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 4. It is the intention of the Legislature that the Office of State Public Defender shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds provided in Section 1, Two Hundred Seventy-eight Thousand Five Hundred Dollars (\$278,500.00) shall be provided for the Indigent Parental Representation for the purpose of contracting with trained and certified attorneys to represent indigent parents or guardians in abuse, neglect or termination of parental rights proceedings as provided under Sections 43-21-201 and 99-18-13, Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1383 was adopted.

YEAS AND NAYS On H. B. No. 1383. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Hopson called up the following entitled bill:

H. B. No. 1379: Appropriation; Insurance, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 10,796,727.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	127
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when

annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

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

SECTION 3. It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, etc) Licenses Issued	152,000
Average Cost Per License Issued (\$)	35.00
Number of Agent's C/A's Issued	430,000
Average Cost Per Agent C/A Issued (\$)	40.00
Number of Requests for Assistance	12,660
Average Cost Per Customer I/C Addressed (\$)	53.00
Number of Fire Marshal Investigations	750
Cost Per Fire Marshal Investigation (\$)	550.00
Number of Fire Marshal Inspections	8,500
Average Cost Per Fire Marshal Inspection (\$)	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths due to Incidents Involving LCG	0
Number of Inspections	8,000
Average Cost Per Inspection (\$)	60.00
Number of Safety Training Schools/Seminars	170
Average Cost Per Safety Training School (\$)	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

SECTION 6. Of the funds appropriated under the provisions of Section 1, funds in the amount of Twenty Thousand Dollars (\$20,000.00) are provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

SECTION 7. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding any project for which the Legislature has made funds available. Any signage regarding any public event or project shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

SECTION 10. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

SECTION 11. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Propane Education and Research Program Fund, for the purpose of research and development of more cost effective uses of propane and on educational programs, safety programs, and market development of propane for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 130,000.00.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1379 was adopted.

YEAS AND NAYS On H. B. No. 1379. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker,

Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

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

Senator Hopson called up the following entitled bill:

H. B. No. 1380: Appropriation; Fire Academy.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Fire Academy for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 4,829,708.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	61
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Training	
Number of Students Trained	16,000
Average Cost per Student Trained (\$)	346.22

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 4. It is the intention of the Legislature that the State Fire Academy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
STATE FIRE ACADEMY FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1380 was adopted.

YEAS AND NAYS On H. B. No. 1380. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1399: Appropriation; Rehabilitation Services, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Rehabilitation Services for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 24,801,175.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 210,461,420.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars (\$3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal funds \$ 2,782,590.00.

Independent Living Program which includes the State Attendant

Care Program..... \$ 854,903.00.

Deaf and hard of hearing \$ 44,309.00.

SECTION 4. Of the funds appropriated under the provisions of Sections 1, 2 and 3, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	950
	Part Time	8
Time-Limited:	Full Time	205
	Part Time	1

The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars (\$500.00) of the funds appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully

fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. Of the funds appropriated herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures

FY2022
Target

Disability Determination Services	
Dispositions (Number of)	89,000
Processing Time (Days)	125
Special Disability Programs	
Clients Served (Number of)	3,054
Percentage Change in Persons Receiving HCBW Services Compared to Waiting List (%)	56.00
Ratio of Cost to HCBW Services per Person Compared to an Institutional Setting	38.00
Support Services	
Percentage of Total Budget (%)	2.00
Vocational Rehabilitation	
Clients Served (Number of)	19,000
Clients Rehabilitated (Number of)	2,800
Percentage Change of Persons Employed Compared to Total Persons Served (%)	14.00
Persons Employed with Pay Rate Greater Than Federal or State Minimum Wage	3,060
Persons with Significant Disabilities Leaving VR with Competitive, Self, or Bep Employment, Wage = or > Than Minimum	1,400
Spinal Cord & Head Injury Program	
Clients Served (Number of)	946
Percentage Change in Number of Spinal Cord & Brain Injuries per Year (%)	3.00
Voc Rehabilitation For The Blind	
Blind & Visually Impaired Served (Persons)	1,800
Persons Rehabilitated (Number of)	400
Independent Living (Number Served)	840
Percentage Change in Persons Employed Compared to Total Persons Served (%)	18.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 9. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Five Hundred Sixty-three Thousand Thirty-nine Dollars (\$1,563,039.00) shall be allocated to the Spinal Cord & Head Injury Trust supported from General Fund court assessments.

SECTION 10. Of the funds appropriated in Section 1, One Million Dollars (\$1,000,000.00) is provided for the support of the Independent Living Home and Community Based Waiver programs along with any additional funds that may be appropriated to these programs.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF
REHABILITATION SERVICES FOR FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1399 was adopted.

YEAS AND NAYS On H. B. No. 1399. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1389: Appropriation; Arts Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Arts Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,031,349.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Arts Commission which is comprised of special source funds and donations collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,281,484.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	9
	Part Time	0
Time-Limited:	Full Time	2
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State

Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Mississippi Arts Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, funds in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) shall be derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following:

Training of educators and promotion	
of arts programs in public schools	\$100,000.00.
Miscellaneous grants and programs	\$350,000.00.

SECTION 6. It is the intention of the Legislature that the Arts Commission shall have the authority to transfer dollars appropriated herein designated for the "Challenge Program," specific amounts to a special fund in the State Treasury called the Arts Commission Challenge Initiative Fund. The unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and may be expended by the commission in subsequent fiscal years upon appropriation of the Legislature. Any interest earned on the fund shall be deposited to the credit of the fund and may be disbursed by the commission upon appropriations of the Legislature. It is the intention of the Legislature that the commission may award grants to arts organizations from monies in the fund and the grantees will be required to provide matching funds for the grants in an amount of not less than two (2) times the amount of the grant.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1389 was adopted.

YEAS AND NAYS On H. B. No. 1389. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1394: Appropriation; Grand Gulf Military Monument Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Grand Gulf Military Monument Commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 243,729.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Grand Gulf Military Monument Commission, for the purpose of defraying the expenses of the commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 63,091.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	5
	Part Time	1
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Grand Gulf Military Monument Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1394 was adopted.

YEAS AND NAYS On H. B. No. 1394. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1408: Appropriation; Tombigbee River Valley Water Management District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Tombigbee River Valley Water Management District,

for the purpose of paying bond maturities, accrued interest, maintenance expenses, project development costs, and any other authorized expenses of the water management district, for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 8,644,060.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	16
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Tombigbee River Valley Water Management District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. All monies in possession of the district in excess of necessary operating funds shall be deposited with a bank or banks selected by the board of directors of the district. These funds shall be deposited in such bank or banks and in such manner that interest earned shall be at least equal to interest earnings on state funds deposited by the State Treasury.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1408 was adopted.

YEAS AND NAYS On H. B. No. 1408. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1413: Appropriation; Transportation, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Transportation Funds, for the purpose of defraying the administrative expenses of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 1,065,180,298.00.

SECTION 2. The following offices are supported by the funds appropriated in Section 1: The Office of Administrative Services, the Office of Highways, the Office of Aeronautics and Rails and the Office of Enforcement. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	3,068
	Part Time	9
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated to the Mississippi Department of Transportation under the provisions of Section 1, the following amounts shall be available for expenditure in the program budgets as required by Section 27-103-127, Mississippi Code of 1972:

Administration and Other Expenses	\$ 55,697,650.00
Construction.....	\$ 693,325,031.00
Maintenance	\$ 194,112,147.00
Debt Service	\$ 72,393,366.00
Law Enforcement.....	\$ 15,588,755.00
Aeronautics, Rails and other	\$ 34,063,349.00

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Transportation shall maintain complete accounting and personnel records related to

the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated in Section 1, it is the intention of the Legislature that Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2022.

SECTION 6. Of the funds appropriated in Section 1 of this act, the Mississippi Department of Transportation shall expend such funds as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 7. None of the funds appropriated under the provisions of Section 1 of this act may be expended by the Department of Transportation for construction of new highways if such highway segment is less than ten (10) miles in length unless:

(a) The explanation and justification for letting such a contract for a length of less than ten (10) miles is entered upon the official minutes of the Transportation Commission;

(b) The commission, within ten (10) working days after entry of its explanation and justification upon its minutes, gives notice, by United States First Class Mail, and provides a copy of such entry upon its minutes, to the Chairman of the Transportation Committee of the Mississippi House of Representatives and the Chairman of the Mississippi Senate Highways and Transportation Committee.

SECTION 8. Of the funds appropriated to the Mississippi Department of Transportation, Three Hundred Thousand Dollars (\$300,000.00) shall be used for the Statewide Litter Prevention Program.

SECTION 9. Of the funds appropriated in Section 1, not less than Eighty Million Dollars (\$80,000,000.00) shall be expended for contracted maintenance overlay and pavement rehabilitation.

SECTION 10. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend with funds which were obligated in Fiscal Year 2021 for maintenance overlay projects and maintenance repair projects but not completed by the end of Fiscal Year 2021, in an amount not to exceed Ten Million Dollars (\$10,000,000.00).

SECTION 11. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to transfer between the various programs in an amount not to exceed ten percent (10%) of the amount allocated in Section 3, except that no transfers shall be authorized which increase the "Administrative and Other Expenses" Program or the "Law Enforcement" Program or which decrease the "Maintenance" Program.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend funds which were obligated in Fiscal Year 2021 but not expended in 2021 in the "Capital Outlay-Equipment" category in an amount

not to exceed Two Million Dollars (\$2,000,000.00) as authorized in HB 1727, 2020 Regular Session, for Fiscal Year 2021.

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Thirty Million Dollars (\$30,000,000.00) received from other public or private entities as reimbursements for payments made on federal projects.

SECTION 14. With the funds appropriated in this act, the Mississippi Department of Transportation shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement of ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." Further, the signage shall state the four-year legislative term in which the project was funded.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The Mississippi Department of Transportation is authorized to dispose of or transfer used cell phones that are obsolete or inoperable to cell phone recycling programs dedicated to providing free phone access to United States military personnel.

SECTION 17. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Maintenance	
Total Number of Acres Mowed (First and Subsequent)	290,000
Increase of Acreage Mowed (%)	0.97
Slow the Expected Increases of Total Fatalities According to a 5 Year Rolling Average (697 or Less)	685.00
Decrease in State-Maintained Lane Miles Needing Repair or Rehabilitation (%)	1.50
Pavement Needs Met Annually (%)	0.05
Interstate Lane-miles With an Acceptable Payment Condition Rating (%)	38.00
4 Lane Highway Lane-miles With an Acceptable Pavement Condition Rating (%)	71.00
2 Lane Highway Lane-miles With an Acceptable Pavement Condition Rating (%)	54.00
Cost per Mile to Maintain State Highways (\$)	27,969.00
Number of Bridges in Poor Condition	190
Number of Bridges With Timber Components	145
Construction	
Miles of State Maintained Highways that Meet MDOT Thresholds for Congestion (%)	1.97
Miles of State Maintained Highways Requiring Additional Capacity (Num of Lane Miles)	219.08
Cost per Mile to Construct State Highways	13,940,000

Administration & Other	
Administration as a Percentage of Total	
Budget	5.23
GO-MDOT-Total Number of Page Views	838,650
Increase in Utilization of	
MDOTTRAFFIC.COM website (%)	5.00
Bonded Debt Service	
MDOT's Share of Annual Debt Service will	
not exceed 3.75% of Annual Budget	0.94
Law Enforcement	
Number of Trucks Weighed	6,800,000
Number of Trucks Over Axle	5,500
Number of Weight & Size Permits Authorized	175,000
Number of Trucks Over Gross	7,100
Vehicles Inspected Exceeding Restricted	
Weight Limits (%)	25.00
Aeronautics & Rails	
Number of Airports Inspected	69
Number of Grade Crossings Inspected	2,800

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 18. It is the intention of the Legislature that the Mississippi Department of Transportation is hereby authorized to pay invoices submitted by Hampton Inn, Greenwood, MS, for services in prior fiscal years in an amount not to exceed One Hundred Twenty-eight Dollars and Fifty-two Cents (\$128.52).

SECTION 19. It is the intention of the Legislature that the Mississippi Department of Transportation is hereby authorized to pay invoices submitted by Holiday Inn Express Hotel and Suites, Ocean Springs, MS, for services in prior fiscal years in an amount not to exceed Ninety-three Dollars (\$93.00).

SECTION 20. It is the intention of the Legislature that the Mississippi Department of Transportation is hereby authorized to pay invoices submitted by Holiday Inn Express Hotel and Suites, Ocean Springs, MS, for services in prior fiscal years in an amount not to exceed Two Hundred Seventy-nine Dollars (\$279.00).

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1413 was adopted.

YEAS AND NAYS On H. B. No. 1413. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker,

Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1396: Appropriation; Public Service Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Funds not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 4,094,636.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 493,098.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	49
	Part Time	4
Time-Limited:	Full Time	5
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the

appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Utility Regulatory Services	
Utility Docket Cases (Number of)	240
Utility Complaints (Number of)	4,560
Electric Complaints as a Percentage of Total (%)	48.00
Telecommunication Complaints as a Percentage of Total (%)	32.00
Water Complaints as a Percentage of Total (%)	10.00
Gas Complaints as a Percentage of Total (%)	8.00
Sewer Complaints as a Percentage of Total (%)	1.00
Average Cost per Utility Complaint (\$)	638.00
Time To Resolve Utility Complaints (Days)	3
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Investor-Owned Utilities (Cents/kWh)	0.11
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Electric Cooperatives (Cents/kWh)	0.11
Average Price of Electricity for Residential Customers in MS as a Percentage of the April 2016 National Average, 12.43 Cents/kWh - Investor Owned Utilities (%)	86.89
Average Price of Electricity for Residential Customers in MS as a Percentage of the April 2016 National Average, 12.43 Cents/kWh - Electric Cooperative (%)	95.14
Average Monthly Residential Electric Usage in MS (kWh)	1,200
Average Monthly Residential Electric Usage in MS as a Percentage of the 2015 National Average, 909 kWh (%)	135.00

Pipeline Inspections (Number of)	630
Average Cost per Pipeline Inspection (\$)	883.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. None of the funds herein appropriated by this act to the Public Service Commission shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Mississippi Public Service Commission that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the Public Service Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Service Commission to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 66,372.00.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022
Telephone "no-call"	Target
No-Call Complaints (Number of)	15,425
Average Cost per No-Call Complaint (\$)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2021. On or before August 1, 2021, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities Committee.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1396 was adopted.

YEAS AND NAYS On H. B. No. 1396. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1392: Appropriation; Environmental Quality, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Environmental Quality for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$	9,922,683.00.
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SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Environmental Quality which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022...

\$	249,131,012.00.
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SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	241
	Part Time	0
Time-Limited:	Full Time	232
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the

Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Environmental Quality shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Pollution Control	
Days with Air Advisories (%)	5.00
Air Permits Modified/Issued in a Timely Manner (%)	50.00
Counties that Meet NAAQ Standards (%)	75.00
Air Facilities Inspected (%)	35.00
Air Facilities in Compliance with Regulatory Requirements (%)	85.00
Waste Permits Issued/Modified in a Timely Manner (%)	50.00
Waste Facilities Inspected (%)	55.00
Inspected Waste Facilities in Compliance with Regulatory Requirements (%)	93.00
Citizens Who Have Access to Recycling Programs (%)	55.00
Underground Storage Tanks in Compliance with Regulatory Requirements (%)	75.00
Contaminated Sites That Have Completed Assessment (%)	61.00

Contaminated Sites That Have Completed Remediation (%)	20.00
Waters That Have Acceptable Quality for Their Designed Use (%)	56.00
NPDES Permits Issued/Modified in a Timely Manner (%)	70.00
NPDES Majors Inspected Per Year (%)	50.00
NPDES Majors in Compliance (%)	66.00
Staff with Expertise in the National Incident Management System (%)	70.00
Construction Grants	
SRF Loan Recipients in Compliance with Loan Agreements (%)	90.00
Land & Water	
Annual Prioritized Water Resource Areas Adequately Characterized (%)	79.00
Groundwater Use Permits Issued/Modified (%)	95.00
Surface Water Use Permits Issued/Modified (%)	95.00
Water Use Reported (%)	80.00
High Hazard Dams with Emergency Action Plans (%)	75.00
Geology	
Mining Facilities Inspected (%)	95.00
Inspected Mining Facilities in Compliance with Regulatory Requirements (%)	85.00
Administrative Services	
Administration as a Percentage of Total Budget (%)	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 2, an amount no greater than Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Administrative Services for support of Legal Division environmental protection activities.

SECTION 8. Of the funds appropriated in Section 2, an amount no greater than One Hundred Thousand Dollars (\$100,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Pollution Control for support of the Household Hazardous Waste Collection Grants Program.

SECTION 9. The Department of Environmental Quality (DEQ) may request that the Mississippi Development Authority (MDA) staff shall provide an economic viability assessment for any complete application or group of related complete applications submitted to DEQ after July 1, 1999, for which DEQ estimates that DEQ will be required to devote extraordinary effort to process the application or group of related applications within the one hundred eighty (180) days required by Section 49-17-29(3)(c). For purposes of this paragraph, "extraordinary effort" means the constant dedication of more than three (3) full-time equivalent positions for a period of at least one hundred eighty

(180) days. The economic viability assessment shall include, but not be limited to: (i) an analysis of the current and future market viability of the project concerning which application(s) has been made to DEQ; and (ii) an analysis of the applicant's economic ability to construct, develop, maintain and operate the project as described in the application(s) submitted to DEQ. If the economic viability assessment concludes that the project is not economically viable for any reason, DEQ shall suspend processing the permit application(s), notwithstanding the provisions of Section 49-17-29(3)(c). Within thirty (30) days of the decision of MDA staff, the permit applicant may present any additional information on its behalf to the Executive Director of MDA, and the Executive Director shall review the MDA staff assessment. If additional information is received in writing from the applicant, the Executive Director of MDA shall make a decision in review of the MDA staff decision within sixty (60) days of the staff decision, and the decision of the Executive Director of MDA shall be the final administrative action of MDA in the matter.

SECTION 10. It is the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Environmental Quality. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Of the funds appropriated herein, it is the intent of the Legislature that the Department of Environmental Quality shall pay debt service on bonds issued to provide state matching funds for the State Revolving Loan Fund with interest earnings derived from the fund.

SECTION 13. It is the intent of the Legislature that from the funds available to the Department of Environmental Quality, the agency may purchase and pay premiums on property damage insurance on its motor vehicles, boats, trailers, motors, and other equipment assigned to the South Regional Office.

SECTION 14. Of the funds appropriated in Section 2, an amount not greater than Two Hundred Thousand Dollars (\$200,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality to be used for dam and reservoir inspections, inventory, and reporting.

SECTION 15. It is the intention of the Legislature for the Department of Environmental Quality to continue with any agreements with Mississippi state agencies, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 16. With the funds appropriated herein, the Department of Environmental Quality is authorized to make payment to certain vendors for expenses incurred during 2019 to certain vendors as follows:

United States Geological Survey.....	\$ 3,212.86
United States Geological Survey.....	\$ 3,220.84
MS Department of Marine Resources	\$ 21,304.99
MS Department of Marine Resources	\$ 53,891.74
Quitman County Board of Supervisors	\$ 6,530.00

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1392 was adopted.

YEAS AND NAYS On H. B. No. 1392. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1395: Appropriation; Oil and Gas Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Oil and Gas Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,985,904.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Oil and Gas Board which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 209,495.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	32
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the State Oil and Gas Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1395 was adopted.

YEAS AND NAYS On H. B. No. 1395. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1404: Appropriation; Soil and Water Conservation Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the State Soil and Water Conservation Commission for the purpose of defraying the administrative expenses of the commission and carrying out the provisions of Section 69-27-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 514,601.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Soil and Water Conservation Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....
\$ 7,750,104.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	9
	Part Time	0
Time-Limited:	Full Time	6
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the

State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the State Soil and Water Conservation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. The State Soil and Water Conservation Commission is authorized to retain all funds generated from the sale of equipment. Any funds made available from the sale of equipment shall be deposited into the special fund in the State Treasury to the credit of the Soil and Water Conservation Commission and shall be used solely for the purpose of purchasing equipment.

SECTION 6. The State Soil and Water Conservation Commission is authorized to receive, budget and expend any proceeds derived from the sale of bonds authorized in Section 69-27-331 et seq., Mississippi Code of 1972. All expenditures shall be in accordance with conditions provided in Section 69-27-331 et seq., Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Sixty-five Thousand Dollars (\$65,000.00) be used for the purpose of funding a Beaver Control Cost Share program. The Mississippi Soil and Water Conservation Commission shall promulgate rules and regulations for the establishment and operation of the program on a fund matching basis with the county unit of government. Funds not expended or encumbered in a county may be transferred to another county during the fiscal year. Only those funds specifically appropriated for the Beaver Control Cost Share program shall be used in any such program.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1404 was adopted.

YEAS AND NAYS On H. B. No. 1404. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1393: Appropriation; Wildlife, Fisheries and Parks, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Wildlife, Fisheries and Parks for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 4,792,490.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of

the Department of Wildlife, Fisheries and Parks which is comprised of special source funds collected by or otherwise available to the department for the support and maintenance of the department, including the Museum of Natural Science and the Bureau of Parks and Recreation, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 67,204,645.00.

The following sum, which is included in the sum appropriated above in this section, is appropriated out of the state excise taxes upon gasoline, oil and other petroleum products to the Fisheries and Wildlife Fund for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 5,750,000.00.

The Department of Revenue is directed to set aside the amount of this appropriation or any part thereof at any time it sees fit, out of any collections of taxes upon gasoline, oil and other petroleum products, and to deduct the amounts so set aside from such funds before making distribution thereof. However, provisions shall first be made for the Highway Bonds Sinking Fund, as required under the provisions of Chapter 130, Laws of 1938, and any amendments thereto, and Section 27-5-101, Mississippi Code of 1972.

Any funds available in the Wildlife Heritage Fund may be expended by the Commission on Wildlife, Fisheries and Parks as authorized by law. The department shall make a detailed report to the Legislature regarding the spending of the Wildlife Heritage funds by September 1 for the preceding fiscal year.

SECTION 3. Of the funds appropriated under the provisions of Section 2 to the Bureau of Wildlife and Fisheries, funds in the amount of One Hundred Twenty-five Thousand Three Hundred Thirty-five Dollars (\$125,335.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2022.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	456
	Part Time	0
Time-Limited:	Full Time	48
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. Each conservation officer and supervisor shall be furnished an allowance for uniforms not to exceed Five Hundred Fifty Dollars (\$550.00) per annum.

Provided further, when any personnel of the Bureau of Wildlife and Fisheries are transferred from one (1) county to another on a permanent assignment, the expense monies now paid on out-of-county duty shall not be applicable.

SECTION 6. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Support Services	
Hunting & Fishing Licenses Sold (Number Of)	450,000
Registration of Boats (Number Of)	46,000
Change in License Sales (%)	1.00
Change in Boat Registration (%)	1.00
Fisheries	
Fish Stock for Public Water (Fish)	2,000,000
Number of Customers of DWFP Lakes	65,000
Increase in Participation in Aquatic Education (%)	6,500.00
Number of Access Facilities Built or Maintained (Boat Ramps)	38
Wildlife	
MDWFP Management for Hunters & Non-consumptive Users (Man-days)	125,000
Research Projects Conducted to Sustain Healthy & Abundant Wildlife Populations	4
Acres of Forest Inventory	10,000
Acres of Prescribed Burning, Waterfowl Management, & Timber Management on WMA's to sustain Healthy and Abundant Wildlife	33,500
Change in Number of Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations(%)	0.00
Change in number of Private Land Acres	

Influenced (%)	0.00
Change in the number of Forest Inventories Conducted (%)	0.00
Law Enforcement	
Hunter Education (Participants)	10,000
Number of Hours Patrolled on Land	160,000
Number of Hours Patrolled on Water	72,000
Number of Criminal Investigations Conducted	8,000
Number of Shooting Sport Programs	840
Number of Boating Accidents	20
Number of Boating Fatalities	5
Cost per student for Hunter Education	48.00
Increase in Shooting Sports Program (%)	23.00
Change in number of Boating Accidents (%)	50.00
Change in Boating Related Fatalities (%)	50.00
Change in Public Contacts per Officer/per Day (%)	10.00
Special Projects	
Improve use of special funds (%)	0.20
Motor Vehicle Fund	
Vehicles Purchased	41
Used Vehicle Sold	41
Change in Number of Vehicles in the Fleet in Order to Maintain Efficient and Reliable Fleet of Vehicles (%)	3.00
Parks	
Overnight Accommodation (Cabins/Motels)	450,000
Overnight Accommodations (Camping)	745,000
Day Use Services (Persons)	300,000
Change in Day Use Services (%)	2.00
Change in the Prior Year of Occupancy Rate of Cabins (%)	1.00
Museum	
Statewide Education Programming (Participants)	100,000
Total Public Programming (Persons)	200,000
Number of Visitors to Exhibits	60,000
Number of Natural Heritage Records Entered	50,000
Increase in Students that Understand the Importance of Natural Resource Conservation (%)	15.00
Increase of Visitors to Exhibits (%)	5.00
Change in the number of Natural Heritage Records (%)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 8. Of the funds appropriated in Section 2, the following amount shall come from the Department of Wildlife, Fisheries and Parks Special Pearl River Timber Fund No. 3465, for the purpose of making improvements to the Pearl River Wildlife Management Area..... \$ 50,000.00.

SECTION 9. Of the funds appropriated within this act, the Commission on Wildlife, Fisheries and Parks may enter into cooperative agreements with the board of supervisors of any county or any group or combination of counties for the purpose of creating, improving or restoring parks, public game and fish habitat lying or to be situated wholly or partially within such county or in an adjoining county; and each county is empowered and authorized, in its discretion, to expend funds from the general county fund for such purposes from which fund they shall reimburse to the Commission on Wildlife, Fisheries and Parks the actual cost of all surveying and engineering projects

incurred by the Department of Wildlife, Fisheries and Parks incidental thereto. Such boards of supervisors are further authorized and empowered, in their discretion, to enter into agreements necessary to carry out the purposes of this act with any other county, the United States Forest Service or any other agency if same should be necessary for the acquisition of land by lease or otherwise for such purposes.

SECTION 10. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 11. In order to be in compliance with Section 63-1-201 et seq., funds are herein provided and may be expended by the Department of Wildlife, Fisheries and Parks to pay the costs of commercial driver's licenses for specific employees and/or to reimburse such costs for specific employees who, in the course of their duties and responsibilities, are required to hold a valid Mississippi Commercial Driver's License.

SECTION 12. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Seventy-five Thousand Dollars (\$175,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a project specialist and related supportive cost.

SECTION 13. The department is authorized to spend up to sixty percent (60%) of revenue in the State Park Timber Endowment Fund, as needed, to operate and maintain the state parks.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) may be provided to fund the Youth Participation Initiative for the purpose of educating children in the areas of hunting, fishing, conservation, and safety.

SECTION 16. The fund created pursuant to Section 49-5-21, Mississippi Code of 1972, and known as the "Fisheries and Wildlife Fund" shall be treated as a special trust fund. All funds derived from the sale of licenses, fees, fines and other revenues received by the department as provided by law, shall be deposited in the Fisheries and Wildlife Fund. In addition, revenue derived from the sale of timber on wildlife management areas, refuges and preserves shall be deposited into an account established for such revenues under the Fisheries and Wildlife Fund. The interest and any investment income earned on the fund shall be credited by the State Treasurer to the Fisheries and Wildlife Fund and shall not be paid into the General Fund. Any unexpended funds remaining in the fund at the end of the fiscal year shall not lapse and shall remain in the fund. Nothing in this section shall prevent the use of said funds from maintenance and upgrade on wildlife management areas.

SECTION 17. It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars (\$1,300,000.00) be expended from the Motor Vehicle Fund for the purchase of any type of motor vehicle.

SECTION 18. The executive director of the Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with public or private entity to manage any park or parks within the state park system.

SECTION 19. It is the intent of the Legislature that no state-owned wildlife management area be closed and that to the greatest practicable extent, department land management decisions and actions may not result in any net loss of any acreage available for hunting opportunities that existed on July 1, 2006, as provided in Section 49-5-99(4). It is the intention of the Legislature that no state park be closed without legislative approval.

SECTION 20. It is the intent of the Legislature that the Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to enter into multi-year contracts for the purpose of placing a sign on such state park property under the department's domain, in accordance with any applicable rules and regulations. All proceeds generated from these activities shall remain with the department and shall be deposited into the proper special fund.

SECTION 21. It is the intent of the Legislature that from the funds available to the Department of Wildlife, Fisheries and Parks, the department may purchase and pay premium(s) on property damage insurance on its motor vehicles, boats, trailers, real property improvements, buildings, furnishings, and such other assets as may be appropriate or practical, and/or as required by a granting entity.

SECTION 22. Of the funds appropriated under the provisions of Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be designated for the purpose of defraying the operational expenses of Special Projects. None of these funds shall be used for "Personal Services".

SECTION 23. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from the Gulf and Wildlife Protection Fund, not to exceed Fifty Thousand Dollars (\$50,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.

SECTION 24. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 25. Of the funds appropriated in Section 1, it is the intention of the Legislature that Fifty-eight Thousand Five Hundred Ninety-three Dollars (\$58,593.00) may be allocated for the Hunter Education program supported from the General Fund court assessments.

SECTION 26. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 27. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS
FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1393 was adopted.

YEAS AND NAYS On H. B. No. 1393. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1381: Appropriation; Legislative expenses.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries, mileage, insurance, matching funds and the daily expense allowance of the members of the Legislature for the Regular Session of 2022 and providing contingent funds for the House of Representatives and Senate for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as follows:

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the House of Representatives..... \$ 4,133,007.00.

For Contingent Fund for the

House of Representatives \$ 6,922,855.00.

Out of the above amount appropriated for the Contingent Fund for the House of Representatives, not more than Fifteen Thousand Dollars (\$15,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the Senate..... \$ 1,804,155.00.

For Contingent Fund for the Senate

..... \$ 4,713,106.00.

Out of the above amount appropriated for the Contingent Fund for the Senate, not more than Ten Thousand Dollars (\$10,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For the joint legislative operations of the House of

Representatives and the Senate..... \$ 779,636.00.

For the expenses of the Joint Legislative

Budget Committee..... \$ 4,004,774.00.

For the expenses of the Joint Legislative

Committee on Performance Evaluation
and Expenditure Review..... \$ 2,313,669.00.

For the expenses of the Joint Legislative

Reapportionment Committee \$ 410,093.00.

For the expenses of the Joint Legislative

Code Committee..... \$ 400,000.00.

The Joint Legislative Reapportionment Committee shall prepare, publish and provide semiannual reports to each member of the Legislature and such reports shall provide a line-by-line detailed accounting of all receipts and expenditures of any and all monies appropriated by the Legislature to the Joint Legislative Reapportionment Committee. Any meetings of the Joint Legislative Reapportionment Committee shall be held in state offices or at publicly owned facilities.

SECTION 2. The following sums, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the monthly expense allowance of the members of the Legislature, as provided in Section 5-1-41, Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as follows:

For the House of Representatives..... \$ 2,595,866.00.
For the Senate..... \$ 1,127,256.00.

SECTION 3. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the state's share of various assessments for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 430,300.00.

Of the funds authorized in this section, the following distribution shall be made:

Southern States Energy Board..... \$ 29,077.00.
Interstate Cooperation..... \$ 324,873.00.

National Conference of Commissioners

on Uniform State Laws..... \$ 37,950.00.
The Energy Council..... \$ 38,400.00.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this Legislature for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. None of the funds appropriated under the provisions of this act may be used to pay or reimburse any expenses of out-of-state travel for any member or employee of the House of Representatives without prior approval of the House Management Committee or for any member or employee of the Senate without prior approval of the Senate Rules Committee.

SECTION 6. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the joint operations of the House of Representatives and the Senate not otherwise appropriated, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....
\$ 50,000.00.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1381 was adopted.

YEAS AND NAYS On H. B. No. 1381. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1410: Appropriation; Public Employees' Retirement System.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System for the purpose of defraying the administrative expenses of the Board of Trustees of the Public Employees' Retirement System, or out of any money in the State Treasury to the credit of the Retirement System Building Account of the Public Employees' Retirement System for the purpose of maintenance and general operation of the Retirement System Building, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 18,754,581.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	163
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when

annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. In accordance with the purposes of this article, there shall be established in the State Treasury the Public Employees' Retirement System Building Repair and Maintenance Fund, into which shall be deposited all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi. At the end of each fiscal year, any and all unexpended funds shall be transferred to the Administrative Budget Fund of the system.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 1, no more than Three Million Five Hundred Thirty-eight Thousand Dollars (\$3,538,000.00) is provided for the purpose of defraying those expenses associated with the replacement computer system.

SECTION 7. The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

SECTION 8. Of the funds appropriated in Section 1, no more than Three Hundred Thousand Dollars (\$300,000.00) is provided, only for the explicit purpose of building maintenance and repair.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1410 was adopted.

YEAS AND NAYS On H. B. No. 1410. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1388: Appropriation; Educational Television, Authority for.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Authority for Educational Television for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 3,811,426.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Authority for Educational Television which is comprised of special source funds collected by or otherwise available to the Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 6,898,556.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	78
	Part Time	0
Time-Limited:	Full Time	9
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully

fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds appropriated herein shall first be used for the continuation of a full and complete broadcast schedule of educational and instructional, professional growth, and public service programs, with the production of new films and programs to be secondary thereto.

SECTION 4. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, Two Million One Hundred Eighteen Thousand Nine Hundred Sixty-six Dollars (\$2,118,966.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid or equipment purchased with funds appropriated hereby be transferred or assigned to any other state agency, department or officer for public relations, publicity or publication activities of such office.

SECTION 7. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall have the authority to expend funds in the Capital Equipment Replacement Revolving Fund, in accordance with Section 37-63-17, Mississippi Code of 1972, for the purpose of purchasing technical equipment for operating the educational radio and television facilities.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Content Operations	
Locally produced TV programs (Number of)	150
Locally produced radio programs (Number of)	1,092
Weekly average number of web site users (Number of)	4,500
Prior promotion of all storms/disasters (%)	100.00
Students & schools participating in MPB Arts in Education Programming (Number of)	10
New programs produced and broadcast related to Fit to Eat programming (Number of)	13
Radio and TV coverage during times of emergency (%)	100.00
Education Services	
Teachers using Digital Education Network (DEN) Classroom (Number of)	1,800
Increase in parents/teachers using MPB online Resources for Pre-K children (%)	10.00
Increase in high school students using the Learning Network (%)	5.00
Rotary clubs sponsoring with MPB (Number of)	20
Childcare centers using Between the Lions Initiative (Number of)	30
Children using Between the Lions Preschool Literacy (Number of)	300
Technical Services	
Increase in visitors viewing the Healthy Living related items on MPB site (%)	31.00
Transmitters on air (Number of)	8
On-air reliability (%)	99.95
IT Help Desk orders filled (Number of)	600
Cost to deliver technical services for Radio, TV, and other educational services (\$)	3,018,000.00
Administration	
Community engagements/outreach events (Number of)	125
Increase state agencies partnered with (Number of)	40
New grant dollars acquired (\$)	75,000.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be paid to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 11. It is the intention of the Legislature that the Authority for Educational Television may fund a program to focus on the manufacturing industry in Mississippi.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1388 was adopted.

YEAS AND NAYS On H. B. No. 1388. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Hill. Total--1.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1385: Appropriation; Attorney General.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of the Attorney General for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 21,623,323.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Office of the Attorney General which is comprised of special source funds collected by or otherwise available to the office, for the purpose of defraying the expenses of the office for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 5,462,843.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	91
	Part Time	0
Time-Limited:	Full Time	230
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Office of the Attorney General shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2022

Performance Measures	Target
Supportive Services	
Cost of Support Services as Percentage of Budget (%) 2011-2012 Baseline: 5.10%	6.00
Training	
Ratings of Continuing Legal Education Training Presentation by Participants	95.00
Ratings of CRIMES System Training Presentation by Participants	95.00
Litigation	
Minimum Affirmations of Criminal Convictions (%) 2011-2012 Baseline: 90.00%	90.00
Minimum Affirmations of Death Penalty Appeals (%) 2011-2012 Baseline: 83.33%	70.00
Minimum Denial of Relief in Federal Habeas Corpus (%) 2011-2012 Baseline: 86.96%	95.00
Minimum Positive Results of Civil Cases (%) 2011-2012 Baseline: 96.00%	98.00
Percentage Change of Affirmations of Criminal Convictions Attained (%)	0.00
Percentage Change of Death Penalty Review Cases Affirmed (%)	5.00
Percentage of Change of Appeals for Relief in Federal Habeas Corpus Cases Denied (%)	0.00
Percentage Change of Positive Results from Civil Cases (%)	0.00
Opinions	
Assigned to Attorneys in 3 Days or Less (%) 2011-2012 Baseline: 100.00%	100.00
Opinions Completed in 30 Days or Less (%) 2011-2012 Baseline: 76.00%	75.00
Percentage Change of Opinion Requests Assigned to Attorneys Within 3 Days or Less (%)	0.00
Percentage Change of Opinion Requests Completed Within 30 Days or Less (%)	5.00
State Agency Contracts	
Good & Excellent Ratings for Legal Services (%) 2011-2012 Baseline: 94.00%	100.00
Percentage Change of Good/Excellent Ratings for Legal Services (%)	0.00
Insurance Integrity Enforcement	
Minimum Positive Results of Workers' Compensation Cases (%) 2011-2012 Baseline: 90.00%	99.00
Minimum Positive Results of Insurance Cases (%) 2011-2012 Baseline: 90.00%	99.00
Percentage Change of Positive Results of Workers' Compensation Insurance Fraud (%)	5.00
Percentage Change of Positive Results of Other Insurance Cases (%)	0.00
Other Mandated Programs	
Medicaid Fraud Convictions vs Dispositions (%) 2011-2012 Baseline: 100.00%	85.00

Medicaid Abuse Convictions vs Dispositions (%) 2011-2012 Baseline:	95.00%	98.00
Minimum Defendants Convicted after Indictments (PID) (%) 2011-2012 Baseline:	96.00%	90.00
Response to Consumer Complaints (Days) 2011-2012 Baseline:	3.14%	5.00
Average Number of Days to Respond to Consumer Complaints		5.00
Percentage Change of Medicaid Fraud Convictions vs Dispositions (%)		5.00
Percentage Change of Medicaid Abuse Convictions vs Dispositions (%)		5.00
Percentage Change of Defendants Convicted After Indictment (%)		0.00
Crime Victims Compensation Claims Processed in 12 Weeks or Less (%) 2011-2012 Baseline:	67.97%	57.88
Percentage Change of Claims Processed Timely (%)		0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. Of the funds appropriated under the provisions of Section 1, funds included therein which are derived from penalties and/or other funds collected by the Medicaid Fraud Control Unit shall be available for the purpose of providing the state match for federal funds available for the support of the unit, or for other lawful purposes as deemed appropriate by the Attorney General. Further, it is the intent of the Legislature that any penalties and/or other funds collected and/or expended shall be accounted for separately as to source and/or application of such funds.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the amount of One Million Dollars (\$1,000,000.00), or so much thereof as may be necessary, shall be made available for expenditure by the Prosecutors Training Division.

SECTION 8. No part of the money herein appropriated shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 9. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Attorney General that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, the sum of Six Hundred Eighty Thousand Dollars (\$680,000.00) is provided from the Department of Health for the Alcohol and Tobacco Enforcement Unit.

SECTION 12. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Million Six Hundred Ninety Thousand Three Hundred Forty-six Dollars (\$5,690,346.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Prosecutor Education.....	\$ 662,582.00
Crime Victims Compensation.....	\$ 1,901,332.00
Vulnerable Persons Training, Invest and Prosecution Trust	\$ 565,165.00
Child Support Prosecution Trust.....	\$ 128,475.00
Law Enforcement & Firefighters Disability Benefits Trust	\$ 133,666.00
Cyber Crime Unit	\$ 944,722.00
Domestic Violence Training.....	\$ 376,580.00
Children's Advocacy Centers	\$ 554,489.00
Crime Victims Compensation Admin	\$ 347,547.00
Motorcycle Officer Training	\$ 62,763.00
District Attorney Operations	\$ 13,025.00

It is the intention of the Legislature that the Attorney General's Office shall prepare and submit a quarterly report to the Chairmen of the Appropriation Committees of the Senate and House of Representatives that details the expenditures made for programs supported from General Fund court assessments allocated in this section.

SECTION 13. Of the funds appropriated in this act, funds are provided to defray the expenses of litigation defending the constitutionality of Mississippi statutes.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1385 was adopted.

YEAS AND NAYS On H. B. No. 1385. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--None.

Absent and those not voting--Bryan, Carter, Fillingane, Horhn, Jackson S. (32nd), Simmons D. T. (12th), Witherspoon. Total--7.

Senator Hopson called up the following entitled bill:

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 6,540,186.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi State Supreme Court which is comprised of special source funds collected by or otherwise available to the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 937,470.00.

SECTION 3. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Mississippi State Supreme Court, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	68
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 26,029,937.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the trial judges, for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2021, and ending June 30, 2022. \$ 4,192,368.00.

SECTION 6. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of special judges, chancellors and circuit judges, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	109
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Of the funds appropriated and allocated herein, Eight Million Seven Hundred Twenty Thousand Dollars (\$8,720,000.00) is provided for the purpose of employing support staff in an amount not to exceed Eighty Thousand Dollars (\$80,000.00) per fiscal year per judge.

SECTION 7. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of funding the Administrative Office of Courts for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 10,272,566.00.

SECTION 8. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Administrative Office of Courts for the purpose of defraying the expenses of the Administrative Office of Courts and the Board of Certified Court Reporters for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 27,351,190.00.

SECTION 9. Of the funds appropriated under the provisions of this act for the purpose of funding the Administrative Office of Courts, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	32
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

SECTION 10. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the Continuing Legal Education Fund, a special fund hereby created in the State Treasury, for the purpose of defraying the expenses of providing continuing legal education programs to lawyers in Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 149,338.00.

It is the intention of the Legislature that interest earned from any investment or deposit to the Continuing Legal Education Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Continuing Legal Education Fund and shall not be paid into the General Fund of Mississippi.

SECTION 11. Of the funds appropriated under the provisions of this act for the purpose of providing continuing legal education programs, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	2
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

SECTION 12. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..

\$ 4,140,168.00.

SECTION 13. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..

\$ 1,588,856.00.

SECTION 14. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Court of Appeals, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	58
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

SECTION 15. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Bar Admissions, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 346,100.00.

It is the intention of the Legislature that interest earned from any investment or deposit to the Board of Bar Admissions Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Board of Bar Admissions Fund and shall not be paid into the General Fund of Mississippi.

SECTION 16. Of the funds appropriated under the provisions of this act for the purpose of funding the Board of Bar Admissions, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	3
	Part Time	0
Time-Limited:	Full Time	0

Part Time..... 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 17. No part of the funds herein appropriated shall be used in the payment of attorney's fees, nor shall any of such funds be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 18. It is the intent of the Legislature that the Mississippi State Supreme Court shall charge the maximum amount allowable by law for services rendered where charges for such services are provided for by statute, and for any other services rendered, shall charge an amount consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Office of the Mississippi State Supreme Court.

SECTION 19. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the public space in the Law Library.

SECTION 20. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 21. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Million Twelve Thousand Five Hundred Dollars (\$2,012,500.00) may be provided for the Comprehensive Electronic Court Systems Fund administered by the Administrative Office of Courts.

SECTION 22. It is the intention of the Legislature that the Mississippi State Supreme Court shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 23. Of the funds appropriated under the provisions of this act, One Million Eight Hundred Seventy-five Thousand Dollars (\$1,875,000.00) shall be provided for the Youth Court Support Fund administered by the Administrative Office of Courts.

SECTION 24. Of the funds appropriated in Section 7, Six Million Five Hundred Thousand Dollars (\$6,500,000.00) is provided to defray the costs of the Drug Court Program.

SECTION 25. It is the intention of the Legislature that in the event there are not sufficient funds in the Judicial System Operation Fund created under Section 9-21-45, Mississippi Code of 1972, in any given year with which to pay the annual salary supplements set forth in HB 484, 2012 Regular Session, then the county treasury shall not be obligated to fund such salary supplements and the salary of county court judges shall be that in place prior to the passage of HB 484, 2012 Regular Session.

SECTION 26. Of the funds appropriated in Section 7, it is the intention of the Legislature that an amount of Six Million Seven Hundred Thousand Dollars

(\$6,700,000.00) may be allocated for the programs supported from General Fund court assessments as follows:

Drug Courts	\$ 6,500,000.00
Civil Legal Assistance	\$ 200,000.00

SECTION 27. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 28. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

Senator Bryan offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 16 by changing "\$6,540,186.00" to "\$1,453,375.00"

FURTHER, AMEND on line 24 by changing "\$937,470.00" to "\$208,326.00"

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1384 failed.

Committee Amendment No. 1 to H. B. No. 1384 was adopted.

YEAS AND NAYS On H. B. No. 1384. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Bryan, Carter, Fillingane, Jackson S. (32nd), Witherspoon. Total--5.

Senator Hopson called up the following entitled bill:

H. B. No. 1377: Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 1,641,882.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Commission:

AUTHORIZED POSITIONS:

Permanent:	Full Time	16
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate Appraisal License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Appraiser Licensing and Certification Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 446,923.00.

SECTION 4. Of the funds appropriated under the provisions of Section 3, the following positions are authorized for the Mississippi Real Estate Appraiser Licensing and Certification Board:

AUTHORIZED POSITIONS:

Permanent:	Full Time	4
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. It is the intention of the Legislature that the Mississippi Real Estate Commission and the Real Estate Appraiser Licensing and Certification Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION AND MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1377 was adopted.

YEAS AND NAYS On H. B. No. 1377. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1400: Appropriation; Medicaid, Division of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Governor's Office - Division of Medicaid for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, as provided in Section 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....
\$ 816,911,321.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Medical Care

Fund created by Section 43-13-143, Mississippi Code of 1972, for the purpose of providing medical assistance under the Mississippi Medicaid Law for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 361,244,785.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Governor's Office - Division of Medicaid which is comprised of special source funds collected by or otherwise available to the Division, for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 5,159,031,807.00.

Prior period recovery of funds may be maintained and expended by the division when the recovery is received or finalized. Any recoveries due to audits or third party recoveries may be used to offset the cost of such audits and third party recoveries and as such, the division may escalate Contractual Services as needed for these purposes.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, for the purpose of defraying the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 63,230,003.00.

The above funds shall be allocated as follows:

CHIP Program at up to 209% level of poverty \$ 9,000,000.00.

Medical Program Matching Funds \$ 54,230,003.00.

It is the intention of the Legislature that funds may be shifted among the above allocated line items where needed at the discretion of the Executive Director of Governor's Office - Division of Medicaid.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	916
	Part Time	4
Time-Limited:	Full Time	22
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate program. All Medicaid 1915 (C) Home and Community Based Services Waivers shall be presented as a budget program separate from the Medical Services Program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Administrative Services	
Admin as a % of Total Budget	4.23
Third Party Liability Cost Avoided (\$Thou)	1,355,362.00
% of Clean Claims Processed within 30 days of receipt	99.50
% of Clean Claims Processed within 90 days of receipt	100.00
Applications Processed within Std. of Promptness (%) - Medicaid	90.00
Third Party Funds Recovered	5,589,080.00
Providers Submitting Electronic Claims	31,500
Turnover Rate of Employees	15.00
Medical Services	
Medicaid Recipients - Enrolled (Persons)	682,500
% MSCAN Diabetic members aged 17-75 receiving HBA1c test	87.99
% Change in number of recipients enrolled from last year	0.37
% Change in number of providers from last year	-4.71
% MSCAN members with persistent asthma are appropriately prescribed medication	52.00
Costs of Emergency Room Visits (\$)	174,421,422.00
Number of Emergency Room Visits	626,368
Rate of EPSDT well child screening	75.00

Child Physical Exams (ages 0-20)	300,352
Adult Physical Exams (21-older)	2,919
Number of Fraud and Abuse Cases Investigated	250
Number of Medicaid Providers	36,893
Number of Medicaid beneficiaries assigned to a managed care company	450,000
Children's Health Insur Prg (chip)	
CHIP Enrollees	48,000
Applications Processed within Std. of Promptness (%) - CHIP	90.00
Home & Comm Based Waiver Prg	
Elderly & Disabled - Persons Served	19,580
Elderly & Disabled - Funded Slots	18,690
Elderly & Disabled - Total Authorized Slots	21,900
(E&D) Change in persons on waiting list%	10.00
Assisted Living - Persons Served	690
Assisted Living - Funded Slots	659
Assisted Living - Total Authorized Slots	1,000
(AL) Change in persons on waiting list%	10.00
Intellectual Disability - Persons Served	3,150
Intellectual Disability - Funded Slots	2,641
Intellectual Disability - Total Authorized Slots	3,650
(IDD) Change in persons on waiting list%	10.00
Independent Living - Persons Served	3,135
Independent Living - Funded Slots	2,993
Independent Living - Total Authorized Slots	5,725
(IL) Change in persons on waiting list%	10.00
Traumatic Brain Injury - Persons Served	1,045
Traumatic Brain Injury - Funded Slots	998
Traumatic Brain Injury - Total Authorized Slots	3,600
(TBI) Change in persons on waiting list%	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. The Governor's Office - Division of Medicaid shall provide statistical and financial reports on a monthly basis to the Legislative Budget Office and the PEER Committee. These reports shall include, but are not limited to, an accounting of all funds spent in the medical program, the CHIP program, the Dialysis Transportation program, and each of the Home and Community Based Waiver programs, and an accounting of all funds spent in the administrative program, participant statistics and any other information requested by the Legislative Budget Office and the PEER Committee.

The Governor's Office - Division of Medicaid shall perform its cash flow projections on a predetermined monthly schedule and make this and any other information requested available, upon request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House and Senate Medicaid Committees, the House and Senate Appropriations Committees, the Legislative Budget Office and the PEER Committee. A summary of this cash flow projection shall also be presented in the report referenced in the above paragraph.

SECTION 10. Of the funds appropriated under the provisions of this act in an amount not to exceed, Two Million Seven Hundred Fifty Thousand Dollars

(\$2,750,000.00) is provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

SECTION 11. Of the funds appropriated in Sections 1 and 3, Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$398,550.00) General Funds and One Million One Hundred One Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds are provided for five (5) slots in the Assisted Living Waiver program for persons with Traumatic Brain Injury and in need of Cognitive Rehabilitation. The Division shall develop eligibility criteria for these additional slots.

SECTION 12. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for Fiscal Year 2022, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2022 and later fiscal years:

- a. Comprehensive Diabetes Care (CDC) or successive measure.
 - b. Medication Management for People with Asthma (MMA) or successive measure.
 - c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.
 - d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.
- In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established for similar Medicaid recipients who are not enrolled in the MS-CAN program.

SECTION 13. Of the funds appropriated in Sections 1 and 4, Four Million One Hundred Sixty-one Thousand Ninety-five Dollars (\$4,161,095.00) shall be allocated to the Delta Health Alliance for the Mississippi Delta Medicaid Population Health Demonstration Project. Funds shall be transferred no later than July 31, 2021. A progress report on the Mississippi Delta Medicaid Population Health Demonstration Project shall be provided by Delta Health Alliance to the Chairmen of the Senate and House Public Health Committees, Senate and House Medicaid Committees and the Senate and House Appropriations Committees on or before December 31, 2021.

As a precondition to receiving such funds, the Delta Health Alliance shall:

- (i) establish a separate account into which funds provided by this section shall be deposited and accounted;
- (ii) establish performance measures that measure the ends to be achieved by each program activity implemented by the Alliance;
- (iii) cooperate with any firm or entity charged with the responsibility of auditing or evaluating the funds or program activities funded by this act;
- (iv) submit to the division on an annual basis reports that provide the following:
 - a) number of persons served by the Alliance;
 - b) amount of funds expended by the Alliance on approved activities;
 - c) names of staff employed by the Alliance by position title and annual salary; and
 - d) names of contractors used by the Alliance to provide services, including the amounts paid and a description of services rendered.

By December 1, 2023, and every three (3) years thereafter, the PEER Committee shall conduct an evaluation of the services provided by the Delta Health Alliance over the same period. In conducting evaluations required by this section, the PEER Committee shall have access to any and all records of the Alliance.

SECTION 14. It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 15. The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and community based services waiver to individuals who qualify for those services to avoid institutionalization or to transition an individual from an institution to any home and community based setting. Provision of such services shall not count against any limit imposed under this act. It is the intention of the Legislature that the cost of providing home and community based services shall not exceed the cost of nursing facility services, as determined by the Division.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Governor's Office, Division of Medicaid for the purpose of reauthorizing the expenditure of Capital Expense Fund, as authorized in HB 1713, 2020 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022. \$ 16,140,164.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAIVING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1400 was adopted.

YEAS AND NAYS On H. B. No. 1400. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1398: Appropriation; Human Services, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 177,276,439.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 1,385,923,932.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, not more than the amounts set forth below shall be expended; however, notwithstanding any other provision in this act, it is the intent of the Legislature that any amount of funds and positions may be transferred between the Department of Human Services and the Department of Child Protection Services in order to comply with agreements made by the State of Mississippi with the United States District Court in reference to the Olivia Y., et al. lawsuit.

DEPARTMENT OF HUMAN SERVICES

FUNDING:

General Funds	\$ 65,776,996.00.
Special Funds	\$ 1,267,993,125.00.
Total	\$ 1,333,770,121.00.

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1,373
	Part Time	1
Time-Limited:	Full Time	410
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of

each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

DIVISION OF CHILD PROTECTION SERVICES

FUNDING:

General Funds	\$	111,499,443.00
Special Funds	\$	117,930,807.00
Total	\$	229,430,250.00

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1,537
	Part Time	0
Time-Limited:	Full Time	417
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected

annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. It is the intention of the Legislature that the Department of Human Services and Department of Child Protection Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. Of the funds appropriated in Section 2 herein to Department of Human Services, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2021. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. The Department of Human Services and the Department of Child Protection Services are authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2022 Target
Performance Measures	
Support Services	
Percentage of Referred/Directed	

Investigative Audits Conducted (%)	100.00
Percentage of Special Investigations Conducted (%)	95.00
Percentage of Referred/Obtained Fraud Investigations Conducted Timely (%)	100.00
Percentage of Referred Administrative Disqualification Hearings & Fair Hearings Conducted Timely (%)	99.00
Percentage of Monitoring Reviews Conducted within Acceptable Timeframes (%)	98.00
Total Amount of Funds Recovered (\$)	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	28,975
Community Services - Age 60 + (Persons Served)	203,297
Congregate Meals (Number of)	491,685
Home Delivered Meals (Number of)	2,201,105
Substantiated Incidences of Abuse of Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction of Persons on Waiting list (%)	5.00
Child Support Enforcement	
Paternities Established (Number of)	15,500
Percent Change in Paternities Established (%)	3.30
Obligations Established (Number of)	16,000
Percent Change in Obligations Established (%)	12.50
Total Collections (\$)	378,000,000.00
Percent Change in Total Collections (%)	-2.50
Absent Parents Located (Number of)	68,000
Child Support Cases Current on Payments (%)	-2.53
Community Services	
Elderly Served by CSBG & LIHEAP (Number of)	20,352
Disabled Served CSBG/LIHEAP (Number of)	26,762
Households Achieving Self-Sufficiency CSBG/LIHEAP (Number of)	0
Increase in Rate of Household Attaining Self-Sufficiency (%)	0.00
Households Stabilized CSBG/LIHEAP (Number of)	0
Percent Increase in the Number of Households Stabilized (%)	0.00
Households Weatherized (Number of)	516
Early Childhood Care & Dev	
Children Served (Number of)	0
Assistance Payments	
Dollar Amount of Assistance (\$)	690,000.00
Food Assistance	
Average Monthly Households Supplement Nutrition Assistance Program - SNAP (\$)	225,000
Percentage of Mississippi Households Receiving SNAP Benefits (%)	716,413,100.00
TANF Work Program	22.51
Average Monthly TANF Households (Number of)	4,600
Average Monthly Persons Served in TANF Work Program (Number of)	1,107

TANF Work Program Participation Rate (%)	60.00
Persons Employed Through the TANF Work Program for the Year (Number of)	720
Households Receiving TANF Benefits During the Year (Number of)	4,600
Percentage of Households Receiving TANF During the Year (%)	49.00
Percentage of TANF Participants in Job Training Who Enter Employment (%)	30.00
Percentage of TANF Participants in Job Training Who Enter Employment at a Salary Sufficient to be Ineligible for TANF (%)	19.00
Percentage of TANF Participants in Job Training Who Remain Employed for: One Year After Leaving the Program (%)	75.00
Percentage of TANF Participants in Job Training Who Remain Employed for: Five Years After Leaving the Program (%)	65.00
Social Services Block Grant	
Clients Served, Division of Family & Children's Services (Number of)	75,611
Clients Served, Aging & Adult Services (Number of)	21,178
Clients Served, Youth Services (Number of)	12,880
Youth Services	
Community Services (Children Served)	15,000
Institutional Component (Children Served)	300
Volunteers - Community Services/Institution (Number of)	0
Children Placed in Alternative Placement (Number of)	0
Children Diverted from Institutional Care (%)	95.00
Recidivism Rate (%)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 11. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2022, the Executive Director of the Department of Human Services shall submit a report to the Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 12. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2021.

SECTION 14. Of the funds appropriated herein, to the Department of Human Services One Million Dollars (\$1,000,000.00), is provided for the support of the Home Delivered Meals Program and any additional funds that may be appropriated to this program.

SECTION 15. Of the funds provided in Section 1, herein to the Department of Human Services, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is provided to fund the Senior Olympics Program.

SECTION 16. Of the funds appropriated in Section 1, herein to the Department of Child Protection Services, it is the intention of the Legislature that Ninety-three Thousand Six Hundred One Dollars (\$93,601.00) shall be allocated to the Mississippi Children's Trust Fund supported from General Fund court assessments.

SECTION 17. It is the intention of the Legislature that the Governor's Office, Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 18. Of the funds appropriated by this act, pursuant to HB 571, 2019 Regular Session, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a coordinator to work with the Department of Public Safety, and to contract with outside agencies or service providers to organize for the provision of specialized services, including counseling services and other appropriate care to children who have been victims of commercial and sexual exploitation or human trafficking.

SECTION 19. As a condition of receiving and expending any funds appropriated under this act, the Department of Human Services:

(a) Shall use a competitive procurement process for entering into all TANF subgrant agreements with non-state entities when the federal government does not direct to whom the funds must be subgranted;

(b) Upon awarding of a grant to any subgrantee of the department, shall require the subgrantee to submit a monthly report to the department that contains, but is not limited to, all of the following:

(i) A listing of all costs incurred by the subgrantee during the previous month;

(ii) A listing of all clients served by the subgrantee, with an explanation of which services were provided to the clients;

(iii) A listing of all lower-tier subgrantees, who must be approved by the department before the execution of any such agreement by the prime subgrantee; and

(iv) Any other data required by the department to provide sufficient evidence of budgetary compliance;

(c) Shall not advance funds to a subgrantee for more than sixty (60) days; and

(d) Shall reimburse a subgrantee for expenses only after the required documentation is provided and is approved by the department.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as authorized in HB 1715, 2020 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 14,328,343.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1398 was adopted.

YEAS AND NAYS On H. B. No. 1398. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1401: Appropriation; Health, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 30,764,155.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the State Department of Health which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....
\$ 395,576,435.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two Dollars (\$526,102.00) shall be derived from the State General Fund and Nine Million One Hundred Seventy-eight Thousand Seven Hundred Eighty-three Dollars (\$9,178,783.00) shall be derived from the Health Care Expendable Fund, created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the State Department of Health. The funds provided in this section shall be allocated as follows:

Maternal and Child Health Care

Program \$ 1,242,943.00

Early Intervention Program and/or Child Therapeutic

Services \$ 188,661.00

Health Department Programs..... \$ 8,273,281.00

SECTION 4. Of the funds appropriated in this act, Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the Trauma Care System. Of the General Fund court assessments provided in Section 1, Seven Million Twenty-three Thousand One Hundred Ninety-seven Dollars (\$7,023,197.00) shall be allocated for Trauma Care Systems and One Million Eight Hundred Five Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be allocated for Emergency Medical Services. All additional funds are appropriated in Section 2. The State Department of Health may transfer a portion of Trauma Care System funds to the Division of Medicaid for the development and implementation of an enhanced reimbursement fee program related to trauma care and services, used to match federal funds, under a cooperative agreement between the State Department of Health and the Division of Medicaid.

It is the intention of the Legislature that none of the funds authorized herein for the Trauma Care System shall be expended to the benefit of any hospital located outside the boundaries of the State of Mississippi, unless otherwise excepted in this

paragraph. Funds shall be expended by the Mississippi Department of Health for distribution to the Regional Medical Center or Le Bonheur Children's Hospital at Memphis, located in Memphis, Tennessee, or the University of South Alabama Medical Center located in Mobile, Alabama, or the Joseph M. Still Burn Centers, Inc., located in Augusta, Georgia, or the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or any affiliates or any other Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that participates in the Mississippi Trauma Care System, as determined by the Mississippi Department of Health.

SECTION 5. Of the funds appropriated in Section 2, Twenty Million Dollars (\$20,000,000.00) shall be derived from the Tobacco Control Program Fund, created in Section 41-113-11, Mississippi Code of 1972, and shall be allocated as follows:

University of Mississippi Medical Center Cancer Institute.....	\$ 4,250,000.00
Department of Education - Mary Kirkpatrick Haskell – Mary Sprayberry Public School Nurse Program	\$ 3,060,000.00
Attorney General's Office - Alcohol and Tobacco Enforcement Unit	\$ 680,000.00
University of Mississippi Medical Center – A Comprehensive Tobacco Center	\$ 595,000.00
Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI).....	\$ 382,500.00
Mississippi Qualified Health Center Grant Program	\$ 3,400,000.00
Mississippi Health Care Alliance for the Stroke System of Care Plan.....	\$ 212,500.00
Mississippi Health Department Programs.....	\$ 7,420,000.00

Of the funds appropriated in this section, the State Department of Health is authorized to expend funds to create and administer the Office of Tobacco Control within the department as outlined and created in Section 41-113-3, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in Section 1, Five Hundred Fifty-eight Thousand Seven Hundred Ninety-five Dollars (\$558,795.00) shall be allocated as follows:

Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI)	\$ 139,700.00.
Mississippi Health Care Alliance for the Stroke System of Care Plan.....	\$ 139,700.00.
Mississippi Qualified Health Center Grant Program.....	\$ 55,880.00.
Mississippi Health Department Programs.....	\$ 223,515.00.

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	893
	Part Time	4
Time-Limited:	Full Time	1,209
	Part Time	4

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State

Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 8. It is the intention of the Legislature that the State Department of Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Health Services	
..... State infant mortality rate (per 1,000	
live births)	8.20
..... Percentage of women who received	
prenatal care in first trimester	73.40
..... Percentage of live births delivered	
prior to 37 weeks of gestation	12.00
..... Teenage birth rate age 15-19 years (live	
births per 1,000 women age 15-19)	22.90
..... Percentage of newborns with positive and	
inconclusive genetic screens who	

received recommended follow-up.....	100.00
Percentage of adults who are obese (Body	
Mass Index of 30 or more, regardless of	
sex).....	42.20
Health Protection	
Percentage of Mississippi population	
receiving water from a public water	
supply	92.00
Percentage of Mississippi population	
receiving optimally fluoridated water	59.00
Transfer time of Level III and IV trauma	
centers to appropriate facilities for	
treatment (minutes).....	130
Communicable Disease	
Primary and Secondary Syphilis: Case	
rate per 100,000.....	23.50
Tuberculosis: Number of cases	
55	
Tuberculosis: Case rate per 100,000	
1.75	
HIV Disease: Number of cases	
450	
HIV Disease: Case rate per 100,000	
15.10	
Rate of two year old children fully	
immunized (National Immunization Survey:	
4:3:1:3:3:1:4 series - 19 to 35 months).....	76.00
Tobacco Control	
Percentage of current smokers among	
public middle school students	2.60
Percentage of current smokers among	
public high school students	6.10
Percentage of current smokers among	
adults 18 years and older	19.80
Public Health Emerg Prep/resp	
Time required for command staff to	
report to Emergency Operations Center in	
response to a national or man-made	
disaster (minutes)	20
Admin & Support Services	
Percentage of Mississippi population	

.....
living in an area designated as a Health

.....
Professional Shortage Area: Mental

.....
Health79.00
.....Percentage of Mississippi population

.....
living in an area designated as a Health

.....
Professional Shortage Area: Dental46.00
.....Percentage of Mississippi population

.....
living in an area designated as a Health

.....
Professional Shortage Area: Primary

.....
Care.....46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 10. It is the intention of the Legislature that with the funds provided herein, the State Department of Health may provide and administer without charge, Hepatitis B vaccinations to Emergency Medical Services (EMS) personnel who are in need of such vaccinations through job related exposure.

SECTION 11. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 34,342,704.00.

SECTION 12. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2021. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 13. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars (\$50,000.00) of the funds appropriated herein for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 14. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars (\$700,000.00) are provided for the purpose of purchasing AIDS drugs and other necessary AIDS related medical services.

SECTION 15. Of the funds appropriated herein, Twenty-one Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided to the Southern AIDS Commission, Inc., for the purpose of providing technical assistance, and providing for the expansion of education on causes and prevention of HIV/AIDS, and providing delivery services to persons infected with HIV. The Southern AIDS Commission, Inc., shall report by February 1, 2022, to the Board of Health and the Chairmen of the House and Senate Public Health Committees the status of the project and all services provided.

SECTION 16. Of the funds appropriated herein, Twenty-one Thousand Two Hundred Fifty Dollars (\$21,250.00) shall be provided to the North Mississippi Health

Care Foundation Restricted Fund, for the purpose of providing technical assistance, providing for the expansion of education on causes and prevention of HIV/AIDS, and providing delivery services to persons infected with HIV. The North Mississippi Health Care Foundation shall report by February 1, 2022, to the Board of Health and the Chairmen of the House and Senate Public Health Committees the status of the project and all services provided.

SECTION 17. Of the funds appropriated herein, Eight Thousand Five Hundred Dollars (\$8,500.00) shall be provided to the AIDS Services Coalition, Inc., for the purpose of providing housing assistance, outreach, prevention services and supportive services to persons infected with HIV. The AIDS Service Coalition, Inc., shall report by February 1, 2022, to the Board of Health and the Chairmen of the House and Senate Public Health Committees the status of the project and all services provided.

SECTION 18. Of the funds appropriated herein, the amounts of Ninety-four Thousand Three Hundred Thirty Dollars (\$94,330.00) shall be allocated to the T.K. Martin Center at Mississippi State University and Ninety-four Thousand Three Hundred Thirty Dollars (\$94,330.00) shall be allocated to the Regional Rehabilitation Center in Tupelo for the Early Intervention Program and/or Child Therapeutic Services.

SECTION 19. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for the Breast and Cervical Cancer Program.

SECTION 20. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Burn Care Fund which is comprised of special source funds collected by or otherwise available to the department, for the purpose of funding reimbursement for uncompensated medical care to Mississippi burn victims through the trauma care system at in-state burn facilities including the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or for uncompensated aero medical transportation to out-of-state qualified United States Burn Care facilities, and such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodgings, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, for the fiscal year beginning July 1, 2021, and ending June 30, 2022..

\$ 1,000,000.00.

SECTION 21. Of the funds appropriated in Section 20, the Mississippi Department of Health may provide upon mutual agreement Twenty-five Thousand Dollars (\$25,000.00) for the Mississippi Firefighters Memorial Burn Association. These funds are to be used for monetary support of Mississippi burn victims for travel and other expenses to the Joseph M. Still Burn Center in Georgia, or the Joseph M. Still Burn and Reconstruction Center at Merit Health Central.

SECTION 22. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 23. It is the intention of the Legislature that the Mississippi Department of Health shall implement same day service to receive birth and death certificates.

SECTION 24. It is the intention of the Legislature that the Mississippi State Department of Health shall provide the Joint Legislative Budget Committee a report of all grants received by September 15, 2021. This notification will consist of the name of the grant and agency or nonprofit making the award, the award amount, and a short list of goals to be achieved.

SECTION 25. It is the intention of the Legislature that the Mississippi State Department of Health shall be the fiscal agent in all allowable grants awarded.

SECTION 26. Of the funds appropriated in Section 2, Seven Hundred Thousand Dollars (\$700,000.00) shall come from the Department of Education for the purpose of maintenance of effort for the Early Intervention Program. These funds are to be transferred to the State Department of Health no later than December 31, 2021. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Education.

SECTION 27. The Mississippi Department of Health is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls which, from time to time, may occur due to insufficient working cash spent in anticipation of receiving federal reimbursement. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Mississippi Department of Health designated special fund account. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the department in the manner of and subject to the same terms provided in this section.

SECTION 28. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 29. With the funds appropriated herein, it is the intention of the Legislature that the Mississippi Department of Health is authorized to set the compensation of all nurse PINs, Epidemiologists and Disease Intervention Specialist Series based on the education and experience of the incumbent not to exceed the end salary as established by the State Personnel Board.

SECTION 30. It is the intent of the Legislature that the Chairman of the Board of Health may appoint an official replacement or representative with voting privileges to the Advisory Board of the Office of Mississippi Physician Workforce.

SECTION 31. It is the intention of the Legislature that the State Health Officer shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Health. It is further the intention of the Legislature that the State Health Officer shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 32. Of the funds appropriated in Section 1, it is the intention of the Legislature that Eight Hundred Fifty-nine Thousand Nine Hundred Three Dollars (\$859,903.00) shall be allocated to the Domestic Violence program that is supported from General Fund court assessments.

SECTION 33. It is the intent of the Legislature that the Mississippi State Department of Health shall have authority to escalate the various budgets in both funds and positions, with the approval of the State Fiscal Officer, from any special funds collected or available for HIV medical or support services, clinical quality management, and administrative expenses not to exceed Five Million Dollars (\$5,000,000.00), to the agency for expenditure. Upon such approval, the Mississippi State Department of Health may expend such funds in the manner authorized by law.

The Executive Director of the Mississippi State Department of Health shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 34. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 35. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1401 was adopted.

YEAS AND NAYS On H. B. No. 1401. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1386: Appropriation; Archives and History, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 9,036,436.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 7,329,536.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	141
	Part Time	2
Time-Limited:	Full Time	7
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless

otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars (\$2,000,000.00) is provided to the Department of Archives and History from the Mississippi Landmark Grant Fund as created in House Bill No. 1082, Regular Session of 1999, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. Of the funds provided under the provisions of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the purpose of capital development and maintenance of Beauvoir Shrine, the last home of Jefferson Davis, the only President of the Confederate States of America, subject to approval by the Department of Archives and History. The expenditure of funds available in this section shall be subject to prior approval by the Department of Archives and History.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 45,748.00.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1703, 2020 Regular Session to provide for the de la Pointe-Krebs House for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 651,319.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1703, 2020 Regular Session to provide for Beauvoir, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 100,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the BP Settlement Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of BP Settlement Funds as authorized in SB 2969, 2020 Regular Session to provide for Holmes County historical markers, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 10,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1386 was adopted.

YEAS AND NAYS On H. B. No. 1386. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Blount. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1412: Appropriation; Marine Resources, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,015,569.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 47,944,907.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars (\$3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	87
	Part Time	0
Time-Limited:	Full Time	74
	Part Time	0

Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars (\$600.00) per annum.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless

otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2021, and ending June 30, 2022. \$ 7,349,277.00.

Of the funds appropriated within this section, One Million Two Hundred Dollars (\$1,200,000.00) shall be designated for bond repayment.

Total Public Access Projects	\$ 3,074,638.00
Total Management Projects	\$ 3,074,639.00
Bond Repayment	\$ 1,200,000.00
Total Tidelands Funds:	\$ 7,349,277.00

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2021. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to

department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be allocated on a pro rata basis between projects listed in this section.

SECTION 6. It is the intention of the Legislature that the department shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 7. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.

SECTION 8. It is the intention of the Legislature that the Department of Marine Resources is hereby authorized to pay invoices submitted by the City of Long Beach, MS for reimbursement for prior fiscal year projects in an amount not to exceed Five Thousand Seven Hundred Fifty Dollars (\$5,750.00).

SECTION 9. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, Twenty-seven Million Forty-eight Thousand Four Hundred Ninety-four Dollars (\$27,048,494.00) is provided for the funding of the following Gulf of Mexico Energy Security Act (GOMESA) prior year projects for FY 2022:

- (a) To assist the City of Gulfport with the Mississippi Aquarium \$1,636,691.00
- (b) To assist the University of Southern Mississippi with the Ocean Enterprise Project \$5,775,410.00
- (c) To assist the Audubon of Mississippi through the Department of Marine Resources for the Audubon Mississippi Coastal Conservation project \$223,215.00
- (d) To assist the City of Biloxi with the East Biloxi Boardwalk \$1,934,904.00
- (e) To assist the City of Biloxi with the East Biloxi Boardwalk sand re-nourishment \$1,000,000.00
- (f) To assist the Department of Marine Resources with the Coffee Creek outfall \$1,791,970.00
- (g) To assist the Department of Marine Resources with the Coffee Creek water quality \$822,768.00
- (h) To assist the Department of Wildlife, Fisheries and Parks with the Buccaneer State Park \$2,000,000.00
- (i) To assist the City of Biloxi with the Bayview Avenue Boardwalk \$2,653,140.00
- (j) To assist the City of Bay St. Louis with the Ward 6 Boat Launch, Public Water

Access and Restroom Facility \$254,865.00
 (k) To assist Harrison County with the
 Sea Oats and Sand Dunes Creation \$105,000.00
 (l) To assist the Department of Marine
 Resources with the Infinity Science Center \$619,018.00
 (m) To assist Mississippi State University
 with the IMMS Evaluation Study \$956,655.00
 (n) To assist Jackson County Board
 of Supervisors with the Front Beach
 Erosion Control \$1,773,137.00
 (o) To assist the University of Southern
 Mississippi with the Aquaculture Depth
 Control Unit \$98,966.00
 (p) To assist the Department of Marine
 Resources with GOMESA project management,
 development and mitigation \$273,147.00
 (q) To assist the Department of Marine
 Resources with an oyster plant \$2,000,000.00
 (r) To assist the Department of Marine
 Resources with the Shellfish Water Quality
 Testing \$95,000.00
 (s) To assist the Department of Marine
 Resources with artificial reef Construction \$999,966.00
 (t) To assist the Department of Marine
 Resources with water testing for safety
 of seafood consumption. \$45,262.00
 (u) To assist the Department of Marine
 Resources with the oyster clutch \$503,384.00
 (v) To assist the Department of Environmental
 Quality with water quality \$998,246.00
 (w) To assist Hancock County with Water
 Sewer Force Crossing \$487,750.00

SECTION 12. It is the intent of the Legislature that the Department of Marine Resources shall have the authority to expend funds in an amount not to exceed Ten Million Dollars (\$10,000,000.00) from funds for the Gulf of Mexico Energy Security Act (GOMESA) that may become available to the agency in fiscal year 2022 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intent of the Legislature that during the 2021 Regular Session, all new Gulf of Mexico Energy Security Act (GOMESA) projects for FY 2022 will be listed and appropriated by the Legislature in consultation with the Department of Marine Resources and the Office of the Governor for a total amount not to exceed Ten Million Dollars (\$10,000,000.00).

SECTION 14. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 15. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE
FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1412 was adopted.

YEAS AND NAYS On H. B. No. 1412. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1407: Appropriation; Port Authority, State.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Mississippi State Port Authority at Gulfport, for the purpose of defraying the expenses of the authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 55,704,360.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	39
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall maintain complete accounting and personnel records related

to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, One Hundred Thirty-five Thousand Dollars (\$135,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall only expend funds on activities directly related to the operation of the state port.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money appropriated under the provisions of Section 1 shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1407 was adopted.

YEAS AND NAYS On H. B. No. 1407. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1405: Appropriation; Pat Harrison Waterway District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Pat Harrison Waterway District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 5,709,112.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	48
	Part Time	20
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Pat Harrison Waterway District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall

be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1405 was adopted.

YEAS AND NAYS On H. B. No. 1405. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1406: Appropriation; Pearl River Valley Water Supply District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any special source funds which are received by or otherwise become available to the Pearl River Valley Water Supply District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 20,237,250.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	116
	Part Time	0
Time-Limited:	Full Time	1
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Pearl River Valley Water Supply District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following condition: the District shall waive traffic control fees for any vehicle displaying a "REZ" tag.

SECTION 7. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following conditions: (1) If any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open, these events shall be exempt from the district's lottery system for host events at the reservoir and given priority of any and all date options available. (2) If any local governmental or nonprofit entity wins the bid for such events, the district shall waive the daily launch fees or any other special event fees for the ESPN Bass Masters Classic or the FLW Major Open. (3) The Catch A Dream Foundation Bass Classic shall be held on the first Sunday in May unless any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open on that date. The Catch A Dream Foundation Bass Classic shall be exempt from the district's lottery system for host events at the reservoir and given priority for the first Sunday in May. The district shall waive the daily launch fees or any other special event fees for the Classic.

SECTION 8. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 9. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided out of the Ross Barnett Reservoir Dredging Fund for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law or in accordance with the provisions of a valid trust indenture.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1406 was adopted.

YEAS AND NAYS On H. B. No. 1406. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1409: Appropriation; Yellow Creek State Inland Port Authority.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Yellow Creek State Inland Port Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 13,168,348.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	17
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Yellow Creek State Inland Port Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, Fifty Thousand Dollars (\$50,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1409 was adopted.

YEAS AND NAYS On H. B. No. 1409. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1366: Appropriation; Barber Examiners, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Barber Examiners, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 298,463.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	3
	Part Time	4
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Examination	
Examinations Given (Number of)	
410	
Licensure & Regulation	
Average Time of Processing in State	
Licenses (Number of Days)	1
Average Time of Processing Out of State	
Licenses (Number of Days)	3

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 4. It is the intention of the Legislature that the State Board of Barber Examiners shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1366 was adopted.

YEAS AND NAYS On H. B. No. 1366. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1367: Appropriation; Cosmetology, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Cosmetology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 829,606.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	13
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. The State Board of Cosmetology shall not be authorized to expend any funds appropriated by this act after October 1, 2019, unless the board has adopted and implemented each of the following policies, which shall be conditions upon the receipt and expenditure of those funds:

(a) A policy that the board will not issue any licenses for the practice of wigology and will issue licenses and certifications only as provided under the cosmetology licensure law; and

(b) A policy that allows any person who holds a wig specialist license issued by the board before July 1, 2014, to continue his or her practice as it existed

before July 1, 2014, and allows any person who holds a wig salon license issued by the board before July 1, 2014, to continue operating a wig salon under the statutory requirements as they existed before July 1, 2014, and provides that any such person will be eligible to receive a certificate of registration issued by the board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures				FY2022 Target
Exam Administration				
Students	Tested	(Number	of)	
720				
Cost	Per	Licensing	Examination	(\$)
58.35				
School Coordination				
School	Permits	(Number	of)	
7				
Establishment Inspections				
Establishments, by Type (Salons & Schools), That Are Inspected Each Year				
.....				100.00
Average Violations per Inspection by				
Type (Number of).....				10
Documented	Complaints	Received	(Number	of)
15				
Documented Complaints Resolved Within				
Six (6) Months (%).....				
School Audits Resulting in Disciplinary				
Actions (%).....				6.00
Licensure & Information Support				
Completed Applications Processed Within				
Ten (10) Business Days, by Type				
(Practitioners, Instructors) (%).....				100.00
Business Days from Date of Completed				
Applications of New Salon & School to				
Initial Inspection (Number of).....				10
Collect & Report the Percentage of				
License Renewals Issued Within Seven (7)				
Business Days, Ten (10) Business Days				
for Schools (%).....				100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. It is the intent of this legislation to provide the funds for the board to meet when necessary, but under no circumstances shall it meet more than sixty-two (62) days a year.

SECTION 6. It is the intention of the Legislature that the State Board of Cosmetology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1367 was adopted.

YEAS AND NAYS On H. B. No. 1367. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1369: Appropriation; Medical Licensure, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Medical Licensure, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 3,604,261.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	28
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Licensure	
Licensees Who Renew Online (%)	100.00
Individual License Renewals Issued Within Seven (7) Business Days (%)	100.00
Investigative	
Recidivism Rate for Those Receiving Disciplinary Actions (%)	4.00
Documented Complaints Received (Number of)	300
Documented Complaints Resolved Within Seven (7) Business Days (%)	15.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 4. It is the intention of the Legislature that the State Board of Medical Licensure shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds provided under the provisions of this act, an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is provided for the Mississippi Physician Health Program.

SECTION 8. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Thirty Thousand Dollars (\$130,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expense of the Mississippi Prescription Monitoring Program.

SECTION 9. It is further the intention of the Legislature that, for Fiscal Year 2022, the board shall be allowed to recover all costs from a holder of a license who has been found by the board in violation of statute after notice and a hearing as provided by law. The expenses must be direct costs associated with the investigation and conduct of a proceeding for licensure revocation, suspension or restriction.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1369 was adopted.

YEAS AND NAYS On H. B. No. 1369. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1370: Appropriation; Nursing, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Board of Nursing, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 .. \$ 5,167,035.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	40
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the

agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds provided for herein, One Million Five Hundred Sixty Thousand Dollars (\$1,560,000.00) shall be provided for the Office of Nursing Workforce (ONW). In accordance with Section 73-15-18(1), Mississippi Code of 1972, the Mississippi Board of Nursing is designated as the state agency responsible for the administration and supervision of the Nursing Workforce Program as an educational curriculum. The mission of the Office of Nursing Workforce is to carry out the scope of service and leadership tasks required of the profession by promoting a strong educational infrastructure between nursing practice and nursing education.

SECTION 4. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Five Thousand Dollars (\$105,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 5. It is the intention of the Legislature that the Mississippi Board of Nursing shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1370 was adopted.

YEAS AND NAYS On H. B. No. 1370. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1371: Appropriation; Nursing Home Administrators, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 188,693.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	2
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure

that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators deposit all revenue generated into a special fund in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators and that all interest earned or deposited to the fund shall remain in the fund and not be paid into the State General Fund of Mississippi.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE

MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE
FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1371 was adopted.

YEAS AND NAYS On H. B. No. 1371. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1372: Appropriation; Optometry, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Optometry, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 173,520.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal

Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

SECTION 3. It is the intention of the Legislature that the State Board of Optometry shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. Of the funds appropriated in Section 1, and contingent upon the passage of House Bill No. 1302, Regular Session 2021, \$29,500.00 is provided for operational expenses relating to the implementation of new practice standards of Optometry.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1372 was adopted.

YEAS AND NAYS On H. B. No. 1372. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1373: Appropriation; Physical Therapy Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Physical Therapy, for the purpose of defraying the expenses of the Mississippi State Board of Physical Therapy for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 310,684.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	3
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the

agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Physical Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1373 was adopted.

YEAS AND NAYS On H. B. No. 1373. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier,

Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1374: Appropriation; Psychology, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Psychology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 135,779.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Psychology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated under the provisions of this act, an amount not to exceed Eighty Thousand Two Hundred Sixty-eight Dollars (\$80,268.00) shall be expended for professional board management fees.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. Of the funds appropriated in Section 1, Thirteen Thousand Dollars (\$13,000.00) is provided for the administrative support of the Mississippi Autism Board as prescribed by Section 73-75-11, Mississippi Code of 1972.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1374 was adopted.

YEAS AND NAYS On H. B. No. 1374. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1368: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Examiners for Social Workers and Marriage and Family Therapists for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 262,519.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	3
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Board of Examiners for Social Workers and Marriage and Family Therapists shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Twenty Thousand Dollars (\$20,000.00) is provided for the upgrade and maintenance of the Board's Licensing and Regulatory System (LARS) to a CLOUD based system.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1368 was adopted.

YEAS AND NAYS On H. B. No. 1368. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1365: Appropriation; Athletic Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Athletic Commission Fund, for the purpose of defraying the expenses of the Mississippi Athletic Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 138,948.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi Athletic Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. With the funds appropriated herein, the Chairman of the Commission shall be the ex officio recorder of permits and licenses and for his service as such shall receive an annual salary equal to Forty Thousand Dollars (\$40,000.00).

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1365 was adopted.

YEAS AND NAYS On H. B. No. 1365. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1376: Appropriation; Auctioneers Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Auctioneers Commission for the purpose of defraying the expenses of the commission, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 117,462.00.

SECTION 2. It is the intention of the Legislature that the Mississippi Auctioneers Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1376 was adopted.

YEAS AND NAYS On H. B. No. 1376. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1375: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registration for Professional Engineers and Land Surveyors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 517,227.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	5
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the State Board of Registration for Professional Engineers and Land Surveyors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. Of the funds provided herein, Three Hundred Thousand Dollars (\$300,000.00) shall be provided in grants for ABET-accredited engineering programs and Board-approved surveying programs of any college or university in the State of Mississippi, after application to and subject to approval by the Board. The Board will develop guidelines for application, award, and disbursement of these grants. The Board will issue a written report to the Governor, Lt. Governor, and the chairs of the House and Senate Appropriations Committees as to how the grants were awarded.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1375 was adopted.

YEAS AND NAYS On H. B. No. 1375. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks,

Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Hill. Total--1.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1402: Appropriation; Foresters, Board of Registration for.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registered Foresters Fund, for the purpose of defraying the expenses of the State Board of Registration for Foresters for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 44,129.00.

SECTION 2. It is the intention of the Legislature that the State Board of Registration for Foresters shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1402 was adopted.

YEAS AND NAYS On H. B. No. 1402. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1397: Appropriation; Public Utilities Staff.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Utilities Staff for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

..... \$ 2,012,368.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Utilities Application Fund, for the purpose of defraying the expenses of the staff for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

.....\$ 375,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	23
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless

otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation, or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15 A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Public Utilities Staff shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1397 was adopted.

YEAS AND NAYS On H. B. No. 1397. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1411: Appropriation; Veterans' Home Purchase Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Veterans' Home Purchase Board's revolving fund, for the purpose of defraying the expenses of the Veterans' Home Purchase Board and making new home loans as authorized by law for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 49,356,055.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	18
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure

that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Veterans' Home Purchase Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. It is the intention of the Legislature that the Veterans' Home Purchase Board is hereby authorized to escalate, budget and expend funds from any source, not to exceed Ten Million Dollars (\$10,000,000.00), for the purpose of making new home loans as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE

VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS
AUTHORIZED BY LAW FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1411 was adopted.

YEAS AND NAYS On H. B. No. 1411. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1403: Appropriation; Forestry Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Forestry Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 13,717,193.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Forestry Commission which is comprised of special source funds collected by or otherwise available to the commission, for the support and maintenance of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 11,990,644.00.

Of the funds specified in this section, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be deposited in a fund created in the State Treasury called the "Forest Improvement Revolving Fund." Money in this fund shall be used by the State Forestry Commission to assist in the reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state, including sixteenth section lands, Camp Shelby, Columbia Training School and colleges and universities. Landowners who contract with the commission for such work shall pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury, and the State Treasurer shall deposit such money in the "Forest Improvement Revolving Fund."

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	285
	Part Time	0
Time-Limited:	Full Time	7
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the State Forestry Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Forest Protection & Information	
Average Suppression Time (Hrs from Detection to Control)	3.00
Acres Burned under a Prescribed Burn Program (Number of)	14,500.00
Fires Suppressed at 100 Acres or less (%)	90.00

Forest Management

Forest Resource Development Program	
Acres Regenerated or Improved	35,000.00
Acres monitored for Insect, Storm or Disease	19,800,000.00
Re-inventory 20% of State's Forest Lands	
(% of Regions)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. There is created in the State Treasury a fund designated as the Volunteer Fire Department Equipment Conversion Revolving Fund to be used by the State Forestry Commission to assist in the conversion of vehicles acquired by the State Forestry Commission through the Federal Excess Personal Property Program or by volunteer fire departments through other means to adapt them for use in the suppression of wildland fires. This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work necessary to place fire suppression equipment into service. It is not for general vehicle maintenance or repair.

The Volunteer Fire Department Equipment Conversion Revolving Fund shall be funded by monies received from charges for work and services performed for volunteer fire departments by the State Forestry Commission. Monies collected from such charges shall be deposited into the Volunteer Fire Department Equipment Conversion Revolving Fund. The State Treasurer shall make disbursements therefrom for payment of materials, supplies and labor upon requisition of the Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

The amount of monies deposited into the Volunteer Fire Department Equipment Conversion Fund through this work shall not exceed Fifty Thousand Dollars (\$50,000.00). Funds in excess of Fifty Thousand Dollars (\$50,000.00) shall be placed in the State Forestry Commission's regular appropriated special funds. Monies in this revolving fund are to be considered special funds and shall be carried forward from one fiscal year to the next.

SECTION 7. There is created in the State Treasury a fund designated as the Camden State Forest Revolving Fund to be used by the State Forestry Commission to direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

The Camden State Forest Revolving Fund shall be funded by monies received from timber sales, leases, and any other source. Monies collected from these income sources shall be deposited into the Camden State Forest Revolving Fund. The State Treasurer shall make disbursements therefrom for payments of materials, supplies and labor upon requisition of the State Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

It is the intention of the Legislature that any revolving funds in excess of the budgeted amount needed for the necessary operation and maintenance of all properties under the direct supervision and management of the State Forestry Commission shall remain in the Camden State Forest Revolving Fund for use in future years.

SECTION 8. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars (\$200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2022.

SECTION 9. Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within the funds available.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Any person who was an employee of the Forestry Commission who was laid off during Fiscal Year 2006 shall be given first priority in any new employment by the commission.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2022.

Committee Amendment No. 1 to H. B. No. 1403 was adopted.

YEAS AND NAYS On H. B. No. 1403. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--McCaughn. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1391: Appropriation; reappropriation, DFA - Bureau of Building; FY21.

Senator Polk offered the following AMENDMENT NO. 1.

AMEND on line 126 by inserting before the period the following:

, and shall stand repealed on June 30, 2021

Amendment No. 1 to H. B. No. 1391 was adopted.

YEAS AND NAYS On H. B. No. 1391. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson called up the following entitled bill:

H. B. No. 1414: Appropriation; additional for various state agencies for Fiscal Year 2021.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning July 1, 2020, and ending

June 30, 2021 \$ 1,532,413.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) State of Mississippi v. Dale Partners Architects P.A.; Earl Walls Associates aka NTH, Inc.; Eldridge & Associates; Environmental Management Plus; in the Circuit Court of Hinds County, Mississippi, Civil Action Number 14-666....\$ 31,499.00.

(b) Settlement between the United States Environmental Protection Agency and State of Mississippi; Chemfax Inc., Superfund Site, Gulfport, Harrison County, Mississippi, Site/Spill ID Number: 04JF, CERCLA ID Number: MSD008154486, Settlement Agreement for the Recovery of Response Costs, Docket No. CERCLA-04-2014-3756 \$ 17,492.00.

(c) Express Oil Change, LLC and TE, LLC d/b/a Tire Engineers v. Mississippi State Board of Licensure for Professional Engineers and Surveyors, et al. 3:16cv414-HTW-LRA \$ 192,533.00.

(d) Mann Agency, LLC v. Mississippi Department of Public Safety Claimant\$ 43,672.00.

(e) Larry Ruffin Estate v. State of Mississippi, Circuit Court of Forrest County, Mississippi, Claimant

No. CI-11-0238..... \$ 50,000.00.

(f) Jimmie Bass v. State of Mississippi, Circuit Court of Bolivar County, Mississippi, Claimant

No. 2011-0009 \$ 50,000.00.

(g) Rolland Glen Anderson v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Claimant

No. 251-09-640CIV \$ 50,000.00.

(h) Tyler Edmonds v. State of Mississippi, Circuit Court of Oktibbeha County, Mississippi, Cause

No. 2009-0457-CV \$ 50,000.00.

(i) Natasha Orlantha Stewart v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Civil Action

No. 25C11:17-cv-00349 \$ 50,000.00.
(j) Curtis Flowers v. State of Mississippi, Circuit Court of Montgomery County, Mississippi, Case No. 1:20-cv-00150
\$ 50,000.00.
(k) Curtis Flowers v. State of Mississippi, Circuit Court of Montgomery County, Mississippi, Case No. 1:20-cv-00150 (attorney fees) \$ 50,000.00.
(l) Harvill Payne Richardson v. State of Mississippi, Circuit Court of Harrison County, Mississippi, Cause No. A2402-2020-87
\$ 50,000.00.
(m) Harvill Payne Richardson, Circuit Court of Harrison County, Mississippi, Cause No. A2402-2020-87 (attorney fees)
\$ 15,000.00.
(n) Olivia Y., et al v. Phil Bryant, as Governor of the State of Mississippi and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No.3:03cv251(L)(N)..... \$ 125,000.00.
(o) Amos et al. v. Taylor et al. 20-cv-00007-DMB-JMV (N.D. Miss); Lang, et al. v. Cain, et al., 4:20-cv-030-DMB RP (N.D. Miss); Brittany Waddell, et al. v. Taylor, et al., Civil Action No. 3:20-cv-340-TSL-RHW (S.D. Miss.)..... \$ 419,037.00.
(p) Jackson Women's Health Organization et al v. Dobbs et al., 3:18-cv-00171-CWR-FKB (S.D. Miss) \$ 150,000.00.
(q) United States v. State of Mississippi,
3:16-cv-622-CWR-FKB (S.D. Miss) \$ 72,588.00.
(r) Special Master as Required by Order of the Federal Court regarding United States v. State of Mississippi
3:16-cv-00622-CWR-FKS (S.D. Miss) \$ 35,000.00.
(s) Joseph Thomas. Vernon Avers. and Melvin Lawson v.
Tate Reeves Civil Action No. 3:18-cv-00441-CWR-FKB (S.D. Miss.).....
\$ 38,797.00.
(t) IRS Representation vs State Agencies.....\$ 21,845.00.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning upon passage of this act, and ending December 31, 2021 \$ 355,000.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) Amos et al. v. Taylor et al. 20-cv-00007-DMB-JMV (N.D. Miss); Lang, et al. v. Cain, et al., 4:20-cv-030-DMB RP (N.D. Miss); Brittany Waddell, et al. v. Taylor, et al., Civil Action No. 3:20-cv-340-TSL-RHW (S.D. Miss.)..... \$ 300,000.00.
(b) United States v. State of Mississippi,
3:16-cv-622-CWR-FKB (S.D. Miss) \$ 47,500.00.
(c) Special Master as Required by Order of the Federal Court regarding United States v. State of Mississippi
3:16-cv-00622-CWR-FKS (S.D. Miss) \$ 7,500.00.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 0.00.

This additional appropriation is for the purpose of defraying medical program expenses.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021.....\$ 0.00.

This additional appropriation is for the purpose of defraying regional facilities expenses.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 0.00.

This additional appropriation is for the purpose of defraying private prison facility expenses.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 0.00.

This additional appropriation is for the purpose of defraying local confinement facility expenses.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 1,522,743.00.

This additional appropriation is for the purpose of defraying expenses of an additional Highway Patrol Trooper School class.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Veterans' Affairs Board, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Veterans' Affairs Board for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 0.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 0.00.

This additional appropriation is for the purpose of defraying expenses of contractual obligations for system maintenance.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Mental Health and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Mental Health for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 20,000,000.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Department of Information Technology Services and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 700,000.00.

This additional appropriation is for the purpose of providing services to support state agencies as needed.

SECTION 12. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Secretary of State and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Secretary of State for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 267,479.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 13. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the State Department of Agriculture and Commerce and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the State Department of Agriculture and Commerce for the fiscal year beginning July 1, 2020, and ending June 30, 2021..

\$ 76,120.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 14. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Finance and Administration and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2020, and ending June 30, 2021.... \$ 124,370.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 15. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Revenue and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Revenue for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 554,193.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 16. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Governor's Office - Division of Medicaid and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2020, and ending June 30, 2021

\$ 119,710,000.00.

This additional appropriation is for the purpose of providing additional federal matching funds for mandated Medicaid medical services.

SECTION 17. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Board of Animal Health and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 15,000.00.

This additional appropriation is for the purpose of providing spending authority for a non-federal grant received for disease control to purchase equipment.

SECTION 18. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the State Board of Medical Licensure and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the State Board of Medical Licensure for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 0.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 19. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2021 AND FISCAL YEAR 2022; THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; THE VETERANS' AFFAIRS BOARD FOR FISCAL YEAR 2021; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2021; THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2021; THE MISSISSIPPI DEPARTMENT OF INFORMATION

TECHNOLOGY SERVICES FOR FISCAL YEAR 2021; THE SECRETARY OF STATE FOR FISCAL YEAR 2021; THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2021; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; THE DEPARTMENT OF REVENUE FOR FISCAL YEAR 2021; THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR FISCAL YEAR 2021; THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR FISCAL YEAR 2021; THE STATE BOARD OF MEDICAL LICENSURE FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

Senator Hopson offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 32 by changing "\$31,499.00" to "\$31,449.00".

FURTHER, AMEND on line 85 by changing "\$35,000.00" to "\$5,000.00"

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1414 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1414 was adopted.

YEAS AND NAYS On H. B. No. 1414. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Chassaniol. Total--1.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Hill, Thomas. Total--2.

Senator Blackwell moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:50 AM, the Senate stood in recess.

The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

Senator Harkins called up the following entitled bill:

H. B. No. 1296: Historic property income tax credit; revise certain provisions regarding.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.31, Mississippi Code of 1972, is amended as follows:

27-7-22.31. (1) As used in this section:

(a) "Certified historic structure" means a property located in Mississippi that has been:

(i) Listed individually on the National Register of Historic Places; or

(ii) Determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section; or

(iii) Property designated a Mississippi Landmark by the Department of Archives and History pursuant to Section 39-7-3 et seq.

(b) "Eligible property" means property located in Mississippi and offered or used for residential or business purposes * * *.

(c) "Structure in a certified historic district" means a structure (and its structural components) located in Mississippi which:

(i) Is listed in the National Register of Historic Places; or

(ii) Has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section; or

(iii) Is located in a registered historic district listed on the National Register of Historic Places or located in a potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section, and is certified by the Secretary of the United States Department of the Interior as being of historic significance to the district; or

(iv) Is certified by the Mississippi Department of Archives and History as contributing to the historic significance of:

1. A certified historic district listed on the National Register of Historic Places; or

2. A potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section; or

3. A local district that has been certified by the United States Department of the Interior.

(d) "Department" means the Department of Archives and History.

(2) Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or a structure in a certified historic district, shall be entitled to a credit against the taxes imposed pursuant to this chapter in an amount equal to twenty-five percent (25%) of the total costs and expenses of rehabilitation incurred after January 1, 2006, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder:

(a) If the costs and expenses associated with rehabilitation exceed:

(i) Five Thousand Dollars (\$5,000.00) in the case of an owner-occupied dwelling; or

(ii) Fifty percent (50%) of the * * * adjusted basis in the property in the case of all other properties; and

(b) The rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior as determined by the department.

(3) Any taxpayer eligible for the credit authorized by this section may claim the credit in phases if:

(a) There is a written set of architectural plans and specifications for all phases of the rehabilitation (written plans outlining and describing all phases of the rehabilitation shall be accepted as written plans and specifications);

(b) The written set of architectural plans and specifications are completed before the physical work on the rehabilitation begins; and

(c) * * * The project receives final certification by the department within sixty (60) months of the project start date certified in the first phase.

(4) (a) (i) If the amount of the tax credit established by this section exceeds the total state income tax liability for the credit year * * *, the amount that exceeds the total state income tax liability may be carried forward for the ten (10) succeeding tax years. In addition, a taxpayer may sell or transfer the excess portion of the tax credit to any taxpayer having a liability for taxes under this chapter. A tax credit may not be sold or transferred more than one (1) time, subject to guidelines established by the Department of Revenue. The buyer or transferee of a tax credit may use the acquired credit in the same manner and to the same extent as the seller or transferor of the credit; however, the sale or transfer of a credit will not extend the length of time that the credit may be carried forward. In order to sell or transfer a tax credit, the seller or transferor shall notify the department and the Department of Revenue in writing within thirty (30) days after the date of the sale or transfer. The notice shall include:

1. The seller's or transferor's tax credit balance before the sale or transfer of the credit;
2. The tax credit identification number assigned by the department;
3. The unused portion of the credit remaining after the sale or transfer;
4. All federal and state tax identification numbers for both the seller or transferor and the buyer or transferee;
5. The date of the sale or transfer;
6. The amount of the credit sold or transferred; and
7. Any other information required by the department or the Department of Revenue.

Failure by the seller or transferor to comply with the notice requirements of this subparagraph (i) shall void the sale or transfer.

(ii) The taxpayer may elect to claim a refund in the amount of seventy-five percent (75%) of the excess credit in lieu of the ten-year carryforward and the sale or transfer of the credit. The election must be made in the year in which the * * * credit is certified. Refunds will be paid in equal installments over a two-year period and shall be made from current collections.

(iii) Refund requests shall be submitted to the Department of Revenue on forms prescribed by the department. Refunds shall be made from current tax collections.

(b) Not-for-profit entities, including, but not limited to, nonprofit corporations organized under Section 79-11-101 et seq. shall be ineligible for the credit authorized by this section. Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners on a pro rata basis or pursuant to an executed agreement among the partners, members or owners documenting an alternative distribution method. Partners, members or other owners of a pass-through entity are not eligible to elect a refund of excess credit in lieu of a carryforward of the credit. However, a partnership or limited liability company taxed as a partnership may elect to claim a refund of excess credit at the entity level on a form prescribed by the Department of Revenue. Additionally, excess tax credits that are attributable to rehabilitated property that was placed in service by a pass-through entity prior to January 1, 2011, and that have previously been allocated to and are held by another pass-through entity prior to January 1, 2011, may be refunded to such other pass-through entity.

(5) (a) (i) To claim the credit authorized pursuant to this section, the taxpayer shall apply to the department which shall determine the amount of eligible rehabilitation costs and expenses and whether the rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior. The department shall issue a certificate evidencing the date of the credit and amount of eligible credit if the taxpayer is found to be eligible for the tax credit. The taxpayer shall attach the certificate to all income tax returns on which the credit is claimed. Except as otherwise provided in this paragraph (a), the department shall not issue certificates evidencing the eligible credit which * * * will result in credits being awarded in excess of Twelve Million Dollars (\$12,000,000.00) in any one (1) * * * calendar year. However, the credit for any project with total qualified rehabilitation costs and expenses of less than Three Million Dollars (\$3,000,000.00) shall not count against such Twelve Million Dollars (\$12,000,000.00) limit.

(ii) The taxpayer shall claim the credit on the income tax return for the tax year for which the credit is certified. The date of the credit shall be certified in the following order:

1. The credit shall be certified based on the date of project completion.

2. If the eligible credit exceeds the available credit in the year in which the project is completed, the credit shall be certified based on the date the certification is issued by the department. The department shall issue the certification in the first calendar year in which the requested credit would not exceed the calendar year credit limit.

(* * * c) The aggregate amount of tax credits that may be awarded under this section shall not exceed One Hundred Eighty Million Dollars (\$180,000,000.00). * * *

(6) (a) The credit received by a taxpayer pursuant to this section is subject to recapture if:

(i) The property is one that has been determined eligible for the National Register of Historic Places but is not listed on the National Register of Historic Places within thirty (30) months of claiming the credit authorized by this section;

(ii) The potential district in which the property is located is not listed on the National Register of Historic Places within thirty (30) months of claiming the credit authorized by this section; or

(iii) * * * The project has not received final certification by the department within sixty (60) months of the project start date certified in the first phase.

(b) The taxpayer shall notify the department and the Department of Revenue if any of the situations that subject the credit to recapture occur.

(7) (a) The board of trustees of the department shall establish fees to be charged for the services performed by the department under this section and shall publish the fee schedule. The fees contained in the schedule shall be in amounts reasonably calculated to recover the costs incurred by the department for the administration of this section. Any taxpayer desiring to participate in the tax credits authorized by this section shall pay the appropriate fee as contained in the fee schedule to the department, which shall be used by the department, without appropriation, to offset the administrative costs of the department associated with its duties under this section.

(b) There is hereby created within the State Treasury a special fund into which shall be deposited all the fees collected by the department pursuant to this section. Money deposited into the fund shall not lapse at the end of any fiscal year and investment earnings on the proceeds in such special fund shall be deposited into such fund. Money from the fund shall be disbursed upon warrants issued by the State Fiscal Officer upon requisitions signed by the executive director of the department to assist the department in carrying out its duties under this section.

(8) This section shall only apply to taxpayers:

(a) Who have been issued a certificate evidencing the eligible credit before December 31, 2030; or

(b) Who, before December 31, 2030, have received a determination in writing from the Mississippi Department of Archives and History, in accordance with the department's Historic Preservation Certificate Application, Part 2, that the rehabilitation is consistent with the historic character of the property and that the property meets the United States Secretary of the Interior's Standards for Rehabilitation, or will meet the standards if certain specified conditions are met, and, who are issued a certificate evidencing the eligible credit on or after December 31, 2030.

SECTION 2. This act shall take effect and be in force from and after January 1, 2021, and shall stand repealed on December 31, 2020.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR COSTS AND EXPENSES INCURRED FOR THE REHABILITATION OF CERTAIN HISTORIC STRUCTURES, TO REMOVE THE PROVISION THAT EXCLUDES SINGLE-FAMILY DWELLINGS FROM THE DEFINITION OF THE TERM "ELIGIBLE PROPERTY"; TO REVISE THE PROVISIONS UNDER WHICH A TAXPAYER ELIGIBLE FOR A TAX CREDIT MAY CLAIM THE TAX CREDIT IN PHASES; TO AUTHORIZE THE SALE OR TRANSFER OF SUCH INCOME TAX CREDITS; TO PROVIDE THAT CREDIT FOR A PROJECT WITH TOTAL

QUALIFIED REHABILITATION COSTS AND EXPENSES OF LESS THAN \$3,000,000.00 SHALL NOT COUNT FOR PURPOSES OF THE PROHIBITION AGAINST THE DEPARTMENT OF ARCHIVES AND HISTORY ISSUING CERTIFICATES EVIDENCING THE ELIGIBLE CREDIT WHICH WILL RESULT IN CREDITS BEING AWARDED IN EXCESS OF \$12,000,000.00 IN ANY ONE STATE CALENDAR YEAR; TO PROVIDE THAT A TAXPAYER SHALL CLAIM THE TAX CREDIT ON THE INCOME TAX RETURN FOR THE TAX YEAR FOR WHICH THE CREDIT IS CERTIFIED AND TO PROVIDE THE ORDER IN WHICH A TAX CREDIT SHALL BE CERTIFIED; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1296 was adopted.

YEAS AND NAYS On H. B. No. 1296. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins called up the following entitled bill:

H. B. No. 1297: Bonds; authorize issuance for the Water Pollution Control Revolving Fund.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Water Pollution Control Revolving Fund established in Section 49-17-85, Mississippi Code of 1972. Upon the adoption of a resolution by the Commission on Environmental Quality declaring the necessity for the

issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission; however, the Commission on Environmental Quality shall declare the necessity for the issuance of bonds only in the amount necessary to match projected federal funds available through the following federal fiscal year. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Million Eight Hundred Seventy Thousand Dollars (\$2,870,000.00).

(b) The proceeds of bonds issued pursuant to this subsection shall be deposited into the Water Pollution Control Revolving Fund created pursuant to Section 49-17-85, Mississippi Code of 1972.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. Interest and investment earnings on money in the Water Pollution Control Revolving Fund shall be utilized to pay the principal and interest on such bonds as they become due. If the interest and investment earnings of the fund and any funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund created in Section 49-17-85, Mississippi Code of 1972. After the transfer of the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund, any investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the Water Pollution Control Revolving Fund and shall be used only for the purposes provided in Section 49-17-85, Mississippi Code of 1972. The proceeds of such bonds shall be disbursed solely upon the order of the Commission on Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers

and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. Section 49-17-85, Mississippi Code of 1972, is amended as follows:

49-17-85. (1) There is established in the State Treasury a fund to be known as the "Water Pollution Control Revolving Fund," which shall be administered by the commission acting through the department. The revolving fund may receive bond proceeds and funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source, public or private. The revolving fund shall be maintained in perpetuity for the purposes established in this section.

(2) There is established in the State Treasury a fund to be known as the "Water Pollution Control Hardship Grants Fund," which shall be administered by the commission acting through the department. The grants fund shall be maintained in perpetuity for the purposes established in this section. Any interest earned on monies in the grants fund shall be credited to that fund.

(3) The commission shall promulgate regulations for the administration of the revolving fund program, the hardship grants program and for related programs authorized under this section. The regulations shall be in accordance with the federal Water Quality Act of 1987, as amended, and regulations and guidance issued under that act. The commission may enter into capitalization grant agreements with the United States Environmental Protection Agency and may accept capitalization grant awards made under Title VI of the Water Quality Act of 1987, as amended.

(4) The commission shall establish a loan program which shall commence after October 1, 1988, to assist political subdivisions in the construction of water pollution control projects. Loans from the revolving fund may be made to political subdivisions as set forth in a loan agreement in amounts not exceeding one hundred percent (100%) of eligible project costs as established by the commission. Notwithstanding loan amount limitations set forth in Section 49-17-61, the commission may require local participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund. The commission may establish a maximum amount for any loan in order to provide for broad and equitable participation in the program.

(5) The commission shall establish a hardship grants program for rural communities, which shall commence after July 1, 1997, to assist severely economically disadvantaged small rural political subdivisions in the construction of water pollution

control projects. The commission may receive and administer state or federal funds, or both, appropriated for the operation of this grants program and may take all actions necessary to implement the program in accordance with the federal hardship grants program. The hardship grants program shall operate in conjunction with the revolving loan program administered under this section.

(6) The commission shall act for the state in all matters and with respect to all determinations under Title VI of the federal Water Quality Act of 1987, as amended, and the federal Omnibus Appropriations and Recision Act of 1996.

(7) Except as otherwise provided in this section, the revolving fund may be used only:

(a) To make loans on the condition that:

(i) The loans are made at or below market interest rates, at terms not to exceed the maximum time allowed by federal law after project completion; the interest rate and term may vary from time to time and from loan to loan at the discretion of the commission;

(ii) Periodic principal and interest payments will commence when required by the commission but not later than one (1) year after project completion and all loans will be fully amortized when required by the commission but not later than the maximum time allowed by federal law after project completion;

(iii) The recipient of a loan will establish a dedicated source of revenue for repayment of loans;

(b) To buy or refinance the debt obligation of political subdivisions at or below market rates, where the debt obligations were incurred after March 7, 1985, and where the projects were constructed in compliance with applicable federal and state regulations;

(c) To guarantee, or purchase insurance for, obligations of political subdivisions where the action would improve credit market access or reduce interest rates;

(d) To provide loan guarantees for similar revolving funds established by municipalities or intermunicipal agencies;

(e) To earn interest on fund accounts;

(f) To establish nonpoint source pollution control management programs;

(g) To establish estuary conservation and management programs;

(h) For the reasonable costs of administering the revolving fund and conducting activities under this act, subject to the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended, and subject to annual appropriation by the Legislature;

(i) In connection with the issuance, sale and purchase of bonds under Section 31-25-1 et seq., related to the funding of projects, to provide security or a pledge of revenues for the repayment of the bonds; and

(j) To pay the principal and interest on bonds issued pursuant to Section 11 of Chapter 580, Laws of 2007, Section 1 of Chapter 492, Laws of 2008, Section 47 of Chapter 557, Laws of 2009, Section 45 of Chapter 533, Laws of 2010, Section 3 of Chapter 480, Laws of 2011, Section 36 of Chapter 569, Laws of 2013, Section 9 of

Chapter 452, Laws of 2018, Section 1 of Chapter 415, Laws of 2019, * * * Section 16 of Chapter 492, Laws of 2020, and Section 1 of this act, as they become due; however, only interest and investment earnings on money in the fund may be utilized for this purpose.

(8) The hardship grants program shall be used only to provide hardship grants consistent with the federal hardship grants program for rural communities, regulations and guidance issued by the United States Environmental Protection Agency, subsections (3) and (5) of this section and regulations promulgated and guidance issued by the commission under this section.

(9) The commission shall establish by regulation a system of priorities and a priority list of projects eligible for funding with loans from the revolving fund.

(10) The commission may provide a loan from the revolving fund only with respect to a project if that project is on the priority list established by the commission.

(11) The revolving fund shall be credited with all payments of principal and interest derived from the fund uses described in subsection (7) of this section. However, notwithstanding any other provision of law to the contrary, all or any portion of payments of principal and interest derived from the fund uses described in subsection (7) of this section may be designated or pledged for repayment of a loan as provided in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(12) The commission may establish and collect fees to defray the reasonable costs of administering the revolving fund if it determines that the administrative costs will exceed the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended. The administration fees may be included in loan amounts to political subdivisions for the purpose of facilitating payment to the commission. The fees may not exceed five percent (5%) of the loan amount.

(13) Except as otherwise provided in this section, the commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

(14) The commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to Hancock County as a result of coverage under the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in Hancock County.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$2,870,000.00 TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1297 was adopted.

YEAS AND NAYS On H. B. No. 1297. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--Hill, Seymour. Total--2.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins called up the following entitled bill:

H. B. No. 1420: Ad valorem tax; exempt property of certain not-for-profit corporations used to provide swimming lessons and training.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-31-1, Mississippi Code of 1972, is amended as follows:

27-31-1. The following shall be exempt from taxation:

(a) All cemeteries used exclusively for burial purposes.

(b) All property, real or personal, belonging to the State of Mississippi or any of its political subdivisions, except property of a municipality not being used for a proper municipal purpose and located outside the county or counties in which such municipality is located. A proper municipal purpose within the meaning of this section shall be any authorized governmental or corporate function of a municipality.

(c) All property, real or personal, owned by units of the Mississippi National Guard, or title to which is vested in trustees for the benefit of any unit of the Mississippi National Guard; provided such property is used exclusively for such unit, or for public purposes, and not for profit.

(d) All property, real or personal, belonging to any religious society, or ecclesiastical body, or any congregation thereof, or to any charitable society, or to any historical or patriotic association or society, or to any garden or pilgrimage club or association and used exclusively for such society or association and not for profit; not exceeding, however, the amount of land which such association or society may own as provided in Section 79-11-33. All property, real or personal, belonging to any rural waterworks system or rural sewage disposal system incorporated under the provisions of Section 79-11-1. All property, real or personal, belonging to any college or institution for the education of youths, used directly and exclusively for such purposes, provided that no such college or institution for the education of youths shall have exempt from taxation more than six hundred forty (640) acres of land; provided, however, this exemption shall

not apply to commercial schools and colleges or trade institutions or schools where the profits of same inure to individuals, associations or corporations. All property, real or personal, belonging to an individual, institution or corporation and used for the operation of a grammar school, junior high school, high school or military school. All property, real or personal, owned and occupied by a fraternal and benevolent organization, when used by such organization, and from which no rentals or other profits accrue to the organization, but any part rented or from which revenue is received shall be taxed.

(e) All property, real or personal, held and occupied by trustees of public schools, and school lands of the respective townships for the use of public schools, and all property kept in storage for the convenience and benefit of the State of Mississippi in warehouses owned or leased by the State of Mississippi, wherein said property is to be sold by the Alcoholic Beverage Control Division of the Department of Revenue of the State of Mississippi.

(f) All property, real or personal, whether belonging to religious or charitable or benevolent organizations, which is used for hospital purposes, and nurses' homes where a part thereof, and which maintain one or more charity wards that are for charity patients, and where all the income from said hospitals and nurses' homes is used entirely for the purposes thereof and no part of the same for profit.

(g) The wearing apparel of every person; and also jewelry and watches kept by the owner for personal use to the extent of One Hundred Dollars (\$100.00) in value for each owner.

(h) Provisions on hand for family consumption.

(i) All farm products grown in this state for a period of two (2) years after they are harvested, when in the possession of or the title to which is in the producer, except the tax of one-fifth of one percent (1/5 of 1%) per pound on lint cotton now levied by the Board of Commissioners of the Mississippi Levee District; and lint cotton for five (5) years, and cottonseed, soybeans, oats, rice and wheat for one (1) year regardless of ownership.

(j) All guns and pistols kept by the owner for private use.

(k) All poultry in the hands of the producer.

(l) Household furniture, including all articles kept in the home by the owner for his own personal or family use; but this shall not apply to hotels, rooming houses or rented or leased apartments.

(m) All cattle and oxen.

(n) All sheep, goats and hogs.

(o) All horses, mules and asses.

(p) Farming tools, implements and machinery, when used exclusively in the cultivation or harvesting of crops or timber.

(q) All property of agricultural and mechanical associations and fairs used for promoting their objects, and where no part of the proceeds is used for profit.

(r) The libraries of all persons.

(s) All pictures and works of art, not kept for or offered for sale as merchandise.

(t) The tools of any mechanic necessary for carrying on his trade.

(u) All state, county, municipal, levee, drainage and all school bonds or other governmental obligations, and all bonds and/or evidences of debts issued by any church or church organization in this state, and all notes and evidences of indebtedness which bear a rate of interest not greater than the maximum rate per annum applicable under the law; and all money loaned at a rate of interest not exceeding the maximum rate per annum applicable under the law; and all stock in or bonds of foreign corporations or associations shall be exempt from all ad valorem taxes.

(v) All lands and other property situated or located between the Mississippi River and the levee shall be exempt from the payment of any and all road taxes levied or assessed under any road laws of this state.

(w) Any and all money on deposit in either national banks, state banks or trust companies, on open account, savings account or time deposit.

(x) All wagons, carts, drays, carriages and other horse-drawn vehicles, kept for the use of the owner.

(y) (i) Boats, seines and fishing equipment used in fishing and shrimping operations and in the taking or catching of oysters.

(ii) All towboats, tugboats and barges documented under the laws of the United States, except watercraft of every kind and character used in connection with gaming operations.

(z) (i) All materials used in the construction and/or conversion of vessels in this state;

(ii) Vessels while under construction and/or conversion;

(iii) Vessels while in the possession of the manufacturer, builder or converter, for a period of twelve (12) months after completion of construction and/or conversion; however, the twelve-month limitation shall not apply to:

1. Vessels used for the exploration for, or production of, oil, gas and other minerals offshore outside the boundaries of this state; or

2. Vessels that were used for the exploration for, or production of, oil, gas and other minerals that are converted to a new service for use outside the boundaries of this state;

(iv) 1. In order for a vessel described in subparagraph (iii) of this paragraph (z) to be exempt for a period of more than twelve (12) months, the vessel must:

a. Be operating or operable, generating or capable of generating its own power or connected to some other power source, and not removed from the service or use for which manufactured or to which converted; and

b. The manufacturer, builder, converter or other entity possessing the vessel must be in compliance with any lease or other agreement with any applicable port authority or other entity regarding the vessel and in compliance with all applicable tax laws of this state and applicable federal tax laws.

2. A vessel exempt from taxation under subparagraph (iii) of this paragraph (z) may not be exempt for a period of more than three (3) years unless the board of supervisors of the county and/or governing authorities of the municipality, as the case may be, in which the vessel would otherwise be taxable adopts a resolution or

ordinance authorizing the extension of the exemption and setting a maximum period for the exemption.

(v) As used in this paragraph (z), the term "vessel" includes ships, offshore drilling equipment, dry docks, boats and barges, except watercraft of every kind and character used in connection with gaming operations.

(aa) Sixty-six and two-thirds percent (66-2/3%) of nuclear fuel and reprocessed, recycled or residual nuclear fuel by-products, fissionable or otherwise, used or to be used in generation of electricity by persons defined as public utilities in Section 77-3-3.

(bb) All growing nursery stock.

(cc) A semitrailer used in interstate commerce.

(dd) All property, real or personal, used exclusively for the housing of and provision of services to elderly persons, disabled persons, mentally impaired persons or as a nursing home, which is owned, operated and managed by a not-for-profit corporation, qualified under Section 501(c)(3) of the Internal Revenue Code, whose membership or governing body is appointed or confirmed by a religious society or ecclesiastical body or any congregation thereof.

(ee) All vessels while in the hands of bona fide dealers as merchandise and which are not being operated upon the waters of this state shall be exempt from ad valorem taxes. As used in this paragraph, the terms "vessel" and "waters of this state" shall have the meaning ascribed to such terms in Section 59-21-3.

(ff) All property, real or personal, owned by a nonprofit organization that: (i) is qualified as tax exempt under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended; (ii) assists in the implementation of the national contingency plan or area contingency plan, and which is created in response to the requirements of Title IV, Subtitle B of the Oil Pollution Act of 1990, Public Law 101-380; (iii) engages primarily in programs to contain, clean up and otherwise mitigate spills of oil or other substances occurring in the United States coastal or tidal waters; and (iv) is used for the purposes of the organization.

(gg) If a municipality changes its boundaries so as to include within the boundaries of such municipality the project site of any project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxviii) or Section 57-75-5(f)(xxix), all real and personal property located on the project site within the boundaries of such municipality that is owned by a business enterprise operating such project, shall be exempt from ad valorem taxation for a period of time not to exceed thirty (30) years upon receiving approval for such exemption by the Mississippi Major Economic Impact Authority. The provisions of this paragraph shall not be construed to authorize a breach of any agreement entered into pursuant to Section 21-1-59.

(hh) All leases, lease contracts or lease agreements (including, but not limited to, subleases, sublease contracts and sublease agreements), and leaseholds or leasehold interests (including, but not limited to, subleaseholds and subleasehold interests), of or with respect to any and all property (real, personal or mixed) constituting all or any part of a facility for the manufacture, production, generation, transmission and/or distribution of electricity, and any real property related thereto, shall be exempt from ad valorem taxation during the period as the United States is both the title owner of the property and a sublessee of or with respect to the property; however, the exemption authorized by this paragraph (hh) shall not apply to any entity to whom the United States sub-leases its interest in the property nor to any entity to whom the United States assigns its sublease interest in the property. As used in this paragraph, the term "United States" includes an agency or instrumentality of the United States of America. This

paragraph (hh) shall apply to all assessments for ad valorem taxation for the 2003 calendar year and each calendar year thereafter.

(ii) All property, real, personal or mixed, including fixtures and leaseholds, used by Mississippi nonprofit entities qualified, on or before January 1, 2005, under Section 501(c)(3) of the Internal Revenue Code to provide support and operate technology incubators for research and development startup companies, telecommunication startup companies and/or other technology startup companies, utilizing technology spun-off from research and development activities of the public colleges and universities of this state, State of Mississippi governmental research or development activities resulting therefrom located within the State of Mississippi.

(jj) All property, real, personal or mixed, including fixtures and leaseholds, of startup companies (as described in paragraph (ii) of this section) for the period of time, not to exceed five (5) years, that the startup company remains a tenant of a technology incubator (as described in paragraph (ii) of this section).

(kk) All leases, lease contracts or lease agreements (including, but not limited to, subleases, sublease contracts and sublease agreements), and leaseholds or leasehold interests, of or with respect to any and all property (real, personal or mixed) constituting all or any part of an auxiliary facility, and any real property related thereto, constructed or renovated pursuant to Section 37-101-41, Mississippi Code of 1972.

(ll) Equipment brought into the state temporarily for use during a disaster response period as provided in Sections 27-113-1 through 27-113-9 and subsequently removed from the state on or before the end of the disaster response period as defined in Section 27-113-5.

(mm) For any lease or contractual arrangement to which the Department of Finance and Administration and a nonprofit corporation are a party to as provided in Section 39-25-1(5), the nonprofit corporation shall, along with the possessory and leasehold interests and/or real and personal property of the corporation, be exempt from all ad valorem taxation, including, but not limited to, school, city and county ad valorem taxes, for the term or period of time stated in the lease or contractual arrangement.

(nn) All property, real or personal, that is owned, operated and managed by a not-for-profit corporation qualified under Section 501(c)(3) of the Internal Revenue Code, and used to provide, free of charge, (i) a practice facility for a public school district swim team, and (ii) a facility for another not-for-profit organization as defined under Section 501(c)(3) of the Internal Revenue Code to conduct water safety and lifeguard training programs. This section shall not apply to real or personal property owned by a country club, tennis club with a pool, or any club requiring stock ownership for membership.

SECTION 2. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the ad valorem tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the ad valorem tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 3. This act shall take effect and be in force from and after January 1, 2021, and shall stand repealed on December 31, 2020.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION CERTAIN PROPERTY THAT IS OWNED, OPERATED AND MANAGED BY A NOT-FOR-PROFIT CORPORATION QUALIFIED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, AND USED TO PROVIDE, FREE OF CHARGE, A PRACTICE FACILITY FOR A PUBLIC SCHOOL DISTRICT SWIM TEAM AND A FACILITY FOR ANOTHER NOT-FOR-PROFIT ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE TO CONDUCT WATER SAFETY AND LIFEGUARD TRAINING PROGRAMS; TO EXCLUDE FROM THE APPLICATION OF THE SECTION REAL OR PERSONAL PROPERTY OWNED BY A COUNTRY CLUB, A TENNIS CLUB WITH A POOL, OR ANY CLUB REQUIRING STOCK OWNERSHIP FOR MEMBERSHIP; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1420 was adopted.

YEAS AND NAYS On H. B. No. 1420. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins called up the following entitled bill:

H. B. No. 1446: Income tax; allow deduction for Back to Business Mississippi Grant Program eligible expenses.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 48 by striking "January 1, 2021" and inserting "May 20, 2020" in lieu thereof.

Amendment No. 1 to H. B. No. 1446 was adopted.

Senator Harkins offered the following AMENDMENT NO. 2.

AMEND on line 48 by inserting before the period the following:

, and shall stand repealed on May 19, 2020

Amendment No. 2 to H. B. No. 1446 was adopted.

YEAS AND NAYS On H. B. No. 1446. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Not Voting--Barrett. Total--1.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Suber, Tate. Total--2.

Senator Harkins called up the following entitled bill:

H. B. No. 1351: Bonds; increase amount that may be issued for the Local Governments and Rural Water Systems Improvements Revolving Loan Fund.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Sections 6 through 20, Chapter 521, Laws of 1995, as amended by Section 17, Chapter 503, Laws of 2003, as amended by Section 2, Chapter 477, Laws of 2004, as amended by Section 2, Chapter 456, Laws of 2006, as amended by Section 3, Chapter 492, Laws of 2008, as amended by Section 47, Chapter 533, Laws of 2010, as amended by Section 13, Chapter 480, Laws of 2011, as amended by Section 35, Chapter 569, Laws of 2013, as amended by Section 8, Chapter 452, Laws of 2018, as amended by Section 12, Chapter 454, Laws of 2019, as amended by Section 25, Chapter 492, Laws of 2020, are amended as follows:

Section 6. The board created in Section 41-3-16, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred by the board in constructing new water systems or repairing existing water systems described in Section 41-3-16. Upon the adoption of a resolution by the board declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the board shall deliver a certified copy of its resolution or resolutions to the State Bond Commission. Upon receipt of such resolution, the State Bond Commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the tax exempt or taxable bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The amount of bonds issued under Sections 6 through 20 of this act shall not exceed*** Forty Million Forty-three Thousand Dollars (\$40,043,000.00), the proceeds of which shall be deposited in the revolving fund and Five Million Dollars (\$5,000,000.00), the proceeds of which shall be deposited in the emergency fund.

Section 7. The principal of and interest on the bonds authorized under Section 6 of this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the State Bond Commission.

Section 8. The bonds authorized by Section 6 of this act shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be affixed thereto, attested by the Secretary of the State Bond Commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 9. All bonds and interest coupons issued under the provisions of Sections 6 through 20 of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by Sections 6 through 20 of this act, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 10. The State Bond Commission shall act as the issuing agent for the bonds authorized under Sections 6 through 20 of this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under Sections 6 through 20 of this act from the proceeds derived from the sale of the bonds. The State Bond Commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of Sections 6 through 20 of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 11. The bonds issued under the provisions of Sections 6 through 20 of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and interest on such bonds as

they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 12. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under Sections 6 through 20 of this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest on the bonds, on their due dates.

Section 13. Upon the issuance and sale of bonds under the provisions of Sections 6 through 20 of this act, the State Bond Commission shall transfer the proceeds of any sale or sales of bonds to the revolving fund and the emergency fund in the amounts specified in Section 6 of this act. After such transfer, all investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the revolving fund and the emergency fund, and shall be used only for the purposes established in Section 41-3-16. The proceeds of such bonds shall be disbursed solely upon the order of the board created in Section 1 of this act under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 14. The bonds authorized under Sections 6 through 20 of this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by Sections 6 through 20 of this act. Any resolution providing for the issuance of bonds under the provisions of Sections 6 through 20 of this act shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

Section 15. The bonds authorized under the authority of Sections 6 through 20 of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 16. Any holder of bonds issued under the provisions of Sections 6 through 20 of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights granted under Sections 6 through 20 of this act, or under such resolution, and may enforce and compel performance of all duties required by Sections 6 through 20 of this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 17. All bonds issued under the provisions of Sections 6 through 20 of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 18. Bonds issued under the provisions of Sections 6 through 20 of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 19. The proceeds of the bonds issued under the provisions of Sections 6 through 20 of this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 20. Sections 6 through 20 of this act shall be deemed to be full and complete authority for the exercise of the powers granted, but Sections 6 through 20 of this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 6 THROUGH 20, CHAPTER 521, LAWS OF 1995, AS LAST AMENDED BY SECTION 25, CHAPTER 492, LAWS OF 2020, TO INCREASE FROM \$36,843,000.00 TO \$40,043,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1351 was adopted.

YEAS AND NAYS On H. B. No. 1351. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins called up the following entitled bill:

H. B. No. 1356: Income tax and sales tax; revise deduction for depreciation, exempt sales of certain aircraft.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-17, Mississippi Code of 1972, is amended as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a

reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(I).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation and manufacturing, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements,

based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by

carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

SECTION 2. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant

under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE STATE INCOME TAX DEDUCTION AUTHORIZED FOR DEPRECIATION, IN THE CASE OF NEW OR USED AIRCRAFT, EQUIPMENT, ENGINES, OR OTHER PARTS AND TOOLS USED FOR AVIATION AND MANUFACTURING, THE ALLOWANCE FOR BONUS DEPRECIATION CONFORMS WITH THE FEDERAL BONUS DEPRECIATION RATES AND REASONABLE ALLOWANCE FOR DEPRECIATION IS NO LESS THAN ONE HUNDRED PERCENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1356 was adopted.

YEAS AND NAYS On H. B. No. 1356. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Blount. Total--1.

Absent and those not voting--Fillingane. Total--1.

Senator Parks called up the following House Amendment to **S. B. No. 2313** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known, and may be cited as the "Mississippi Intercollegiate Athletics Compensation Rights Act."

SECTION 2. As used in this chapter, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(a) "Compensation" means any form of payment or remuneration, including, but not limited to, cash, gifts, in-kind items of value, social media compensation, payments for licensing or use of publicity rights, payments for other intellectual or intangible property rights under federal or state law and any other form of payment or remuneration, except

as excluded under the provisions of this act. For the purposes of this act, "compensation" shall not mean or include the following:

(i) Tuition, room, board, books, fees and personal expenses that a postsecondary educational institution provides a student-athlete in accordance with the rules of the athletic association or conference of which the postsecondary educational institution is a member;

(ii) Federal Pell Grants and other state and federal grants or scholarships unrelated to, and not awarded because of a student-athlete's participation in intercollegiate athletics or sports competition;

(iii) Any other financial aid, benefits or awards that a postsecondary educational institution provides a student-athlete in accordance with the rules of the athletic association or conference of which the postsecondary educational institution is a member; or

(iv) The payment of wages and benefits to a student-athlete for work actually performed, but not for athletic ability or participation in intercollegiate athletics, at a rate commensurate with the prevailing rate for similar work in the locality of the student-athlete's postsecondary educational institution.

(b) "Image" means a picture of the student-athlete.

(c) "Intercollegiate athletics program" means an intercollegiate athletics program played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics.

(d) "Likeness" means a physical, digital or other depiction or representation of a student-athlete.

(e) "Name" means the first or last name, or the nickname, of a student-athlete when used in a context that reasonably identifies the student-athlete with particularity.

(f) "Name, image and likeness agreement" means a contract or similar arrangement between a student-athlete and a third-party licensee regarding the commercial use of the name, image or likeness of the student-athlete.

(g) "Publicity right" means any right that is:

(i) Licensed under a name, image and likeness agreement; or

(ii) Recognized under a federal or state law that permits an individual to control and profit from the commercial use of the name, image or likeness of the individual.

(h) "Postsecondary educational institution" means a public university or community college or private university or college.

(i) "Social media compensation" means all forms of payment for engagement on social media received by a student-athlete as a result of the use of that student-athlete's name, image or likeness.

(j) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, intercollegiate athletics program at a postsecondary educational institution. If an individual is permanently ineligible to

participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

(k) "Third party licensee" means any individual or entity that licenses publicity rights or the use of name, image or likeness from any prospective or current student-athlete or group of student-athletes. The term "third-party licensee" shall not include any national association for the promotion or regulation of collegiate athletics, athletics conference or postsecondary educational institution.

SECTION 3. (1) Except as provided in Section 4 of this act, a student-athlete may:

(a) Earn compensation, commensurate with market value, for the use of the name, image or likeness of the student-athlete while enrolled at a postsecondary educational institution; and

(b) Obtain and retain a certified agent for any matter or activity relating to such compensation.

(2) No student-athlete may earn compensation in exchange for the student-athlete's athletic ability or participation in intercollegiate athletics or sports competition.

(3) Notwithstanding any other provision of applicable law or agreement to the contrary, a student-athlete shall not be deemed an employee or independent contractor of an association, a conference, or a postsecondary educational institution based on the student-athlete's participation in an intercollegiate athletics program.

SECTION 4. (1) (a) Except as provided for under this act, a postsecondary educational institution shall not uphold any contract, rule, regulation, standard, or other requirement that prevents a student-athlete of that institution from earning compensation as a result of the use of the student's name, image or likeness. Any such contract, rule, regulation, standard or other requirement shall be void and unenforceable against the postsecondary educational institution or the student-athlete. Compensation from the use of a student-athlete name, image or likeness may not affect the student-athlete's scholarship eligibility, grant-in-aid or other financial aid, awards or benefits or the student-athlete's intercollegiate athletic eligibility. Nothing in this act is intended to alter any state and federal laws or regulations regarding the award of financial aid at postsecondary educational institutions.

(b) Except as provided for in this act, an athletic association, conference or other group or organization with authority over intercollegiate athletic programs, including, but not limited to, the National Collegiate Athletic Association (NCAA) and the National Junior College Athletic Association, shall not prevent or otherwise enforce a contract, rule, regulation,

standard or other requirement that prevents a student-athlete of a postsecondary educational institution from earning compensation as a result of the use of the student-athlete's name, image or likeness. To protect the integrity of its educational mission and intercollegiate athletics program, a postsecondary educational

institution may impose reasonable limitations on the dates and time that a student-athlete may participate in endorsement, promotional, social media, or other activities related to the license or use of the student-athlete's name, image and likeness. Nothing in this act shall restrict a postsecondary educational institution from exercising its sole discretion to control the authorized use of its trademarks or logos or to determine a student-athlete's apparel, gear or other wearables during an intercollegiate athletics competition or university-sponsored event.

(c) An athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not prevent or otherwise enforce a contract, rule, regulation, standard or other requirement that prevents a postsecondary educational institution from participating in an intercollegiate athletics program as a result of the compensation of a student-athlete for the use of the student-athlete's name, image, or likeness.

(2) A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not, directly or indirectly:

(a) Enter into, or offer to enter into, a name, image and likeness agreement with a prospective or current student-athlete; or

(b) Provide a prospective or current student-athlete or the student-athlete's family compensation in relation to the use of the student-athlete's name, image or likeness.

(3) (a) A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association shall not prevent a student-athlete from obtaining professional representation in relation to name, image or likeness, or to secure a name, image and likeness agreement, including, but not limited to, representation provided by athlete agents or legal representation provided by attorneys.

(b) Professional representation obtained by student-athletes must be from persons registered as athlete agents as provided in Section 73-42-1 et seq., of the Uniform Athlete Agent Law. Attorneys who provide legal representation to student-athletes must be licensed to practice law in the State of Mississippi and in good standing with The Mississippi Bar.

(c) Athlete agents representing student-athletes shall comply with the Uniform Athlete Agents Law, established under Section 73-42-1, et seq., and the federal Sports Agent Responsibility and Trust Act, established under 15 USCS Sections 7801-7807, in their relationships with student-athletes.

(4) A grant-in-aid, including cost of attendance, and other permissible financial aid, awards or benefits from the postsecondary educational institution in which a student-athlete is enrolled shall not be revoked, reduced, nor the terms and conditions altered, as a result of a student-athlete earning compensation or obtaining professional or legal representation pursuant to this act.

(5) A student-athlete who enters into a name, image and likeness agreement for compensation shall disclose the contract to a designated official of the postsecondary educational institution in which the student is enrolled. The disclosure shall be made within three (3) calendar days of the execution of the name, image and likeness agreement, or three (3) calendar days before the next scheduled intercollegiate athletics competition in which the student-athlete may participate, whichever occurs earlier in time. The postsecondary educational institution shall designate the official to whom the student-athlete must disclose these contracts.

(6) A third-party licensee may not enter into, or offer to enter into, a name, image and likeness agreement with a student-athlete or otherwise compensate a student-athlete for the use of the student-athlete's name, image and likeness rights if a provision of the name, image and likeness agreement or the use of the student-athlete's name, image and likeness rights conflicts with a provision of a contract, rule, regulation, standard or other

requirement of the postsecondary educational institution unless such contract or use is expressly approved in writing by the postsecondary educational institution.

(7) (a) No postsecondary educational institution, booster, third-party licensee, or any other individual or entity shall provide a prospective or current student-athlete compensation or enter into a name, image and likeness agreement as an inducement for the student-athlete to attend or enroll in a specific institution or group of institutions.

(b) No student-athlete shall enter into a name, image and likeness agreement or receive compensation from a third-party licensee relating to the name, image or likeness of the student-athlete:

(i) Before the date on which the student-athlete enrolls at a postsecondary educational institution; or

(ii) For the endorsement or promotion of gambling, sports betting, marijuana, tobacco or alcohol products, performance enhancing supplements, adult entertainment or any other product or service that is reasonably considered to be inconsistent with the values or mission of a postsecondary educational institution.

(8) Nothing in this act shall be interpreted to modify any requirements or obligations imposed under Title IX of the Education Amendments of 1972 (20 USCS Section 1681, et seq.).

SECTION 5. The following shall be codified as Section

93-19-17, Mississippi Code of 1972:

93-19-17. (1) All persons eighteen (18) years of age or older, if not otherwise disqualified, or prohibited by law, shall have the capacity to enter into binding contractual relationships affecting the use of their name, image or likeness while participating in intercollegiate sports as student-athletes. Nothing in this section shall be construed to affect any contracts entered into prior to the effective date of this act.

(2) In any legal action founded on a student-athlete name, image or likeness contract entered into by a person eighteen (18) years of age or older, the person may sue in his or her own name as an adult and be sued in his or her own name as an adult and be served with process as an adult.

(3) For purposes of this section:

(a) "Intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics; and

(b) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, any intercollegiate athletics program at a postsecondary educational institution. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

SECTION 6. No postsecondary educational institution, athletic association or conference shall be subject to a private cause of action or any claim for damages of any kind under this act, including, without limitation, a claim for unfair trade or competition or tortious interference. No postsecondary educational institution, athletic association or conference shall be subject to a private cause of action or any claim for damages related to its adoption, implementation or enforcement of any contract, rule, regulation, standard or other requirement in compliance with this act. This act is not intended to and shall not waive or diminish any applicable defenses and immunities, including, without limitation,

sovereign immunity applicable to postsecondary educational institutions. For purposes of this section, the words "private cause of action or any claim for damages of any kind" means any claim or action brought by any person or current or former student-athlete who is not a party to a name, image and likeness agreement or contract with the postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletic programs. The words "private cause of action or any claim for damages of any kind" shall not be construed to include any claim or action by the student-athlete that is engaged in a name, image and likeness agreement for compensation.

SECTION 7. Section 73-42-3, Mississippi Code of 1972, is amended as follows:

73-42-3. In this chapter:

(a) "Agency contract" means an agreement in which a student-athlete authorizes a person to negotiate or solicit on behalf of the student-athlete a professional-sports-services contract, an endorsement contract, compensation for the use of the student-athlete's name, image or likeness, or enrollment at any educational institution that offers an athletic scholarship to the student-athlete.

(b) "Athlete agent" means an individual who enters into an agency contract with a student-athlete or, directly or indirectly, recruits, induces or solicits a student-athlete to enter into an agency contract. The term does not include a spouse, parent, sibling, grandparent or guardian of the student-athlete or an individual acting solely on behalf of a professional sports team or professional sports organization. The term includes an individual who represents to the public that the individual is an athlete agent.

(c) "Athletic director" means an individual responsible for administering the overall athletic program of an educational institution or, if an educational institution has separately administered athletic programs for male students and female students, the athletic program for males or the athletic program for females, as appropriate.

(d) "Contact" means a communication, direct or indirect, written or oral, between an athlete agent and a student-athlete, to recruit, induce or solicit the student-athlete to enter into an agency contract.

(e) "Endorsement contract" means:

(i) An agreement under which a student-athlete is employed or receives consideration or anything of value for the student-athlete's publicity, reputation, following * * * or fame obtained because of the student-athlete's athletic ability or performance; and

(ii) An agreement under which a student-athlete receives compensation, consideration or anything of value for the use of the student-athlete's name, image or likeness.

(f) "Intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics.

(g) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency or instrumentality; public corporation, or any other legal or commercial entity.

(h) "Professional-sports-services contract" means an agreement under which an individual is employed or agrees to render services as a player on a professional sports team, with a professional sports organization, or as a professional athlete.

(i) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(j) "Registration" means registration as an athlete agent pursuant to this chapter.

(k) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(l) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, a sport for a professional sports team or in any intercollegiate sport at any educational institution. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT"; TO DEFINE TERMINOLOGY; TO PROVIDE THAT A STUDENT-ATHLETE MAY EARN COMPENSATION FOR THE USE OF HIS OR HER NAME, IMAGE OR LIKENESS WHILE ENROLLED IN A POSTSECONDARY INSTITUTION AND OBTAIN A CERTIFIED AGENT FOR MATTERS RELATING TO THAT COMPENSATION; TO PROHIBIT STUDENT-ATHLETES FROM EARNING COMPENSATION IN EXCHANGE FOR HIS OR HER ABILITY OR PARTICIPATION IN INTERCOLLEGIATE ATHLETICS OR SPORTS COMPETITIONS; TO PROVIDE THAT A STUDENT-ATHLETE SHALL NOT BE DEEMED AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF ANY ATHLETIC ORGANIZATIONAL ENTITY BASED ON HIS OR HER PARTICIPATION IN AN INTERCOLLEGIATE ATHLETIC PROGRAM; TO PROHIBIT POSTSECONDARY EDUCATIONAL INSTITUTIONS FROM UPHOLDING REQUIREMENTS THAT RESTRICT A STUDENT-ATHLETES ABILITY TO RECEIVE COMPENSATION FOR THE STUDENT'S NAME, IMAGE OR LIKENESS; TO PROHIBIT ATHLETIC ORGANIZATIONAL ENTITIES FROM INTERFERING WITH A CONTRACT OR OTHER REQUIREMENTS THAT PREVENT A STUDENT-ATHLETE FROM RECEIVING COMPENSATION FOR HIS OR HER NAME, IMAGE OR LIKENESS OR PREVENT A POSTSECONDARY EDUCATIONAL INSTITUTION FROM PARTICIPATING IN AN INTERCOLLEGIATE ATHLETIC PROGRAM AS A RESULT OF THE STUDENT-ATHLETE RECEIVING COMPENSATION FOR HIS OR HER NAME, IMAGE OR LIKENESS; TO ALLOW POSTSECONDARY EDUCATIONAL INSTITUTIONS TO IMPOSE REASONABLE LIMITATIONS ON THE TIMES A STUDENT-ATHLETE MAY PARTICIPATE IN CERTAIN PROMOTIONAL ACTIVITIES RELATED TO THE LICENSE OR USE OF THE STUDENT'S NAME, IMAGE OR LIKENESS; TO PROHIBIT POSTSECONDARY EDUCATIONAL INSTITUTIONS FROM PREVENTING STUDENT-ATHLETES FROM OBTAINING PROFESSIONAL REPRESENTATION; TO REQUIRE PERSONS OBTAINED BY STUDENT-ATHLETES AS PROFESSIONAL REPRESENTATIVES TO BE REGISTERED AS ATHLETE AGENTS AND ATTORNEYS WHO PROVIDE LEGAL REPRESENTATION TO BE LICENSED BY THE MISSISSIPPI BAR ASSOCIATION; TO REQUIRE STUDENT-ATHLETES TO DISCLOSE CONTRACTS FOR COMPENSATION TO THE POSTSECONDARY EDUCATIONAL INSTITUTION OF ENROLLMENT THE EARLIER OF THREE DAYS OF ITS EXECUTION OR THREE DAYS OF THE NEXT COMPETITION; TO PROHIBIT CONFLICTS OF INTEREST BETWEEN THIRD-PARTY LICENSEES AND STUDENT-ATHLETES; TO EXEMPT POSTSECONDARY

EDUCATIONAL INSTITUTIONS FROM PRIVATE CAUSES OF ACTION FOR UNFAIR TRADE OR TORTIOUS INTERFERENCE; TO DEFINE THE TERM "PRIVATE CAUSE OF ACTION" TO PROVIDE A LEGAL RECOURSE TO THOSE STUDENT-ATHLETES WHOSE NAMES, IMAGES AND LIKENESSES WERE USED WITHOUT THEIR CONSENT; TO CREATE NEW SECTION 93-19-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT QUALIFYING INDIVIDUALS 18 YEARS OF AGE AND OLDER SHALL HAVE THE CAPACITY TO ENTER INTO BINDING CONTRACTS AFFECTING THEIR NAME, IMAGE AND LIKENESS WHILE PARTICIPATING IN COLLEGIATE SPORTS AS STUDENT-ATHLETES; TO PROVIDE THAT ANY LEGAL ACTION FOUNDED ON A STUDENT-ATHLETE'S NAME, IMAGE AND LIKENESS BY A QUALIFYING STUDENT-ATHLETE MAY BE BOUGHT IN THE STUDENT-ATHLETE'S OWN NAME; TO AMEND SECTION 73-42-3, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Senator Moran called up the following House Amendment to **S. B. No. 2392** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 59-11-3, Mississippi Code of 1972, is amended as follows:

59-11-3. (1) Any county port and harbor commission created pursuant to Section 59-11-1 shall be appointed as follows: three (3) members shall be appointed by the Governor, one (1) from each of the three (3) municipalities of the county, which appointments shall be made from those persons recommended and nominated by the governing authorities of the municipalities, and shall be qualified electors of the county; and five (5) members shall be appointed by the board of supervisors of such county, each supervisor to recommend the appointment of one (1) member thereof. The members of the county port and harbor commission shall serve for terms concurrent with that of the Governor and the board of supervisors making such appointment and hold that appointment until such time as their successor shall be appointed and installed as a commissioner upon taking his or her oath of office.

(2) Each member of the county port and harbor commission shall receive per diem compensation in an amount up to Eighty-four Dollars (\$84.00) for each day engaged in attendance of meetings of the county port and harbor commission or when engaged in other duties of the county port and harbor commission, and shall be reimbursed for mileage and actual travel expenses at the rate authorized for county employees under Section 25-3-41.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 59-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE COUNTY PORT AND HARBOR COMMISSION SHALL HOLD THEIR APPOINTMENTS UNTIL THEIR SUCCESSOR HAS BEEN APPOINTED AND INSTALLED AS A COMMISSIONER AFTER TAKING THE OATH OF OFFICE; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2392** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Polk called up the following House Amendment to **S. B. No. 2824** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 78 by inserting the following language after "2021":

", and shall stand repealed on June 30, 2021"

Senator Branning called up the following House Amendment to **S. B. No. 2825** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Transportation Infrastructure Investment Act of 2021."

SECTION 2. (1) From and after July 1, 2021, the department, through the division, shall have jurisdiction over all matters of enforcement of the provisions of this chapter on the roads, streets and highways of this state and shall prescribe such rules and regulations as are necessary therefor. The jurisdiction and authority of the department under this section shall be in addition to any other jurisdiction and authority provided to the department under any other law. The powers and duties related to the administration of this chapter which do not concern enforcement on the roads, streets and highways of this state shall remain with the commission.

(2) On July 1, 2021, the Mississippi Department of Transportation and/or the commission shall transfer to the department the employees, equipment, inventory, size and weights, computer systems, IFTA, grants, stationary and portable weigh stations, support staff, state and federal funding, and resources used to enforce the provisions of this chapter on the roads, streets and highways of this state. The department shall consult and work with the Bureau of Building, Grounds and Real Property of the Department of Finance and Administration for the effective transfer to the department of any office space

that was assigned for the use of the enforcement of the provisions of this chapter on the roads, streets and highways of this state.

(3) Any reference in any statute, rule or regulation to law enforcement duties being performed by the commission or the Mississippi Department of Transportation requiring the use of vehicles to enforce shall be construed to mean law enforcement duties being performed by the division.

(4) The Mississippi State Personnel Board PIN numbers the Mississippi Department of Transportation has assigned to persons in law enforcement and support of enforcement of this chapter at the time of the transfer shall be transferred over to the department. The transfer of personnel shall be commensurate with the number and classification of positions allocated to that law enforcement. All salaries and benefits shall remain the same until further agreement. Rank and structure shall be revised through the division as is practical for proper supervision. All transferred personnel shall possess the same state service protections with the Mississippi State Personnel Board that they possessed before the transfer.

SECTION 3. There is hereby created a special fund in the State Treasury, to be known as the "DPS Motor Carrier Enforcement Fund." The fund shall consist of monies appropriated by act of the Legislature and monies transferred from the Mississippi Department of Transportation. Money in the fund shall only be utilized by the Department of Public Safety's Commercial Transportation Enforcement Division to defray expenses for officers' salaries and other costs to implement and enforce the provisions of this act. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 4. Section 77-7-7, Mississippi Code of 1972, is amended as follows:

77-7-7. Whenever used in this chapter unless expressly stated otherwise:

(a) The term "person" means individual, firm, copartnership, corporation, company, association or joint-stock association, and includes any trustee, receiver, assignee or personal representative thereof.

(b) The term "commission" means the Mississippi Transportation Commission.

(c) The term "highway" means every public highway or place of whatever nature open to the use of the public for purposes of vehicle travel in this state, including the streets and alleys in towns and cities.

(d) The term "motor vehicle" and "vehicle" means any vehicle, machine, tractor, trailer or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property; such term, however, does not include any vehicle, locomotive or car operated exclusively on a rail or rails.

(e) The term "common carrier by motor vehicle" means any person who or which undertakes, whether directly or by a lease or any other arrangement, to transport passengers or household goods.

(f) The term "contract carrier by motor vehicle" means any person, not included under *** paragraph (e) of this section, who or which, under special and individual contracts or agreements, and whether directly or by a lease or any other arrangement, transports passengers or household goods.

(g) The term "restricted motor carrier" means all carriers of property, except household goods, by motor vehicle for compensation.

(h) The "services" and "transportation" to which this chapter applies include all vehicles operated by, for or in the interest of any motor carrier irrespective of ownership or contract, express or implied, together with all facilities and property operated or controlled by any such carrier or carriers and used in the transportation of passengers or property or in the performance of any service in connection therewith.

(i) The term "certificate" means a certificate of public convenience and necessity issued by the commission to common carriers by motor vehicle and restricted common carriers by motor vehicle under this chapter.

(j) The term "permit" means a permit issued by the commission to contract carriers by motor vehicle under this chapter.

(k) The term "interstate permit" means a permit issued under the terms of this chapter to the holder of a certificate of public convenience and necessity, a permit, or other operating authority from the U.S. Department of Transportation.

(l) The term "owner" or "operator" and "owner and operator" means any individual, firm, copartnership, corporation, company, association or joint-stock association, and includes any trustee, receiver, assignee or personal representative thereof, to whom or to which a certificate of convenience and necessity or permit or interstate permit has been issued by the commission.

(m) The term "vanpooling" means a nonprofit arrangement entered into to provide for the transportation of persons to and from their places of employment utilizing a motor vehicle manufactured primarily for the transporting of not less than eight (8) nor more than fifteen (15) people, and where the costs of operating said vehicle, including reasonable vehicle depreciation costs, are paid for by those people utilizing such arrangement.

(n) The term "gross vehicle weight rating (GVWR)" means the value specified by the manufacturer as the loaded weight of a single motor vehicle.

(o) The term "gross combination weight rating (GCWR)" means the value specified by the manufacturer as the loaded weight of a combination (articulated) motor vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.

(p) "Department" means the Department of Public Safety.

(q) "Division" means the Commercial Transportation Enforcement Division within the department.

SECTION 5. Section 77-7-11, Mississippi Code of 1972, is amended as follows:

77-7-11. No motor carrier shall operate any motor vehicle for the transportation of passengers or property for compensation on any highway in this state, except in accordance with the provisions of this chapter, and every such motor carrier is hereby declared to be subject to control, supervision and regulation by the commission for permitting purposes and by the department, through the division, for enforcement purposes. Nothing in this chapter shall confer any proprietary or property rights in the use of the public highways.

SECTION 6. Section 77-7-13, Mississippi Code of 1972, is amended as follows:

77-7-13. (1) It shall be the duty of the commission and the commission shall have the power:

(a) To regulate common carriers by motor vehicle and contract carriers by motor vehicle not exempted in this chapter, doing business in this state, and to that end, the commission may establish reasonable requirements with respect to continuous and adequate service, transportation of baggage and express, uniform system of accounts, records and reports, preservation of records, and safety of operation and equipment, including maximum hours of service of employees.

* * *

(**b) To administer *** the provisions of this chapter concerning certificates of public convenience and necessity, permits, performance bond, insurance, fees, identification plates and trip permits, and carrier service, rates and charges, to make necessary orders in connection therewith, and to prescribe rules, regulations and procedure for such administration; however, the enforcement of the provisions of this chapter on the roads, streets and highways of this state shall fall under the jurisdiction of the department, through the division.

(**c) To inquire into the organization of motor carriers, and into the management of their businesses, to keep itself informed as to the manner and method in which the same is conducted, and to transmit to the Legislature, from time to time, such recommendations as to additional legislation relating to such carriers as the commission may deem necessary.

(2) The commission may from time to time establish such just and reasonable classifications of groups of carriers included in the terms "common carrier by motor vehicle" and "contract carrier by motor vehicle," as the special nature of the services performed by such carriers shall require, and the commission may from time to time establish such just and reasonable rules, regulations and requirements, consistent with the provisions of this chapter, to be observed by the carriers so classified or grouped, as the commission deems necessary or desirable in the public interest.

(3) The commission may from time to time enter into joint and cooperative agreements with other governmental agencies in regard to safety, forms, operating procedures and regulatory jurisdiction.

(4) The rules, regulations, requirements and classifications adopted in pursuance to the power and duty of the commission by this section granted and imposed shall conform as nearly as practicable to the rules, regulations, requirements and classifications promulgated by the Interstate Commerce Commission, the United States Department of Transportation, or any other appropriate governmental agency.

(5) The commission shall not have the duty nor the power to regulate the rates of common carriers by motor vehicle which undertake, whether directly or by a lease or any other arrangement, to transport household goods.

(6) The commission shall not have the duty nor the power to regulate the rates of contract carriers by motor vehicle, who or which, under special and individual contract or agreements, and whether directly or by a lease or any other arrangement, transport household goods.

SECTION 7. Section 77-7-15, Mississippi Code of 1972, is amended as follows:

77-7-15. The commission shall prescribe, issue, amend and rescind such reasonable rules and regulations as may be reasonably necessary or appropriate to carry out the provisions of this chapter concerning certificates of public convenience and necessity, permits, performance bond, insurance, fees, identification plates and trip permits, and carrier duties, service, rates and charges; however, the prescription, issuance, amendment and rescission of reasonable rules and regulations concerning the

enforcement of the provisions of this chapter on the roads, streets and highways of this state shall fall under the jurisdiction of the department, through the division, and shall not be subject to this section.

No rule or regulation shall be effective until thirty (30) days after copies of the proposed rule or regulation have been mailed to intrastate motor carriers affected thereby and until a notice, setting forth the terms or substance thereof and the time and place of a hearing thereon, has been published in a newspaper or newspapers of general circulation in the state and filed with the Secretary of State pursuant to the Mississippi Administrative Procedures Law. Such hearing may be held at any time after twenty (20) days following the date of publication of such notice, but such rules or regulations shall not become effective until a hearing thereon. The commission may make its initial set of rules and regulations effective at the end of such thirty-day period, subject to review thereof. All rules and regulations of the commission shall be filed with its secretary and shall be readily available for public inspection and examination during reasonable business hours. Any interested person shall have the right to petition the commission for issuance, amendment or repeal of a rule or regulation.

SECTION 8. Section 77-7-16, Mississippi Code of 1972, is amended as follows:

77-7-16. (1) Supervision and inspection of the safe operation and the safe use of equipment of motor vehicles operating in the state shall be a specified duty of * * * the Mississippi Department of Public Safety. * * * The Mississippi Transportation Commission shall promulgate as its own the rules, regulations, requirements and classifications of the United States Department of Transportation or any successor federal agency thereof charged with the regulation of motor vehicle safety * * *. The * * * department shall enforce such rules, regulations, requirements and classifications. * * * The Mississippi Transportation Commission shall establish a system of reciprocity with other states to facilitate the inspection of motor vehicles provided for in this subsection.

(2) The * * * Mississippi Department of Public Safety shall have the authority to inspect for safe operation and safe use of equipment the following motor vehicles:

(a) Each holder of a certificate of convenience and necessity, a permit to operate as a contract carrier or interstate permit;

(b) Any individual, corporation or partnership engaged in a commercial enterprise operating a single motor vehicle or those in combination with a manufacturer's gross vehicle rating of more than ten thousand (10,000) pounds; and

(c) Any individual, corporation or partnership operating a motor vehicle of any gross weight transporting hazardous material that requires placarding under the Federal Hazardous Material Regulations.

(3) This section shall not apply to the following:

(a) Motor vehicles employed to transport school children and teachers;

(b) Motor vehicles owned and operated by the United States, District of Columbia or any state or any municipality or any other political subdivision of this state;

(c) Motor vehicles engaged in the occasional transportation of personal property without compensation by individuals which is not in the furtherance of a commercial enterprise;

(d) Motor vehicles engaged in the transportation of human corpses or sick or injured persons;

(e) Motor vehicles engaged in emergency or related operations;

(f) Motor vehicles engaged in the private transportation of passengers;

(g) Motor vehicles, including pickup trucks, that have a GVWR or GCWR of twenty-six thousand (26,000) pounds or less, operating intrastate only, provided that such vehicle does not:

(i) Transport hazardous material requiring a placard; or

(ii) Transport sixteen (16) or more passengers, including the driver.

(h) Motor vehicles owned and operated by any farmer who:

(i) Is using the vehicle to transport agricultural products from a farm owned by the farmer, or to transport farm machinery or farm supplies to or from a farm owned by the farmer;

(ii) Is not using the vehicle to transport hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with the Federal Hazardous Material Regulations in CFR 49 part 177.823; and

(iii) Is using the vehicle within one hundred fifty (150) air miles of the farmer's farm, and the vehicle is a private motor carrier of property.

(i) Motor vehicles engaged in the transportation of logs and pulpwood between the point of harvest and the first point of processing the harvested product;

(j) Motor vehicles engaged exclusively in hauling gravel, soil or other unmanufactured road building materials;

(k) As to hours of service only, utility service vehicles owned or operated by public utilities subject to regulation by the commission, while in intrastate commerce within this state, with a manufacturer's gross vehicle rating of less than twenty-six thousand one (26,001) pounds, unless the vehicle:

(i) Transports hazardous materials requiring a placard; or

(ii) Is designed or used to transport sixteen (16) or more people, including the driver.

(4) Anyone who violates or fails to comply with this section shall be subject to the penalties as provided for in Section 77-7-311, Mississippi Code of 1972.

SECTION 9. Section 77-7-17, Mississippi Code of 1972, is amended as follows:

77-7-17. No member of the commission or the department, and no employee of the commission or the department appointed or employed in the administration of this chapter, shall in any manner have pecuniary interest in, own any securities of, or hold any position with any motor carrier.

SECTION 10. Section 77-7-21, Mississippi Code of 1972, is amended as follows:

77-7-21. No restricted motor carrier not exempted in this chapter shall engage in intrastate operation on any highway within the state unless such carrier is in compliance with the requirements of the laws and regulations of the commission and the department.

SECTION 11. Section 77-7-127, Mississippi Code of 1972, is amended as follows:

77-7-127. All funds collected by the commission under the provisions of this chapter shall be deposited in the State Treasury to the credit of the commission's regulation fund for use by the commission for the administration * * * of the laws of this state relative to the inspection, control and supervision of the business, * * * service or accounts of motor carriers subject to this chapter.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 12. Section 77-7-311, Mississippi Code of 1972, is amended as follows:

77-7-311. (1) Any person violating any provisions of this chapter, or any rule, regulation, requirement or order thereunder, or any term or condition of any certificate or permit, for which a penalty is not otherwise provided in this chapter, shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than Twenty-five Dollars (\$25.00) and not more than Five Hundred Dollars (\$500.00) for the first offense and not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for each subsequent offense. Each day of violation shall constitute a separate offense.

(2) Any person, whether carrier, shipper, consignee, or any officer, employee, agent or representative thereof, who shall knowingly offer, grant or give, or solicit, accept or receive any rebate, concession or discrimination in violation of any provision of this chapter, or who by means of any false statement or representation, or by the use of any false or fictitious bill, bill of lading, receipt, voucher, roll, account, claim, certificate, affidavit, deposition, lease or bill of sale, or by any other means or device, shall knowingly and willfully assist, suffer or permit any person or persons, natural or artificial, to obtain transportation of passengers or property subject to this chapter for less than the applicable rate, fare or charge, or who shall knowingly and willfully, by any such means or otherwise, fraudulently seek to evade or defeat regulation as in this chapter provided for motor carriers, shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for the first offense and not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for any subsequent offense.

(3) Any owner, operator or driver of any vehicle, who is required by any law or by any rule or regulation of the commission or the department to stop at any inspection station or submit to an inspection, who willfully fails or refuses to do so, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than One Hundred Dollars (\$100.00), or more than One Thousand Dollars (\$1000.00), or by confinement in the county jail for not more than thirty (30) days, or by both fine and jail sentence.

(4) Any individual, corporation or partnership operating a motor vehicle transporting hazardous material that is found to be in violation of any rule, regulation or requirement as provided by Section 77-7-16 shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than Two Hundred Dollars (\$200.00) or more than Five Hundred Dollars (\$500.00) for the first offense, and not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for each subsequent offense. Each day of violation shall constitute a separate offense.

(5) Any person operating or attempting to operate a motor vehicle which has been placed out of service by a motor carrier inspector shall be fined One Thousand Dollars (\$1,000.00).

SECTION 13. Section 77-7-331, Mississippi Code of 1972, is amended as follows:

77-7-331. The chief enforcement officer and the inspectors * * * of the commission shall be responsible for enforcing and investigating all alleged violations of this chapter, and the rules, regulations and general orders of the commission promulgated thereunder; however, the enforcement and investigation of the provisions of this chapter, and the rules, regulations and general orders of the commission or the department promulgated thereunder, on the roads, streets and highways of this state shall fall under the jurisdiction of the department, through the division. In the performance of their duties such employees shall give particular attention to the enforcement of the commission's or the department's safety rules and regulations; the provisions of this chapter applicable to rates, charges and practices of motor carriers; the provisions prohibiting unlawful preference, concession, rebate, or discrimination; the adequacy of service, equipment and facilities of motor carriers; and the requirements respecting certificate of public convenience and necessity or permits as set forth in this chapter.

SECTION 14. Section 77-7-333, Mississippi Code of 1972, is amended as follows:

77-7-333. After selection, the * * * enforcement officers and the inspectors of the division shall go through thirty (30) days of intensive instruction of the laws of this state pertaining to the Mississippi Department of Transportation and the Department of Public Safety, together with the rules and regulations of * * * both of these * * * agencies, and the laws of this state pertaining to arrest. The expenses of attending such school shall be paid out of the * * * monies appropriated by the Legislature to the department.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 15. Section 77-7-335, Mississippi Code of 1972, is amended as follows:

77-7-335. (1) All division inspectors on duty shall wear uniforms, shall have the right to bear arms, and shall have the authority to make arrests and hold and impound any vehicle and the contents thereof which is being operated in violation of this chapter or the commission's or the department's rules, regulations or general orders promulgated thereunder.

(2) All inspectors shall have the authority to enforce all of the laws, rules and regulations of the commission and the department upon all highways in the state and the rights-of-way of such highways and other properties as defined in Section 77-7-261; except that if any person commits an offense in violation of this chapter or the rules and regulations of * * * the commission or the department upon a highway in the state and be pursued by * * * an enforcement officer or inspector of the * * * division, such * * * enforcement officer or inspector may pursue and apprehend such offender upon any of the highways in this state, or to any other place to which such offender may flee.

(3) All inspectors shall have the authority to aid and assist any law enforcement officer whose life or safety is in jeopardy and may arrest without warrant any fugitive from justice who has escaped or who is using the highways in the state in an attempt to flee. * * * Inspectors of the * * * division may assist other law enforcement agencies in searching for convicted felons who have escaped or for alleged felons where there is

probable cause to believe that the person being sought committed the felony and a felony had actually been committed.

(4) Upon request of * * * a sheriff of any county or the chief of police of any community * * *, all division inspectors have the authority to assist in traffic control during time of natural disasters, such as hurricanes, tornados or floods.

* * *

SECTION 16. Section 77-7-337, Mississippi Code of 1972, is amended as follows:

77-7-337. The * * * division is hereby authorized and empowered to purchase all necessary equipment to enforce the provisions of this chapter * * *.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 17. Section 77-7-339, Mississippi Code of 1972, is amended as follows:

77-7-339. The * * * reasonable and necessary expenses of * * * the administration of the duties imposed on the commission by this chapter, shall be paid out of the special fund in the State Treasury designated as the commission's regulation fund, upon requisition and warrants in the same manner provided by law for the disbursements of appropriations for the commission. An itemized account shall be kept of all receipts and expenditures and shall be reported to the Legislature by the commission.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 18. Section 77-7-341, Mississippi Code of 1972, is amended as follows:

77-7-341. For the purpose of administering * * * the provisions of this chapter, the commission * * * is directed to cooperate with and use the services of the * * * enforcement officers and inspectors of the * * * department, and the commission shall utilize the facilities and equipment of the inspection stations maintained by the * * * division. However, in utilizing these personnel and facilities, the commission shall not interfere with or impede the performance by the personnel of the duties and responsibilities otherwise assigned to them.

SECTION 19. Section 45-3-21, Mississippi Code of 1972, is amended as follows:

45-3-21. (1) The powers and duties of the Highway Safety Patrol shall be, in addition to all others prescribed by law, as follows:

(a) To enforce all of the traffic laws, rules and regulations of the State of Mississippi upon all highways of the state highway system and the rights-of-way of such highways; provided, however, that if any person commits an offense upon the state highway system and be pursued by a member of the Highway Safety Patrol, such patrol

officer may pursue and apprehend such offender upon any of the highways or public roads of this state, or to any other place to which such offender may flee.

(b) To enforce all rules and regulations of the commissioner promulgated pursuant to legal authority.

(c) When so directed by the Governor, to enforce any of the laws of this state upon any of the highways or public roads thereof.

(d) Upon the request of the * * * Department of Revenue, and with the approval of the Governor, to enforce all of the provisions of law with reference to the registration, license and taxation of vehicles using the highways of this state, and relative to the sizes, weights and load limits of such vehicles, and to enforce the provisions of all other laws administered by the * * * Department of Revenue upon any of the highways or public roads of this state; and for such purpose the Highway Safety Patrol shall have the authority to collect and receive all taxes which may be due under any of such laws, and to report and remit same to the * * * Department of Revenue in the manner required by law, or the rules and regulations of the * * * Department of Revenue.

(e) * * * Upon request of the Commercial Transportation Enforcement Division within the Department of Public Safety, and when so instructed by the commissioner, to enforce * * * the Mississippi Motor Carrier Regulatory Law of 1938 and rules and regulations promulgated thereunder.

(f) To arrest without warrant any person or persons committing or attempting to commit any misdemeanor, felony or breach of the peace within their presence or view, and to pursue and so arrest any person committing such an offense to and at any place in the State of Mississippi where he may go or be. Nothing herein shall be construed as granting the Mississippi Highway Safety Patrol general police powers.

(g) To aid and assist any law enforcement officer whose life or safety is in jeopardy. Additionally, officers of the Highway Safety Patrol may arrest without warrant any fugitive from justice who has escaped or who is using the highways of the state in an attempt to flee. With the approval of the commissioner or his designee, officers of the Highway Safety Patrol may assist other law enforcement agencies in manhunts for convicted felons who have escaped and/or for alleged felons where there is probable cause to believe that the person being sought committed the felony and a felony had actually been committed.

(h) To cooperate with the State Forest Service by reporting all forest fires.

(i) Upon request of the sheriff or his designee, or board of supervisors of any county or the chief of police or mayor of any municipality, and when so instructed by the commissioner or his designee, to respond to calls for assistance in a law enforcement incident; such request and action shall be noted and clearly reflected on the radio logs of both the Mississippi Highway Safety Patrol district substation and that of the requesting agency, entered on the local NCIC terminal, if available, and a request in writing shall follow within forty-eight (48) hours. Additionally, the time of commencement and termination of the specific law enforcement incident shall be clearly noted on the radio logs of both law enforcement agencies.

(2) The Legislature declares that the primary law enforcement officer in any county in the State of Mississippi is the duly qualified and elected sheriff thereof, but for the purposes of this subsection there is hereby vested in the Department of Public Safety, in addition to the powers hereinabove mentioned and the other provisions of this section under the terms and limitations hereinafter mentioned and for the purpose of insuring domestic tranquility and for the purpose of preventing or suppressing, or both, crimes of violence, acts and conduct calculated to, or which may, provoke or lead to violence and/or incite riots, mobs, mob violence, a breach of the peace, and acts of intimidation or terror,

the powers and duties to include the enforcement of all the laws of the State of Mississippi relating to such purposes, to investigate any violation of the laws of the State of Mississippi and to aid in the arrest and prosecution of persons charged with violating the laws of the State of Mississippi which relate to such purposes. Investigators of the Bureau of Investigation of the Department of Public Safety shall have general police powers to enforce all the laws of the State of Mississippi. All officers of the Department of Public Safety charged with the enforcement of the laws administered by that agency, for the purposes herein set forth, shall have full power to investigate, prevent, apprehend and arrest law violators anywhere in the state, and shall be vested with the power of general police officers in the performance of their duties. The officers of the Department of Public Safety are authorized and empowered to carry and use firearms and other weapons deemed necessary in the discharge of their duties as such and are also empowered to serve warrants and subpoenas issued under the authority of the State of Mississippi. The Governor shall be authorized to offer and pay suitable rewards to persons aiding in the investigation, apprehension and conviction of persons charged with acts of violence, or threats of violence or intimidation or acts of terrorism. The additional powers herein granted to or vested in the Department of Public Safety or any of its officers or employees by this section, excepting investigating powers, and those powers of investigators who shall have general police power, being the investigators in the Bureau of Investigation of the Department of Public Safety, shall not be exercised by the Department of Public Safety, or any of its officers or employees, except upon authority and direction of the Governor or Acting Governor, by proclamation duly signed, in the following instances, to wit:

(a) When requested by the sheriff or board of supervisors of any county or the mayor of any municipality on the grounds that mob violence, crimes of violence, acts and conduct of terrorism, riots or acts of intimidation, or either, calculated to or which may provoke violence or incite riots, mobs, mob violence, violence, or lead to any breach of the peace, or either, and acts of intimidation or terror are anticipated, and when such acts or conduct in the opinion of the Governor or Acting Governor would provoke violence or any of the foregoing acts or conduct set out in this subsection, and the sheriff or mayor, as the case may be, lacks adequate police force to prevent or suppress the same.

(b) Acting upon evidence submitted to him by the Department of Public Safety, or other investigating agency authorized by the Governor or Acting Governor to make such investigations, because of the failure or refusal of the sheriff of any county or mayor of any municipality to take action or employ such means at his disposal, to prevent or suppress the acts, conduct or offenses provided for in subsection (1) of this section, the Governor or Acting Governor deems it necessary to invoke the powers and authority vested in the Department of Public Safety.

(c) The Governor or Acting Governor is hereby authorized and empowered to issue his proclamation invoking the powers and authority vested by this paragraph, as provided in paragraphs (a) and (b) of this subsection, and when the Governor or Acting Governor issues said proclamation in accordance herewith, said proclamation shall become effective upon the signing thereof and shall continue in full force and effect for a period of ninety (90) days, or for a shorter period if otherwise ordered by the Governor or Acting Governor. At the signing of the proclamation by the Governor or Acting Governor, the Department of Public Safety and its officers and employees shall thereupon be authorized to exercise the additional power and authority vested in them by this paragraph. The Governor and Acting Governor may issue additional proclamations for periods of ninety (90) days each under the authority of paragraphs (a) and (b) of this subsection (2).

(3) All proclamations issued by the Governor or Acting Governor shall be filed in the Office of the Secretary of State on the next succeeding business day.

(4) It is not the intention of this section to vest the wide powers and authority herein provided for, as general powers of the Department of Public Safety, and the same are not

hereby so vested, but to limit these general powers to cases and incidents wherein it is deemed necessary to prevent or suppress the offenses and conditions herein mentioned in this and other subsections of this section, and under the terms and conditions hereinabove enumerated, it being the sense of the Legislature that the prime duties of the Department of Public Safety are to patrol the highways of this state and enforce the highway safety laws.

(5) Patrol officers shall have no interest in any costs in the prosecution of any case through any court; nor shall any patrol officer receive any fee as a witness in any court held in this state, whether a state or federal court.

(6) Provided, however, that the general police power vested by virtue of the terms of subsection (2) of this section is solely for the purposes set out in said subsection.

SECTION 20. Section 27-19-89, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2023, this section shall read as follows:]

27-19-89. (a) If any nonresident owner or operator or other nonresident person eligible for a temporary permit as provided in Section 27-19-79, who has not elected to register and pay the annual privilege taxes prescribed, shall enter or go upon the public highways of the state and shall fail or refuse to obtain the permit required by Section 27-19-79, such person shall be liable, for the first such offense, for the full amount of the permit fee required, plus a penalty thereon of five hundred percent (500%). For the second and all subsequent offenses, such person who fails or refuses to obtain such permits shall be liable for the pro rata part of the annual tax for the balance of the tag year for the maximum legal gross weight of the vehicle plus a penalty thereon of twenty-five percent (25%). Any weight in excess of the maximum legal gross weight of the vehicle, or in excess of the maximum highway weight limit, shall be penalized according to subsection (c) of this section. In either case the excess weight shall be removed by the operator before the vehicle can be allowed to proceed. In order to constitute a "second or subsequent offense" under the provisions hereof, it shall not be necessary that the same or identical vehicle be involved, it being the declared purpose hereof to provide that such penalties shall run against the owner or operator rather than against the specified vehicle. It is further provided that, in order for such owner or operator to become liable for the penalties herein provided, it shall not be necessary to show that such owner or operator was guilty of willfulness, gross negligence or wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(b) If any person who has registered his vehicle in Mississippi shall operate such vehicle upon the public highways, having a gross weight greater than the licensed gross weight of such vehicle, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, or if any person shall operate any such registered vehicle upon the public highways in a higher classification than that for which it is registered, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, then such person shall be liable for the pro rata part of the annual tax for the balance of the tag year for the legal gross weight of such vehicle and in the classification in which same is being operated, plus a penalty thereon of twenty-five percent (25%), after having been given credit for the unexpired part of the privilege tax paid, as provided in Section 27-19-75. In order that such owner or operator shall become liable for the penalties herein provided, it shall not be necessary to show that such owner or operator was guilty of willfulness, gross negligence or wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(c) If any person shall operate upon a highway of this state a vehicle which has a greater vehicle gross weight than the maximum gross weight limit established by law for that highway and shall have failed to obtain an overload permit as required by Section 27-19-81, or if any person shall operate a vehicle with a greater load on any axle or axle grouping than allowed by law, then such person, owner or operator shall be assessed a

penalty on such axle load weight or vehicle gross weight as exceeds the legal limit in accordance with the following schedule:

AMOUNT IN EXCESS OF LEGAL HIGHWAY WEIGHT	
LIMITS IN POUNDS	PENALTY
1 to 999	\$10.00 minimum penalty
1,000 to 1,999	1¢ per pound in excess of legal limit
2,000 to 2,999	2¢ per pound in excess of legal limit
3,000 to 3,999	3¢ per pound in excess of legal limit
4,000 to 4,999	4¢ per pound in excess of legal limit
5,000 to 5,999	5¢ per pound in excess of legal limit
6,000 to 6,999	6¢ per pound in excess of legal limit
7,000 to 7,999	7¢ per pound in excess of legal limit
8,000 to 8,999	8¢ per pound in excess of legal limit
9,000 to 9,999	9¢ per pound in excess of legal limit
10,000 to 10,999	10¢ per pound in excess of legal limit
11,000 or more	11¢ per pound in excess of legal limit

Any vehicle in violation of the tolerance allowed pursuant to Section 63-5-33(3) shall be fined pursuant to this subsection (c) for all weight in excess of the legal highway gross weight limit authorized for such vehicle or for all weight in excess of the legal tandem axle load weight limit of forty thousand (40,000) pounds and the legal single axle load limit of twenty thousand (20,000) pounds, whichever the case may be.

The penalty to be assessed for operations of a vehicle with a greater load on any axle or axle grouping than the legal axle load weight limits shall be one-half (1/2) the penalty for operation in excess of the legal gross weight limit.

In instances where both the legal highway gross weight limit and the legal axle load weight limit(s) are exceeded, the fine that shall be levied shall be either the penalty amount for the excess vehicle gross weight or the total of the penalty amounts of all overloaded axles, whichever is the larger amount.

Notwithstanding any other provisions of this section to the contrary, the fine assessed against the holder of a harvest permit for exceeding a gross vehicle weight of eighty-four thousand (84,000) pounds, but not exceeding a gross vehicle weight of ninety-five thousand (95,000) pounds, shall be Five Cents (5¢) per pound * * *. The fine for exceeding a gross vehicle weight of ninety-five thousand (95,000) pounds, but not exceeding a gross vehicle weight of one hundred thousand (100,000) pounds, shall be One Thousand Five Hundred Dollars (\$1,500.00). The fine for exceeding a gross vehicle weight of one hundred thousand (100,000) pounds shall be Two Thousand Five Hundred Dollars (\$2,500.00) for a first offense and Three Thousand Five Hundred Dollars (\$3,500.00) for a second offense. Any subsequent offense of exceeding a gross vehicle

weight of one hundred thousand (100,000) pounds may subject the permit holder to suspension of the harvest permit for up to thirty (30) days.

Notwithstanding any other provision of this subsection (c) to the contrary, upon an appeal to the Appeals Board of the Mississippi Transportation Commission by an owner or operator of a vehicle hauling without a harvest permit any of the products or materials described in subsection (3) of Section 63-5-33 and upon whom a penalty has been assessed under this subsection (c) for exceeding the legal weight limit(s) on a highway having a legal weight limit of eighty thousand (80,000) pounds or less, the appeals board shall reduce the penalty assessed against such owner/operator to an amount not to exceed ten percent (10%) of the amount which would otherwise be due without the reduction authorized under this paragraph. A reduction shall not be authorized under this paragraph if the gross weight of the vehicle for which an owner/operator has been charged with a violation of this section exceeds eighty-four thousand (84,000) pounds; and, in any event, no reduction shall be authorized under this paragraph unless a penalty assessed under this section is appealed to the appeals board and unless the board determines, based upon its records, that such owner/operator has not been granted a penalty reduction under this paragraph within a period of twelve (12) months immediately preceding the date of filing an appeal with the board for a penalty reduction under this paragraph.

(d) If any nonresident owner or operator who has not registered his vehicle and paid the annual privilege taxes prescribed shall operate his vehicle upon the highways of this state when such vehicle has a greater gross weight than permitted by law for the highway traveled upon, and for which such excess gross weight a permit was not or could not be procured from the transportation department as required by Section 27-19-81, such person shall be liable upon his second and all subsequent offenses for the pro rata part of the annual tax for the balance of the tag year for the legal gross weight of the vehicle, and in addition thereto the penalty fee on the excess weight as specified in subsection (c) of this section. In order that such owner or operator shall become liable for the penalties herein provided, it shall not be necessary that the same or identical vehicle be involved, it being the declared purpose hereof to provide that such penalties shall run against the owner or operator rather than against the specific vehicle.

(e) All fines and penalties imposed and collected by the Mississippi Department of Transportation for violations of the maximum legal vehicle weight limits authorized on the highways of this state shall be deposited into a special fund that is created in the State Treasury. Monies in the fund shall be allocated and distributed quarterly, beginning September 30, 1994, to each county of the state based on the amount of such fines and penalties imposed and collected in the county during the immediately preceding three (3) months. Monies distributed to the counties under this subsection shall be deposited in each county's road and bridge fund and may be expended, upon approval of the board of supervisors, for any purpose for which county road and bridge fund monies lawfully may be expended.

[From and after July 1, 2023, this section shall read as follows:]

27-19-89. (a) If any nonresident owner or operator or other nonresident person eligible for a temporary permit as provided in Section 27-19-79, who has not elected to register and pay the annual privilege taxes prescribed, shall enter or go upon the public highways of the state and shall fail or refuse to obtain the permit required by Section 27-19-79, such person shall be liable, for the first such offense, for the full amount of the permit fee required, plus a penalty thereon of five hundred percent (500%). For the second and all subsequent offenses, such person who fails or refuses to obtain such permits shall be liable for the pro rata part of the annual tax for the balance of the tag year for the maximum legal gross weight of the vehicle plus a penalty thereon of twenty-five percent (25%). Any weight in excess of the maximum legal gross weight of the vehicle, or in excess of the maximum highway weight limit, shall be penalized according to subsection (c) of this section. In either case the excess weight shall be removed by the

operator before the vehicle can be allowed to proceed. In order to constitute a "second or subsequent offense" under the provisions hereof, it shall not be necessary that the same or identical vehicle be involved, it being the declared purpose hereof to provide that such penalties shall run against the owner or operator rather than against the specified vehicle. It is further provided that, in order for such owner or operator to become liable for the penalties herein provided, it shall not be necessary to show that such owner or operator was guilty of willfulness, gross negligence or wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(b) If any person who has registered his vehicle in Mississippi shall operate such vehicle upon the public highways, having a gross weight greater than the licensed gross weight of such vehicle, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, or if any person shall operate any such registered vehicle upon the public highways in a higher classification than that for which it is registered, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, then such person shall be liable for the pro rata part of the annual tax for the balance of the tag year for the legal gross weight of such vehicle and in the classification in which same is being operated, plus a penalty thereon of twenty-five percent (25%), after having been given credit for the unexpired part of the privilege tax paid, as provided in Section 27-19-75. In order that such owner or operator shall become liable for the penalties herein provided, it shall not be necessary to show that such owner or operator was guilty of willfulness, gross negligence or wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(c) If any person shall operate upon a highway of this state a vehicle which has a greater vehicle gross weight than the maximum gross weight limit established by law for that highway and shall have failed to obtain an overload permit as required by Section 27-19-81, or if any person shall operate a vehicle with a greater load on any axle or axle grouping than allowed by law, then such person, owner or operator shall be assessed a penalty on such axle load weight or vehicle gross weight as exceeds the legal limit in accordance with the following schedule:

AMOUNT IN EXCESS OF

LEGAL HIGHWAY WEIGHT

LIMITS IN POUNDS	PENALTY
1 to 999	\$10.00 minimum penalty
1,000 to 1,999	1¢ per pound in excess of legal limit
2,000 to 2,999	2¢ per pound in excess of legal limit
3,000 to 3,999	3¢ per pound in excess of legal limit
4,000 to 4,999	4¢ per pound in excess of legal limit
5,000 to 5,999	5¢ per pound in excess of legal limit
6,000 to 6,999	6¢ per pound in excess of legal limit
7,000 to 7,999	7¢ per pound in excess of legal limit
8,000 to 8,999	8¢ per pound in excess of legal limit
9,000 to 9,999	9¢ per pound in excess of legal limit
10,000 to 10,999	10¢ per pound in excess of legal limit

11,000 or more 11¢ per pound in excess of legal limit

Any vehicle in violation of the tolerance allowed pursuant to Section 63-5-33(3) shall be fined pursuant to this subsection (c) for all weight in excess of the legal highway gross weight limit authorized for such vehicle or for all weight in excess of the legal tandem axle load weight limit of forty thousand (40,000) pounds and the legal single axle load limit of twenty thousand (20,000) pounds, whichever the case may be.

The penalty to be assessed for operations of a vehicle with a greater load on any axle or axle grouping than the legal axle load weight limits shall be one-half (1/2) the penalty for operation in excess of the legal gross weight limit.

In instances where both the legal highway gross weight limit and the legal axle load weight limit(s) are exceeded, the fine that shall be levied shall be either the penalty amount for the excess vehicle gross weight or the total of the penalty amounts of all overloaded axles, whichever is the larger amount.

Notwithstanding any other provisions of this section to the contrary, the fine assessed against the holder of a harvest permit for exceeding a gross vehicle weight of * * * eighty-eight thousand (88,000) pounds, but not exceeding a gross vehicle weight of ninety thousand (90,000) pounds, shall be Five Cents (5¢) per pound. The fine for exceeding a gross vehicle weight of ninety thousand (90,000) pounds, but not exceeding a gross vehicle weight of one hundred thousand (100,000) pounds, shall be One Thousand Five Hundred Dollars (\$1,500.00). The fine for exceeding a gross vehicle weight of one hundred thousand (100,000) pounds shall be Two Thousand Five Hundred Dollars (\$2,500.00) for a first offense and Three Thousand Five Hundred Dollars (\$3,500.00) for a second offense. Any subsequent offense of exceeding a gross vehicle weight of one hundred thousand (100,000) pounds may subject the permit holder to suspension of the harvest permit for up to thirty (30) days.

Notwithstanding any other provision of this subsection (c) to the contrary, upon an appeal to the Appeals Board of the Mississippi Transportation Commission by an owner or operator of a vehicle hauling without a harvest permit any of the products or materials described in subsection (3) of Section 63-5-33 and upon whom a penalty has been assessed under this subsection (c) for exceeding the legal weight limit(s) on a highway having a legal weight limit of eighty thousand (80,000) pounds or less, the appeals board shall reduce the penalty assessed against such owner/operator to an amount not to exceed ten percent (10%) of the amount which would otherwise be due without the reduction authorized under this paragraph. A reduction shall not be authorized under this paragraph if the gross weight of the vehicle for which an owner/operator has been charged with a violation of this section exceeds * * * eighty-eight thousand (88,000) pounds; and, in any event, no reduction shall be authorized under this paragraph unless a penalty assessed under this section is appealed to the appeals board and unless the board determines, based upon its records, that such owner/operator has not been granted a penalty reduction under this paragraph within a period of twelve (12) months immediately preceding the date of filing an appeal with the board for a penalty reduction under this paragraph.

(d) If any nonresident owner or operator who has not registered his vehicle and paid the annual privilege taxes prescribed shall operate his vehicle upon the highways of this state when such vehicle has a greater gross weight than permitted by law for the highway traveled upon, and for which such excess gross weight a permit was not or could not be procured from the transportation department as required by Section 27-19-81, such person shall be liable upon his second and all subsequent offenses for the pro rata part of the annual tax for the balance of the tag year for the legal gross weight of the vehicle, and in addition thereto the penalty fee on the excess weight as specified in subsection (c) of this section. In order that such owner or operator shall become liable for the penalties herein provided, it shall not be necessary that the same or identical vehicle be involved, it

being the declared purpose hereof to provide that such penalties shall run against the owner or operator rather than against the specific vehicle.

(e) All fines and penalties imposed and collected by the Mississippi Department of Transportation for violations of the maximum legal vehicle weight limits authorized on the highways of this state shall be deposited into a special fund that is created in the State Treasury. Monies in the fund shall be allocated and distributed quarterly, beginning September 30, 1994, to each county of the state based on the amount of such fines and penalties imposed and collected in the county during the immediately preceding three (3) months. Monies distributed to the counties under this subsection shall be deposited in each county's road and bridge fund and may be expended, upon approval of the board of supervisors, for any purpose for which county road and bridge fund monies lawfully may be expended.

SECTION 21. Section 65-1-179, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2024, this section shall read as follows:]

65-1-179. (1) There is created in the State Treasury a special fund to be known as the "Emergency Road and Bridge Repair Fund," into which shall be deposited money appropriated by the Legislature or otherwise made available in any manner, and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of money deposited into the fund shall be under the direction of the Mississippi Department of Transportation, and such funds shall be paid by the Mississippi Department of Transportation upon warrants issued by the Department of Finance and Administration.

(2) Money in the fund shall be utilized by the Mississippi Department of Transportation, with the advice of the Emergency Road and Bridge Repair Fund Advisory Board, to provide funding, in equal portions, for * * *: (a) the repair, reconstruction and maintenance of the roads, streets and highways * * * of this state and its counties and municipalities, and * * * (b) the rehabilitation and replacement of bridges on the public roads, streets and highways * * * of this state and its counties and municipalities, as determined by a unanimous vote of the Mississippi Transportation Commission. However, before the expenditure of money in the fund, the department shall promulgate rules and regulations as authorized in subsection (3) of this section.

(3) (a) There is created the Emergency Road and Bridge Repair Fund Advisory Board which shall consist of the following members:

- (i) The President and Chief Executive Officer of the Mississippi Economic Council;
- (ii) The President and Chief Executive Officer of the Mississippi Manufacturers Association;
- (iii) The President of the Mississippi Farm Bureau Federation;
- (iv) The President of the Mississippi Poultry Association;
- (v) The President of the Mississippi Trucking Association;
- (vi) The Executive Director of the Mississippi Association of Supervisors;
- (vii) The Executive Director of the Mississippi Municipal League;

(viii) The Executive Vice President of the Mississippi Cattlemen's Association;

(ix) The Executive Director of the Mississippi Loggers Association;
and

(x) The Executive Director of the American Council of Engineering Companies-Mississippi.

(b) The Governor shall appoint the chairman of the board and the board shall elect such other officers as it considers necessary from among its members.

(c) A majority of the members of the board shall constitute a quorum for the conduct of meetings and all actions of the board shall be by a majority vote. No compensation, per diem or mileage expense shall be provided to board members.

(d) The Governor's office shall provide any necessary administrative support to the board.

(e) The board shall meet at least quarterly to conduct business.

(f) The board shall provide nonbinding advice to the Department of Transportation regarding the expenditure of money in the Emergency Road and Bridge Repair Fund.

(4) The Mississippi Department of Transportation shall have all powers necessary to implement and administer the program established under this section to maximize all potential sources of funding including state and federal, for projects covered by the program. Any available sources of funding may be combined to fund any project covered by the program. This includes state aid road funds and/or Local System Bridge Replacement and Rehabilitation Program funds, which may be used in conjunction with Emergency Road and Bridge Repair Fund monies within the discretion of the State Aid Engineer. Under no circumstances, however, shall Emergency Road and Bridge Repair Fund monies be used to reimburse any amount that has been expended on the project prior to the award of such monies to the recipient.

(5) When monies in the Emergency Road and Bridge Repair Fund are distributed for projects, such monies shall not be redeposited in the State Treasury, absent extraordinary circumstances where the recipient must return monies received under the program. This requirement is not intended to inhibit state agencies from receiving Emergency Road and Bridge Repair Fund monies for appropriate projects or to curtail any proper transfer of monies to accomplish such a project.

(6) The department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

[From and after July 1, 2024, this section shall read as follows:]

65-1-179. (1) There is created in the State Treasury a special fund to be known as the "Emergency Road and Bridge Repair Fund," into which shall be deposited money appropriated by the Legislature or otherwise made available in any manner, and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of money deposited into the fund shall be under the direction of the Mississippi Department of Transportation, and such funds shall be paid by the Mississippi Department of Transportation upon warrants issued by the Department of Finance and Administration.

(2) Money in the fund shall be utilized by the Mississippi Department of Transportation, with the advice of the Emergency Road and Bridge Repair Fund Advisory Board, to provide funding for emergency repairs to roads, streets and highways in this state and emergency bridge repairs on public roads, streets and highways in this state, as determined by a unanimous vote of the Mississippi Transportation Commission. However, before the expenditure of money in the fund, the department shall promulgate rules and regulations as authorized in subsection (3) of this section.

(3) (a) There is created the Emergency Road and Bridge Repair Fund Advisory Board which shall consist of the following members:

(i) The President and Chief Executive Officer of the Mississippi Economic Council;

(ii) The President and Chief Executive Officer of the Mississippi Manufacturers Association;

(iii) The President of the Mississippi Farm Bureau Federation;

(iv) The President of the Mississippi Poultry Association;

(v) The President of the Mississippi Trucking Association;

(vi) The Executive Director of the Mississippi Association of Supervisors;

(vii) The Executive Director of the Mississippi Municipal League;

(viii) The Executive Vice President of the Mississippi Cattlemen's Association;

(ix) The Executive Director of the Mississippi Loggers Association;
and

(x) The Executive Director of the American Council of Engineering Companies-Mississippi.

(b) The Governor shall appoint the chairman of the board and the board shall elect such other officers as it considers necessary from among its members.

(c) A majority of the members of the board shall constitute a quorum for the conduct of meetings and all actions of the board shall be by a majority vote. No compensation, per diem or mileage expense shall be provided to board members.

(d) The Governor's office shall provide any necessary administrative support to the board.

(e) The board shall meet at least quarterly to conduct business.

(f) The board shall provide nonbinding advice to the Department of Transportation regarding the expenditure of money in the Emergency Road and Bridge Repair Fund.

(4) The Mississippi Department of Transportation shall have all powers necessary to implement and administer the program established under this section to maximize all potential sources of funding including state and federal, for projects covered by the program. Any available sources of funding may be combined to fund any project covered by the program. This includes state aid road funds and/or Local System Bridge

Replacement and Rehabilitation Program funds, which may be used in conjunction with Emergency Road and Bridge Repair Fund monies within the discretion of the State Aid Engineer. Under no circumstances, however, shall Emergency Road and Bridge Repair Fund monies be used to reimburse any amount that has been expended on the project prior to the award of such monies to the recipient.

(5) When monies in the Emergency Road and Bridge Repair Fund are distributed for projects, such monies shall not be redeposited in the State Treasury, absent extraordinary circumstances where the recipient must return monies received under the program. This requirement is not intended to inhibit state agencies from receiving Emergency Road and Bridge Repair Fund monies for appropriate projects or to curtail any proper transfer of monies to accomplish such a project.

(6) The department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 22. Section 19-11-27, Mississippi Code of 1972, is amended as follows:

19-11-27. No board of supervisors of any county shall expend from, or contract an obligation against, the budget estimates for road and bridge construction, maintenance and equipment, made and published by it during the last year of the term of office of such board, between the first day of October and the first day of the following January, a sum exceeding one-fourth ($\frac{1}{4}$) of such item of the budget made and published by it, except in cases of emergency. The clerk of any county is prohibited from issuing any warrant contrary to the provisions of this section. No board of supervisors nor any member thereof shall buy any machinery or equipment in the last six (6) months of their or his term unless or until he has been elected at the general election of that year. The provisions of this section shall not apply to (i) until January 1, 2020, projects of any type that receive monies from the Local System Bridge Replacement and Rehabilitation Program, the Emergency Road and Bridge Repair Fund, the 2018 Transportation and Infrastructure Improvement Fund or the Gulf Coast Restoration Fund and (ii) to expenditures during calendar year 2019 on deficient bridges in the State Aid Road System or the Local System Road Program that have a sufficiency rating of less than fifty (50) or to a contract, lease or lease-purchase contract executed pursuant to the bidding requirements in Section 31-7-13 and approved by a unanimous vote of the board. Such unanimous vote shall include a statement indicating the board's proclamation that the award of the contract is essential to the efficiency and economy of the operation of the county government. On and after July 1, 2021, through June 30, 2024, the provisions of this section shall not apply to projects of any type that receive monies from the Emergency Road and Bridge Repair Fund.

SECTION 23. Section 63-5-33, Mississippi Code of 1972, is amended as follows:

63-5-33. (1) Subject to the limitations imposed on wheel and axle loads by Section 63-5-27, and to the further limitations hereinafter specified, the total combined weight (vehicles plus load) on any group of axles of a vehicle or a combination of vehicles shall not exceed the value given in the following table (Table III) corresponding to the distance in feet between the extreme axles of the group, measured longitudinally to the nearest foot, on those highways or parts of highways designated by the Mississippi Transportation Commission as being capable of carrying the maximum load limits and, in addition thereto, such other highways or parts of highways found by the commission to be suitable to carry the maximum load limits from an engineering standpoint, and so designated as such by order of the commission entered upon its minutes and published once each week for three (3) consecutive weeks in a daily newspaper published in this state and having a general circulation therein. The maximum total combined weight carried on any group of two (2) or more consecutive axles shall be determined by the formula contained in the Federal Weight Law enacted January 4, 1975, as follows: $W=500 (LN/N-1+12N+36)$ where W =maximum weight in pounds carried on any group of two (2) or more axles computed

to the nearest five hundred (500) pounds, L=distance in feet between the extremes of any group of two (2) or more consecutive axles, and N=number of axles in any group under consideration.

TABLE III

DISTANCE						
IN FEET						
BETWEEN THE						
EXTREMES OF						
ANY GROUP						
OF 2 OR MORE						
CONSECUTIVE	MAXIMUM LOAD IN POUNDS CARRIED ON ANY					
AXLES	GROUP OF 2 OR MORE CONSECUTIVE AXLES					
	2 axles	3 axles	4 axles	5 axles	6 axles	7 axles
4	34,000					
5	34,000					
6	34,000		Axle groups in			
7	34,000					
8 and						
less 34,000	34,000	these spacings				
More						
than						
8	38,000	42,000				
9	39,000	42,500				
10	40,000	43,500	impractical			
11		44,000				
12		45,000	50,000			
13		45,500	50,500			
14		46,500	51,500			
15		47,000	52,000			
16		48,000	52,500	58,000		
17		48,500	53,500	58,500		

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18	49,500	54,000	59,000		
19	50,000	54,500	60,000		
20	51,000	55,500	60,500	66,000	
21	51,500	56,000	61,000	66,500	
22	52,500	56,500	61,500	67,000	
23	53,000	57,500	62,500	68,000	
24	54,000	58,000	63,000	68,500	74,000
25	54,500	58,500	63,500	69,000	74,500
26	55,500	59,500	64,000	69,500	75,000
27	56,000	60,000	65,000	70,000	75,500
28	57,000	60,500	65,500	71,000	76,500
29	57,500	61,500	66,000	71,500	77,000
30	58,500	62,000	66,500	72,000	77,500
31	59,000	62,500	67,500	72,500	78,000
32	60,000	63,500	68,000	73,000	78,500
33		64,000	68,500	74,000	79,000
34		64,500	69,000	74,500	80,000
35		65,500	70,000	75,000	80,000
36		66,000	70,500	75,500	80,000
37		66,500	71,000	76,000	80,000
38		67,500	71,500	77,000	80,000
39		68,000	72,500	77,500	80,000
40		68,500	73,000	78,000	80,000
41		69,500	73,500	78,500	80,000
42		70,000	74,000	79,000	80,000
43		70,500	75,000	80,000	80,000
44		71,500	75,500	80,000	80,000
45		72,000	76,000	80,000	80,000
46		72,500	76,500	80,000	80,000

47	73,500	77,500	80,000	80,000
48	74,000	78,000	80,000	80,000
49	74,500	78,500	80,000	80,000
50	75,500	79,000	80,000	80,000
51	76,000	80,000	80,000	80,000
52	76,500	80,000	80,000	80,000
53	77,500	80,000	80,000	80,000
54	78,000	80,000	80,000	80,000
55	78,500	80,000	80,000	80,000
56	79,500	80,000	80,000	80,000
57	80,000	80,000	80,000	80,000

(2) Moreover, in addition to the per axle weight limitations specified by Section 63-5-27, two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing that the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more, except that, until September 1, 1989, the axle distance for tank trailers, dump trailers and ocean transport container haulers may be thirty (30) feet or more. Such overall gross weight may not exceed eighty thousand (80,000) pounds, except as provided by this section.

(3) Notwithstanding the provisions of Section 63-5-27 and/or Section 63-5-29 to the contrary, vehicles hauling products in the manner set forth in this subsection, whether or not such vehicles are operating with a harvest permit, shall be allowed a gross weight of not to exceed forty thousand (40,000) pounds on any tandem. Vehicles operating without a harvest permit shall be allowed a tolerance not to exceed five percent (5%) above their authorized gross vehicle weight, tandem or axle weight; except that the maximum gross vehicle weight of any such vehicle shall not exceed eighty thousand (80,000) pounds plus a tolerance thereon of not more than two percent (2%). Vehicles operating without a harvest permit loading at a point of origin having scales available for weighing the vehicle shall not be eligible for any tolerance over the gross weight limit of eighty thousand (80,000) pounds. Vehicles operating with a harvest permit shall be allowed a tolerance not to exceed ten percent (10%) above their authorized tandem or axle weight, but the maximum gross vehicle weight of any such vehicle shall not exceed * * * eighty-eight thousand (88,000) pounds. However, neither the increased weights in this subsection nor any tolerance shall be allowed on federal interstate highways or on other highways where a tolerance is specifically prohibited by the Transportation Commission, the county board of supervisors or the municipal governing authorities as provided for in Section 63-5-27. The tolerance allowed by this subsection shall only apply to the operation of vehicles from the point of loading to the point of unloading for processing, and to the operation of vehicles hauling sand, gravel, woodchips, wood shavings, sawdust, fill dirt, and agricultural products, and products for recycling or materials for the construction or repair of highways. The range of such operation shall not exceed a radius of one hundred (100) miles except where the products are being transported for processing within this state.

(4) Notwithstanding the provisions of Section 63-5-27 and/or Section 63-5-29 to the contrary, vehicles hauling prepackaged products, unloaded at a state port or to be loaded at a state port, which are containerized in such a manner as to make subdivision thereof impractical shall be allowed a gross weight of not to exceed forty thousand

(40,000) pounds on any tandem, and a tolerance not to exceed ten percent (10%) above their authorized gross weight, tandem or axle weight; except that the maximum weight of any vehicle shall not exceed eighty thousand (80,000) pounds plus a tolerance thereon of not more than two percent (2%); however, neither the increased weights in this subsection nor any tolerance shall be allowed on federal interstate highways or on other highways where a tolerance is specifically prohibited by the Transportation Commission, the county board of supervisors or the municipal governing authorities as provided for in Section 63-5-27.

(5) (a) Vehicles for which a harvest permit has been issued pursuant to Section 27-19-81(4) shall be allowed a gross vehicle weight not to exceed * * * eighty-eight thousand (88,000) pounds. However, the board of supervisors of any county and the governing authorities of any municipality may designate the roads, streets and highways under their respective jurisdiction on and along which vehicles for which a harvest permit has been issued may travel. This subsection shall not apply to the federal interstate system.

(b) Any owner or operator who has been issued a harvest permit and who wishes to operate a vehicle on the roads, streets or highways under the jurisdiction of a county or municipality at a gross vehicle weight greater than the weight allowed by law or greater than the maximum weight established for such roads, streets or highways by the board of supervisors or municipal governing authorities, shall notify, in writing, the board of supervisors or the governing authorities, as the case may be, before operating such vehicle on the roads, streets or highways of such county or municipality. In his notice, the permit holder shall identify the routes over which he intends to operate vehicles for which the permit has been issued and the dates or time period during which he will be operating such vehicles. The board of supervisors or the governing authorities, as the case may be, shall have two (2) working days to respond in writing to the permit holder to notify the permit holder of the routes on and along which the permit holder may operate vehicles for which a harvest permit has been issued. Failure of the board of supervisors or the governing authorities timely to notify the permit holder and to designate the routes on and along which the permit holder may operate shall be considered as authorizing the permit holder to operate on any of the roads, streets or highways of the county or municipality in accordance with the authority granted to the permit holder by the harvest permit.

(c) Any time a timber deed is filed with the chancery clerk, the grantee, at that time, may make a written request of the board of supervisors of the county or the governing authorities of the municipality, as the case may be, for the purpose of providing to the grantee, within three (3) working days of the filing of the request, a designated and approved route over the roads, streets or highways under the jurisdiction of the county or city, as the case may be, that the grantee may travel for the purpose of transporting harvested timber. Upon providing such route designation, the county or city, as the case may be, shall also provide to the grantee a map designating the approved route. An approved route designation provided to a grantee under the provisions of this paragraph shall be valid for a period of six (6) months from its date of issue. The permit authorized to be issued under paragraph (b) of this subsection shall not be required for any person who obtains a permit issued under this paragraph.

(d) This subsection (5) shall stand repealed from and after July 1, 2022.

(6) Nothing in this section or subsections (1) through (4) of Section 63-5-27 shall be construed to deny the operation of any vehicle or combination of vehicles that could be lawfully operated upon the interstate highway system of this state on January 4, 1975.

(7) (a) Notwithstanding any provisions of Section 63-5-27 to the contrary, a vehicle that is operated by an engine fueled primarily by compressed or liquefied natural gas may exceed the gross vehicle weight limits by an amount, not to exceed a maximum of two thousand (2,000) pounds, that is equal to the difference between the weight of the vehicle

attributable to the natural gas tank and fueling system carried by the vehicle and the weight of a comparable diesel tank and fueling system.

(b) The weight exception provided in this subsection shall apply to all interstate highways per the exemption expressly permitted by 23 USC Section 127.

SECTION 24. Section 65-1-46, Mississippi Code of 1972, is amended as follows:

65-1-46. (1) There is created an Appeals Board of the Mississippi Transportation Commission. If any person feels aggrieved by a penalty for excess weight assessed against him by an agent or employee of the Mississippi Department of Transportation pursuant to Section 27-19-89, he may apply to the appeals board.

(2) The members serving on the appeals board on April 7, 1995, shall continue to serve until July 1, 1995. On July 1, 1995, the appeals board shall be reconstituted to be composed of five (5) qualified people. The initial appointments to the reconstituted board shall be made no later than June 30, 1995, for terms to begin July 1, 1995, as follows: One (1) member shall be appointed by the Governor for a term ending on June 30, 1996, one (1) member shall be appointed by the Lieutenant Governor for a term ending on June 30, 1997, one (1) member shall be appointed by the Attorney General for a term ending on June 30, 1998, one (1) member shall be appointed by the Chairman of the State Tax Commission for a term ending on June 30, 1999, and one (1) member shall be appointed by the Executive Director of the Mississippi Department of Transportation for a term ending on June 30, 2000. After the expiration of the initial terms of the members of the reconstituted board, all subsequent appointments shall be made for terms of four (4) years from the expiration date of the previous term. Any member serving on the appeals board before July 1, 1995, may be reappointed to the reconstituted appeals board. Appointments to the board shall be with the advice and consent of the Senate; however, the advice and consent of the Senate shall not be required for the appointment of a person to the reconstituted appeals board for a term beginning on July 1, 1995, if such person was serving as a member of the appeals board on June 30, 1995, and such person received the advice and consent of the Senate for that appointment.

(3) There shall be a chairman and vice chairman of the board who shall be elected by and from the membership of the board. Any member who fails to attend three (3) consecutive regular meetings of the board shall be subject to removal by a majority vote of the board. A majority of the members of the board shall constitute a quorum. The chairman, or a majority of the members of the board, may call meetings as may be required for the proper discharge of the board's duties. Members of the board, except a member who is an officer or employee of the Mississippi Department of Transportation, shall receive per diem in the amount authorized by Section 25-3-69, for each day spent in the actual discharge of their duties and shall be reimbursed for mileage and actual expenses incurred in the performance of their duties in accordance with the provisions of Section 25-3-41.

Application shall be made by petition in writing, within thirty (30) days after assessment of the penalty, for a hearing and a review of the amount of the assessment. At the hearing the appeals board shall try the issues presented according to the law and the facts and within guidelines set by the Transportation Commission. Upon due consideration of all the facts relating to the assessment of the penalty, the appeals board, except as otherwise provided under this section or under Section 27-19-89, may require payment of the full amount of the assessment, may reduce the amount of the assessment or may dismiss imposition of the penalty entirely. The appeals board shall dismiss in its entirety the imposition of any penalty imposed against the holder of a harvest permit if the permittee proves to the appeals board, by clear and convincing evidence, that the average load transported by the permittee during the permittee's last five (5) haul days immediately preceding the day upon which the penalty appealed from was assessed did not exceed eighty thousand (80,000) pounds. The appeals board shall reduce the penalty assessed against the holder of a harvest permit to a maximum of Two Cents (2¢) per pound of

overweight if the permittee proves to the appeals board, by clear and convincing evidence, that the average load transported by the permittee during the permittee's last five (5) haul days immediately preceding the day upon which the penalty appealed from was assessed exceeded seventy-nine thousand nine hundred ninety-nine (79,999) pounds but did not exceed * * * eighty-eight thousand (88,000) pounds. The board shall make such orders in the matter as appear to it just and lawful and shall furnish copies thereof to the petitioner. If the appeals board orders the payment of the penalty, the petitioner shall pay the penalty, damages and interest, if any, within ten (10) days after the order is issued unless there is an application for appeal from the decision of the board as provided in the succeeding paragraph. Interest shall accrue on the penalty at the rate of one percent (1%) per month, or part of a month, beginning immediately after the expiration of the ten-day period.

If any person feels aggrieved by the decision of the appeals board, he may appeal the decision to the Chancery Court of the First Judicial District of Hinds County.

SECTION 25. Section 2 of this act shall be codified in Title 77, Chapter 7, Mississippi Code of 1972.

SECTION 26. Not later than June 30, 2021, the Commissioner of Public Safety shall establish an alternative state identification card that shall operate in every respect like the state identification cards issued under Section 45-35-7, except that this card shall not require proof of domicile for the purpose of making a state identification card available for persons who do not have a domicile to list.

SECTION 27. Sections 1 through 23, and Section 27, of this act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 29, 2021. Sections 24 and 25 of this act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 29, 2023. Section 26 of this act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI TRANSPORTATION INFRASTRUCTURE INVESTMENT ACT OF 2021; TO TRANSFER, ON JULY 1, 2021, LAW ENFORCEMENT PERSONNEL AND LAW ENFORCEMENT DUTIES OF THE MISSISSIPPI TRANSPORTATION COMMISSION AND MISSISSIPPI DEPARTMENT OF TRANSPORTATION RELATED TO THE MOTOR CARRIER REGULATORY LAW OF 1938 TO THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO CREATE THE DPS MOTOR CARRIER ENFORCEMENT FUND AS A SPECIAL FUND IN THE STATE TREASURY TO DEFRAY EXPENSES FOR OFFICERS' SALARIES AND OTHER COSTS TO IMPLEMENT AND ENFORCE THIS ACT; TO AMEND SECTIONS 77-7-7, 77-7-11, 77-7-13, 77-7-15, 77-7-16, 77-7-17, 77-7-21, 77-7-127, 77-7-311, 77-7-331, 77-7-333, 77-7-335, 77-7-337, 77-7-339, 77-7-341 AND 45-3-21, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 27-19-89, MISSISSIPPI CODE OF 1972, TO ADJUST THE PENALTIES FOR HARVEST PERMIT HOLDERS FOR WEIGHT LIMIT VIOLATIONS; TO PROVIDE THAT THE FINE FOR EXCEEDING A GROSS VEHICLE WEIGHT OF 95,000 POUNDS, BUT NOT EXCEEDING A GROSS VEHICLE WEIGHT OF 100,000 POUNDS, SHALL BE \$1,500.00; TO PROVIDE THAT THE FINE FOR EXCEEDING A GROSS VEHICLE WEIGHT OF 100,000 POUNDS SHALL BE \$2,500.00 FOR A FIRST OFFENSE AND \$3,500.00 FOR A SECOND OFFENSE; TO PROVIDE THAT ANY SUBSEQUENT OFFENSE OF EXCEEDING A GROSS VEHICLE WEIGHT OF 100,000 POUNDS MAY SUBJECT THE PERMIT HOLDER TO SUSPENSION OF THE HARVEST PERMIT FOR UP TO 30 DAYS; TO CONFORM TO AN INCREASE IN THE WEIGHT LIMIT FOR HARVEST PERMITS, BEGINNING JULY 1, 2023, FROM 84,000 POUNDS TO 88,000 POUNDS; TO AMEND SECTION 65-1-179, MISSISSIPPI

CODE OF 1972, TO SPECIFY THAT MONIES IN THE EMERGENCY ROAD AND BRIDGE REPAIR FUND SHALL BE USED TO PROVIDE FUNDING, IN EQUAL PORTIONS, FOR THE REPAIR, RECONSTRUCTION AND MAINTENANCE OF STATE, COUNTY AND MUNICIPAL ROADS, STREETS AND HIGHWAYS, AND FOR THE REHABILITATION AND REPLACEMENT OF STATE, COUNTY AND MUNICIPAL BRIDGES; TO PROVIDE A THREE-YEAR REVERTER FOR THE AMENDMENTS TO THIS SECTION; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO EXEMPT, FROM JULY 1, 2021, THROUGH JUNE 30, 2024, PROJECTS RECEIVING MONIES FROM THE EMERGENCY ROAD AND BRIDGE REPAIR FUND FROM LIMITATIONS ON CERTAIN EXPENDITURES FOR THE LAST YEAR OF THE TERM OF A COUNTY BOARD OF SUPERVISORS; TO AMEND SECTIONS 63-5-33 AND 65-1-46, MISSISSIPPI CODE OF 1972, TO INCREASE THE WEIGHT LIMIT FOR HARVEST PERMITS, BEGINNING JULY 1, 2023, FROM 84,000 POUNDS TO 88,000 POUNDS; TO CREATE A NEW SECTION OF LAW TO REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO ESTABLISH AN ALTERNATIVE STATE IDENTIFICATION CARD THAT DOES NOT REQUIRE PROOF OF DOMICILE, FOR THE PURPOSE OF MAKING A STATE IDENTIFICATION CARD AVAILABLE FOR PERSONS WHO DO NOT HAVE A DOMICILE TO LIST; AND FOR RELATED PURPOSES.

Senator Caughman called up the following entitled nomination:

S. N. No. 37: Vicki Lynn Bryant Blackwell, Southaven, Mississippi, Mississippi Real Estate Commission as the real estate broker, term effective February 16, 2021 and ending June 30, 2021, representing the First Congressional District, vice Alvin (Al) Gilles.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 37 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Blackwell. Total--1.

Senator Caughman called up the following entitled nomination:

S. N. No. 38: Vicki Lynn Bryant Blackwell, Southaven, Mississippi, Mississippi Real Estate Commission as the real estate broker, four year term beginning July 1, 2021 and ending June 30, 2025, representing the First Congressional District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 38 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour,

Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.
Nays--None.
Absent and those not voting--Fillingane. Total--1.
Voting Present--Blackwell. Total--1.

Senator Caughman called up the following entitled nomination:

S. N. No. 46: Tracy Koby Wofford, MAI, AI-GRS, Ridgeland, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the state at large, four year term beginning January 1, 2022 and ending December 31, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 46 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.
Nays--None.
Absent and those not voting--Fillingane. Total--1.

Senator Branning called up the following entitled bill:

H. B. No. 628: Highway privilege tax; add a gross vehicle weight category for carriers of property with additional tax.

YEAS AND NAYS On H. B. No. 628. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--Blackmon. Total--1.
Absent and those not voting--Fillingane. Total--1.
Voting Present--Turner-Ford. Total--1.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Paxton Wade Jordan of Blue Springs, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Timothy Lee Gullick and Deborah Gail Vance of Myrtle, MS.

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Jessie Vaughn of Heidelberg, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Earl Pyle, Jr. of Natchez, MS.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2373: AN ACT TO PROVIDE LIABILITY PROTECTIONS FOR REFINERS, SUPPLIERS, WHOLESALERS AND RETAILERS FROM DAMAGES CAUSED BY THE USE OF INCOMPATIBLE MOTOR FUEL DISPENSED AT A RETAIL SITE IF CERTAIN CONDITIONS ARE MET; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 294: AN ACT TO AMEND SECTION 41-29-137.1, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE SECTION THAT AUTHORIZES MEDICAL DIRECTORS OF HOSPICES TO PRESCRIBE CONTROLLED SUBSTANCES FOR PATIENTS OF THE HOSPICE FOR TERMINAL DISEASE PAIN WITHOUT HAVING AN IN-PERSON FACE-TO-FACE VISIT WITH A PATIENT BEFORE ISSUING A PRESCRIPTION; TO AMEND SECTION 41-29-137, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; TO AMEND SECTION 41-85-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO ISSUE UP TO TWO NEW PEDIATRIC PALLIATIVE CARE HOSPICE LICENSES DURING A CERTAIN PERIOD OF TIME; TO REQUIRE THAT AT LEAST ONE OF THE NEW HOSPICE LICENSES BE ISSUED TO AN APPLICANT THAT IS LOCATED WITHIN THE SECOND UNITED STATES CONGRESSIONAL DISTRICT; TO EXTEND THE DATE OF THE REPEALER ON THE MORATORIUM ON THE ISSUANCE OF NEW HOSPICE LICENSES; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 17, 2021.

The motion prevailed, and at 2:11 PM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. C. R. No. 535: Suspend rules; further consideration of Senate Bill No. 2799, Medicaid Technical Amendments.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 633: Computer science curriculum; require State Department of Education to implement in K-12 public schools.

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2024: Depositories; revise bid process for selection by counties and municipalities.
Senators Hill, Whaley, Seymour.

S. B. No. 2035: Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.
Senators Whaley, Suber, Blackwell.

S. B. No. 2261: Perpetual cemetery law; revise notice and maintenance provisions for counties and municipalities.
Senators Simmons (12th), Hill, Barrett.

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state.
Senators DeBar, Hill, Norwood.

S. B. No. 2434: Capitol police; transfer to Department of Public Safety.
Senators Wiggins, England, Branning.

S. B. No. 2602: Nonadmitted insurer policy fee; divert certain amount to fund fire trucks and fire apparatus/protection grants.
Senators Michel, Hopson, McLendon.

S. B. No. 2621: Task Force; establish to study domestic law matters.
Senators Wiggins, Parker, Boyd.

S. B. No. 2623: Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act.
Senators Michel, Kirby, Harkins.

S. B. No. 2624: MS Real Estate Commission; require to establish pilot program using administrative hearing officers.

Senators Caughman, Sparks, McMahan.

S. B. No. 2631: Health insurance; revise mandated coverage for telemedicine services.

Senators Michel, Boyd, Kirby.

S. B. No. 2638: Electronic documents; provide recording procedure for counties without electronic-recording capability.

Senators Wiggins, McCaughn, Turner-Ford.

S. B. No. 2664: Early Learning Collaborative Act of 2013; prescribe standards and benchmarks.

Senators DeBar, Wiggins, Johnson.

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact.

Senators Barnett, Sparks, Wiggins.

S. B. No. 2798: Broadband services; provide for the participation of rate-regulated electric utilities in the expansion of.

Senators Carter, Parks, Polk.

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create.

Senators Branning, Thompson, Hopson.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Paxton Wade Jordan, Earl Pyle, Jr., Timothy Lee Gullick, Deborah Gail Vance and Jessie Vaughn.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, MARCH 16, 2021

S. B. No. 3090: Local and Private

AN ACT TO AMEND CHAPTER 816, LOCAL AND PRIVATE LAWS OF 1991, AS LAST AMENDED BY CHAPTER 932, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW THAT ESTABLISHES THE WASHINGTON COUNTY CONVENTION AND VISITORS COMMITTEE AND AUTHORIZES A TAX ON HOTELS, MOTELS AND RESTAURANTS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

SEVENTY-SECOND DAY, WEDNESDAY, MARCH 17, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

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Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.
Absent--Branning, Fillingane. Total--2.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Fillingane.

The invocation was delivered by Senator Barnett.

Senator Boyd led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 633: AN ACT TO CREATE THE MISSISSIPPI COMPUTER SCIENCE AND CYBER EDUCATION EQUALITY ACT; TO AUTHORIZE AND DIRECT THE STATE DEPARTMENT OF EDUCATION TO IMPLEMENT A MANDATORY K-12 COMPUTER SCIENCE CURRICULUM BASED ON THE MISSISSIPPI COLLEGE AND CAREER-READINESS STANDARDS FOR COMPUTER SCIENCE, WHICH INCLUDES INSTRUCTION IN, BUT NOT LIMITED TO, COMPUTATIONAL THINKING, CYBER-RELATED, PROGRAMMING, CYBER SECURITY, DATA SCIENCE, ROBOTICS AND OTHER COMPUTER SCIENCE AND CYBER-RELATED CONTENT; TO PRESCRIBE MINIMUM COMPONENTS OF THE CURRICULUM AT EACH GRADE LEVEL; AND TO PROVIDE FOR TEACHER TRAINING AS NEEDED AT ALL GRADE LEVELS; TO AMEND SECTION 37-13-171, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE STATUTE REQUIRING EVERY SCHOOL DISTRICT TO ADOPT A POLICY TO IMPLEMENT ABSTINENCE-ONLY OR ABSTINENCE-PLUS EDUCATION INTO ITS CURRICULUM; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

Senator Harkins entered a motion to reconsider the vote whereby **H. B. No. 1420** passed the Senate as amended.

Senator Harkins called up the motion to reconsider the vote whereby **H. B. No. 1420** passed the Senate as amended and moved that it be reconsidered:

H. B. No. 1420: Ad valorem tax; exempt property of certain not-for-profit corporations used to provide swimming lessons and training.

The foregoing motion prevailed.

Senator Harkins moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 1420** was adopted by the Senate.

The foregoing motion prevailed.

Senator Harkins offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 292 and 293 by striking the following language:

, and shall stand repealed on December 31, 2020

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1420 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1420 was adopted.

YEAS AND NAYS On H. B. No. 1420. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Branning, Fillingane. Total--2.

Senator Bryan called up the following House Amendment to **S. B. No. 2759** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-17-5, Mississippi Code of 1972, is amended as follows:

43-17-5. (1) The amount of Temporary Assistance for Needy Families (TANF) benefits which may be granted for any dependent child and a needy caretaker relative shall be determined by the county department with due regard to the resources and

necessary expenditures of the family and the conditions existing in each case, and in accordance with the rules and regulations made by the Department of Human Services which shall not be less than the Standard of Need in effect for 1988, and shall be sufficient when added to all other income (except that any income specified in the federal Social Security Act, as amended, may be disregarded) and support available to the child to provide such child with a reasonable subsistence compatible with decency and health. The first family member in the dependent child's budget may receive an amount not to exceed * * * Two Hundred Dollars (\$200.00) per month; the second family member in the dependent child's budget may receive an amount not to exceed Thirty-six Dollars (\$36.00) per month; and each additional family member in the dependent child's budget an amount not to exceed Twenty-four Dollars (\$24.00) per month. The maximum for any individual family member in the dependent child's budget may be exceeded for foster or medical care or in cases of children with an intellectual disability or a physical disability. TANF benefits granted shall be specifically limited only (a) to children existing or conceived at the time the caretaker relative initially applies and qualifies for such assistance, unless this limitation is specifically waived by the department, or (b) to a child born following a twelve-consecutive-month period of discontinued benefits by the caretaker relative.

(2) TANF benefits in Mississippi shall be provided to the recipient family by an online electronic benefits transfer system.

(3) The Department of Human Services shall deny TANF benefits to the following categories of individuals, except for individuals and families specifically exempt or excluded for good cause as allowed by federal statute or regulation:

(a) Families without a minor child residing with the custodial parent or other adult caretaker relative of the child;

(b) Families which include an adult who has received TANF assistance for sixty (60) months after the commencement of the Mississippi TANF program, whether or not such period of time is consecutive;

(c) Families not assigning to the state any rights a family member may have, on behalf of the family member or of any other person for whom the family member has applied for or is receiving such assistance, to support from any other person, as required by law;

(d) Families who fail to cooperate in establishing paternity or obtaining child support, as required by law;

(e) Any individual who has not attained eighteen (18) years of age, is not married to the head of household, has a minor child at least twelve (12) weeks of age in his or her care, and has not successfully completed a high school education or its equivalent, if such individual does not participate in educational activities directed toward the attainment of a high school diploma or its equivalent, or an alternative educational or training program approved by the department;

(f) Any individual who has not attained eighteen (18) years of age, is not married, has a minor child in his or her care, and does not reside in a place or residence maintained by a parent, legal guardian or other adult relative or the individual as such parent's, guardian's or adult relative's own home;

(g) Any minor child who has been, or is expected by a parent or other caretaker relative of the child to be, absent from the home for a period of more than thirty (30) days;

(h) Any individual who is a parent or other caretaker relative of a minor child who fails to notify the department of the absence of the minor child from the home for the thirty-day period specified in paragraph (g), by the end of the five-day period that begins

with the date that it becomes clear to the individual that the minor child will be absent for the thirty-day period;

(i) Any individual who fails to comply with the provisions of the Employability Development Plan signed by the individual which prescribe those activities designed to help the individual become and remain employed, or to participate satisfactorily in the assigned work activity, as authorized under subsection (6)(c) and (d), or who does not engage in applicant job search activities within the thirty-day period for TANF application approval after receiving the advice and consultation of eligibility workers and/or caseworkers of the department providing a detailed description of available job search venues in the individual's county of residence or the surrounding counties;

(j) A parent or caretaker relative who has not engaged in an allowable work activity once the department determines the parent or caretaker relative is ready to engage in work, or once the parent or caretaker relative has received TANF assistance under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier;

(k) Any individual who is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the jurisdiction from which the individual flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or who is violating a condition of probation or parole imposed under federal or state law;

(l) Aliens who are not qualified under federal law;

(m) For a period of ten (10) years following conviction, individuals convicted in federal or state court of having made a fraudulent statement or representation with respect to the individual's place of residence in order to receive TANF, food stamps or Supplemental Security Income (SSI) assistance under Title XVI or Title XIX simultaneously from two (2) or more states;

(n) Individuals who are recipients of federal Supplemental Security Income (SSI) assistance; and

(o) Individuals who are eighteen (18) years of age or older who are not in compliance with the drug testing and substance use disorder treatment requirements of Section 43-17-6.

(4) (a) Any person who is otherwise eligible for TANF benefits, including custodial and noncustodial parents, shall be required to attend school and meet the monthly attendance requirement as provided in this subsection if all of the following apply:

(i) The person is under age twenty (20);

(ii) The person has not graduated from a public or private high school or obtained a High School Equivalency Diploma equivalent;

(iii) The person is physically able to attend school and is not excused from attending school; and

(iv) If the person is a parent or caretaker relative with whom a dependent child is living, child care is available for the child.

The monthly attendance requirement under this subsection shall be attendance at the school in which the person is enrolled for each day during a month that the school conducts classes in which the person is enrolled, with not more than two (2) absences during the month for reasons other than the reasons listed in paragraph (e)(iv) of this

subsection. Persons who fail to meet participation requirements in this subsection shall be subject to sanctions as provided in paragraph (f) of this subsection.

(b) As used in this subsection, "school" means any one (1) of the following:

(i) A school as defined in Section 37-13-91(2);

(ii) A vocational, technical and adult education program; or

(iii) A course of study meeting the standards established by the State Department of Education for the granting of a declaration of equivalency of high school graduation.

(c) If any compulsory-school-age child, as defined in Section 37-13-91(2), to which TANF eligibility requirements apply is not in compliance with the compulsory school attendance requirements of Section 37-13-91(6), the superintendent of schools of the school district in which the child is enrolled or eligible to attend shall notify the county department of human services of the child's noncompliance. The Department of Human Services shall review school attendance information as provided under this paragraph at all initial eligibility determinations and upon subsequent report of unsatisfactory attendance.

(d) The signature of a person on an application for TANF benefits constitutes permission for the release of school attendance records for that person or for any child residing with that person. The department shall request information from the child's school district about the child's attendance in the school district's most recently completed semester of attendance. If information about the child's previous school attendance is not available or cannot be verified, the department shall require the child to meet the monthly attendance requirement for one (1) semester or until the information is obtained. The department shall use the attendance information provided by a school district to verify attendance for a child. The department shall review with the parent or caretaker relative a child's claim that he or she has a good cause for not attending school.

A school district shall provide information to the department about the attendance of a child who is enrolled in a public school in the district within five (5) working days of the receipt of a written request for that information from the department. The school district shall define how many hours of attendance count as a full day and shall provide that information, upon request, to the department. In reporting attendance, the school district may add partial days' absence together to constitute a full day's absence.

If a school district fails to provide to the department the information about the school attendance of any child within fifteen (15) working days after a written request, the department shall notify the Department of Audit within three (3) working days of the school district's failure to comply with that requirement. The Department of Audit shall begin audit proceedings within five (5) working days of notification by the Department of Human Services to determine the school district's compliance with the requirements of this subsection (4). If the Department of Audit finds that the school district is not in compliance with the requirements of this subsection, the school district shall be penalized as follows: The Department of Audit shall notify the State Department of Education of the school district's noncompliance, and the Department of Education shall reduce the calculation of the school district's average daily attendance (ADA) that is used to determine the allocation of Mississippi Adequate Education Program funds by the number of children for which the district has failed to provide to the Department of Human Services the required information about the school attendance of those children. The reduction in the calculation of the school district's ADA under this paragraph shall be effective for a period of one (1) year.

(e) A child who is required to attend school to meet the requirements under this subsection shall comply except when there is good cause, which shall be demonstrated by any of the following circumstances:

(i) The minor parent is the caretaker of a child less than twelve (12) weeks old; or

(ii) The department determines that child care services are necessary for the minor parent to attend school and there is no child care available; or

(iii) The child is prohibited by the school district from attending school and an expulsion is pending. This exemption no longer applies once the teenager has been expelled; however, a teenager who has been expelled and is making satisfactory progress towards obtaining a High School Equivalency Diploma equivalent shall be eligible for TANF benefits; or

(iv) The child failed to attend school for one or more of the following reasons:

1. Illness, injury or incapacity of the child or the minor parent's child;

2. Court-required appearances or temporary incarceration;

3. Medical or dental appointments for the child or minor parent's child;

4. Death of a close relative;

5. Observance of a religious holiday;

6. Family emergency;

7. Breakdown in transportation;

8. Suspension; or

9. Any other circumstance beyond the control of the child, as defined in regulations of the department.

(f) Upon determination that a child has failed without good cause to attend school as required, the department shall provide written notice to the parent or caretaker relative (whoever is the primary recipient of the TANF benefits) that specifies:

(i) That the family will be sanctioned in the next possible payment month because the child who is required to attend school has failed to meet the attendance requirement of this subsection;

(ii) The beginning date of the sanction, and the child to whom the sanction applies;

(iii) The right of the child's parents or caretaker relative (whoever is the primary recipient of the TANF benefits) to request a fair hearing under this subsection.

The child's parent or caretaker relative (whoever is the primary recipient of the TANF benefits) may request a fair hearing on the department's determination that the child has not been attending school. If the child's parents or caretaker relative does not request a fair hearing under this subsection, or if, after a fair hearing has been held, the hearing officer finds that the child without good cause has failed to meet the monthly

attendance requirement, the department shall discontinue or deny TANF benefits to the child thirteen (13) years old, or older, in the next possible payment month. The department shall discontinue or deny twenty-five percent (25%) of the family grant when a child six (6) through twelve (12) years of age without good cause has failed to meet the monthly attendance requirement. Both the child and family sanction may apply when children in both age groups fail to meet the attendance requirement without good cause. A sanction applied under this subsection shall be effective for one (1) month for each month that the child failed to meet the monthly attendance requirement. In the case of a dropout, the sanction shall remain in force until the parent or caretaker relative provides written proof from the school district that the child has reenrolled and met the monthly attendance requirement for one (1) calendar month. Any month in which school is in session for at least ten (10) days during the month may be used to meet the attendance requirement under this subsection. This includes attendance at summer school. The sanction shall be removed the next possible payment month.

(5) All parents or caretaker relatives shall have their dependent children receive vaccinations and booster vaccinations against those diseases specified by the State Health Officer under Section 41-23-37 in accordance with the vaccination and booster vaccination schedule prescribed by the State Health Officer for children of that age, in order for the parents or caretaker relatives to be eligible or remain eligible to receive TANF benefits. Proof of having received such vaccinations and booster vaccinations shall be given by presenting the certificates of vaccination issued by any health care provider licensed to administer vaccinations, and submitted on forms specified by the State Board of Health. If the parents without good cause do not have their dependent children receive the vaccinations and booster vaccinations as required by this subsection and they fail to comply after thirty (30) days' notice, the department shall sanction the family's TANF benefits by twenty-five percent (25%) for the next payment month and each subsequent payment month until the requirements of this subsection are met.

(6) (a) If the parent or caretaker relative applying for TANF assistance is work eligible, as determined by the Department of Human Services, the person shall be required to engage in an allowable work activity once the department determines the parent or caretaker relative is determined work eligible, or once the parent or caretaker relative has received TANF assistance under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier. No TANF benefits shall be given to any person to whom this section applies who fails without good cause to comply with the Employability Development Plan prepared by the department for the person, or who has refused to accept a referral or offer of employment, training or education in which he or she is able to engage, subject to the penalties prescribed in paragraph (e) of this subsection. A person shall be deemed to have refused to accept a referral or offer of employment, training or education if he or she:

(i) Willfully fails to report for an interview with respect to employment when requested to do so by the department; or

(ii) Willfully fails to report to the department the result of a referral to employment; or

(iii) Willfully fails to report for allowable work activities as prescribed in paragraphs (c) and (d) of this subsection.

(b) The Department of Human Services shall operate a statewide work program for TANF recipients to provide work activities and supportive services to enable families to become self-sufficient and improve their competitive position in the workforce in accordance with the requirements of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), as amended, and the regulations promulgated thereunder, and the Deficit Reduction Act of 2005 (Public Law 109-171), as amended. Within sixty (60) days after the initial application for TANF benefits, the TANF recipient must participate in a job search skills training workshop or a

job readiness program, which shall include resume writing, job search skills, employability skills and, if available at no charge, the General Aptitude Test Battery or its equivalent. All adults who are not specifically exempt shall be referred by the department for allowable work activities. An adult may be exempt from the mandatory work activity requirement for the following reasons:

(i) Incapacity;

(ii) Temporary illness or injury, verified by physician's certificate;

(iii) Is in the third trimester of pregnancy, and there are complications verified by the certificate of a physician, nurse practitioner, physician assistant, or any other licensed health care professional practicing under a protocol with a licensed physician;

(iv) Caretaker of a child under twelve (12) months, for not more than twelve (12) months of the sixty-month maximum benefit period;

(v) Caretaker of an ill or incapacitated person, as verified by physician's certificate;

(vi) Age, if over sixty (60) or under eighteen (18) years of age;

(vii) Receiving treatment for substance abuse, if the person is in compliance with the substance abuse treatment plan;

(viii) In a two-parent family, the caretaker of a severely disabled child, as verified by a physician's certificate; or

(ix) History of having been a victim of domestic violence, which has been reported as required by state law and is substantiated by police reports or court records, and being at risk of further domestic violence, shall be exempt for a period as deemed necessary by the department but not to exceed a total of twelve (12) months, which need not be consecutive, in the sixty-month maximum benefit period. For the purposes of this subparagraph (ix), "domestic violence" means that an individual has been subjected to:

1. Physical acts that resulted in, or threatened to result in, physical injury to the individual;

2. Sexual abuse;

3. Sexual activity involving a dependent child;

4. Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;

5. Threats of, or attempts at, physical or sexual abuse;

6. Mental abuse; or

7. Neglect or deprivation of medical care.

(c) For all families, all adults who are not specifically exempt shall be required to participate in work activities for at least the minimum average number of hours per week specified by federal law or regulation, not fewer than twenty (20) hours per week (thirty-five (35) hours per week for two-parent families) of which are attributable to the following allowable work activities:

- (i) Unsubsidized employment;
 - (ii) Subsidized private employment;
 - (iii) Subsidized public employment;
 - (iv) Work experience (including work associated with the refurbishing of publicly assisted housing), if sufficient private employment is not available;
 - (v) On-the-job training;
 - (vi) Job search and job readiness assistance consistent with federal TANF regulations;
 - (vii) Community service programs;
 - (viii) Vocational educational training (not to exceed twelve (12) months with respect to any individual);
 - (ix) The provision of child care services to an individual who is participating in a community service program;
 - (x) Satisfactory attendance at high school or in a course of study leading to a high school equivalency certificate, for heads of household under age twenty (20) who have not completed high school or received such certificate;
 - (xi) Education directly related to employment, for heads of household under age twenty (20) who have not completed high school or received such equivalency certificate.
- (d) The following are allowable work activities which may be attributable to hours in excess of the minimum specified in paragraph (c) of this subsection:
- (i) Job skills training directly related to employment;
 - (ii) Education directly related to employment for individuals who have not completed high school or received a high school equivalency certificate;
 - (iii) Satisfactory attendance at high school or in a course of study leading to a high school equivalency, for individuals who have not completed high school or received such equivalency certificate;
 - (iv) Job search and job readiness assistance consistent with federal TANF regulations.
- (e) If any adult or caretaker relative refuses to participate in allowable work activity as required under this subsection (6), the following full family TANF benefit penalty will apply, subject to due process to include notification, conciliation and a hearing if requested by the recipient:
- (i) For the first violation, the department shall terminate the TANF assistance otherwise payable to the family for a two-month period or until the person has complied with the required work activity, whichever is longer;
 - (ii) For the second violation, the department shall terminate the TANF assistance otherwise payable to the family for a six-month period or until the person has complied with the required work activity, whichever is longer;

(iii) For the third violation, the department shall terminate the TANF assistance otherwise payable to the family for a twelve-month period or until the person has complied with the required work activity, whichever is longer;

(iv) For the fourth violation, the person shall be permanently disqualified.

For a two-parent family, unless prohibited by state or federal law, Medicaid assistance shall be terminated only for the person whose failure to participate in allowable work activity caused the family's TANF assistance to be sanctioned under this paragraph (e), unless an individual is pregnant, but shall not be terminated for any other person in the family who is meeting that person's applicable work requirement or who is not required to work. Minor children shall continue to be eligible for Medicaid benefits regardless of the disqualification of their parent or caretaker relative for TANF assistance under this subsection (6), unless prohibited by state or federal law.

(f) Any person enrolled in a two-year or four-year college program who meets the eligibility requirements to receive TANF benefits, and who is meeting the applicable work requirements and all other applicable requirements of the TANF program, shall continue to be eligible for TANF benefits while enrolled in the college program for as long as the person meets the requirements of the TANF program, unless prohibited by federal law.

(g) No adult in a work activity required under this subsection (6) shall be employed or assigned (i) when any other individual is on layoff from the same or any substantially equivalent job within six (6) months before the date of the TANF recipient's employment or assignment; or (ii) if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with an adult receiving TANF assistance. The Mississippi Department of Employment Security, established under Section 71-5-101, shall appoint one or more impartial hearing officers to hear and decide claims by employees of violations of this paragraph (g). The hearing officer shall hear all the evidence with respect to any claim made hereunder and such additional evidence as he may require and shall make a determination and the reason therefor. The claimant shall be promptly notified of the decision of the hearing officer and the reason therefor. Within ten (10) days after the decision of the hearing officer has become final, any party aggrieved thereby may secure judicial review thereof by commencing an action, in the circuit court of the county in which the claimant resides, against the department for the review of such decision, in which action any other party to the proceeding before the hearing officer shall be made a defendant. Any such appeal shall be on the record which shall be certified to the court by the department in the manner provided in Section 71-5-531, and the jurisdiction of the court shall be confined to questions of law which shall render its decision as provided in that section.

(7) The Department of Human Services may provide child care for eligible participants who require such care so that they may accept employment or remain employed. The department may also provide child care for those participating in the TANF program when it is determined that they are satisfactorily involved in education, training or other allowable work activities. The department may contract with Head Start agencies to provide child care services to TANF recipients. The department may also arrange for child care by use of contract or vouchers, provide vouchers in advance to a caretaker relative, reimburse a child care provider, or use any other arrangement deemed appropriate by the department, and may establish different reimbursement rates for child care services depending on the category of the facility or home. Any center-based or group home child care facility under this subsection shall be licensed by the State Department of Health pursuant to law. When child care is being provided in the child's own home, in the home of a relative of the child, or in any other unlicensed setting, the provision of such child care may be monitored on a random basis by the Department of Human Services or the State Department of Health. Transitional child care assistance

may be continued if it is necessary for parents to maintain employment once support has ended, unless prohibited under state or federal law. Transitional child care assistance may be provided for up to twenty-four (24) months after the last month during which the family was eligible for TANF assistance, if federal funds are available for such child care assistance.

(8) The Department of Human Services may provide transportation or provide reasonable reimbursement for transportation expenses that are necessary for individuals to be able to participate in allowable work activity under the TANF program.

(9) Medicaid assistance shall be provided to a family of TANF program participants for up to twenty-four (24) consecutive calendar months following the month in which the participating family would be ineligible for TANF benefits because of increased income, expiration of earned income disregards, or increased hours of employment of the caretaker relative; however, Medicaid assistance for more than twelve (12) months may be provided only if a federal waiver is obtained to provide such assistance for more than twelve (12) months and federal and state funds are available to provide such assistance.

(10) The department shall require applicants for and recipients of public assistance from the department to sign a personal responsibility contract that will require the applicant or recipient to acknowledge his or her responsibilities to the state.

(11) The department shall enter into an agreement with the State Personnel Board and other state agencies that will allow those TANF participants who qualify for vacant jobs within state agencies to be placed in state jobs. State agencies participating in the TANF work program shall receive any and all benefits received by employers in the private sector for hiring TANF recipients. This subsection (11) shall be effective only if the state obtains any necessary federal waiver or approval and if federal funds are available therefor. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the agreements required under this subsection.

(12) Any unspent TANF funds remaining from the prior fiscal year may be expended for any TANF allowable activities.

(13) The Mississippi Department of Human Services shall provide TANF applicants information and referral to programs that provide information about birth control, prenatal health care, abstinence education, marriage education, family preservation and fatherhood. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the information and referral requirements under this subsection.

(14) No new TANF program requirement or restriction affecting a person's eligibility for TANF assistance, or allowable work activity, which is not mandated by federal law or regulation may be implemented by the Department of Human Services after July 1, 2004, unless such is specifically authorized by an amendment to this section by the Legislature.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE MONTHLY BENEFIT AMOUNT FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES; TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO

PROVIDE REPORTS TO THE CHAIRMEN OF THE HOUSE AND SENATE PUBLIC HEALTH COMMITTEES ON THE STATUS AND EFFECTIVENESS OF CERTAIN PROGRAMS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2759** by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Witherspoon, Younger. Total--40.

Nays--Barrett, Chism, Hill, McDaniel, Seymour, Sojourner, Suber, Tate, Williams. Total--9.

Absent and those not voting--Branning, Fillingane. Total--2.

Voting Present--McMahan. Total--1.

Senator Bryan called up the following House Amendment to **S. B. No. 2419** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-61-75, Mississippi Code of 1972, is amended as follows:

41-61-75. (1) For each investigation with the preparation and submission of the required reports, the following fees shall be billed to and paid by the county for which the service is provided:

(a) A medical examiner or his deputy shall receive One Hundred Seventy-five Dollars (\$175.00) for each completed report of investigation of death, plus the examiner's actual expenses. In addition to that fee, in cases where the cause of death was sudden infant death syndrome (SIDS) and the medical examiner provides a SIDS Death Scene Investigation report, the medical examiner shall receive for completing that report an additional Fifty Dollars (\$50.00), or an additional One Hundred Dollars (\$100.00) if the medical examiner has received advanced training in child death investigations and presents to the county a certificate of completion of that advanced training. The State Medical Examiner shall develop and prescribe a uniform format and list of matters to be contained in SIDS/Child Death Scene Investigation reports, which shall be used by all county medical examiners and county medical examiner investigators in the state.

(b) The pathologist performing autopsies as provided in Section 41-61-65 shall receive One Thousand Dollars (\$1,000.00) per completed autopsy, plus mileage expenses to and from the site of the autopsy, and shall be reimbursed for any out-of-pocket expenses for third-party testing, not to exceed One Hundred Dollars (\$100.00) per autopsy.

(2) Any medical examiner, physician or pathologist who is subpoenaed for appearance and testimony before a grand jury, courtroom trial or deposition shall be entitled to an expert witness hourly fee to be set by the court and mileage expenses to

and from the site of the testimony, and such amount shall be paid by the jurisdiction or party issuing the subpoena.

(3) This section shall stand repealed on July 1, * * * 2025.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION THAT PROVIDES FOR THE FEES PAID BY THE COUNTY TO A MEDICAL EXAMINER OR HIS DEPUTY FOR THE FILING OF CERTAIN INVESTIGATION REPORTS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2419** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Branning, Fillingane. Total--2.

Senator Bryan moved that the rules be suspended for the immediate consideration of calendar item 96, **S. B. No. 2746**, and the motion prevailed.

Senator Bryan called up the following House Amendment to **S. B. No. 2746** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on lines 11-14 by striking "'down syndrome" shall mean a chromosomal condition caused by an error in all cell division that results in the presence of an extra or partial copy of chromosome 21.'" and inserting in lieu thereof the following:

"'chromosomal disorder" means trisomy 13 (otherwise known as Patau syndrome); trisomy 18 (otherwise known as Edwards syndrome); or trisomy 21 (otherwise known as Down syndrome)."

AMEND FURTHER on lines 18, 24, 26, 32-33, 36 and 40 by striking the words "down syndrome" and insert in lieu thereof "a chromosomal disorder".

AMEND FURTHER on line 27 by striking the words "down syndrome organization and inserting in lieu thereof the following: "advocacy organizations for people with intellectual and other developmental disorders".

AMEND FURTHER on line 34 by striking the words "down syndrome".

AMEND FURTHER the title on lines 3 and 5 by deleting the words "DOWN SYNDROME" and inserting in lieu thereof the words "CHROMOSOMAL DISORDER".

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2746** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Branning, Fillingane. Total--2.

On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. B. No. 2746.

Senator Carter moved that the rules be suspended for the immediate consideration of calendar item 15, **S. B. No. 2649**, and the motion prevailed.

Senator Carter called up the motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2649** and moved that it be reconsidered:

S. B. No. 2649: Energy efficiency contracts; extend repeal date on use of.

The foregoing motion prevailed.

Senator Carter moved that the Senate decline to concur in the House Amendment to **S. B. No. 2649**, and invite conference, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2437** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Beginning with any registration year commencing on or after July 1, 2021, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Wildlife Mississippi. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Wildlife Mississippi, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Wildlife Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF WILDLIFE MISSISSIPPI; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2807** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-7, Mississippi Code of 1972, is amended as follows:

67-1-7. (1) Except as otherwise provided in Section 67-9-1 for the transportation and possession of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, and subject to all of the provisions and restrictions contained in this chapter, the manufacture, sale, distribution, and transportation of alcoholic beverages shall be lawful, subject to the restrictions hereinafter imposed, in those counties and municipalities of this state in which, at a local option election called and held for that purpose under the provisions of this chapter, a majority of the qualified electors voting in such election shall vote in favor thereof.

Beginning on the effective date of this act, except as otherwise provided in Section 67-1-51 for holders of a caterer's permit, the manufacture, sale and distribution of alcoholic beverages shall not be permissible or lawful in counties except in (a) incorporated municipalities located within such counties, (b) qualified resort areas within such counties approved as such by the department, or (c) clubs within such counties, whether within a municipality or not. However, any permits issued by the department between July 1, 2020, and the day before the effective date of this act for the manufacture, sale and distribution of alcoholic beverages, whether or not issued to permittees in such municipalities, qualified resort areas or clubs, shall be eligible for renewal on or after the effective date of this act.

The manufacture, sale, distribution and possession of native wines shall be lawful in any location within any such county except those locations where the manufacture, sale or distribution is prohibited by law other than this section or by regulations of the department.

(2) Notwithstanding the foregoing, within any state park or any state park facility that has been declared a qualified resort area by the department, and within any qualified resort area as defined under Section 67-1-5(o)(iii), an on-premises retailer's permit may be issued for the qualified resort area, and the permittee may lawfully sell alcoholic beverages for consumption on his licensed premises regardless of whether or not the county or municipality in which the qualified resort area is located has voted in favor of coming out from under the dry law, and it shall be lawful to receive, store, sell, possess and consume alcoholic beverages on the licensed premises, and to sell, distribute and transport alcoholic beverages to the licensed premises. Moreover, the governing authorities of a municipality in which a qualified resort area defined under Section

67-1-5(o)(iii)5, 7 or 21 is located, the Pearl River Valley Water Supply District Board which governs the qualified resort area defined under Section 67-1-5(o)(iii)8.a.A, and the board of supervisors of the county in which the qualified resort area defined under Section 67-1-5(o)(iii)8.a.B and C is located, may, by ordinance or resolution, provide that package retailer's permits may be issued in the applicable qualified resort area, and that it shall be lawful to receive, store, sell, possess and distribute alcoholic beverages in accordance with such package retailer's permits.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO RESTORE THE PROVISION OF LAW RESTRICTING THE AREAS IN WHICH THE MANUFACTURE, SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES ARE PERMISSIBLE AND LAWFUL TO INCORPORATED MUNICIPALITIES, QUALIFIED RESORT AREAS AND CLUBS; TO PROVIDE THAT ANY PERMITS ISSUED BY THE DEPARTMENT OF REVENUE BETWEEN JULY 1, 2020, AND THE DAY BEFORE THE EFFECTIVE DATE OF THIS ACT FOR THE MANUFACTURE, SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES, WHETHER OR NOT ISSUED TO PERMITTEES IN SUCH MUNICIPALITIES, QUALIFIED RESORT AREAS OR CLUBS, SHALL BE ELIGIBLE FOR RENEWAL ON OR AFTER JULY 1, 2021; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2830** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-105-1, Mississippi Code of 1972, is amended as follows:

57-105-1. (1) As used in this section:

(a) "Adjusted purchase price" means the investment in the qualified community development entity for the qualified equity investment, substantially all of the proceeds of which are used to make qualified low-income community investments in Mississippi.

For the purposes of calculating the amount of qualified low-income community investments held by a qualified community development entity, an investment will be considered held by a qualified community development entity even if the investment has been sold or repaid; provided that the qualified community development entity reinvests an amount equal to the capital returned to or recovered by the qualified community development entity from the original investment, exclusive of any profits realized, in another qualified low-income community investment in Mississippi, including any federal Indian reservation located within the geographical boundary of Mississippi within twelve (12) months of the receipt of such capital. A qualified community development entity will not be required to reinvest capital returned from the qualified low-income community

investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment will be considered held by the qualified community development entity through the seventh anniversary of the qualified equity investment's issuance.

(b) "Applicable percentage" means:

(i) For any equity investment issued prior to July 1, 2008, four percent (4%) for each of the second through seventh credit allowance dates for purposes of the taxes imposed by Section 27-7-5 and one and one-third percent (1-1/3%) for each of the second through seventh credit allowance dates for purposes of the taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123.

(ii) For any equity investment issued from and after July 1, 2008, eight percent (8%) for each of the first through third credit allowance dates for purposes of the taxes imposed by Section 27-7-5 or the taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123.

(c) "Credit allowance date" means, with respect to any qualified equity investment:

(i) The later of:

1. The date upon which the qualified equity investment is initially made; or

2. The date upon which the Mississippi Development Authority issues a certificate under subsection (4) of this section; and

(ii) 1. For equity investments issued prior to July 1, 2008, each of the subsequent six (6) anniversary dates of the date upon which the investment is initially made; or

2. For equity investments issued from and after July 1, 2008, each of the subsequent two (2) anniversary dates of the date determined as provided for in subparagraph (i) of this paragraph.

(d) "Qualified community development entity" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended, if the entity has entered into an Allocation Agreement with the Community Development Financial Institutions Fund of the United States Department of the Treasury with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended.

(e) "Qualified active low-income community business" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended.

(f) "Qualified equity investment" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended. The investment does not have to be designated as a qualified equity investment by the Community Development Financial Institutions Fund of the United States Treasury to be considered a qualified equity investment under this section but otherwise must meet the definition under the Internal Revenue Code. In addition to meeting the definition in Section 45D of the Internal Revenue Code such investment must also:

(i) Have been acquired after January 1, 2007, at its original issuance solely in exchange for cash; and

- (ii) Have been allocated by the Mississippi Development Authority.

For the purposes of this section, such investment shall be deemed a qualified equity investment on the later of the date such qualified equity investment is made or the date on which the Mississippi Development Authority issues a certificate under subsection (4) of this section allocating credits based on such investment.

(g) "Qualified low-income community investment" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided, however, that the maximum amount of qualified low-income community investments issued for a single qualified active low-income community business, on an aggregate basis with all of its affiliates, that may be included for purposes of allocating any credits under this section shall not exceed Ten Million Dollars (\$10,000,000.00), in the aggregate, whether issued by one (1) or several qualified community development entities.

(2) A taxpayer that holds a qualified equity investment on the credit allowance date shall be entitled to a credit applicable against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 during the taxable year that includes the credit allowance date. The amount of the credit shall be equal to the applicable percentage of the adjusted purchase price paid to the qualified community development entity for the qualified equity investment. The amount of the credit that may be utilized in any one (1) tax year shall be limited to an amount not greater than the total tax liability of the taxpayer for the taxes imposed by the above-referenced sections. The credit shall not be refundable or transferable. Any unused portion of the credit may be carried forward for seven (7) taxable years beyond the credit allowance date on which the credit was earned. The maximum aggregate amount of qualified equity investments that may be allocated by the Mississippi Development Authority may not exceed an amount that would result in taxpayers claiming in any one (1) state fiscal year credits in excess of Fifteen Million Dollars (\$15,000,000.00), exclusive of credits that might be carried forward from previous taxable years; however, a maximum of one-third (1/3) of this amount may be allocated as credits for taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123. Any taxpayer claiming a credit under this section against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 shall not be required to pay any additional tax under Section 27-15-123 as a result of claiming such credit. The Mississippi Development Authority shall allocate credits within this limit as provided for in subsection (4) of this section.

(3) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document. Such allocation shall be made each taxable year of such pass-through entity which contains a credit allowance date.

(4) The qualified community development entity shall apply for credits with the Mississippi Development Authority on forms prescribed by the Mississippi Development Authority. The qualified community development entity must pay an application fee of One Thousand Dollars (\$1,000.00) to the Mississippi Development Authority at the time the application is submitted. In the application the qualified community development entity shall certify to the Mississippi Development Authority the dollar amount of the qualified equity investments made or to be made in this state, including in any federal Indian reservation located within the state's geographical boundary, during the first twelve-month period following the initial credit allowance date. The Mississippi Development Authority shall allocate credits based on the dollar amount of qualified equity investments as certified in the application. Once the Mississippi Development Authority has allocated credits to a qualified community development entity, if the corresponding qualified equity investment has not been issued as of the date of such allocation, then the corresponding qualified equity investment must be issued not later than one hundred twenty (120) days

from the date of such allocation. If the qualified equity investment is not issued within such time period, the allocation shall be cancelled and returned to the Mississippi Development Authority for reallocation. Upon final documentation of the qualified low-income community investments, if the actual dollar amount of the investments is lower than the amount estimated, the Mississippi Development Authority shall adjust the tax credit allowed under this section. The Department of Revenue may recapture all of the credit allowed under this section if:

(a) Any amount of federal tax credits available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(b) The qualified community development entity redeems or makes any principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of the qualified equity investment; or

(c) The qualified community development entity fails to maintain at least eighty-five percent (85%) of the proceeds of the qualified equity investment in qualified low-income community investments in Mississippi at any time prior to the seventh anniversary of the issuance of the qualified equity investment.

Any credits that are subject to recapture under this subsection shall be recaptured from the taxpayer that actually claimed the credit.

The Mississippi Development Authority shall not allocate any credits under this section after July 1, * * * 2024.

(5) Each qualified community development entity that receives qualified equity investments to make qualified low-income community investments in Mississippi must annually report to the Mississippi Development Authority the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment.

(6) The Mississippi Development Authority shall file an annual report on all qualified low-income community investments with the Governor, the Clerk of the House of Representatives, the Secretary of the Senate and the Secretary of State describing the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment. The annual report will be posted on the Mississippi Development Authority's internet website.

(7) (a) The purpose of this subsection is to authorize the creation and establishment of public benefit corporations for financing arrangements regarding public property and facilities.

(b) As used in this subsection:

(i) "New Markets Tax Credit transaction" means any financing transaction which utilizes either this section or Section 45D of the Internal Revenue Code of 1986, as amended.

(ii) "Public benefit corporation" means a nonprofit corporation formed or designated by a public entity to carry out the purposes of this subsection.

(iii) "Public entity or public entities" includes utility districts, regional solid waste authorities, regional utility authorities, community hospitals, regional airport

authorities, municipal airport authorities, community and junior colleges, educational building corporations established by or on behalf of the state institutions of higher learning, school districts, planning and development districts, county economic development districts, urban renewal agencies, any other regional or local economic development authority, agency or governmental entity, and any other regional or local industrial development authority, agency or governmental entity.

(iv) "Public property or facilities" means any property or facilities owned or leased by a public entity or public benefit corporation.

(c) Notwithstanding any other provision of law to the contrary, public entities are authorized pursuant to this subsection to create one or more public benefit corporations or designate an existing corporation as a public benefit corporation for the purpose of entering into financing agreements and engaging in New Markets Tax Credit transactions, which shall include, without limitation, arrangements to plan, acquire, renovate, construct, lease, sublease, manage, operate and/or improve new or existing public property or facilities located within the boundaries or service area of the public entity. Any financing arrangement authorized under this subsection shall further any purpose of the public entity and may include a term of up to fifty (50) years.

(d) Notwithstanding any other provision of law to the contrary and in order to facilitate the acquisition, renovation, construction, leasing, subleasing, management, operating and/or improvement of new or existing public property or facilities to further any purpose of a public entity, public entities are authorized to enter into financing arrangements in order to transfer public property or facilities to and/or from public benefit corporations, including, without limitation, sales, sale-leasebacks, leases and lease-leasebacks, provided such transfer is related to any New Markets Tax Credit transaction furthering any purpose of the public entity. Any such transfer under this paragraph (d) and the public property or facilities transferred in connection therewith shall be exempted from any limitation or requirements with respect to leasing, acquiring, and/or constructing public property or facilities.

(e) With respect to a New Markets Tax Credit transaction, public entities and public benefit corporations are authorized to enter into financing arrangements with any governmental, nonprofit or for-profit entity in order to leverage funds not otherwise available to public entities for the acquisition, construction and/or renovation of properties transferred to such public benefit corporations. The use of any funds loaned by or contributed by a public benefit corporation or borrowed by or otherwise made available to a public benefit corporation in such financing arrangement shall be dedicated solely to (i) the development of new properties or facilities and/or the renovation of existing properties or facilities or operation of properties or facilities, and/or (ii) the payment of costs and expenditures related to any such financing arrangements, including, but not limited to, funding any reserves required in connection therewith, the repayment of any indebtedness incurred in connection therewith, and the payment of fees and expenses incurred in connection with the closing, administration, accounting and/or compliance with respect to the New Markets Tax Credit transaction.

(f) A public benefit corporation created pursuant to this subsection shall not be a political subdivision of the state but shall be a nonprofit corporation organized and governed under the provisions of the laws of this state and shall be a special purpose corporation established to facilitate New Markets Tax Credit transactions consistent with the requirements of this section.

(g) Neither this subsection nor anything herein contained is or shall be construed as a restriction or limitation upon any powers which the public entity or public benefit corporation might otherwise have under any laws of this state, and this subsection is cumulative to any such powers. This subsection does and shall be construed to provide a complete additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws.

(8) The Mississippi Development Authority shall promulgate rules and regulations to implement the provisions of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 57-105-1, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL JANUARY 1, 2024, THE DATE AFTER WHICH THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL NOT ALLOCATE INCOME TAX AND INSURANCE PREMIUM TAX CREDITS FOR TAXPAYERS HOLDING CERTAIN QUALIFIED EQUITY INVESTMENTS; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2831** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.31, Mississippi Code of 1972, is amended as follows:

27-7-22.31. (1) As used in this section:

(a) "Certified historic structure" means a property located in Mississippi that has been:

(i) Listed individually on the National Register of Historic Places; or

(ii) Determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section; or

(iii) Property designated a Mississippi Landmark by the Department of Archives and History pursuant to Section 39-7-3 et seq.

(b) "Eligible property" means property located in Mississippi and offered or used for residential or business purposes * * *.

(c) "Structure in a certified historic district" means a structure (and its structural components) located in Mississippi which:

(i) Is listed in the National Register of Historic Places; or

(ii) Has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section; or

(iii) Is located in a registered historic district listed on the National Register of Historic Places or located in a potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section, and is certified by the Secretary of the United States Department of the Interior as being of historic significance to the district; or

(iv) Is certified by the Mississippi Department of Archives and History as contributing to the historic significance of:

1. A certified historic district listed on the National Register of Historic Places; or

2. A potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section; or

3. A local district that has been certified by the United States Department of the Interior.

(d) "Department" means the Department of Archives and History.

(2) Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or a structure in a certified historic district, shall be entitled to a credit against the taxes imposed pursuant to this chapter in an amount equal to twenty-five percent (25%) of the total costs and expenses of rehabilitation incurred after January 1, 2006, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder:

(a) If the costs and expenses associated with rehabilitation exceed:

(i) Five Thousand Dollars (\$5,000.00) in the case of an owner-occupied dwelling; or

(ii) Fifty percent (50%) of the * * * adjusted basis in the property in the case of all other properties; and

(b) The rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior as determined by the department.

(3) Any taxpayer eligible for the credit authorized by this section may claim the credit in phases if:

(a) There is a written set of architectural plans and specifications for all phases of the rehabilitation (written plans outlining and describing all phases of the rehabilitation shall be accepted as written plans and specifications);

(b) The written set of architectural plans and specifications are completed before the physical work on the rehabilitation begins; and

(c) * * * The project receives final certification by the department within sixty (60) months of the project start date certified in the first phase.

(4) (a) (i) If the amount of the tax credit established by this section exceeds the total state income tax liability for the credit year * * *, the amount that exceeds the total state income tax liability may be carried forward for the ten (10) succeeding tax years. In addition, a taxpayer may sell or transfer the excess portion of the tax credit to any taxpayer

having a liability for taxes under this chapter. A tax credit may not be sold or transferred more than one (1) time, subject to guidelines established by the Department of Revenue. The buyer or transferee of a tax credit may use the acquired credit in the same manner and to the same extent as the seller or transferor of the credit; however, the sell or transfer of a credit will not extend the length of time that the credit may be carried forward. In order to sell or transfer a tax credit, the seller or transferor shall notify the department and the Department of Revenue in writing within thirty (30) days after the date of the sale or transfer. The notice shall include:

1. The seller's or transferor's tax credit balance before the sale or transfer of the credit;
2. The tax credit identification number assigned by the department;
3. The unused portion of the credit remaining after the sale or transfer;
4. All federal and state tax identification numbers for both the seller or transferor and the buyer or transferee;
5. The date of the sale or transfer;
6. The amount of the credit sold or transferred; and
7. Any other information required by the department or the Department of Revenue.

Failure by the seller or transferor to comply with the notice requirements of this subparagraph (i) shall void the sale or transfer.

(ii) The taxpayer may elect to claim a refund in the amount of seventy-five percent (75%) of the excess credit in lieu of the ten-year carryforward and the sale or transfer of the credit. The election must be made in the year in which the * * * credit is certified. Refunds will be paid in equal installments over a two-year period and shall be made from current collections.

(iii) Refund requests shall be submitted to the Department of Revenue on forms prescribed by the department. Refunds shall be made from current tax collections.

(b) Not-for-profit entities, including, but not limited to, nonprofit corporations organized under Section 79-11-101 et seq. shall be ineligible for the credit authorized by this section. Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners on a pro rata basis or pursuant to an executed agreement among the partners, members or owners documenting an alternative distribution method. Partners, members or other owners of a pass-through entity are not eligible to elect a refund of excess credit in lieu of a carryforward of the credit. However, a partnership or limited liability company taxed as a partnership may elect to claim a refund of excess credit at the entity level on a form prescribed by the Department of Revenue. Additionally, excess tax credits that are attributable to rehabilitated property that was placed in service by a pass-through entity prior to January 1, 2011, and that have previously been allocated to and are held by another pass-through entity prior to January 1, 2011, may be refunded to such other pass-through entity.

(5) (a) (i) To claim the credit authorized pursuant to this section, the taxpayer shall apply to the department which shall determine the amount of eligible rehabilitation costs and expenses and whether the rehabilitation is consistent with the standards of the

Secretary of the United States Department of the Interior. The department shall issue a certificate evidencing the date of the credit and amount of eligible credit if the taxpayer is found to be eligible for the tax credit. The taxpayer shall attach the certificate to all income tax returns on which the credit is claimed. Except as otherwise provided in this paragraph (a), the department shall not issue certificates evidencing the eligible credit which *** will result in credits being awarded in excess of Twelve Million Dollars (\$12,000,000.00) in any one (1) *** calendar year. However, the credit for any project with total qualified rehabilitation costs and expenses of less than Three Million Dollars (\$3,000,000.00) shall not count against such Twelve Million Dollars (\$12,000,000.00) limit.

(ii) The taxpayer shall claim the credit on the income tax return for the tax year for which the credit is certified. The date of the credit shall be certified in the following order:

1. The credit shall be certified based on the date of project completion.

2. If the eligible credit exceeds the available credit in the year in which the project is completed, the credit shall be certified based on the date the certification is issued by the department. The department shall issue the certification in the first calendar year in which the requested credit would not exceed the calendar year credit limit.

(***c) The aggregate amount of tax credits that may be awarded under this section shall not exceed One Hundred Eighty Million Dollars (\$180,000,000.00). ***

(6) (a) The credit received by a taxpayer pursuant to this section is subject to recapture if:

(i) The property is one that has been determined eligible for the National Register of Historic Places but is not listed on the National Register of Historic Places within thirty (30) months of claiming the credit authorized by this section;

(ii) The potential district in which the property is located is not listed on the National Register of Historic Places within thirty (30) months of claiming the credit authorized by this section; or

(iii) *** The project has not received final certification by the department within sixty (60) months of the project start date certified in the first phase.

(b) The taxpayer shall notify the department and the Department of Revenue if any of the situations that subject the credit to recapture occur.

(7) (a) The board of trustees of the department shall establish fees to be charged for the services performed by the department under this section and shall publish the fee schedule. The fees contained in the schedule shall be in amounts reasonably calculated to recover the costs incurred by the department for the administration of this section. Any taxpayer desiring to participate in the tax credits authorized by this section shall pay the appropriate fee as contained in the fee schedule to the department, which shall be used by the department, without appropriation, to offset the administrative costs of the department associated with its duties under this section.

(b) There is hereby created within the State Treasury a special fund into which shall be deposited all the fees collected by the department pursuant to this section. Money deposited into the fund shall not lapse at the end of any fiscal year and investment earnings on the proceeds in such special fund shall be deposited into such fund. Money from the fund shall be disbursed upon warrants issued by the State Fiscal Officer upon requisitions signed by the executive director of the department to assist the department in carrying out its duties under this section.

(8) This section shall only apply to taxpayers:

(a) Who have been issued a certificate evidencing the eligible credit before December 31, 2030; or

(b) Who, before December 31, 2030, have received a determination in writing from the Mississippi Department of Archives and History, in accordance with the department's Historic Preservation Certificate Application, Part 2, that the rehabilitation is consistent with the historic character of the property and that the property meets the United States Secretary of the Interior's Standards for Rehabilitation, or will meet the standards if certain specified conditions are met, and, who are issued a certificate evidencing the eligible credit on or after December 31, 2030.

SECTION 2. This act shall take effect and be in force from and after January 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR COSTS AND EXPENSES INCURRED FOR THE REHABILITATION OF CERTAIN HISTORIC STRUCTURES, TO REMOVE THE PROVISION THAT EXCLUDES SINGLE-FAMILY DWELLINGS FROM THE DEFINITION OF THE TERM "ELIGIBLE PROPERTY"; TO REVISE THE PROVISIONS UNDER WHICH A TAXPAYER ELIGIBLE FOR A TAX CREDIT MAY CLAIM THE TAX CREDIT IN PHASES; TO AUTHORIZE THE SALE OR TRANSFER OF SUCH INCOME TAX CREDITS; TO PROVIDE THAT CREDIT FOR A PROJECT WITH TOTAL QUALIFIED REHABILITATION COSTS AND EXPENSES OF LESS THAN \$3,000,000.00 SHALL NOT COUNT FOR PURPOSES OF THE PROHIBITION AGAINST THE DEPARTMENT OF ARCHIVES AND HISTORY ISSUING CERTIFICATES EVIDENCING THE ELIGIBLE CREDIT WHICH WILL RESULT IN CREDITS BEING AWARDED IN EXCESS OF \$12,000,000.00 IN ANY ONE STATE CALENDAR YEAR; TO PROVIDE THAT A TAXPAYER SHALL CLAIM THE TAX CREDIT ON THE INCOME TAX RETURN FOR THE TAX YEAR FOR WHICH THE CREDIT IS CERTIFIED AND TO PROVIDE THE ORDER IN WHICH A TAX CREDIT SHALL BE CERTIFIED; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2832** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.36, Mississippi Code of 1972, is amended as follows:

27-7-22.36. (1) As used in this section:

(a) "Full-time employee" means an employee that works at least thirty-five (35) hours per week.

(b) "New cut and sew job" means a job in which the employee cuts and sews upholstery for upholstered household furniture and which job did not exist in this state before January 1, 2010.

(2) Any enterprise owning or operating an upholstered household furniture manufacturing facility is allowed a job tax credit for taxes imposed by this chapter equal to Two Thousand Dollars (\$2,000.00) annually for each full-time employee employed in a new cut and sew job for a period of five (5) years from the date the credit commences. The credit shall commence on the date selected by the enterprise. For the year in which the commencement date occurs, the credit will be determined based on the monthly average number of full-time employees employed in new cut and sew jobs subject to the Mississippi income tax withholding that are employed by the enterprise. For each year thereafter, the number of new cut and sew jobs shall be determined by comparing the monthly average number of full-time employees employed in new cut and sew jobs subject to the Mississippi income tax withholding for the taxable year with the corresponding period of the prior taxable year. The Department of Revenue shall verify that the jobs claimed by enterprises to obtain the credit meet the definition of the term "new cut and sew job." The Department of Revenue shall adjust the credit allowed each year for employment fluctuations.

(3) The credit that may be used each year shall be limited to an amount not greater than the total state income tax liability of the enterprise. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(4) The tax credits provided for in this section shall be in lieu of the tax credits provided for in Section 57-73-21 and any enterprise using the tax credit authorized in this section shall not use the tax credit authorized in Section 57-73-21.

(5) Any taxpayer who is eligible for the credit authorized in this section prior to January 1, * * * 2026, shall be eligible for the credit authorized in this section, notwithstanding the repeal of this section, and shall be allowed to carry forward the credit after January 1, * * * 2026, as provided for in subsection (3) of this section.

(6) This section shall be repealed from and after January 1, * * * 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.36, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE OF THE UPHOLSTERED HOUSEHOLD FURNITURE MANUFACTURING JOB TAX CREDIT FROM JANUARY 1, 2022, TO JANUARY 1, 2026; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2839** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-148-3, Mississippi Code of 1972, is amended as follows:

37-148-3. As used in this act, the following words and phrases have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "College" means the state institutions of higher learning in Mississippi which are accredited by the Southern Association of Colleges and Schools.

(b) "Investor" means a natural person, partnership, limited liability company, association, corporation, business trust or other business entity, not formed for the specific purpose of acquiring the rebate offered, which is subject to Mississippi income tax * * *.

(c) "Qualified research" means the systematic investigative process that is undertaken for the purpose of discovering information. The term "qualified research" does not include research conducted outside the State of Mississippi or research * * * expenses that are already being funded by any grant, contract or otherwise by another person or governmental entity.

(d) "Research agreement" means a written contract, grant or cooperative agreement entered into between a person and a college or research corporation for the performance of qualified research * * *. All qualified research costs generating a SMART Business Rebate must be spent by the college or research corporation on qualified research undertaken according to a research agreement.

(e) "Research corporation" means any research corporation formed under Section 37-147-15 if the corporation is wholly owned by or affiliated with a college and all income and profits of the corporation inure to the benefit of the college.

(f) "Qualified research costs" means costs paid or incurred by an investor to a college or research corporation for qualified research undertaken according to a research agreement.

(g) "State" means the State of Mississippi or a governmental entity of the State of Mississippi.

(h) "IHL" means the Board of Trustees of State Institutions of Higher Learning in Mississippi.

(i) "SMART Business" means Strengthening Mississippi Academic Research Through Business.

(j) "Applicant" means a college or research corporation applying for SMART Business Accelerate Initiative funds to develop state-owned intellectual property into products and services.

(k) "Qualified validation expense" includes, but is not limited to, services that accelerate the development of early product concepts, conducting proof-of-concept studies, and manufacturing prototypes to perform research validation. Qualified validation expense does not include salaries or wages associated with a licensee of state-owned intellectual property, legal fees or any payment in conflict with state law.

(l) "Research validation" means research intended to validate the commercial viability of state-owned intellectual property.

(m) "Disbursement" means a grant of funds to support research validation.

SECTION 2. Section 37-148-5, Mississippi Code of 1972, is amended as follows:

37-148-5. (1) The SMART Business Act shall include the SMART Business Rebate to promote research partnerships between colleges and investors and the SMART Business Accelerate Initiative to promote the development of state-owned intellectual property.

(**2) The SMART Business Rebate shall be implemented as follows:

(a) Subject to the provisions of this chapter, an investor incurring qualified research costs subject to a research agreement is eligible for a rebate equal to twenty-five percent (25%) of the investor's qualified research costs.

(b) An investor incurring research costs may not claim a rebate pursuant to this chapter greater than One Million Dollars (\$1,000,000.00) in any fiscal year.

(c) The total amount of rebates issued under *** the SMART Business Rebate by the state in any fiscal year may not exceed *** Three Million Five Hundred Thousand Dollars (\$3,500,000.00).

(**d) Investors desiring to apply for the SMART Business rebate authorized by this chapter shall submit an application to IHL which must contain, at a minimum, the following:

(**i) A description of the qualified research to be conducted by the college or research corporation;

(**ii) A proposed budget;

(**iii) An estimated date for completion of the qualified research;

and

(**iv) Such additional information as may be requested by IHL.

(**e) IHL shall review each application to determine if the investor has satisfied all of the requirements of this section.

(**f) Within sixty (60) days of receiving an application, IHL shall issue or refuse to issue a SMART Business Rebate certificate. The SMART Business Rebate certificate must include the amount of the rebate the investor is eligible to claim, subject to subsection (1) of this section. IHL must notify the Department of Revenue when a SMART Business Rebate certificate is issued.

(**g) To claim a rebate, the investor must submit a rebate allocation claim to the Department of Revenue. The rebate allocation claim must include, at a minimum, the SMART Business Rebate certificate issued by IHL and proof of payment to the college or research corporation for qualified research conducted according to the research agreement.

(**h) The Department of Revenue may request an audit from the investor submitting a rebate allocation claim, at the investor's expense, to verify the investor has satisfied the requirements of this chapter.

(**i) The Department of Revenue shall issue rebates available under this subsection from current income tax collections.

(**j) Rebates must be allocated to investors by the Department of Revenue in the order that SMART Business Rebate certificates are issued by IHL.

(3) The SMART Business Accelerate Initiative shall be implemented as follows:

(a) Subject to the provisions of this chapter, an applicant performing research validation pursuant to a research agreement is eligible for a disbursement of up to One Hundred Fifty Thousand Dollars (\$150,000.00) for the applicant's qualified validation expenses.

(b) The total amount of disbursements issued by the state under the SMART Business Accelerate Initiative in any fiscal year may not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00).

(c) Applicants desiring to apply for a SMART Business Accelerate Initiative disbursement authorized by this chapter shall submit an application to IHL which must contain, at a minimum, the following:

(i) A description of the research validation to be conducted by the college or research corporation using funds from the disbursement;

(ii) A proposed budget of qualified validation expenses;

(iii) A certified determination from the applicant that the proposed research validation is necessary to develop state-owned intellectual property into products and services; and

(iv) Such additional information as may be requested by IHL.

(d) IHL shall review each application to determine if the applicant has satisfied all of the requirements of this section.

(e) Within sixty (60) days of receiving an application, IHL shall issue or refuse to issue a SMART Business Accelerate Initiative disbursement certificate. The SMART Business Accelerate Initiative disbursement certificate must include the amount of the disbursement the applicant is eligible to receive, subject to paragraphs (a) and (b) of this subsection. IHL must notify the Department of Revenue when a SMART Business Accelerate Initiative disbursement certificate is issued.

(f) IHL shall develop a process for accepting, reviewing and selecting proposals for SMART Business Accelerate Initiative disbursements and notifying the Department of Revenue when applicants have been selected to receive disbursements.

(g) The Department of Revenue shall issue disbursements available under this subsection from current income tax collections.

SECTION 3. Section 37-148-9, Mississippi Code of 1972, is amended as follows:

37-148-9. Before December 1 of each year, IHL shall file a report with the Governor, Secretary of the Senate and Clerk of the House of Representatives on the implementation of the Strengthening Mississippi Academic Research Through Business Act. For each research agreement where an investor was issued a SMART Business certificate during that year, the report must include, but not necessarily be limited to, the name of the investor and the rebate amount the investor was eligible to claim. For each SMART Business Accelerate Initiative disbursement certificate issued during that year, the report must include, but not necessarily be limited to, the name of the applicant, a description of the research validation and the amount of the disbursement.

SECTION 4. The following shall be codified as Section 37-148-11, Mississippi Code of 1972:

37-148-11. Sections 37-148-1, 37-148-3, 37-148-5, 37-148-7, 37-148-9 and 37-148-11, which constitute the Strengthening Mississippi Academic Research Through Business Act, shall stand repealed on July 1, 2026.

SECTION 5. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-148-3, MISSISSIPPI CODE OF 1972, TO ADD AND REVISE DEFINITIONS PERTAINING TO THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH (SMART) BUSINESS ACT; TO AMEND SECTION 37-148-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SMART BUSINESS ACT SHALL INCLUDE THE SMART BUSINESS REBATE TO PROMOTE RESEARCH PARTNERSHIPS BETWEEN COLLEGES AND INVESTORS AND THE SMART BUSINESS ACCELERATE INITIATIVE TO PROMOTE THE DEVELOPMENT OF STATE-OWNED INTELLECTUAL PROPERTY; TO SET OUT THE TERMS OF IMPLEMENTATION OF THE SMART BUSINESS REBATE AND THE SMART BUSINESS ACCELERATE INITIATIVE; TO REDUCE, FROM \$5,000,000.00 TO \$3,500,000.00, THE MAXIMUM TOTAL AMOUNT OF REBATES ISSUED UNDER THE SMART BUSINESS REBATE BY THE STATE IN ANY ONE FISCAL YEAR; TO AMEND SECTION 37-148-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, FOR EACH SMART BUSINESS ACCELERATE INITIATIVE DISBURSEMENT CERTIFICATE ISSUED IN A GIVEN YEAR, THE REPORT FILED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING WITH THE GOVERNOR AND THE LEGISLATURE MUST INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, THE NAME OF THE APPLICANT, A DESCRIPTION OF THE RESEARCH VALIDATION AND THE AMOUNT OF THE DISBURSEMENT; TO CREATE NEW SECTION 37-148-11, MISSISSIPPI CODE OF 1972, TO REPEAL THE SMART BUSINESS ACT ON JULY 1, 2026; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2435** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation

and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account,

and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury

submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the

sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from

taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional

products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 2. Section 67-1-41, Mississippi Code of 1972, is amended as follows:

67-1-41. (1) The department is hereby created a wholesale distributor and seller of alcoholic beverages, not including malt liquors, within the State of Mississippi. It is granted the right to import and sell alcoholic beverages at wholesale within the state, and no person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than the department except as authorized in subsections (4), (9) and (12) of this section. The department may establish warehouses, purchase alcoholic beverages in such quantities and from such sources as it may deem desirable and sell the alcoholic beverages to authorized permittees within the state including, at the discretion of the department, any retail distributors operating within any military post or qualified resort areas within the boundaries of the state, keeping a correct and accurate record of all such transactions and exercising such control over the distribution of alcoholic beverages as seem right and proper in keeping with the provisions or purposes of this chapter.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this chapter, or as otherwise provided by law for native wines.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than as provided in this chapter, or as otherwise provided by law for native wines.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries and distillers of alcoholic beverages or from the department. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of native wines or distilled spirits sold by the department, so that those wines or spirits may be delivered to the retailer at the native winery or the distillery retailer instead of via shipment from the department's warehouse.

(11) [Through June 30, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30)

days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this chapter, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this chapter upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 3. Section 67-5-11, Mississippi Code of 1972, is amended as follows:

67-5-11. (1) Within the State of Mississippi, every native winery is authorized to make sales to the department or to consumers at the location of the native winery or its immediate vicinity. Every native winery is authorized to make sales to any producer, manufacturer, wholesaler, retailer or consumer located outside of the State of Mississippi who are authorized by law to purchase the same.

(2) With respect to native wines or distilled spirits sold by the department to retailers under Section 67-1-41, the native winery or distillery retailer may hold those wines or spirits for onsite pickup instead of shipping them to the department warehouse, at the option of the retailer and pursuant to any rules promulgated by the department.

SECTION 4. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's:

(i) For a permittee with annual production of five thousand (5,000) gallons or more	\$4,500.00
(ii) For a permittee with annual production under five thousand (5,000) gallons	\$2,800.00
(b) Manufacturer's permit, Class 2, wine manufacturer	\$1,800.00
(c) Manufacturer's permit, Class 3, native wine manufacturer per ten thousand (10,000) gallons or part thereof produced	\$ 10.00
(d) Native wine retailer's permit.....	\$ 50.00
(e) Package retailer's permit, each.....	\$ 900.00
(f) On-premises retailer's permit, except for clubs and common carriers, each \$ 450.00	
(g) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each \$ 225.00	
(h) On-premises retailer's permit for clubs	\$ 225.00
(i) On-premises retailer's permit for common carriers, per car, plane, or other vehicle.....	\$ 120.00
(j) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department.....	\$ 100.00
(k) Filing fee for each application except for an employee identification card \$ 25.00	
(l) Temporary permit, Class 1, each.....	\$ 10.00
(m) Temporary permit, Class 2, each.....	\$ 50.00
(n) (i) Caterer's permit.....	\$ 600.00
(ii) Caterer's permit for holders of on-premises retailer's permit	\$ 150.00
(o) Research permit.....	\$ 100.00
(p) Temporary permit, Class 3 (wine only)	\$ 10.00
(q) Special service permit	\$ 225.00
(r) Merchant permit.....	\$ 225.00
(s) Temporary alcoholic beverages charitable auction permit.....	\$ 10.00

(t) Event venue retailer's permit	\$ 225.00
(u) Temporary theatre permit, each	\$ 10.00
(v) Charter ship operator's permit	\$ 100.00
(w) Distillery retailer's permit	\$ 450.00
(x) Festival wine permit	\$ 10.00

If a person approved for a manufacturer's permit, Class 1, distiller's permit produces a product with at least fifty-one percent (51%) of the finished product by volume being obtained from alcoholic fermentation of grapes, fruits, berries, honey, grain and/or vegetables grown and produced in Mississippi, and produces all of the product by using not more than one (1) still having a maximum capacity of one hundred fifty (150) liters, the annual privilege license tax for such a permit shall be Ten Dollars (\$10.00) per ten thousand (10,000) gallons or part thereof produced. Bulk, concentrated or fortified ingredients used for blending may be produced outside this state and used in producing such a product.

In addition to the filing fee imposed by paragraph (k) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (x) of this subsection shall stand repealed from and after July 1, 2023.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor or a temporary permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(f), (g), (h), (m) and (t) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(n) and (r) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars (\$250.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars (\$5,000.00) purchases to the first Five Thousand Dollars (\$5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local

government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 5. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO ALLOW THE HOLDER OF A DISTILLERY RETAILER'S PERMIT TO SELL ALCOHOLIC BEVERAGES TO CONSUMERS FOR ON-PREMISES CONSUMPTION; TO ALLOW THE PERMITTEE SELLING FOR ON-PREMISES CONSUMPTION TO ADD OTHER BEVERAGES, ALCOHOLIC OR NOT, TO THE PRODUCT MANUFACTURED BY THE MANUFACTURER AT THE DISTILLERY DESCRIBED IN THE PERMIT, SO LONG AS THE TOTAL VOLUME OF OTHER BEVERAGE COMPONENTS CONTAINING ALCOHOL DOES NOT EXCEED 20%; TO SPECIFY THAT HOURS OF ON-PREMISES SALES SHALL BE THE SAME AS THOSE AUTHORIZED FOR ON-PREMISES PERMITTEES IN THE CITY OR COUNTY IN WHICH THE DISTILLERY RETAILER IS LOCATED; TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE RULES FACILITATING A RETAILER'S ON-SITE PICKUP OF DISTILLED SPIRITS SOLD BY THE DEPARTMENT, SO THAT THOSE SPIRITS MAY BE DELIVERED TO THE RETAILER AT THE DISTILLERY RETAILER INSTEAD OF VIA SHIPMENT FROM THE DEPARTMENT'S WAREHOUSE; TO AMEND SECTION 67-5-11, MISSISSIPPI CODE OF 1972, TO ALLOW DISTILLERY RETAILERS TO HOLD, FOR ONSITE PICKUP, SPIRITS SOLD TO RETAILERS THROUGH THE DEPARTMENT OF REVENUE, INSTEAD OF SHIPPING THEM TO THE DEPARTMENT WAREHOUSE; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO CREATE TWO PRIVILEGE LICENSE TAX TIERS FOR THE MANUFACTURER'S PERMIT, CLASS 1, APPLYING TO DISTILLERS AND RECTIFIERS, BASED ON ANNUAL PRODUCTION VOLUME; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2806** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-41, Mississippi Code of 1972, is amended as follows:

67-1-41. (1) *** No person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than *** an authorized wholesaler except as authorized in subsections (4), (9) and (12) of this section. *** An authorized wholesaler may sell *** alcoholic beverages to authorized permittees within the state *** and to retail distributors operating within any military post ***, keeping a correct and accurate record of all such transactions ***.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this chapter, or as otherwise provided by law for native wines.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than for delivery to a licensed wholesaler or as otherwise provided in this chapter, or as otherwise provided by law for native wines.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries, *** distillers of alcoholic beverages *** and from *** authorized wholesalers. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of native wines sold by the department, so that those wines may be delivered to the retailer at the native winery instead of via shipment from the department's warehouse.

(11) [Through June 30, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30) days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports shall

be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this chapter, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this chapter upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 2. The following shall be codified as Section 67-1-42, Mississippi Code of 1972:

67-1-42. (1) A retailer shall purchase all alcoholic beverages from an authorized wholesaler. Except as otherwise authorized, it shall be unlawful for any retailer to possess for purpose of sale, to sell, or to offer to sell any alcoholic beverages which were not purchased from a wholesaler in this state who has a permit to sell and/or distribute such alcoholic beverages.

(2) It shall be unlawful for any wholesaler to possess for purpose of sale, to sell or to offer to sell any alcoholic beverages which were not purchased from a manufacturer authorized to sell alcoholic beverages in this state.

(3) Except as otherwise authorized, sales by wholesalers or manufacturers to persons who do not hold a permit are unlawful; and any wholesaler or manufacturer making such sales, or who sells any alcoholic beverages on which the tax provided by law has not been paid, shall, in addition to any other fines, penalties and forfeitures, be subject to a penalty of One Hundred Dollars (\$100.00) for each sale.

(4) It shall be the duty of every wholesaler of alcoholic beverages permitted under this chapter to file with the department, on or before the fifteenth day of each month, a

report covering all sales of such alcoholic beverages during the preceding month. Such report shall show the names and post-office addresses for all persons to whom such alcoholic beverages have been sold or delivered and the quantities and invoice prices of the alcoholic beverages sold or delivered.

It shall be the duty of each retail dealer in such alcoholic beverages to procure from the wholesaler from whom such alcoholic beverages are purchased or acquired, invoices showing the quantity purchased or acquired, and the date of each delivery thereof. Such invoices shall be preserved by the retailer and shall be open for inspection by the department for a period of three (3) years.

(5) The wholesaler shall be allowed credit for tax paid on alcoholic beverages which are no longer marketable and which are destroyed by same when such destruction is witnessed by an agent of the department and when the amount of the excise tax exceeds One Hundred Dollars (\$100.00). No other loss will be allowed.

(6) If any person shall willfully evade the payment of any tax levied or imposed under this article, he shall be guilty of a felony, and, upon conviction, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the State Penitentiary for not less than one (1) year, nor more than ten (10) years, or by both such fine and imprisonment.

(7) It shall be unlawful for any person to transport from any point outside of this state to any point within this state, any alcoholic beverages except for delivery to a licensed wholesaler in this state; and except by common carrier. The commissioner may, however, upon application of a licensed wholesaler in this state, and under rules and regulations duly promulgated by him, issue a permit for the transportation by a licensed wholesaler of alcoholic beverages in trucks owned by such licensee, from without the state to the place of business of such licensee within the state, for distribution by said licensee. Such permit shall be granted for a specified period, not to exceed one (1) year.

(8) A wholesaler shall sell and deliver alcoholic beverages at uniform prices throughout the state; however, a wholesaler may provide volume or bulk price discounts provided that such discounts are made available to and provided to all retailers.

(9) No alcoholic beverages shall be delivered to a retailer other than alcoholic beverages that have been stored or warehoused for no less than forty-eight (48) hours at a premise in this state owned, rented or leased by a wholesaler.

(10) (a) No wholesaler may sell and no retailer may purchase alcoholic beverages except for cash or on terms requiring payment by the retailer in accordance with paragraph (b) of this subsection (10). A wholesaler who accepts a check or draft as payment from a retailer for the purchase of alcoholic beverages must deposit the check or draft in the bank for payment or present the check or draft for payment within five (5) business days after it is received.

(b) On purchases made from the first through the fifteenth day of a month, payment must be made on or before the twenty-fifth day of that month. On purchases made on the sixteenth day through the last day of a month, payment must be made on or before the tenth day of the following month. An account is not delinquent if payment is received by the wholesaler not later than the fourth business day after the date payment is due under this paragraph (b).

(c) Each delivery of alcoholic beverages shall be accompanied by an invoice giving the date of purchase. If a retailer becomes delinquent in the payment of an account

for alcoholic beverages, the wholesaler immediately shall report that fact in writing, including by electronic mail or facsimile transmission, to the commission. A wholesaler may not sell any alcoholic beverages to a retailer who is delinquent until the delinquent account is paid in full and cleared from the records of the commission, provided that sales to delinquent retailers can be made on a cash on delivery basis. An account becomes delinquent if it is not paid when it is required to be paid under paragraph (b) of this subsection (10).

(d) The commission may not accept the voluntary cancellation or suspension of a permit or allow a permit to be renewed or transferred if the permit holder is delinquent in the payment of an account for alcoholic beverages under this subsection (10). A person whose permit is canceled by the commission or whose permit has expired is not eligible to hold any other permit or license under this chapter until the person has cured any delinquency of the person under this section.

(e) It shall be unlawful for a wholesaler to accept a postdated check, a note or memorandum, or participate in a manner to assist a retailer in the violation of this subsection (10).

(f) Nothing in this subsection (10) shall require a wholesaler to make sales to a retailer on a credit basis. A wholesaler may at any time require that sales be made on a cash on delivery basis.

SECTION 3. Section 67-1-37, Mississippi Code of 1972, is amended as follows:

67-1-37. The Department of Revenue, under its duties and powers with respect to the Alcoholic Beverage Control Division therein, shall have the following powers, functions and duties:

(a) To issue or refuse to issue any permit provided for by this chapter, or to extend the permit or remit in whole or any part of the permit monies when the permit cannot be used due to a natural disaster or act of God.

(b) To revoke, suspend or cancel, for violation of or noncompliance with the provisions of this chapter, or the law governing the production and sale of native wines, or any lawful rules and regulations of the department issued hereunder, or for other sufficient cause, any permit issued by it under the provisions of this chapter. The department shall also be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

(c) To prescribe forms of permits and applications for permits and of all reports which it deems necessary in administering this chapter.

(d) To fix standards, not in conflict with those prescribed by any law of this state or of the United States, to secure the use of proper ingredients and methods of manufacture of alcoholic beverages.

(e) To issue rules regulating the advertising of alcoholic beverages in the state in any class of media and permitting advertising of the retail price of alcoholic beverages.

(f) To issue reasonable rules and regulations, not inconsistent with the federal laws or regulations, requiring informative labeling of all alcoholic beverages offered for sale within this state and providing for the standards of fill and shapes of retail containers of alcoholic beverages; however, such containers shall not contain less than fifty (50) milliliters by liquid measure.

(g) Subject to the provisions of subsection (3) of Section 67-1-51, to issue rules and regulations governing the issuance of retail permits for premises located near or around schools, colleges, universities, churches and other public institutions, and specifying the distances therefrom within which no such permit shall be issued. The Alcoholic Beverage Control Division shall not issue a package retailer's or on-premises retailer's permit for the sale or consumption of alcoholic beverages in or on the campus of any public school, community or junior college, college or university.

(h) To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this chapter or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution and sale of alcoholic liquor, whether intended for beverage or nonbeverage use in a manner not inconsistent with the provisions of this chapter or any other statute, including the native wine laws.

(i) To call upon other administrative departments of the state, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it may deem necessary in the performance of its duties.

(j) To prepare and submit to the Governor during the month of January of each year a detailed report of its official acts during the preceding fiscal year ending June 30, including such recommendations as it may see fit to make, and to transmit a like report to each member of the Legislature of this state upon the convening thereof at its next regular session.

(k) To inspect, or cause to be inspected, any premises where alcoholic liquors intended for sale are manufactured, stored, distributed or sold, and to examine or cause to be examined all books and records pertaining to the business conducted therein.

(l) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him to the Legislature of this state such amendments to this chapter, if any, as it may think desirable.

(m) To designate hours and days when alcoholic beverages may be sold in different localities in the state which permit such sale.

(n) To assign employees to posts of duty at locations where they will be most beneficial for the control of alcoholic beverages and to take any other action concerning persons employed under this chapter as authorized by law and taken in accordance with the rules, regulations and procedures of the State Personnel Board.

(o) To enforce the provisions made unlawful by Chapter 3, Title 67 and Section 97-5-49.

(p) To delegate its authority under this chapter to the Alcoholic Beverage Control Division, its director or any other officer or employee of the department that it deems appropriate.

(q) To prescribe and charge a fee to defray the costs of shipping alcoholic beverages, provided that such fee is determined in a manner provided by the department by rules and/or regulations adopted in accordance with the Mississippi Administrative Procedures Law. This paragraph (q) shall stand repealed on January 1, 2022.

SECTION 4. Section 67-1-43, Mississippi Code of 1972, is amended as follows:

67-1-43. Any authorized retail *** permittee who shall purchase or receive intoxicating liquor from any source except from *** an authorized wholesaler, unless authorized by rules and regulations of the department promulgated under Section 67-1-41, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), nor more than Two Thousand Dollars (\$2,000.00), to which may be added imprisonment in the county jail for not more than six (6) months. Any authorization of such person to sell intoxicating beverages may be revoked as provided by law.

SECTION 5. Section 67-1-45, Mississippi Code of 1972, is amended as follows:

67-1-45. No manufacturer, rectifier or distiller of alcoholic beverages shall sell or attempt to sell any such alcoholic beverages, except malt liquor, within the State of Mississippi, except to *** an authorized wholesaler, or as provided in Section 67-1-41, or pursuant to Section 67-1-51. A producer of native wine may sell native wines to *** an authorized wholesaler or to consumers at the location of the native winery or its immediate vicinity. For the purposes of this section, "authorized wholesaler" does not include package retail permittees who resell alcoholic beverages at wholesale to other permittees. Such package retail permittees may only purchase alcoholic beverages as otherwise authorized by this chapter.

Any violation of this section by any manufacturer, rectifier or distiller shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), and not more than Two Thousand Dollars (\$2,000.00), to which may be added imprisonment in the county jail not to exceed six (6) months.

SECTION 6. Section 67-1-47, Mississippi Code of 1972, is amended as follows:

67-1-47. All distillers or distributors having contracts with *** any authorized wholesaler for the sale of alcoholic beverages *** throughout the state, before making delivery of any merchandise to the *** wholesaler, shall register with the Secretary of State giving their name, address, name of all local agents and any other pertinent information which may be required by the Secretary of State and appointing an agent for the service of process within the State of Mississippi.

SECTION 7. Section 67-1-49, Mississippi Code of 1972, is amended as follows:

67-1-49. All distillers or distributors having contracts with *** any authorized wholesaler for the sale of alcoholic beverages *** throughout the state, shall, on or before February 1st of each year, file a statement, under oath, with the *** Department of

Revenue and with the Secretary of State, listing the names and addresses of each person, firm or corporation in Mississippi to whom or which said distiller or distributor shall have paid or agreed to pay any fee, retainer, salary, or remuneration, during the preceding year, together with a statement of the purpose for such payment. Failure to file such statement shall constitute grounds for the commission to suspend the right of the distiller or distributor to sell to said commission until such time as said statement shall be filed.

SECTION 8. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one

(1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the

permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from * * * an authorized wholesaler or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit

shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from * * * authorized wholesalers, importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the

auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the

State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from * * * an authorized wholesaler; however, if the holder does not purchase the alcoholic beverages from * * * an authorized wholesaler, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by * * * an authorized wholesaler. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from * * * an authorized wholesaler. However, if the holder does not purchase the alcoholic beverages from * * * an authorized wholesaler, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by * * * an authorized wholesaler. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Wholesaler's permit. The holder of a wholesaler's permit may distribute alcoholic beverages throughout the State of Mississippi to properly permitted retailers for resale subject to the provisions of this chapter and any applicable regulations.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 9. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's.....\$4,500.00

(b) Manufacturer's permit, Class 2, wine

Manufacturer.....\$1,800.00

(c) Manufacturer's permit, Class 3, native wine

manufacturer per ten thousand (10,000) gallons or part thereof produced \$ 10.00

(d) Native wine retailer's permit..... \$ 50.00

(e) Package retailer's permit, each..... \$ 900.00

(f) On-premises retailer's permit, except for clubs and common carriers, each.....\$ 450.00

(g) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each\$ 225.00

(h) On-premises retailer's permit for clubs..... \$ 225.00

(i) On-premises retailer's permit for common carriers, per car, plane, or other vehicle..... \$ 120.00

(j) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department..... \$ 100.00

(k) Filing fee for each application except for an employee identification card.....\$ 25.00

(l) Temporary permit, Class 1, each \$ 10.00

(m) Temporary permit, Class 2, each..... \$ 50.00

(n) (i) Caterer's permit.....\$ 600.00

(ii) Caterer's permit for holders of on-premises retailer's permit..... \$ 150.00

(o) Research permit..... \$ 100.00

(p) Temporary permit, Class 3 (wine only) \$ 10.00

(q) Special service permit \$ 225.00

(r) Merchant permit \$ 225.00

(s) Temporary alcoholic beverages charitable auction permit..... \$ 10.00

(t) Event venue retailer's permit \$ 225.00

(u) Temporary theatre permit, each..... \$ 10.00

(v) Charter ship operator's permit..... \$ 100.00

- (w) Distillery retailer's permit \$ 450.00
- (x) Festival wine permit \$ 10.00
- (y) Wholesaler's permit \$ 5,000.00

If a person approved for a manufacturer's permit, Class 1, distiller's permit produces a product with at least fifty-one percent (51%) of the finished product by volume being obtained from alcoholic fermentation of grapes, fruits, berries, honey and/or vegetables grown and produced in Mississippi, and produces all of the product by using not more than one (1) still having a maximum capacity of one hundred fifty (150) liters, the annual privilege license tax for such a permit shall be Ten Dollars (\$10.00) per ten thousand (10,000) gallons or part thereof produced. Bulk, concentrated or fortified ingredients used for blending may be produced outside this state and used in producing such a product.

In addition to the filing fee imposed by paragraph (k) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (x) of this subsection shall stand repealed from and after July 1, 2023.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor or a temporary permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(f), (g), (h), (m) and (t) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(n) and (r) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars (\$250.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars (\$5,000.00) purchases to the first Five Thousand Dollars (\$5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 10. Section 27-71-7, Mississippi Code of 1972, is amended as follows:

27-71-7. (1) There is hereby levied and assessed an excise tax upon each case of alcoholic beverages sold by * * * an authorized wholesaler to be collected from each retail licensee at the time of sale in accordance with the following schedule:

(a) Distilled spirits\$2.50 per gallon

(b) Sparkling wine and champagne\$1.00 per gallon

(c) Other wines, including native

wines \$.35 per gallon

(2) * * * Upon every person engaged or continuing in this state in business as an authorized wholesaler there is hereby levied, assessed and shall be collected a tax of eighteen percent (18%) on the gross proceeds of the wholesale sale. This tax shall be in addition to any and all taxes otherwise imposed under this title.

(3) The taxes imposed by this section shall be paid to the department monthly on or before the fifteenth day of the month following the month in which the sales were made by a wholesaler. Monthly report forms shall be furnished by the commissioner to the wholesalers.

SECTION 11. Section 27-71-9, Mississippi Code of 1972, is amended as follows:

27-71-9. The *** department may promulgate regulations authorizing persons holding on premises retailer's permits for common carriers, as provided herein, to file periodic reports and pay a tax based upon the value of alcoholic beverages sold while in this state, in lieu of purchasing all such alcoholic beverages from the *** an authorized wholesaler. Such tax shall not be less than an amount equivalent to the gross profit plus all taxes that would have been derived from the sale of a like quantity of alcoholic beverages by the *** wholesaler.

SECTION 12. Section 27-71-11, Mississippi Code of 1972, is amended as follows:

27-71-11. The *** department shall from time to time by resolution request the State Bond Commission to provide sufficient funds required to maintain an adequate alcoholic beverage inventory. Said funds shall be provided under the provisions of Chapter 557, Laws of 1966.

Through June 30, 2022, the department may take any action necessary to dispose of its inventory by allowing suppliers and/or other entities with products in the inventory to remove their products from the inventory.

This section shall stand repealed on July 1, 2022.

SECTION 13. Section 27-71-13, Mississippi Code of 1972, is amended as follows:

27-71-13. The commission shall purchase directly from the manufacturer, except under the following conditions:

(a) Foreign brands which are not readily obtainable directly from the manufacturer.

(b) When the commission can conclusively prove that unusual or extraordinary circumstances exist and the required or desired brands can be purchased at substantially lower prices from wholesalers or brokerage firms.

In all instances involving purchases, other than directly from the manufacturer, the commission shall maintain full and complete records clearly reflecting the justification for such purchases. Said records shall include invoices, price lists, comparative prices, bills of lading and a certificate of justification signed by the director of the Alcoholic Beverage Control Division, as to the conditions requiring the purchase or purchases. All such records shall be retained for a period of three (3) years.

This section shall stand repealed on January 1, 2022.

SECTION 14. Section 27-71-15, Mississippi Code of 1972, is amended as follows:

27-71-15. Except as otherwise provided in Section 67-9-1 for the transportation of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, if transportation requires passage through a county which has not authorized the sale of alcoholic beverages, such transportation shall be by a sealed vehicle. Such seal shall remain unbroken until the vehicle shall reach the place of business operated by the permittee. The operator of any vehicle transporting alcoholic beverages shall have in his possession an invoice issued by the *** wholesaler at the time of the wholesale sale covering the merchandise transported by the vehicle. The *** department is authorized to issue regulations controlling the transportation of alcoholic beverages.

When the restrictions imposed by this section and by the regulation of the *** department have not been violated, the person transporting alcoholic beverages through a county wherein the sale of alcoholic beverages is prohibited shall not be guilty of unlawful possession and such merchandise shall be immune from seizure.

SECTION 15. Section 27-71-17, Mississippi Code of 1972, is amended as follows:

27-71-17. It shall be unlawful for any person to counterfeit or reuse any label prescribed by the *** department and used to identify alcoholic beverages sold at wholesale by *** a wholesaler and, upon conviction, the person shall be punished by a

fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the State Penitentiary for not less than one (1) year, nor more than ten (10) years, or both.

SECTION 16. Section 27-71-21, Mississippi Code of 1972, is amended as follows:

27-71-21. Before any person shall engage in the business of manufacturing, wholesaling or retailing of alcoholic beverages, he may be required to enter into a bond payable to the State of Mississippi, conditioned that he will conduct said business strictly in accordance with the laws of the State of Mississippi, and that he will comply with the rules and regulations prescribed by the * * * department, and pay all taxes due the State of Mississippi. The amount of a bond required of a manufacturer, not including a producer of native wine, and of a wholesaler shall not exceed One Hundred Thousand Dollars (\$100,000.00), and the amount required of a retailer shall be Five Thousand Dollars (\$5,000.00). Provided, however, any retailer whose check for purchase of merchandise or payment of taxes shall be dishonored may be required by the * * * department to post additional bond not to exceed Five Thousand Dollars (\$5,000.00). Such bond shall be made in a surety company authorized to do business in the State of Mississippi and shall be approved by the * * * department. The * * * department shall be authorized to institute suit in the proper court for any violation of the condition of said bonds. The amount of the bond required of a producer of native wine shall be Five Thousand Dollars (\$5,000.00).

As an alternative to entering into a bond as required by this section, any person who shall engage in the business of manufacturing, wholesaling or retailing alcoholic beverages may, subject to the same conditions of conduct required for bonds, deposit with the State Treasurer the equivalent amount of the bond required for that particular person in cash or securities. The only securities allowable for this purpose are those which may legally be purchased by a bank or for trust funds, having a market value not less than that of the required bond. The * * * department shall file notice with the Treasurer for any violation of the conditions of the cash or security deposit.

SECTION 17. Section 27-71-25, Mississippi Code of 1972, is amended as follows:

27-71-25. Any person engaged in the business of selling or distributing alcoholic beverages shall keep such records and make such reports with respect to the receipt, distribution and sale of alcoholic beverages as the * * * department may require. It shall be the duty of the * * * department to prescribe and promulgate uniform rules and regulations for keeping such records and making such reports.

SECTION 18. Section 27-71-29, Mississippi Code of 1972, is amended as follows:

27-71-29. All taxes levied by this article shall be paid to the Department of Revenue in cash or by personal check, cashier's check, bank exchange, post office money order or express money order and shall be deposited by the department in the State Treasury on the same day collected, but no remittances other than cash shall be a final discharge of liability for the tax herein imposed and levied unless and until it has been paid in cash to the department.

All taxes levied under Section 27-71-7 * * * and received by the department under this article shall be paid into the General Fund, * * * except that sixteen and six hundred sixty-seven one-thousandths percent (16.667%) of the revenue derived from taxes levied under Section 27-71-7(2) shall be deposited into the Mental Health Programs Fund. * * *

SECTION 19. Section 67-5-13, Mississippi Code of 1972, is amended as follows:

67-5-13. (1) Upon every producer holding a permit for the production of native wine, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the production of native wine an annual privilege license tax in an amount equal to Ten Dollars (\$10.00) for each ten thousand (10,000) gallons, or any part thereof, of native wine produced by the winery.

(2) There is levied and assessed an excise tax upon each case of native wine sold by a producer to any source to be collected from the producer in the amount provided for in Section 27-71-7. However, native wine produced in Mississippi for export and sale without this state and native wine produced in Mississippi and sold to the * * * an authorized wholesaler shall not be subject to the excise tax, nor shall the tax accrue

or be collected on native wines dispensed, as free samples in quantities of not more than six (6) ounces, in the tasting room of a native winery.

(3) The privilege tax imposed by subsection (1) of this section shall be collected in the same manner as presently provided by law for the collection of other alcoholic beverages. The excise tax imposed by subsection (2) of this section shall be reported monthly by the producer to the * * * department on all sales made in Mississippi to consumers at the location of the native winery or its immediate vicinity, along with a statement of gallonage produced during that month, and the producer shall remit the tax due and owing with each report. The producer shall also include in the report a statement of gallonage sold and exported for sale outside this state.

(4) All taxes levied by and collected under this section shall be deposited in the General Fund.

SECTION 20. This act shall take effect and be in force from and after January 1, 2022, and shall stand repealed on December 31, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO REMOVE THE DEPARTMENT OF REVENUE FROM BEING A WHOLESALE DISTRIBUTOR OF ALCOHOLIC BEVERAGES WITHIN THIS STATE; TO CREATE A NEW SECTION TO BE CODIFIED AS 67-1-42, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A HOLDER OF A WHOLESALER'S PERMIT TO DISTRIBUTE ALCOHOLIC BEVERAGES THROUGHOUT THIS STATE TO PROPERLY PERMITTED RETAILERS FOR RESALE SUBJECT TO THE PROVISIONS OF THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO PROVIDE FOR THE ISSUANCE OF A WHOLESALER'S PERMIT; TO REQUIRE THE HOLDER OF A WHOLESALER'S PERMIT TO FILE REPORTS WITH THE DEPARTMENT OF REVENUE COVERING SALES OF ALCOHOLIC BEVERAGES AND KEEP CERTAIN RECORDS; TO PROVIDE FOR THE ANNUAL RENEWAL OF A WHOLESALER'S PERMIT; TO AMEND SECTIONS 67-1-37, 67-1-43, 67-1-45, 67-1-47, 67-1-49 AND 67-1-51, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO LEVY A PRIVILEGE TAX ON HOLDERS OF WHOLESALER'S PERMITS; TO AMEND SECTION 27-71-7, MISSISSIPPI CODE OF 1972, TO LEVY A TAX UPON THE SALE OF ALCOHOLIC BEVERAGES BY A WHOLESALER; TO AMEND SECTIONS 27-71-9, 27-71-11, 27-71-13, 27-71-15, 27-71-17, 27-71-21, 27-71-25, 27-71-29 AND 67-5-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2816** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 80 by inserting the following language after "2021":

", and shall stand repealed on June 30, 2021"

Senator Harkins called up the following House Amendment to **S. B. No. 2843** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-309, Mississippi Code of 1972, is amended as follows:

27-7-309. (1) (a) Except as otherwise provided in this subsection, every employer required to deduct and withhold from wages under this article shall, for each calendar quarter, on or before the fifteenth day of the month following the close of such calendar quarter, file a withholding return as prescribed by the commissioner and pay over to the commissioner the full amount required to be deducted and withheld from wages by such employer for the calendar quarter. Provided that the commissioner may, by regulation, provide that every such employer shall, on or before the fifteenth day of each month, pay over to the commissioner or a depository designated by the commissioner, the amount required to be deducted and withheld by such employer for the preceding month, if such amount is One Hundred Dollars (\$100.00) or more. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed.

* * *

(* * *b) The commissioner may promulgate rules and regulations to require or permit filing periods of any duration, in lieu of monthly or quarterly filing periods, for any taxpayer or group thereof.

(2) Notwithstanding any of the other provisions of this section, all transient employers and all employers engaged in any business which is seasonal shall make return and pay over to the commissioner on a monthly basis, the full amounts required to be deducted and withheld from the wages by such employer for the calendar month. Such returns and payments to the commissioner by such employers shall be made on or before the fifteenth day of the month following the month for which such amounts were deducted and withheld from the wages of his employees. The commissioner shall have the authority to issue reasonable rules and regulations designating or classifying those transient and seasonal employers.

(3) If the commissioner, in any case, has justifiable reason to believe that the collection of funds required to be withheld by any employer as provided herein is in jeopardy, he may require the employer to file a return and pay such amount required to be withheld at any time.

(4) Every employer who fails to withhold or pay to the commissioner any sums required by this article to be withheld and paid, shall be personally and individually liable therefor, except as provided in Section 27-7-307; and any sum or sums withheld in accordance with the provisions of this article shall be deemed to be held in trust for the State of Mississippi and shall be recorded by the employer in a ledger account so as to clearly indicate the amount of tax withheld and that the amount is the property of the State of Mississippi.

(5) Once an employer has become liable to a quarterly return of withholding, he must continue to file a quarterly report, even though no tax has been withheld, until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such quarterly returns.

(6) Once an employer has become liable to a monthly return of withholding, he must continue to file a monthly report, even though no tax has been withheld until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such monthly returns.

(7) Magnetic media reporting may be required in a manner to be determined by the commissioner.

SECTION 2. Section 27-65-33, Mississippi Code of 1972, is amended as follows:

27-65-33. (1) (a) Except as otherwise provided in this section, the taxes levied by this chapter shall be due and payable on or before the twentieth day of the month next succeeding the month in which the tax accrues, except as otherwise provided. Returns and payments placed in the mail must be postmarked by the due date in order to be considered timely filed, except when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed. The taxpayer shall make a return showing the gross proceeds of sales or the gross income of the business, and any and all allowable deductions, or exempt sales, and compute the tax due for the period covered.

(b) As compensation for collecting sales and use taxes, complying fully with the applicable statutes, filing returns and supplements thereto and paying all taxes by the twentieth of the month following the period covered, the taxpayer may discount and retain two percent (2%) of the liability on each return subject to the following limitations:

(i) The compensation or discount shall not apply to taxes levied under the provisions of Sections 27-65-19 and 27-65-21, or on charges for ginning cotton under Section 27-65-23.

(ii) The compensation or discount shall not apply to taxes collected by a county official or state agency.

(iii) The compensation or discount shall not exceed Fifty Dollars (\$50.00) per month, or Six Hundred Dollars (\$600.00) per calendar year, per business location on each state sales tax return, or on each use tax return.

(iv) The compensation or discount shall not apply to any wholesale tax, the rate of which is equal to or greater than the tax rate applicable to retail sales of the same property or service. The retailer of such items shall be entitled to the compensation based on the tax computed on retail sales before application of the credit for any tax paid to the wholesaler, jobber or other person.

(v) The compensation or discount allowed and taken for any filing period may be reassessed and collected when an audit of a taxpayer's records reveals a tax deficiency for that period.

(c) As compensation for collecting any tax imposed under the authority of a local and private law of the State of Mississippi which is collected and paid to the Department of Revenue in the same or similar manner that state sales taxes are collected and paid, complying fully with such applicable law, filing returns and supplements thereto and paying all taxes by the twentieth of the month following the period covered, the taxpayer may discount and retain two percent (2%) of the liability on each return subject to the following limitations:

(i) The compensation or discount shall not apply to taxes collected by a county official or state agency.

(ii) The compensation or discount shall not exceed Fifty Dollars (\$50.00) per month, or Six Hundred Dollars (\$600.00) per calendar year, per business location on each tax return.

(iii) The compensation or discount allowed and taken for any filing period may be reassessed and collected when an audit of a taxpayer's records reveals a tax deficiency for that period.

* * *

(** *2) All returns shall be sworn to by the taxpayer, if made by an individual, or by the president, vice president, secretary or treasurer of a corporation, or authorized agent, if made on behalf of a corporation. If made on behalf of a partnership, joint venture, association, trust, estate, or in any other group or combination acting as a unit, any individual delegated by such firm shall swear to the return on behalf of the taxpayer. The commissioner may prescribe methods by which the taxpayer may swear to his return.

(** *3) The commissioner may promulgate rules and regulations to require or permit filing periods of any duration, in lieu of monthly filing periods, for any taxpayer or group thereof.

(** *4) The commissioner may require the execution and filing by the taxpayer with the commissioner of a good and solvent bond with some surety company authorized to do business in Mississippi as surety thereon in an amount double the aggregate tax liability by such taxpayer for any previous three-month period within the last calendar year or estimated three (3) months' tax liability. The bond is to be conditioned for the prompt payment of such taxes as may be due for each such return.

(** *5) The commissioner, for good cause, may grant such reasonable additional time within which to make any return required under the provisions of this chapter as he may deem proper, but the time for filing any return shall not be extended beyond the twentieth of the month next succeeding the regular due date of the return without the imposition of interest at the rate of one-half of one percent (1/2 of 1%) per month or fractional part of a month from the time the return was due until the tax is paid.

(** *6) For persistent, willful or recurring failure to make any return and pay the tax shown thereby to be due by the time specified, there shall be added to the amount of tax shown to be due ten percent (10%) damages, or interest at the rate of one-half of one percent (1/2 of 1%) per month, or both.

(** *7) Any taxpayer may, upon making application therefor, obtain from the commissioner an extension of time for the payment of taxes due on credit sales until collections thereon have been made. When such extension is granted, the taxpayer shall thereafter include in each monthly or quarterly report all collections made during the preceding month or quarter, and shall pay the taxes due thereon at the time of filing such report. Such permission may be revoked or denied at the discretion of the commissioner when, in his opinion, a total sales basis will best reflect the taxable income or expedite examination of the taxpayer's records.

(** *8) Any taxpayer reporting credit sales before collection thereof has been made may take credit on subsequent returns or reports for bad debts actually charged off, if such amounts charged off have previously been included in taxable gross income or taxable gross proceeds of sales, as the case may be, and the tax paid thereon. However, any amounts subsequently collected on accounts that have been charged off as bad debts shall be included in subsequent reports and the tax shall be paid thereon.

(** *9) In cases where an extension of time has been granted by the commissioner for payment of taxes due on credit sales and the taxpayer thereafter discontinues the business, such taxpayer shall be required to file with the commissioner within ten (10) days, or such further time as the commissioner may direct, from the date of the discontinuance of such business, a special report showing the amounts of any credit sales which have not been included in determining the measure of the tax previously paid and any other information with reference to credit sales as the commissioner may require.

The commissioner shall thereupon investigate the facts with reference to credit sales and the condition of the accounts, and shall determine, from the best evidence available, the value of all open accounts, notes or other evidence of debt arising from credit sales. The value of all notes, open accounts and other evidence of debt, as thus determined by the commissioner, shall be used in determining the amount of the tax for which such taxpayer shall be liable. When the amount of the tax shall have been ascertained, the taxpayer shall be required to pay the same within ten (10) days or such further time as the commissioner may allow, notwithstanding the fact that such note or accounts may still remain uncollected.

SECTION 3. Section 27-67-17, Mississippi Code of 1972, is amended as follows:

27-67-17. (1) Except as otherwise provided in this section, the commissioner shall collect the tax imposed by this article, and every person subject to its provisions shall remit to the commissioner, on or before the twentieth day of each month, the amount of tax due by such person for the preceding calendar month. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except that when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed. Every taxpayer shall file a return with his remittance, which return shall be prescribed by the commissioner and shall show for the calendar month preceding the tax payment date, the total sale or purchase price, or value of tangible personal property or specified digital products sold, used, stored or consumed by him for benefit received or service performed, and such other information as the commissioner may deem pertinent and necessary for determining the amount of tax due thereunder.

(2) The commissioner, in his discretion, may authorize in writing the filing of returns and the payment of tax on a quarterly basis by any person required or authorized to pay the tax imposed, such authority to be subject to revocation for good cause by the commissioner.

(3) In instances where it is impractical to file returns and pay the tax monthly or quarterly, the commissioner may authorize the filing of semiannual or annual returns.

* * *

(* * *4) The commissioner, in his discretion, may authorize the computation of the tax on the basis of a formula in lieu of direct accounting of specific properties in instances where such method will expedite, simplify or provide a more equitable means of determining liability under this article. All formulas shall be subject to revocation for good cause by the commissioner.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES EMPLOYERS WITH AN AVERAGE MONTHLY WITHHOLDING TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE WITHHOLDING TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF THEIR JUNE WITHHOLDING TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; TO AMEND SECTION 27-65-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES TAXPAYERS WHO ARE REQUIRED TO COLLECT SALES TAX AND WHO HAVE AN AVERAGE MONTHLY SALES TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING

CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE SALES TAX LIABILITY FOR THE CURRENT CALENDAR YEAR OR AT LEAST 75% OF THEIR JUNE SALES TAX LIABILITY FOR THE PRECEDING CALENDAR YEAR; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES TAXPAYERS WHO ARE REQUIRED TO COLLECT USE TAX AND WHO HAVE AN AVERAGE MONTHLY USE TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE USE TAX LIABILITY FOR THE CURRENT CALENDAR YEAR OR AT LEAST 75% OF THEIR JUNE USE TAX LIABILITY FOR THE PRECEDING CALENDAR YEAR; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2868** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than four percent (4%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages;

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen (18) hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen (18) hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. Land that is planned for mixed use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed and which land is located:

a. In a county that has voted to come out from under the dry law,

b. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

c. Within one (1) mile of a state institution of higher learning;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located * * *;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84 * * *;

23. Any tracts of land in Oktibbeha County, situated east of Mississippi Boulevard, north of Coliseum Boulevard and east of Montgomery Hill Road, and not located on the property of a state institution of higher learning * * *; and

24. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately .5 acres, located in a municipality, which is the seat of county government, situated South of Interstate Highway 10, traversed by U.S. Highway 90, is partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two

thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in subparagraph (iii) of this paragraph (o) as qualified resort areas does not require any declaration of same by the department.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this chapter unless on the date of the initial application for a license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

SECTION 2. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs,

and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales

made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the

distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section 65-1-5(o)(iii)24.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 3. Section 67-1-37, Mississippi Code of 1972, is brought forward as follows:

67-1-37. The Department of Revenue, under its duties and powers with respect to the Alcoholic Beverage Control Division therein, shall have the following powers, functions and duties:

(a) To issue or refuse to issue any permit provided for by this chapter, or to extend the permit or remit in whole or any part of the permit monies when the permit cannot be used due to a natural disaster or act of God.

(b) To revoke, suspend or cancel, for violation of or noncompliance with the provisions of this chapter, or the law governing the production and sale of native wines, or any lawful rules and regulations of the department issued hereunder, or for other sufficient cause, any permit issued by it under the provisions of this chapter. The department shall also be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

(c) To prescribe forms of permits and applications for permits and of all reports which it deems necessary in administering this chapter.

(d) To fix standards, not in conflict with those prescribed by any law of this state or of the United States, to secure the use of proper ingredients and methods of manufacture of alcoholic beverages.

(e) To issue rules regulating the advertising of alcoholic beverages in the state in any class of media and permitting advertising of the retail price of alcoholic beverages.

(f) To issue reasonable rules and regulations, not inconsistent with the federal laws or regulations, requiring informative labeling of all alcoholic beverages offered for sale within this state and providing for the standards of fill and shapes of retail containers of alcoholic beverages; however, such containers shall not contain less than fifty (50) milliliters by liquid measure.

(g) Subject to the provisions of subsection (3) of Section 67-1-51, to issue rules and regulations governing the issuance of retail permits for premises located near or around schools, colleges, universities, churches and other public institutions, and specifying the distances therefrom within which no such permit shall be issued. The Alcoholic Beverage Control Division shall not issue a package retailer's or on-premises retailer's permit for the sale or consumption of alcoholic beverages in or on the campus of any public school, community or junior college, college or university.

(h) To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this chapter or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution and sale of alcoholic liquor, whether intended for beverage or nonbeverage use in a manner not inconsistent with the provisions of this chapter or any other statute, including the native wine laws.

(i) To call upon other administrative departments of the state, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it may deem necessary in the performance of its duties.

(j) To prepare and submit to the Governor during the month of January of each year a detailed report of its official acts during the preceding fiscal year ending June 30, including such recommendations as it may see fit to make, and to transmit a like report to each member of the Legislature of this state upon the convening thereof at its next regular session.

(k) To inspect, or cause to be inspected, any premises where alcoholic liquors intended for sale are manufactured, stored, distributed or sold, and to examine or cause to be examined all books and records pertaining to the business conducted therein.

(l) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him to the Legislature of this state such amendments to this chapter, if any, as it may think desirable.

(m) To designate hours and days when alcoholic beverages may be sold in different localities in the state which permit such sale.

(n) To assign employees to posts of duty at locations where they will be most beneficial for the control of alcoholic beverages and to take any other action concerning persons employed under this chapter as authorized by law and taken in accordance with the rules, regulations and procedures of the State Personnel Board.

(o) To enforce the provisions made unlawful by Chapter 3, Title 67 and Section 97-5-49.

(p) To delegate its authority under this chapter to the Alcoholic Beverage Control Division, its director or any other officer or employee of the department that it deems appropriate.

(q) To prescribe and charge a fee to defray the costs of shipping alcoholic beverages, provided that such fee is determined in a manner provided by the department by rules and/or regulations adopted in accordance with the Mississippi Administrative Procedures Law.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES IN CERTAIN MIXED-USED PROPERTY DEVELOPMENT IMPROVEMENTS IN A CERTAIN MUNICIPALITY OR TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES AT A LICENSED PREMISES IN A BUILDING FORMERLY OWNED BY A MUNICIPALITY AND FORMERLY LEASED BY THE MUNICIPALITY TO A MUNICIPAL SCHOOL DISTRICT AND USED BY THE MUNICIPAL SCHOOL DISTRICT AS A DISTRICT BUS SHOP FACILITY; TO BRING FORWARD SECTION 67-1-37, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2874** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. All residential contractors, in order to obtain a building permit in the State of Mississippi, shall possess a permit from the Department of Revenue issued under Section 27-65-27.

Notwithstanding the definitions of "residential builder" and "remodeler" in Section 73-59-1, for purposes of this section, a residential contractor is a person or entity contracting or offering to contract with an owner or possessor of residential real estate to construct a residence or appurtenant structure thereon, or to repair or renovate any portion of a residence or appurtenant structure thereon, regardless of the cost of the project, and regardless of whether all or part of the cost is expected to be paid as a benefit of a property and casualty insurance policy. A residential contractor is not a person building, repairing or renovating his or her own personal residence.

SECTION 2. All commercial contractors, in order to obtain a building permit in the State of Mississippi, shall possess a permit from the Department of Revenue issued under Section 27-65-27.

Notwithstanding the definition of "contractor" in Section 31-3-1, for purposes of this section, a commercial contractor is a person or entity contracting or offering to contract with an owner or possessor of commercial real estate to construct a building thereon, or to repair or renovate any portion of a building thereon, regardless of the cost of the project, and regardless of whether all or part of the cost is expected to be paid as a benefit of a property and casualty insurance policy.

SECTION 3. Section 27-65-27, Mississippi Code of 1972, is amended as follows:

27-65-27. (1) Any person who engages, or who intends to engage, in any business or activity which will subject such person to a privilege tax imposed by this chapter, or which falls within the scope of Section 1 or Section 2 of this act, shall apply to the commissioner for a permit to engage in and to conduct any business or activity upon the condition that he shall pay the tax accruing to the State of Mississippi under the provisions of this chapter, and shall keep adequate records of such business or activity as required by this chapter. By making an application for a permit issued pursuant to this section, a person agrees, regardless of his presence in this state, to:

- (a) Be subject to the jurisdiction of this state for purposes of taxation;
- (b) Collect and remit all taxes levied under this chapter on the type of business or activity to be conducted by the applicant;
- (c) Be subject to all the provisions of this chapter.

(2) Upon receipt of the permit, the applicant shall be duly licensed under this chapter to engage in and conduct the business or activity. The permit shall continue in force so long as the person to whom it is issued shall continue in the same business at the same location, unless revoked by the commissioner for cause.

(3) The commissioner shall require of every person desiring to engage in business within this state who maintains no permanent place of business within this state, of every person desiring to engage in the business of making sales of mobile homes, a cash bond or an approved surety bond in an amount sufficient to cover twice the estimated tax liability for a period of three (3) months. However, the bond shall in no case be less than One Hundred Dollars (\$100.00) and the tax may be prepaid in lieu of filing bond if the amount is approved by the commissioner. This bond shall be filed with the commissioner prior to the issuance of a permit to do business and before any such person may engage in business within this state. Failure to comply with the provision will subject such person to the penalties provided by this chapter.

(4) The commissioner is authorized to deny the application for a permit or revoke the permit of any person who has failed or is failing to comply with any of the provisions of this chapter. The commissioner may also deny the application for a permit or revoke the permit of any person who has failed to satisfy all of the finally determined tax liabilities owed by that person. If the applicant or taxpayer is an entity, the commissioner may deny the application for a permit or revoke the permit if any partner, member, principal officer or director of such entity has failed to satisfy all of the finally determined tax liabilities owed by that partner, member, principal officer or director. Any denial or revocation of an entity's permit based on a partner, member, principal officer or director's finally determined tax liability shall only be authorized if the partner, member, principal officer or director owns ten percent (10%) or more of the entity and is or will be exercising responsibility for fiscal management. In lieu of denying or revoking an entity's permit, the commissioner may accept an increased or additional bond from the entity to cover the additional risk involved with having an individual with a finally determined tax liability involved. As used in this

subsection, "finally determined tax liabilities" means any state tax, fee, penalty and/or interest owed by a person to the Department of Revenue where the assessment of the liability has been made against that person as provided by law and such assessment is not subject to any further timely filed administrative or judicial review. Revocation of such permit, or engaging or continuing in business after such permit is revoked or engaging in business without a permit, shall subject the person to all the penalties imposed by this chapter.

(5) Any person liable for the tax who fails to obtain a permit from the commissioner, or who continues in business after such permit has been revoked, or who fails to make his returns for taxation as provided, or who fails to keep adequate records and invoices provided by this chapter, or who fails or refuses to permit inspection of such records, or who fails to pay any taxes due hereunder, shall forfeit his rights to do business in this state until he complies with all the provisions of this chapter and until he enters into a bond, with sureties, to be approved by the commissioner, in an amount not to exceed twice the amount of all taxes estimated to become due under this chapter by the person for any period of three (3) months, conditioned to comply with the provisions of this chapter, and pay all taxes legally due by him.

(6) If any person is engaged in or continuing in this state in any business or activity without obtaining a permit, or after the permit has been revoked, or without filing a required bond, or without keeping and allowing inspection of all records required by this chapter, or without making a return, or returns, and without paying all taxes due by him hereunder, it shall be the duty of the commissioner to proceed by injunction to prevent the continuance of the business. Any temporary injunction enjoining the continuance of the business shall be granted without notice by a judge or chancellor now authorized to grant injunctions.

SECTION 4. (1) Section 1 of this act shall be codified in Title 73, Chapter 59, Mississippi Code of 1972.

(2) Section 2 of this act shall be codified in Title 31, Chapter 3, Mississippi Code of 1972.

SECTION 5. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A NEW SECTION IN TITLE 73, CHAPTER 59, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL RESIDENTIAL CONTRACTORS, IN ORDER TO OBTAIN A BUILDING PERMIT IN THIS STATE, POSSESS A PERMIT FROM THE DEPARTMENT OF REVENUE ISSUED UNDER SECTION 27-65-27; TO DEFINE "RESIDENTIAL CONTRACTOR" FOR PURPOSES OF THIS PERMIT REQUIREMENT; TO CREATE A NEW SECTION IN TITLE 31, CHAPTER 3, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL COMMERCIAL CONTRACTORS, IN ORDER TO OBTAIN A BUILDING PERMIT IN THIS STATE, POSSESS A PERMIT FROM THE DEPARTMENT OF REVENUE ISSUED UNDER SECTION 27-65-27; TO DEFINE "COMMERCIAL CONTRACTOR" FOR PURPOSES OF THIS PERMIT REQUIREMENT; TO AMEND SECTION 27-65-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE PROVISIONS; AND FOR RELATED PURPOSES.

Senator Polk moved that the rules be suspended for the consideration en bloc of S. N. No. 2, S. N. No. 3 and S. N. No. 4 and the motion prevailed.

Senator Polk called up the following entitled nominations:

S. N. No. 2: Nancy Rea Luke Carpenter, Columbus, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026.

S. N. No. 3: Spencer J. (Spence) Flatgard, Ridgeland, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026.

S. N. No. 4: Edmond Earl Hughes, Jr., Ocean Springs, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026.

YEAS AND NAYS on consideration en bloc of S. N. No. 2, S. N. No. 3 and S. N. No. 4. On motion of Senator Hill, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Branning, Fillingane. Total--2.

Senator Blount called up the following entitled nomination:

S. N. No. 33: Francis Clark (Franc) Lee, Flowood, Mississippi, Mississippi Gaming Commission, term effective immediately and ends September 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 33 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Branning, Fillingane. Total--2.

Senators Sojourner and McDaniel moved that when the Senate adjourns, it adjourn in memory of William Gregory "Greg" Barron of Summit, MS.

Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Annie Pauline Harris of Guntown, MS.

Senator Barnett moved that when the Senate adjourns, it adjourn in memory of Eulis Jones of Laurel, MS.

Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Josie B. Pennington and Leanna Christon of Metcalfe, MS.

Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Robert Woodruff, Jr. of Greenville, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 18, 2021.

The motion prevailed, and at 10:35 AM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 70: Autopsies; provide for confidentiality of photographs and video and audio recordings with exceptions.

H. B. No. 160: State Department of Health and State Board of Health; extend repealer on.

H. B. No. 551: Driver's license; require Department of Public Safety to allow official identifying document of MDOC to suffice for.

H. B. No. 1048: Qualification deadline; change to February 1 for certain statewide, state district, county and county district offices.

H. B. No. 1263: Occupational licensing; provide for recognition of out-of-state licenses if applicants satisfy certain conditions.

H. B. No. 1323: Open meeting; authorize executive session for discussion of plans to combat human trafficking and commercial sexual exploitation of children.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2822: Mississippi Flexible Tax Incentive Act; create.

S. B. No. 2895: Ad valorem tax; provide assessment rate for transformative renewable energy project property designated by the county board.

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2313: Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness.
Senators Parks, Boyd, Sparks.

MESSAGE FROM THE GOVERNOR
March 17, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2075: State parks; change name of Natchez State Park to "Bob M. Dearing Natchez State Park." (March 17, 2021, 1:36 PM)

S. B. No. 2119: Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription. (March 17, 2021, 1:36 PM)

S. B. No. 2204: Revised LLC Act and MS Registered Agents Act; require listing of registered agent's email address. (March 17, 2021, 1:38 PM)

S. B. No. 2293: Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge. (March 17, 2021, 1:48 PM)

S. B. No. 2324: Bad Faith Assertions of Patent Infringement; extend repealer on. (March 17, 2021, 1:49 PM)

S. B. No. 2521: Mississippi Advantage Jobs Act; revise definition of "new direct job" for incentive applicants from and after July 1, 2010. (March 17, 2021, 1:50 PM)

S. B. No. 2552: Pretrial Intervention Program; prohibit eligibility for persons charged with public embezzlement over a certain amount. (March 17, 2021, 1:52 PM)

S. B. No. 2651: Surplus property; clarify current policy to conform with federal regulations for the Department of Finance and Administration. (March 17, 2021, 1:53 PM)

Respectfully submitted,
Debbie Carney, Legislative Aide

TO THE MISSISSIPPI STATE SENATE

MESSAGE FROM THE GOVERNOR
March 17, 2021

I am directed by the Governor to advise you that the following Senate Bill was purposely left **unsigned**, and will become a part of the laws of Mississippi, without the approval signature of the Governor.

S.B. 2282: Youth detention; raise minimum age for youth commitment to state training school and secure detention.

Respectfully submitted,
Debbie Carney, Legislative Aide

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of William Gregory "Greg" Barron, Annie Pauline Harris, Josie B. Pennington, Leanna Christon, Eulis Jones and Robert Woodruff, Jr.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR WEDNESDAY, MARCH 17, 2021

S. B. No. 3091: Local and Private; Finance

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, TO IMPOSE A SPECIAL SALES TAX OF NOT MORE THAN 3/4% ON THE GROSS PROCEEDS OF ALL SALES OR THE GROSS INCOME OF BUSINESSES IN THE COUNTY DERIVED FROM ACTIVITIES TAXED AT THE RATE OF 7% UNDER THE MISSISSIPPI SALES TAX LAW; TO PROVIDE THAT THE SPECIAL SALES TAX SHALL NOT BE LEVIED UNLESS AUTHORIZED BY A MAJORITY OF THE VOTES CAST BY QUALIFIED ELECTORS ON THE ISSUE AT A REGULAR COUNTY ELECTION; TO PROVIDE THAT THE REVENUE COLLECTED FROM THE SPECIAL SALES TAX SHALL BE USED AND EXPENDED BY THE BOARD OF SUPERVISORS SOLELY FOR FUNDING A PROJECT SPECIFIED BY THE BOARD AND PLACED ON THE BALLOT AS THE PROJECT TO BE FUNDED BY THE SPECIAL SALES TAX OR PAYING DEBT SERVICE ON BONDS ISSUED OR LOANS RECEIVED FOR THE SAME PURPOSE; FOR THE PURPOSE OF FUNDING THE PROJECT OF THE BOARD OF SUPERVISORS, TO AUTHORIZE THE COUNTY TO ISSUE GENERAL OBLIGATION BONDS OR RECEIVE LOANS IN AN AGGREGATE PRINCIPAL AMOUNT NOT IN EXCESS OF AN AMOUNT FOR WHICH DEBT SERVICE IS CAPABLE OF BEING FUNDED BY THE PROCEEDS OF THE SPECIAL SALES TAX LEVIED UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

S. C. R. No. 536: Rules

A CONCURRENT RESOLUTION ESTABLISHING OF THE STATE TAXATION STUDY COMMITTEE TO EXAMINE AND DEVELOP RECOMMENDATIONS REGARDING STATE TAX POLICY.

By Senator(s) Harkins

SEVENTY-THIRD DAY, THURSDAY, MARCH 18, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Fillingane. Total--1.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Fillingane.

The invocation was delivered by Senator Sparks.

Senator Horhn led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 32: Sarcoidosis Awareness Month in Mississippi; designate April 2021 as. Rules.

H. C. R. No. 35: Steve Hale; commend distinguished public service career including as a State Senator. Rules.

H. C. R. No. 36: Kidney Disease Awareness Month; recognize March 2021 as. Rules.

H. C. R. No. 37: Franklin Academy; congratulate upon observance of the Bicentennial Celebration as first public school in Mississippi. Rules.

H. C. R. No. 38: Robert Daniel "Dan" Camp; commend life, legacy and contributions of upon his passing. Rules.

H. C. R. No. 39: Gulf of Mexico continental shelf leasing and infrastructure development; urge and support continuation of. Rules.

H. C. R. No. 40: Governor William Winter; commend life and legacy upon his passing. Rules.

H. C. R. No. 41: Taiwan; recognize the friendship and encourage further economic ties with the State of Mississippi. Rules.

H. C. R. No. 42: Mississippi Electric Power Associations; commend for their tireless efforts to restore power after the winter storm in February 2021. Rules.

H. C. R. No. 43: "Mississippi Mosquito and West Nile Virus Awareness Week"; designate April 12-17, 2021, as. Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2392: AN ACT TO AMEND SECTION 59-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE COUNTY PORT AND HARBOR COMMISSION SHALL HOLD THEIR APPOINTMENTS UNTIL THEIR SUCCESSOR HAS BEEN APPOINTED AND INSTALLED AS A COMMISSIONER AFTER TAKING THE OATH OF OFFICE; AND FOR RELATED PURPOSES.

S. B. No. 2746: AN ACT TO CREATE HUDSON'S LAW, TO REQUIRE HEALTH CARE PROVIDERS TO PROVIDE EDUCATIONAL INFORMATION TO NEW OR EXPECTANT PARENTS WHO RECEIVE A POSITIVE TEST FOR CHROMOSOMAL DISORDER REGARDING THEIR CHILD; TO REQUIRE THE DEPARTMENT OF HEALTH TO MAKE INFORMATION AVAILABLE REGARDING CHROMOSOMAL DISORDER; AND FOR RELATED PURPOSES.

S. C. R. No. 517: A CONCURRENT RESOLUTION PAYING TRIBUTE TO THE LIFE AND LEGACY OF FORMER STATE SENATOR AND REPRESENTATIVE NOLAN METTETAL OF SARDIS, MISSISSIPPI, AND EXTENDING THE PROFOUND SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY ON HIS PASSING.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 69: Donald Everett (Don) Hinton, Jr., Hattiesburg, Mississippi, Mississippi Charter School Authorizer Board to represent the Second Supreme Court District, unexpired balance of the three year term ending August 31, 2023. Do Advise and Consent.

S. N. No. 71: Jean Cook, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning immediately and ending August 31, 2021. Do Advise and Consent.

S. N. No. 72: Jean Cook, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning September 1, 2021 and ending August 31, 2024. Do Advise and Consent.

S. N. No. 70: Mark Charles Baker, Sr., Brandon, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired balance of the three year term ending August 31, 2023. Do Advise and Consent.

DEBAR, Chairman

Senator Hopson called up the following House Amendment to **S. B. No. 2062** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 190 by changing "30" to 29"

Senator Hopson called up the following House Amendment to **S. B. No. 2725** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-103-125, Mississippi Code of 1972, is amended as follows:

27-103-125. The proposed budget of each state agency shall show the amounts required for operating expenses separately from the amounts required for permanent improvements. The overall budget shall show, separately by each source, the estimated amount of general fund revenue and of special fund revenues of general fund agencies. The total proposed expenditures in Part 1 of the overall budget shall not exceed the amount of estimated revenues that will be available in the general and special funds for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand in the general and special funds at the close of the then current fiscal year. The total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. * * * The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. The Legislative Budget Office may recommend additional taxes or sources of revenue if in its judgment those additional funds are necessary to adequately support the functions of the state government.

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is amended as follows:

27-103-139. On or before November 15 preceding each regular session of the Legislature, except the first regular session of a new term of office, the Governor shall submit to the members of the Legislature, the Legislative Budget Office or the members-elect, as the case may be, and to the executive head of each state agency a balanced budget for the succeeding fiscal year. The budget submitted shall be prepared in a format that will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. The total proposed expenditures from the State General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. * * * The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to fund the additional proposed expenditures, providing specific details regarding the sources and the total amount of those proposed revenues.

The Governor may employ a budget officer for the purpose of receiving information from the State Fiscal Officer and preparing his recommendations on the budget. If the Governor determines that information received from the State Fiscal Officer is not sufficient to enable him to prepare his budget recommendations, he may request an appropriation from the Legislature to provide additional staff within the Governor's office for that purpose. At the first regular session after his election for Governor, the Governor shall submit any budget recommendations plus the required revenue source recommendations no later than January 31 of that year.

SECTION 3. Section 27-103-203, Mississippi Code of 1972, is amended as follows:

27-103-203. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Working Cash-Stabilization Reserve Fund.

(2) The Working Cash-Stabilization Reserve Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Working Cash-Stabilization Reserve Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. If the Ayers Settlement Fund is created under Section 37-101-27(5), the first Five Million Dollars (\$5,000,000.00) of interest earned on those sums each fiscal year shall be deposited into that fund until a total of Seventy Million Dollars (\$70,000,000.00) has been deposited into the fund. The interest, or the remaining interest if the Ayers Settlement Fund is created, that is earned on those sums shall be deposited in the Working Cash-Stabilization Reserve Fund until the balance of principal and interest in the fund reaches ten percent (10%) of the total General Fund appropriations for the current fiscal year, and all interest earned in excess of amounts necessary to maintain the ten percent (10%) fund balance requirement shall be deposited by the State Treasurer into the State General Fund.

(3) The Working Cash-Stabilization Reserve Fund, except for Fifteen Million Dollars (\$15,000,000.00) and the amount of the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27, shall be used by the State Treasurer for cash flow needs throughout the year when the Executive Director of the Department of Finance and Administration certifies that in his opinion there will be cash flow deficiencies in the State General Fund. No borrowing of monies from other special funds for such purposes as authorized by Section 31-17-101 et seq., shall be made as long as an unencumbered balance in excess of Fifteen Million Dollars (\$15,000,000.00) and the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27 remains in the fund. The State Treasurer shall reimburse the fund for all sums borrowed for those purposes from General Fund revenues collected during the fiscal year in which those funds are used. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department

of Finance and Administration of each transfer into and out of the fund. Fifteen Million Dollars (\$15,000,000.00) in the Working Cash-Stabilization Reserve Fund shall remain available for exclusive use of the Ayers Endowment Trust created by Section 37-101-27. If the Ayers Settlement Fund is created under Section 37-101-27(5), beginning when a total of Fifty-five Million Dollars (\$55,000,000.00) has been deposited into the fund, for each annual deposit of interest to that fund under subsection (2) of this section, the Ayers Endowment Trust created under Section 37-101-27(1) shall be reduced by an equal amount annually until the Ayers Endowment Trust reaches Zero Dollars (\$0.00), at which time any requirements concerning the Ayers Endowment Trust in this section shall be null and void.

(4) The Working Cash-Stabilization Reserve Fund, except for Forty Million Dollars (\$40,000,000.00), shall also be used for the purpose of covering any projected deficits that may occur in the General Fund at the end of a fiscal year as a result of revenue shortfalls. If the Governor determines that a deficit in revenues from all sources may occur, it shall be the duty of the Executive Director of the Department of Finance and Administration to transfer such funds as necessary to the General Fund to alleviate the deficit in accordance with Sections 27-104-13 and 31-17-123; however, not more than Fifty Million Dollars (\$50,000,000.00) may be transferred from the fund for that purpose in any one (1) fiscal year * * *.

(5) The Working Cash-Stabilization Reserve Fund also shall be used to provide funds for the Disaster Assistance Trust Fund when those funds are immediately needed to provide for disaster assistance under Sections 33-15-301 through 33-15-317. Any transfer of funds from the Working Cash-Stabilization Reserve Fund to the Disaster Assistance Trust Fund shall be made in accordance with the provisions of subsection (5) of Section 33-15-307.

(6) The Department of Finance and Administration shall immediately send notice of any transfers made, or other action taken under authority of this section, to the Legislative Budget Office.

(7) Funds deposited in the Working Cash-Stabilization Reserve Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Working Cash-Stabilization Reserve Fund shall be made except by act of the Legislature making specific reference to the Working Cash-Stabilization Reserve Fund as the source of those funds.

(8) Any funds appropriated from the Working Cash-Stabilization Reserve Fund that are unexpended at the end of a fiscal year shall lapse into the Working Cash-Stabilization Reserve Fund.

SECTION 4. Section 27-103-211, Mississippi Code of 1972, is amended as follows:

27-103-211. The total sum appropriated by the Legislature from the State General Fund for any fiscal year shall not exceed ninety-eight percent (98%) of the general fund revenue estimate for that fiscal year developed by the Department of Revenue and the University Research Center and adopted by the Joint Legislative Budget Committee. The unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund under Section 27-103-203. * * *

SECTION 5. Section 27-103-213, Mississippi Code of 1972, is amended as follows:

27-103-213. (1) The unencumbered cash balance in the General Fund in the State Treasury at the close of each fiscal year shall be distributed to the Municipal Revolving

Fund, the Working Cash-Stabilization Reserve Fund and the Capital Expense Fund in the manner provided in this section * * *.

(2) (a) At the end of each fiscal year, the Executive Director of the Department of Finance and Administration and the State Treasurer shall determine the extent of the unencumbered cash balance existing in the General Fund in the State Treasury.

(b) As used in this section, the term "unencumbered cash balance" or "unencumbered General Fund cash balance" means the amount in the State General Fund after deducting all appropriations and other expenditures. However, if the Legislature has authorized additional or deficit appropriations or transfers from the State General Fund for that fiscal year, those amounts shall be subtracted from the unencumbered cash balance in the General Fund before determining the amount available for distribution. The unencumbered General Fund cash balance shall not be determined until after August 31 of each year, and it shall not be made until the State Treasurer has received a certificate in writing from the Executive Director of the Department of Finance and Administration, with notification to the Legislative Budget Office, showing the amount of the unencumbered General Fund cash balance.

(3) If any unencumbered General Fund cash balance is available for distribution under this section, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, fifty percent (50%) of the amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a), not to exceed ten percent (10%) of the General Fund appropriations for the fiscal year that the unencumbered General Fund cash balance represents. For the purposes of this paragraph (b), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(c) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b).

* * *

SECTION 6. Section 27-103-303, Mississippi Code of 1972, is amended as follows:

27-103-303. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Capital Expense Fund.

(2) The Capital Expense Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Capital Expense Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. Interest earned on this fund shall be deposited by the State Treasurer into the State General Fund.

(3) The Capital Expense Fund shall be used for capital expense needs, repair and renovation of state-owned properties and specific expenditures authorized by the

Legislature. The Legislature shall designate those capital expense projects, repair and renovation projects and other authorized projects in an appropriation act passed by the Legislature, which shall direct the Director of the Department of Finance and Administration to administer the projects.

(4) In addition to the purposes specified in subsection (3) of this section, the Capital Expense Fund shall be used to provide funds for emergency repairs on state-owned buildings * * * upon requisition of the Executive Director of the Department of Finance and Administration. Whenever the executive director determines that funds are immediately needed for emergency repairs on state-owned buildings * * *, he or she shall requisition the funds needed from the Capital Expense Fund, which shall be subject to the limitations set forth in this subsection. At the same time he or she makes the requisition, the executive director shall notify the Lieutenant Governor, the Speaker of the House of Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Finance Committee, the House Appropriations Committee and the House Ways and Means Committee and the Legislative Budget Office of his or her determination of the need for the funds, the amount that he or she has requisitioned and where the funds will be used. If the amount requisitioned is available in the Capital Expense Fund, is not allocated for any specific projects as authorized in subsection (3) of this section and is within the limitations set forth below in this subsection, then the executive director may escalate the budget of the Bureau of Building, Grounds and Real Property Management * * * to use the full amount of the requisitioned funds for the emergency repairs * * * and transfer that amount to the bureau * * * for that purpose. If the amount requisitioned is more than the amount available in the Capital Expense Fund or above the limitations set forth below in this subsection, then the executive director may escalate the budget of the bureau * * * to use the amount that is available within the limitations for the emergency repairs * * * and transfer that amount to the bureau * * * for that purpose. The maximum amount that may be transferred from the Capital Expense Fund to the bureau * * * for any single emergency shall be One Million Dollars (\$1,000,000.00), and the maximum amount that may be transferred to the bureau * * * for all emergencies during any fiscal year shall be Five Million Dollars (\$5,000,000.00).

(5) Funds deposited in the Capital Expense Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Capital Expense Fund shall be made except by act of the Legislature making specific reference to the Capital Expense Fund as the source of those funds.

(6) Unexpended funds in the Capital Expense Fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the fund for use under this section. Any funds appropriated from the Capital Expense Fund that are unexpended at the end of a fiscal year shall lapse into the Capital Expense Fund.

SECTION 7. (1) There is created in the State Treasury a special fund to be known as the Ross Barnett Reservoir Dredging Fund. The fund shall consist of the monies deposited into the fund as provided in subsection (2) of this section and any other monies appropriated or otherwise made available for the fund by the Legislature. The fund shall be administered and expended by the Board of Directors of the Pearl River Valley Water Supply District, upon appropriation by the Legislature, for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

(2) During fiscal year 2022 and each fiscal year thereafter, the Board of Directors of the Pearl River Valley Water Supply District shall deposit Two Hundred Thousand Dollars (\$200,000.00) of the lease payments, fees and other funds received by the district during the fiscal year into the Ross Barnett Dredging Fund.

(3) Unexpended amounts remaining in the Ross Barnett Dredging Fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 8. Not later than thirty (30) days after the effective date of this act, the State Fiscal Officer shall transfer the full balance in the Mississippi Development Authority Job Training Grant Fund into the Capital Expense Fund.

SECTION 9. Section 57-1-451, Mississippi Code of 1972, which creates the Mississippi Development Authority Job Training Grant Fund, is repealed thirty (30) days after the effective date of this act.

SECTION 10. During fiscal year 2021, the State Fiscal Officer shall transfer to the Capital Expense Fund out of the following enumerated funds, the amounts listed below from each fund:

FUND	FUND NUMBER	AMOUNT
General Fund	2999000000	\$1.00
Treasurer's Office –		
Abandoned Property	3317800000	\$1.00
TOTAL		\$2.00

SECTION 11. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 27-103-125 AND 27-103-139, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY EXCEPTIONS FROM THE REQUIREMENTS FOR PREPARING THE PROPOSED STATE BUDGET; TO AMEND SECTION 27-103-203, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE REGARDING TRANSFERS FROM THE WORKING CASH-STABILIZATION RESERVE FUND; TO AMEND SECTION 27-103-211, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY EXCEPTIONS TO THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR THE STATE BUDGET; TO AMEND SECTION 27-103-213, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE REGARDING THE DISTRIBUTION OF THE UNENCUMBERED CASH BALANCE IN THE STATE GENERAL FUND AT THE END OF THE FISCAL YEAR; TO AMEND SECTION 27-103-303, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE AUTHORIZING FUNDS IN THE CAPITAL EXPENSE FUND TO BE USED FOR THE EMERGENCY PLUGGING OF ORPHANED WELLS IDENTIFIED BY THE OIL AND GAS BOARD; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ROSS BARNETT RESERVOIR DREDGING FUND, WHICH SHALL CONSIST OF MONIES DEPOSITED INTO FUND BY THE BOARD OF DIRECTORS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT EACH FISCAL YEAR FROM THE LEASE PAYMENTS, FEES AND OTHER FUNDS RECEIVED BY THE DISTRICT DURING THE FISCAL YEAR; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER THE FULL BALANCE IN THE MISSISSIPPI DEVELOPMENT AUTHORITY JOB TRAINING GRANT FUND INTO THE CAPITAL EXPENSE FUND; TO REPEAL SECTION 57-1-451, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI DEVELOPMENT AUTHORITY JOB TRAINING GRANT FUND; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND DURING FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 2474** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-203, Mississippi Code of 1972, is amended as follows:

27-104-203. From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent, audit fee, personnel fee or other charge for services or resources received. The provisions of this section shall not apply (a) to grants, contracts, pass-through funds, project fees or other charges for services between state agencies and the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (b) to charges for services between the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (c) to federal grants, pass-through funds, cost allocation charges, surplus property charges or project fees between state agencies as approved or determined by the State Fiscal Officer, nor (d) telecommunications, data center services, and/or other information technology services that are used on an as-needed basis and those costs shall be passed through to the using agency, nor (e) to federal grants, special funds, or pass-through funds, available for payment by state agencies to the Department of Finance and Administration related to Mississippi Management and Reporting Systems (MMRS) Statewide Application charges and utilities as approved or determined by the State Fiscal Officer, nor (f) to grants, contracts, pass-through funds, project fees or charges for services between the State Department of Health and other state agencies or entities, including, but not limited, to the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, for the operation of the state's medical marijuana program as established by Section ____, Mississippi Constitution of 1890. The Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education shall retain the authority to charge and be charged for expenditures that they deemed nonrecurring in nature by the State Fiscal Officer.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GRANTS, CONTRACTS, PASS-THROUGH FUNDS, PROJECT FEES OR CHARGES FOR SERVICES BETWEEN THE STATE DEPARTMENT OF HEALTH AND OTHER STATE AGENCIES OR ENTITIES FOR THE OPERATION OF THE STATE'S MEDICAL MARIJUANA PROGRAM; AND FOR RELATED PURPOSES.

Senator Bryan called up the following House Amendment to **S. B. No. 2420** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-54-23, Mississippi Code of 1972, is amended as follows:

73-54-23. (1) The board shall issue a license by examination of credentials to any applicant licensed or certified as a marriage and family therapist in another state that has such requirements for the license or certificate that the board is of the opinion that the applicant is competent to engage in the practice of marriage and family therapy in this state, provided that the applicant submits an application on forms prescribed by the board, has passed the national Examination in Marital and Family Therapy, and pays the *** licensure fee prescribed by Section *** 73-54-27. The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

(2) The board shall issue a temporary license by examination of credentials to any applicant who has been licensed or certified for at least one (1) year as a social worker or marriage and family therapist in another state that has such requirements for the license or certificate for the same scope of practice that the board is of the opinion that the applicant is competent to engage in the same practice in this state, provided that the applicant submits an application on forms prescribed by the board, has passed the applicable national examination for marriage and family therapy or the Association of Social Work Boards (ASWB) examination for social workers and pays the licensure fee prescribed by Section 73-54-27. The practice setting for the temporary licensee shall be limited to a nonprofit health or family counseling facility. The applicant shall be required to hold his or her license or certificate from the other state in good standing and the applicant shall be subject to a criminal history records check by the board. The temporary license shall be issued within sixty (60) days after receiving the application if the applicant submits credentials affirming that he or she satisfies the provisions of this subsection (2). The applicant may practice under the temporary license until a regular license is granted for a period not to exceed three hundred sixty-five (365) days. Insurers shall provide reimbursement to providers based upon the temporary license held by the applicant while the regular license process is completed, and the insurance company may bill for any reimbursement paid to the provider if the application is denied.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-54-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS TO ISSUE A TEMPORARY LICENSE TO OUT-OF-STATE LICENSEES TO PRACTICE IN A NONPROFIT HEALTH CARE/COUNSELING FACILITY; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2420** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Bryan called up the following House Amendment to **S. B. No. 2750** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-21-73, Mississippi Code of 1972, is amended as follows:

73-21-73. As used in this chapter, unless the context requires otherwise:

(a) "Administer" means the direct application of a prescription drug pursuant to a lawful order of a practitioner to the body of a patient by injection, inhalation, ingestion or any other means.

(b) "Biological product" means the same as that term is defined in 42 USC Section 262.

(c) "Board of Pharmacy," "Pharmacy Board," "MSBP" or "board" means the State Board of Pharmacy.

(d) "Compounding" means (i) the production, preparation, propagation, conversion or processing of a sterile or nonsterile drug or device either directly or indirectly by extraction from substances of natural origin or independently by means of chemical or biological synthesis or from bulk chemicals or the preparation, mixing, measuring, assembling, packaging or labeling of a drug or device as a result of a practitioner's prescription drug order or initiative based on the practitioner/patient/pharmacist relationship in the course of professional practice, or (ii) for the purpose of, as an incident to, research, teaching or chemical analysis and not for sale or dispensing. Compounding also includes the preparation of drugs or devices in anticipation of prescription drug orders based on routine regularly observed prescribing patterns.

(e) "Continuing education unit" means ten (10) clock hours of study or other such activity as may be approved by the board, including, but not limited to, all programs which have been approved by the American Council on Pharmaceutical Education.

(f) "Deliver" or "delivery" means the actual, constructive or attempted transfer in any manner of a drug or device from one (1) person to another, whether or not for a consideration, including, but not limited to, delivery by mailing or shipping.

(g) "Device" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent or other similar or related article, including any component part or accessory which is required under federal or state law to be prescribed by a practitioner and dispensed by a pharmacist.

(h) "Dispense" or "dispensing" means the interpretation of a valid prescription of a practitioner by a pharmacist and the subsequent preparation of the drug

or device for administration to or use by a patient or other individual entitled to receive the drug.

(i) "Distribute" means the delivery of a drug or device other than by administering or dispensing to persons other than the ultimate consumer.

(j) "Drug" means:

(i) Articles recognized as drugs in the official United States Pharmacopeia, official National Formulary, official Homeopathic Pharmacopeia, other drug compendium or any supplement to any of them;

(ii) Articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or other animals;

(iii) Articles other than food intended to affect the structure or any function of the body of man or other animals; and

(iv) Articles intended for use as a component of any articles specified in subparagraph (i), (ii) or (iii) of this paragraph.

(k) "Drugroom" means a business, which does not require the services of a pharmacist, where prescription drugs or prescription devices are bought, sold, maintained or provided to consumers.

(l) "Extern" means a student in the professional program of a school of pharmacy accredited by the American Council on Pharmaceutical Education who is making normal progress toward completion of a professional degree in pharmacy.

(m) "Foreign pharmacy graduate" means a person whose undergraduate pharmacy degree was conferred by a recognized school of pharmacy outside of the United States, the District of Columbia and Puerto Rico. Recognized schools of pharmacy are those colleges and universities listed in the World Health Organization's World Directory of Schools of Pharmacy, or otherwise approved by the Foreign Pharmacy Graduate Examination Committee (FPGEC) certification program as established by the National Association of Boards of Pharmacy.

(n) "Generic equivalent drug product" means a drug product which (i) contains the identical active chemical ingredient of the same strength, quantity and dosage form; (ii) is of the same generic drug name as determined by the United States Adoptive Names and accepted by the United States Food and Drug Administration; and (iii) conforms to such rules and regulations as may be adopted by the board for the protection of the public to assure that such drug product is therapeutically equivalent.

(o) "Interchangeable biological product" or "I.B." means a biological product that the federal Food and Drug Administration:

(i) Has licensed and determined as meeting the standards for interchangeability under 42 USC Section 262(k)(4); or

(ii) Has determined is therapeutically equivalent as set forth in the latest edition of or supplement to the federal Food and Drug Administration's Approved Drug Products with Therapeutic Equivalence Evaluations.

(p) "Internet" means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected worldwide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocol to such protocol, to communicate information of all kinds by wire or radio.

(q) "Interested directly" means being employed by, having full or partial ownership of, or control of, any facility permitted or licensed by the Mississippi State Board of Pharmacy.

(r) "Interested indirectly" means having a spouse who is employed by any facility permitted or licensed by the Mississippi State Board of Pharmacy.

(s) "Intern" means a person who has graduated from a school of pharmacy but has not yet become licensed as a pharmacist.

(t) "Manufacturer" means a person, business or other entity engaged in the production, preparation, propagation, conversion or processing of a prescription drug or device, if such actions are associated with promotion and marketing of such drugs or devices.

(u) "Manufacturer's distributor" means any person or business who is not an employee of a manufacturer, but who distributes sample drugs or devices, as defined under subsection (i) of this section, under contract or business arrangement for a manufacturer to practitioners.

(v) "Manufacturing" of prescription products means the production, preparation, propagation, conversion or processing of a drug or device, either directly or indirectly, by extraction from substances from natural origin or independently by means of chemical or biological synthesis, or from bulk chemicals and includes any packaging or repackaging of the substance(s) or labeling or relabeling of its container, if such actions are associated with promotion and marketing of such drug or devices.

(w) "Misappropriation of a prescription drug" means to illegally or unlawfully convert a drug, as defined in subsection (i) of this section, to one's own use or to the use of another.

(x) "Nonprescription drugs" means nonnarcotic medicines or drugs that may be sold without a prescription and are prepackaged and labeled for use by the consumer in accordance with the requirements of the statutes and regulations of this state and the federal government.

(y) "Person" means an individual, corporation, partnership, association or any other legal entity.

(z) "Pharmacist" means an individual health care provider licensed by this state to engage in the practice of pharmacy. This recognizes a pharmacist as a learned professional who is authorized to provide patient services.

(aa) "Pharmacy" means any location for which a pharmacy permit is required and in which prescription drugs are maintained, compounded and dispensed for patients by a pharmacist. This definition includes any location where pharmacy-related services are provided by a pharmacist.

(bb) "Prepackaging" means the act of placing small precounted quantities of drug products in containers suitable for dispensing or administering in anticipation of prescriptions or orders.

(cc) "Unlawful or unauthorized possession" means physical holding or control by a pharmacist of a controlled substance outside the usual and lawful course of employment.

(dd) "Practice of pharmacy" means a health care service that includes, but is not limited to, the compounding, dispensing, and labeling of drugs or devices;

interpreting and evaluating prescriptions; administering and distributing drugs and devices; the compounding, dispensing and labeling of drugs and devices; maintaining prescription drug records; advising and consulting concerning therapeutic values, content, hazards and uses of drugs and devices; initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and approved by the board; selecting drugs; participating in drug utilization reviews; storing prescription drugs and devices; ordering lab work in accordance with written guidelines or protocols as defined by paragraph (nn) of this section; providing pharmacotherapeutic consultations; supervising supportive personnel and such other acts, services, operations or transactions necessary or incidental to the conduct of the foregoing.

(ee) "Practitioner" means a physician, dentist, veterinarian, or other health care provider authorized by law to diagnose and prescribe drugs.

(ff) "Prescription" means a written, verbal or electronically transmitted order issued by a practitioner for a drug or device to be dispensed for a patient by a pharmacist. "Prescription" includes a standing order issued by a practitioner to an individual pharmacy that authorizes the pharmacy to dispense an opioid antagonist to certain persons without the person to whom the opioid antagonist is dispensed needing to have an individual prescription, as authorized by Section 41-29-319(3).

(gg) "Prescription drug" or "legend drug" means a drug which is required under federal law to be labeled with either of the following statements prior to being dispensed or delivered:

(i) "Caution: Federal law prohibits dispensing without prescription,"
or

(ii) "Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian"; or a drug which is required by any applicable federal or state law or regulation to be dispensed on prescription only or is restricted to use by practitioners only.

(hh) "Product selection" means the dispensing of a generic equivalent drug product or an interchangeable biological product in lieu of the drug product ordered by the prescriber.

(ii) "Provider" or "primary health care provider" includes a pharmacist who provides health care services within his or her scope of practice pursuant to state law and regulation.

(jj) "Registrant" means a pharmacy or other entity which is registered with the Mississippi State Board of Pharmacy to buy, sell or maintain controlled substances.

(kk) "Repackager" means a person registered by the federal Food and Drug Administration as a repackager who removes a prescription drug product from its marketed container and places it into another, usually of smaller size, to be distributed to persons other than the consumer.

(ll) "Reverse distributor" means a business operator that is responsible for the receipt and appropriate return or disposal of unwanted, unneeded or outdated stocks of controlled or uncontrolled drugs from a pharmacy.

(mm) "Supportive personnel" or "pharmacist technician" means those individuals utilized in pharmacies whose responsibilities are to provide nonjudgmental technical services concerned with the preparation and distribution of drugs under the direct supervision and responsibility of a pharmacist.

(nn) "Written guideline or protocol" means an agreement in which any practitioner authorized to prescribe drugs delegates to a pharmacist authority to conduct specific prescribing functions in an institutional setting, or with the practitioner's individual patients, provided that a specific protocol agreement between the practitioner and the pharmacist is signed * * * and * * * filed as required by law or by rule or regulation of the board.

(oo) "Wholesaler" means a person who buys or otherwise acquires prescription drugs or prescription devices for resale or distribution, or for repackaging for resale or distribution, to persons other than consumers.

(pp) "Pharmacy benefit manager" has the same meaning as defined in Section 73-21-153.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-21-73, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "WRITTEN GUIDELINE OR PROTOCOL" IN THE PHARMACY PRACTICE ACT TO PROVIDE THAT A PHARMACIST TO WHOM A PRACTITIONER WHO HAS DELEGATED THE AUTHORITY TO CONDUCT SPECIFIC PRESCRIBING FUNCTIONS MUST HAVE A SPECIFIC PROTOCOL AGREEMENT BETWEEN THE PRACTITIONER AND THE PHARMACIST THAT IS SIGNED AND FILED; TO DELETE THE REQUIREMENT TO HAVE A PROTOCOL AGREEMENT ON EACH PATIENT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2750** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Bryan called up the following House Amendment to **S. B. No. 2751** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-67-15, Mississippi Code of 1972, is amended as follows:

73-67-15. (1) The board shall:

(a) Adopt an official seal and keep a record of its proceedings, persons licensed as massage therapists, and a record of the licenses that have been revoked or suspended;

(b) Keep on file all appropriate records pertaining to each license;

(c) Annually, on or before February 15, make a report to the Governor and Legislature of all of its official acts during the preceding year, its total receipts and disbursements, and a full and complete report of relevant statistical and significantly notable conditions of massage therapists in this state as uniformly stipulated by the board;

(d) Evaluate the qualifications of applicants for licensure under this chapter, and advise applicants as to the acceptance or denial of licensure with any reasons for denial within forty-five (45) days;

(e) Issue licenses to applicants who meet the requirements of this chapter;

(f) Inspect, or have inspected, when required, the business premises of any licensed massage therapist during their operating hours, so long as that inspection does not infringe on the reasonable privacy of any therapist's clients;

(g) Establish minimum training and educational standards for obtaining a license under this chapter, provided that requirements do not decrease;

(h) Establish a procedure for approval of educational standards required by this chapter;

(i) Investigate persons suspected of engaging in practices that may violate provisions of this chapter;

(j) Revoke, suspend or deny a license in accordance with the provisions of this chapter;

(k) Adopt an annual budget;

(l) Establish policies with respect to continuing education;

(m) Adopt rules:

(i) Specifying standards and procedures for issuance of a provisional permit;

(ii) Specifying licensure procedures for practitioners desiring to be licensed in this state who hold an active license or credentials from another state board;

(iii) * * * Prescribing renewal procedures, requirements, dates and fees for massage therapy licenses issued by the board and shall include provisions for inactive and lapsed licenses; those rules shall be in accordance with Section 33-1-39;

(n) Make available all forms necessary for carrying out all provisions of this chapter and any and all necessary business of the board;

(o) Establish written duties of the executive director;

(p) Establish a set of reasonable and customary fines and penalties for violations of this chapter, and fees, including refund policies, which shall be standardized and not exceeded unless amended with at least thirty (30) days' notice to those who are licensed;

(q) Establish, amend or repeal any rules or regulations necessary to carry out the purposes of this chapter and the duties and responsibilities of the board. Affected practitioners shall be sent relevant changes no less than once per licensure renewal;

(r) * * * Maintain a current register listing the name of every massage therapist licensed to practice in this state, his/her last known place of business and last known place of residence, and the date and number of his/her license;

(s) * * * Set up guidelines for the operation of schools of massage therapy, and it is charged with that regulation in this state. The board may prescribe reasonable rules and regulations governing schools of massage therapy for the guidance of persons licensed under this chapter in the operation of schools of massage therapy and in the practice of massage therapy. When the board has reasons to believe that any of the provisions of this chapter or the rules and regulations of the board have been violated, either upon receipt of a written complaint alleging those violations or upon the board's own initiative, the board or any of its authorized agents shall investigate same and may enter upon the premises of a school of massage therapy at any time during regular business hours of that school to conduct the investigation. The investigation may include, but not be limited to, conducting oral interviews with the complaining party, school or school owner(s) and/or students of the school, and reviewing records of the school pertinent to the complaint and related to an area subject to the authority of the board * * *;

(t) Set up guidelines for the registration of establishments where massage services are performed and maintain a current registry of their location, owner contact information, local business permit information and names of licensees who perform massage at their establishments;

(u) Share documents, materials, or other information, including confidential and privileged documents, materials, or information, received or maintained by the board with other state or federal agencies and with a national disciplinary database recognized by the board or as required by law, provided that the recipient agrees to maintain the confidentiality and privileged status of the document, material, or other information;

(v) Report final disciplinary action taken against a licensee to other state or federal regulatory agencies and to a national disciplinary database recognized by the board or as required by law.

(2) Each board member shall be held accountable to the Governor for the proper performance of all duties and obligations of the member's office. Board members shall be immune from civil liability pertaining to any legal functions involving the carrying out of the activities and responsibilities of this chapter.

SECTION 2. Section 73-67-17, Mississippi Code of 1972, is amended as follows:

73-67-17. The board may adopt rules:

(a) Establishing reasonable standards concerning the sanitary, hygienic and healthful conditions of the licensed massage therapist and of premises and facilities used by massage therapists;

(b) Relating to the methods and procedures used in the practice of massage;

(c) Governing the examination and investigation of applicants for the licenses issued under this chapter and the issuance, renewal, suspension and revocation of the license;

(d) Setting standards for certifying continuing education classes;

- (e) Requiring that massage therapists supply the board with the accurate, current address or addresses where they practice massage;
- (f) Establishing the educational, training and experience requirements for licensure by reciprocity;
- (g) Establishing requirements for issuance and retention of an inactive license and/or provisional permits * * *;
- (h) Establishing requirements for registering massage therapy establishments.

SECTION 3. Section 73-67-19, Mississippi Code of 1972, is amended as follows:

73-67-19. (1) The board shall report to the proper district attorney all cases that, in the judgment of the board, warrant prosecution.

(2) Massage therapists or establishments may not be discriminated against regarding business licenses and shall be treated as any other health care profession.

(3) Any civil penalty imposed under this section shall become due and payable when the person incurring the penalty receives a notice in writing of the penalty. The notice shall be sent by registered or certified mail. The person to whom the notice is addressed shall have thirty (30) days from the date of mailing of the notice in which to make written application for a hearing. Any person who makes that application shall be entitled to a hearing. The hearing shall be conducted as a contested case hearing. When an order assessing a civil penalty under this section becomes final by operation of law or on appeal, unless the amount of penalty is paid within ten (10) days after the order becomes final, it may be recorded with the circuit clerk in any county of this state. The clerk shall then record the name of the person incurring the penalty and the amount of the penalty in his lien record book.

(4) Where the board proposes to refuse to grant or renew a license or proposes to revoke or suspend a license, an opportunity for a hearing shall be accorded. The board may designate any competent person(s) to preside at the hearing. The board shall promulgate rules for the conduct of hearings and issuance of orders.

(5) The board may adopt rules requiring any person, including, but not limited to, licensed massage therapists, corporations, organizations, health care facilities and state or local governmental agencies to report to the board any conviction, determination or finding that a holder of a license has committed an act that constitutes unprofessional conduct, or to report information that indicates that the holder of a license may not be able to practice his profession with reasonable skill and safety to consumers as a result of a mental, emotional or physical condition. If the entity fails to furnish a required report, the board may petition the circuit court of the county in which the entity resides or is found, and the court shall issue to the entity an order to furnish the required report. A failure to obey the order is a contempt of court.

(6) A person is immune from civil liability, whether direct or derivative, for providing information to the board.

(7) Upon the complaint of any citizen of this state, or upon its own motion, the board may investigate any alleged violation of this chapter. In the conduct of investigations, the board may take evidence; take the depositions of witnesses, including the person charged; compel the appearance of witnesses, including the person charged, before the board in person the same as in civil cases; require answers to * * * interrogatories; and compel the production of books, papers, accounts, documents and testimony pertaining to the matter under investigation.

(8) The board shall make available, upon request, written appeals procedures for anyone whose license has been denied, suspended or revoked, and/or for anyone accused of violating any provisions of this chapter.

(9) Any time the board intends to deny an application for licensure, or suspend or revoke an existing license, the board shall give the person an opportunity for a hearing before taking final action.

SECTION 4. Section 73-67-21, Mississippi Code of 1972, is amended as follows:

73-67-21. (1) It shall be the responsibility of a massage therapy establishment to verify the current license of any and all persons practicing massage therapy at the location of or on behalf of the establishment. Failure to comply is subject to penalty assessed by the board of not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) per offense.

(2) No person may advertise massage or practice massage for compensation in this state unless he is licensed as a massage therapist by the board. No person may use the title of or represent himself to be a massage therapist or use any other title, abbreviations, letters, figures, signs or devices that indicate that the person is a massage therapist unless he is licensed to practice massage therapy under the provisions of this chapter. A current massage therapy license issued by the board shall at all times be prominently displayed in any place where massage therapy is being practiced.

(3) The following are requirements for licensure:

(a) An applicant must be eighteen (18) years of age, or older, on the date the application is submitted.

(b) An application must provide proof of high school graduate equivalency.

(c) An applicant must be of legal status not only to receive a license, but also to work in the State of Mississippi with that license.

(d) An applicant must supply proof of current certification in cardiopulmonary resuscitation (CPR) and first aid of at least eight (8) hours of training, including practical testing, and supply documentation of familiarity with the Americans with Disabilities Act.

(e) All required fees for licensure must be submitted by the applicant.

(f) Any and all requirements regarding good moral character and competency, as provided for in this chapter and in accepted codes of ethics, shall be met.

(g) An applicant must have completed an approved * * * course on communicable diseases, including HIV/AIDS information and prevention.

(h) The applicant's official and certified transcript(s) from the applicant's massage therapy school. The transcript must verify that the applicant has completed a board-approved training program of no less than the minimum requirement for * * * massage therapy instruction and student clinic, with a minimum grade requirement of "C" or better in every course of instruction, as stated for school requirements.

(4) The following pre-act practitioners are exempt from having to take any examination for licensure, but must fulfill all other requirements as stated in this chapter, except for the requirements in subsection (3)(h) of this section:

(a) Those having more than three hundred (300) documented, board-accepted * * * hours of massage therapy education before January 1, 2001.

(b) Those having more than five (5) years of professional massage therapy experience and a minimum of one hundred fifty (150) hours of approved massage therapy education.

(c) Those having no formal training, but who have successfully passed the National Certification Examination for Therapeutic Massage and Bodywork.

(d) All grandfathering exemption allowances as stated in this subsection (4) shall end on July 1, 2002, for nonstudents, and on June 1, 2003, for students who were enrolled in a part-time massage school curriculum on July 1, 2001. Individuals may apply for a license until the grandfathering exemption ends, but may not practice massage beyond the allowed grace period as provided for in Section 73-67-37 unless a valid massage therapy license or provisional permit is obtained. Except as provided in subsection (5) of this section, all other pre-act practitioners and anyone not practicing massage therapy before January 1, 2001, must take and pass the licensure examination and follow the requirements in this chapter to practice massage therapy for compensation in Mississippi.

(e) Students enrolled in a massage therapy curriculum of at least five hundred (500) hours on July 1, 2001, who complete graduation from the same curriculum.

(5) Any person who has practiced massage therapy for a period of more than twenty-five (25) years before March 14, 2005, who is employed as a massage therapist by a YMCA or YWCA authorized and existing as a nonprofit corporation under the laws of this state on March 14, 2005, is exempt from having to take any examination for licensure, but must fulfill all other requirements as stated in this chapter, except for the requirements in subsection (3)(b), (d), (g) and (h) of this section. Persons exempt under this subsection may apply for a massage therapy license until January 1, 2006, but may not practice massage therapy after January 1, 2006, unless a valid license is obtained.

(6) Certificates of registration issued by the board before July 1, 2008, shall remain valid as licenses until the next renewal period.

(7) An applicant must have successfully been cleared for licensure through an investigation that shall consist of a determination as to good moral character and verification that the prospective licensee is not guilty of or in violation of any statutory ground for denial of licensure as set forth in Section 73-67-27.

(a) To assist the board in conducting its licensure investigation, all applicants shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database. Each applicant shall submit a full set of the applicant's fingerprints in a form and manner prescribed by the board, which shall be forwarded to the Mississippi Department of Public Safety (department) and the Federal Bureau of Investigation Identification Division for this purpose.

(b) Any and all state or national criminal history records information obtained by the board that is not already a matter of public record shall be deemed nonpublic and confidential information restricted to the exclusive use of the board, its members, officers, investigators, agents and attorneys in evaluating the applicant's eligibility or disqualification for licensure, and shall be exempt from the Mississippi Public Records Act of 1983. Except when introduced into evidence in a hearing before the board to determine licensure, no such information or records related thereto shall, except with the written consent of the applicant or by order of a court of competent jurisdiction, be released or otherwise disclosed by the board to any other person or agency.

(c) The board shall provide to the department the fingerprints of the applicant, any additional information that may be required by the department, and a form

signed by the applicant consenting to the check of the criminal records and to the use of the fingerprints and other identifying information required by the state or national repositories.

(d) The board shall charge and collect from the applicant, in addition to all other applicable fees and costs, such amount as may be incurred by the board in requesting and obtaining state and national criminal history records information on the applicant.

SECTION 5. Section 73-67-35, Mississippi Code of 1972, is amended as follows:

73-67-35. (1) To obtain a massage therapy license, an applicant must submit to the board the applicant's official and certified transcript(s) from the applicant's massage therapy school. The transcript must verify that the applicant has completed a board-approved training program of not less than * * * five hundred fifty (550) hours of * * * massage therapy instruction, and at least * * * fifty (50) hours of student clinic, with a minimum grade requirement of "C" or better in every course of instruction, in the following subjects:

- (a) Two hundred (200) hours in massage theory and practicum;
- (b) Two hundred (200) hours in science of the human body;
- (c) * * * One hundred fifty (150) hours in allied modalities; and
- (d) * * * Fifty (50) hours in supervised student clinic.

(2) "Massage theory and practicum" must include a minimum of the following classroom hours in the specified subject areas:

- (a) Ten (10) hours in legalities including Mississippi massage law and ethics;
- (b) Twenty (20) hours in history, benefits, indications and contraindications;
- (c) One hundred (100) hours in massage demonstration and supervised practice, which must include, but is not limited to, client evaluation, stroking, kneading, stretching, friction, percussion, vibration, range of motion, approved hand held tools and devices designated as t-bars or knobbies, and draping and turning; and
- (d) The remaining seventy (70) hours may expand on any or all of the previous three (3) subject areas and/or be related to practical massage.

(3) "Science of the human body" must include a minimum of the following classroom hours in the specified subject areas:

- (a) Twenty (20) hours in anatomy, including all body systems;
- (b) Twenty (20) hours in physiology, including all body systems;
- (c) Twenty (20) hours in myology/kinesiology;
- (d) Twenty (20) hours in neurology;
- (e) Twenty (20) hours in pathology, including medical terminology; and
- (f) The remaining * * * eighty (80) hours may expand on any or all of the previous six (6) subject areas and/or be related to the science of the human body.

(4) "Allied modalities" must include, but are not limited to, a minimum of the following classroom hours in the specified subject areas:

- (a) Seven (7) hours in Eastern, European and Western theory/methods;
- (b) Eight (8) hours in cardiopulmonary resuscitation (CPR) and first aid;
- (c) Ten (10) hours in charting and documentation;
- (d) Twenty-five (25) hours in hydrotherapy and infrared heat;
- (e) Twenty (20) hours in referral methods within the health care system; and

(f) The remaining one hundred thirty (130) hours may expand on any or all of the previous five (5) subject areas, including the Americans with Disabilities Act, and/or be devoted to any approach to massage therapy and wellness, such as trigger points, management, communication, safety, oriental or Eastern massage techniques and specialized populations. Schools with a temporary or probationary board status license must include a comprehensive review class of no less than sixteen (16) hours and three (3) hours to sit for and pass the board comprehensive exam.

(5) "Student clinic" must include at least fifty (50) practical hands-on one-hour massage therapy sessions to be evaluated on documents filed and kept on record at the school for a minimum of six (6) months. These evaluations are to be completed by the clients of the massage therapy sessions and shall include the client's name, address, reason for session, indications and contraindications, date and signature. Each completed session shall constitute * * * one (1) hour of student clinic. The hands-on session must be supervised by an instructor, board licensed in the area being supervised.

(6) A massage therapy program shall not operate in the State of Mississippi unless it meets the minimum standards of curriculum for licensure as stated in this chapter. Massage schools and massage curriculums for licensure preparation must obtain a national accreditation from such agencies as the Commission on Massage Therapy Accreditation or programs with the same or greater requirements. Existing massage schools will have five (5) years from July 1, 2001, to obtain that accreditation. New massage schools will have five (5) years from the opening of the massage school to show conformance with the accreditation requirements. An existing accredited massage school that loses its accreditation will have three (3) years from the date of loss of its accreditation to show conformance with the accreditation requirements.

(7) No massage therapy program shall consist of more than forty (40) in-class clock hours per week.

(8) Hours credited through transfer credit shall not be recognized by the board unless the following transfer standards are met:

(a) The school shall be provided with a certified transcript from a school licensed or approved in that state;

(b) Courses for which credit is granted shall parallel in content and intensity to the course offered by the school;

(c) Documentation of previous training shall be included in each student's permanent file.

(9) Private business and vocational schools that have obtained national accreditation from an accrediting agency designated by the United States Department of Education may submit evidence of current accreditation in lieu of other application requests. Applications submitted on evidence of national accreditation must be approved

or denied within sixty (60) days after receipt. If no action is taken within sixty (60) days, the application shall be deemed approved and a massage therapy license must be issued.

SECTION 6. Section 73-67-39, Mississippi Code of 1972, is amended as follows:

73-67-39. Sections 73-67-1 through 73-67-37 shall stand repealed on July 1, * * * 2025.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 73-67-15, 73-67-17, 73-67-19, 73-67-21 AND 73-67-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF MASSAGE THERAPY SHALL ESTABLISH REQUIREMENTS FOR THE REGISTRATION OF MASSAGE SERVICES ESTABLISHMENTS; TO REQUIRE THE BOARD TO SHARE DOCUMENTS WITH STATE AND FEDERAL AGENCIES; TO PROVIDE THE HOURS OF TRAINING REQUIREMENTS FOR MASSAGE THERAPY PRACTICE; TO AMEND SECTION 73-67-39, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 73-67-1 THROUGH 73-67-37; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2751** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins called up the following House Amendment to **S. B. No. 2850** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-21-15, Mississippi Code of 1972, is amended as follows:

63-21-15. (1) The application for the certificate of title of a vehicle, manufactured home or mobile home in this state shall be made by the owner to a designated agent, on the form the Department of Revenue prescribes, and shall contain or be accompanied by the following, if applicable:

(a) The name, driver's license number, if the owner has been issued a driver's license, current residence and mailing address of the owner;

(b) (i) If a vehicle, a description of the vehicle, including the following data: year, make, model, vehicle identification number, type of body, the number of cylinders, odometer reading at the time of application, and whether new or used; and

(ii) If a manufactured home or mobile home, a description of the manufactured home or mobile home, including the following data: year, make, model number, serial number and whether new or used;

(c) The date of purchase by applicant, the name and address of the person from whom the vehicle, manufactured home or mobile home was acquired, and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements;

(d) In connection with the transfer of ownership of a manufactured home or mobile home sold by a sheriff's bill of sale, a copy of the sheriff's bill of sale;

(e) (i) An odometer disclosure statement made by the transferor of a motor vehicle. The statement shall read:

"Federal and state law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fine and/or imprisonment.

I state that the odometer now reads _____ (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one (1) of the following statements is checked:

_____ (1) I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.

_____ (2) I hereby certify that the odometer reading is not the actual mileage. WARNING-ODOMETER DISCREPANCY!"

(ii) In connection with the transfer of ownership of a motor vehicle, each transferor shall disclose the mileage to the transferee in writing on the title or on the document being used to reassign the title, which form shall be prescribed and furnished by the Department of Revenue. This written disclosure must be signed by the transferor and transferee, including the printed name of both parties.

Notwithstanding the requirements above, the following exemptions as to odometer disclosure shall be in effect:

1. A vehicle having a gross vehicle weight rating of more than sixteen thousand (16,000) pounds.

2. A vehicle that is not self-propelled.

3. A vehicle that is twenty (20) years old or older.

4. A vehicle sold directly by the manufacturer to any agency of the United States in conformity with contractual specifications.

5. A transferor of a new vehicle prior to its first transfer for purposes other than resale need not disclose the vehicle's odometer mileage.

(iii) Any person who knowingly gives a false statement concerning the odometer reading on an odometer disclosure statement shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of up to One Thousand Dollars (\$1,000.00) or imprisonment of up to one (1) year, or both, at the discretion of the

court. These penalties shall be cumulative, supplemental and in addition to the penalties provided by any other law; and

(f) For previously used manufactured homes and mobile homes that previously have not been titled in this state or any other state, a disclosure statement shall be made by the owner of the manufactured home or mobile home applying for the certificate of title. That statement shall read:

"I state that the previously used manufactured home or mobile home owned by me for which I am applying for a certificate of title, to the best of my knowledge:

_____ (1) Has never been declared a total loss due to flood damage, fire damage, wind damage or other damage; or

_____ (2) Has previously been declared a total loss due to:

_____ (a) Collision;

_____ (b) Flood;

_____ (c) Fire;

_____ (d) Wind;

_____ (e) Other (please describe): _____

_____. "

(2) The application shall be accompanied by such evidence as the Department of Revenue reasonably requires to identify the vehicle, manufactured home or mobile home and to enable the Department of Revenue to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the vehicle, manufactured home or mobile home and whether the applicant is liable for a use tax as provided by Sections 27-67-1 through 27-67-33.

(3) If the application is for a vehicle, manufactured home or mobile home purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of his security agreement and it shall be signed by the dealer as well as the owner. The designated agent shall promptly mail or deliver the application to the Department of Revenue.

(4) If the application is for a new vehicle, manufactured home or mobile home, it shall contain the certified manufacturer's statement of origin showing proper assignments to the applicant and a copy of each security interest document.

(5) Each application shall contain or be accompanied by the certificate of a designated agent that the vehicle, manufactured home or mobile home has been physically inspected by him and that the vehicle identification number and descriptive data shown on the application, pursuant to the requirements of subsection (1)(b) of this section, are correct, and also that he has identified the person signing the application and witnessed the signature. If the application is to receive a branded title for a vehicle for which a salvage certificate of title has been issued, the application shall be accompanied by a sworn affidavit that the vehicle complies with the requirements of this section, Section 63-21-39 and the regulations promulgated by the Department of Revenue under Section 63-21-39.

(6) (a) If the application is for a first certificate of title on a vehicle, manufactured home or mobile home other than a new vehicle, manufactured home or mobile home, then the application shall conform with the requirements of this section except that in lieu of

the manufacturer's statement of origin, the application shall be accompanied by a copy of the bill of sale of said motor vehicle, manufactured home or mobile home whereby the applicant claims title or in lieu thereof, in the case of a motor vehicle, certified copies of the last two (2) years' tag and tax receipts or in lieu thereof, in any case, such other information the Department of Revenue may reasonably require to identify the vehicle, manufactured home or mobile home and to enable the Department of Revenue to determine ownership of the vehicle, manufactured home or mobile home and the existence or nonexistence of security interest in it. If the application is for a vehicle, manufactured home or mobile home last previously registered in another state or country, the application shall also be accompanied by the certificate of title issued by the other state or country, if any, properly assigned.

(b) A person may apply for a certificate of title to a vehicle lacking proper documentation if the vehicle is at least thirty (30) years old and the person submits a certificate of ownership signed under penalty of perjury on a form prescribed by the Department of Revenue.

(7) If the application is for a vehicle the owner does not intend to drive, the owner need not purchase a license tag in order to receive a certificate of title, so long as the application contains an affidavit attesting to the owner's intent that the vehicle not be operated on the highways of this state until and unless the owner applies for a license tag.

(8) Every designated agent within this state shall, no later than the next business day after they are received by him, forward to the Department of Revenue by mail, postage prepaid, the originals of all applications received by him, together with such evidence of title as may have been delivered to him by the applicants.

(9) An application for certificate of title and information to be placed on an application for certificate of title may be transferred electronically as provided in Section 63-21-16.

(10) The Department of Revenue shall issue a certificate of title or any other document applied for under this chapter to the designated agent, owner or lienholder of the motor vehicle or of the manufactured home or mobile home, as appropriate, not more than thirty (30) days after the application and required fee prescribed under Section 63-21-63 or Section 63-21-64 are received unless the applicant requests expedited processing under subsection (11) of this section.

(11) (a) The Department of Revenue shall establish an expedited processing procedure for the receipt of applications and the issuance of certificates of title and any other documents issued under this chapter, except a replacement certificate of title as provided under Section 63-21-27(2), for motor vehicles and for manufactured homes or mobile homes. Any designated agent, lienholder or owner requesting the issuance of any such document, at his or her option, shall receive such expedited processing upon payment of a fee in the amount of Thirty Dollars (\$30.00). Such fee shall be in addition to the fees applicable to the issuance of any such documents under Section 63-21-63 and Section 63-21-64.

(b) When expedited title processing is requested, the applicable fees are paid and all documents and information necessary for the Department of Revenue to issue the certificate of title or other documents applied for are received by the department, then the department shall complete processing of the application and issue the title or document applied for within seventy-two (72) hours of the time of receipt, excluding weekends and holidays.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 63-21-15, MISSISSIPPI CODE OF 1972, TO ALLOW APPLICATION FOR A CERTIFICATE OF TITLE TO A VEHICLE LACKING PROPER DOCUMENTATION IF THE VEHICLE IS AT LEAST 30 YEARS OLD AND THE APPLICANT SUBMITS A CERTIFICATE OF OWNERSHIP SIGNED UNDER PENALTY OF PERJURY ON A FORM PRESCRIBED BY THE DEPARTMENT OF REVENUE; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2872** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-16, Mississippi Code of 1972, is amended as follows:

67-1-16. (1) (a) Before an area may be designated by the governing authorities of a municipality as an area in which facilities which are defined as qualified resort areas in Section 67-1-5(o)(iii)5 may be located, an election shall be held, under the election laws applicable to the municipality, on the question of whether qualified resort areas shall be allowed in the municipality. An election to determine whether qualified resort areas shall be allowed in the municipality shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF QUALIFIED RESORT AREAS," and next below, "AGAINST THE ESTABLISHMENT OF QUALIFIED RESORT AREAS." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) Qualified resort areas may be established if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(2) (a) Before a municipality may be designated as a qualified resort area as defined in Section 67-1-5(o)(iii)6, an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(3) (a) Before an area may be designated a qualified resort area as defined in Section 67-1-5(o)(iii)7, an election shall be held in the municipality in which the area is located under the election laws applicable to the municipality, on the question of whether the area shall be a qualified resort area. An election to determine whether the area shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The area may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

* * *

(* * *4) (a) Before a municipality may be designated as a qualified resort area as defined in Section 67-1-5(o)(iii)21, an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT AN ELECTION BE HELD BEFORE A CERTAIN AREA IN RANKIN COUNTY, AS DEFINED IN SECTION 67-1-5, MAY BE DESIGNATED A QUALIFIED RESORT AREA; AND FOR RELATED PURPOSES.

Senator Kirby called up the following House Amendment to **S. C. R. No. 535** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND by inserting the following language after line 198:

"BE IT FURTHER RESOLVED BY THE SENATE OF THE STATE OF MISSISSIPPI, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, That all of the deadlines and other provisions imposed by Joint Rule No. 40 are suspended for the purpose of the further consideration and passage of House Bill No. 1008, 2021 Regular Session, entitled "AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO MAKE VARIOUS TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID SERVICES AND MANAGED CARE PROVISIONS; TO EXTEND THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO MAKE SEVERAL TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID ASSESSMENT PROVISIONS; TO DELETE THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTIONS 43-13-107 AND 43-13-117.1, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, TO MAKE SOME MINOR, NONSUBSTANTIVE CHANGES; TO BRING FORWARD SECTIONS 43-13-103, 43-13-105, 43-13-109, 43-13-113, 43-13-116, 43-13-120, 43-13-121, 43-13-123, 43-13-125 AND 43-13-139, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.""

AMEND FURTHER the title by inserting the following language after the semicolon on line 97: "AND SUSPENDING THE DEADLINES AND OTHER PROVISIONS OF JOINT RULE NO. 40 FOR THE PURPOSE OF THE FURTHER CONSIDERATION AND PASSAGE OF HOUSE BILL NO. 1008, 2021 REGULAR SESSION, ENTITLED "AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO MAKE VARIOUS TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID SERVICES AND MANAGED CARE PROVISIONS; TO EXTEND THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO MAKE SEVERAL TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID ASSESSMENT PROVISIONS; TO DELETE THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTIONS 43-13-107 AND 43-13-117.1, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, TO MAKE SOME MINOR, NONSUBSTANTIVE CHANGES; TO BRING FORWARD SECTIONS 43-13-103, 43-13-105, 43-13-109, 43-13-113, 43-13-116, 43-13-120, 43-13-121, 43-13-123, 43-13-125 AND 43-13-139, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT;""

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. C. R. No. 535** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

On motion of Senator Blackwell, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. C. R. No. 535.

Senator Blackwell moved that the rules be suspended for the immediate consideration of **H. B. No. 1008**, and the motion prevailed.

Senator Blackwell called up the motion to reconsider the vote whereby **H. B. No. 1008** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1008: Medicaid; make technical amendments to services, manage care and assessment provisions.

The foregoing motion prevailed.

On motion of Senator Blackwell, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1008.

Senator Harkins called up the following House Amendment to **S. B. No. 2822** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Short title. Sections 1 through 10 of this act shall be known and may be cited as the "Mississippi Flexible Tax Incentive Act."

SECTION 2. Definitions. For purposes of Sections 1 through 10 of this act, the following words shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Affiliate" means, with respect to a specified entity, (i) another person or entity that directly, or indirectly through one or more intermediaries, controls or is controlled by or is under common control with the specified person or entity, where the term "control" means the ownership or possession, directly or indirectly, of the power to direct more than fifty percent (50%) of the voting equity securities or a similar ownership

interest in the specified controlled entity; or (ii) any member of an affiliated group of corporations, of which the specified entity is also a member, which are each subject to income taxation in Mississippi and may elect to file a combined Mississippi income tax return in accordance with state law.

(b) "Authority" means the Mississippi Development Authority.

(c) "Annual report" means the report described in Section 7 of this act.

(d) "Applicable accounting rules" shall mean the accounting principles generally recognized as applicable to a qualified business or industry and pursuant to which such qualified business or industry regularly prepares and maintains its financial and accounting books and records, and which specifically incorporate Generally Accepted Accounting Principles or International Financial Reporting Standards, as appropriate.

(e) "Applicant" means any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof that applies to the authority, in the manner prescribed by Sections 1 through 10 of this act, seeking (i) certification by the authority that such applicant is a qualified business or industry and that its proposed new project or expansion of an existing business or industrial operation is a qualified economic development project, and (ii) an award in connection therewith of a mFlex tax incentive.

(f) "Average state or county wage" shall mean, as of the project certification date, the lesser of the most recently published average annual wage per person as determined and published by the Mississippi Department of Employment Security for the state or the county in which the qualified project is or will be located; provided that, if a qualified project is or will be located in two (2) or more counties, the average state or county wage, as used in Sections 1 through 10 of this act, shall mean, as of the project certification date, only the most recently published average annual wage per person as determined and published by the Mississippi Department of Employment Security for the state.

(g) "Average employer wage" means the qualified annual payroll for all new full-time jobs created in the State of Mississippi by a qualified business or industry divided by the number of new full-time jobs thereof for which such qualified annual payroll was paid or is otherwise payable.

(h) "Base full-time job" means a job (i) for which an employee was already hired by the qualified business or industry before, and is employed as of, the project certification date; (ii) that offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for a normal four (4) consecutive quarter period of the qualified business or industry's operations or a job for which the employee was hired before, and is employed as of, the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after hiring, elects to take unpaid time off or is on short-term or long-term disability); and (iii) the employee holding such job receives salary or wages subject to state income tax withholdings. The term base full-time job also means a base leased employee. Part-time jobs may not be combined to add up to a base full-time job.

(i) "Base leased employee" means a nontemporary employee:

(i) Who was leased by the qualified business or industry before the project certification date from another business or enterprise that is 1. in the business of leasing employees, and 2. is registered with the Office of the Secretary of State and qualified to do business in the state;

(ii) Who is leased as of the project certification date;

(iii) Who is not otherwise an employee of such qualified business or industry;

(iv) Who, as of the project certification date, was already performing services for, and under the supervision of, the qualified business or industry pursuant to a leasing agreement between the qualified business or industry and such other employee leasing firm;

(v) Whose job-performing services for the qualified business or industry offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for an entire normal work year of the qualified business or industry's operations or a job for which the employee is leased before the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after being leased, elects to take unpaid time off or is on short-term or long-term disability); and

(vi) Whose job receives salary or wages subject to state income tax withholdings. Individuals employed by an independent contractor performing one or more services for the qualified business or industry pursuant to a services or management agreement (e.g., security services, landscaping services, and cafeteria management and food services) shall not be considered as base leased employees.

(j) "Contractor tax" shall mean the tax levied by Section 27-65-21, except for the tax upon the sale of manufacturing or processing machinery for a manufacturer or custom processor.

(k) "Construction contract" shall mean any contract or portion of any contract for any one or more of the activities described in Section 27-65-21 for which the contractor tax applies and is payable by the contractor that is party thereto.

(l) "Manufacturing machinery," as used in Sections 1 through 10 of this act, shall have the same meaning ascribed to such term in Section 27-65-11, as interpreted by any regulations promulgated by the Department of Revenue with respect to such section.

(m) "mFlex agreement" means the written agreement entered into between a qualified business or industry and the authority in accordance with Section 4(4)(c) of this act.

(n) "mFlex tax incentive" means the tax incentive authorized by Sections 1 through 10 of this act to be calculated and awarded by the authority, and thereafter applied as a credit to offset state taxes, in accordance with, and subject to, Sections 1 through 10 of this act.

(o) "Minimum job creation requirement" means the creation by the qualified business or industry, following the project certification date, of at least ten (10) new full-time jobs in the state.

(p) "Minimum qualified investment" means a qualified investment of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

(q) "New full-time job" means a job:

(i) For which an employee is hired by the qualified business or industry after the project certification date;

(ii) That offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for a normal four (4) consecutive quarter period of the qualified business or industry's operations or a job for which the employee is hired after the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after hiring, elects to take unpaid time off or is on short-term or long-term disability); and

(iii) The employee holding such job receives salary or wages subject to state income tax withholdings. The term new full-time job also means new leased employee. Part-time jobs may not be combined to add up to a new full-time job.

(r) "New leased employee" means a nontemporary employee:

(i) Who is leased by the qualified business or industry after the project certification date from another business or enterprise that is 1. in business of leasing employees, and 2. is registered with the Office of the Secretary of State and qualified to do business in the state;

(ii) Who is not otherwise an employee of such qualified business or industry;

(iii) Who performs services for the qualified business or industry pursuant to a leasing agreement between the qualified business or industry and such other employee leasing firm;

(iv) Whose job-performing services for the qualified business or industry offers a minimum of one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., thirty-five (35) hours per week on average) for an entire normal work year of the qualified business or industry's operations or a job for which the employee is leased after the project certification date and is compensated based on one thousand eight hundred twenty (1,820) hours for such annual period (including in each case an employee who, after being leased, elects to take unpaid time off or is on short-term or long-term disability); and

(v) Whose job receives salary or wages subject to state income tax withholdings. Individuals employed by an independent contractor performing one or more services for the qualified business or industry pursuant to a services or management agreement (e.g., security services, landscaping services, and cafeteria management and food services) shall not be considered as new leased employees.

(s) "Nonmanufacturing equipment" means all tangible personal property that is not manufacturing machinery, including, but not limited to, office furniture, fixtures, office computers and communications equipment, and warehouse equipment such as racking and shelving.

(t) "Part-time job" means a job (i) for which an employee is hired by the qualified business or industry that requires fewer than one thousand eight hundred twenty (1,820) hours of an employee's time per year (i.e., requires fewer than thirty-five (35) hours per week on average) for an entire normal work year of the qualified business or industry's operations or a job for which the employee is hired and is compensated based on fewer than one thousand eight hundred twenty (1,820) hours for such annual period; and (iii) for which the employee holding such job receives salary or wages subject to state income tax withholdings.

(u) "Project certification date" means the actual date of the authority's certification, or the effective date of certification determined and prescribed by the authority, of the qualified business or industry and its qualified economic development

project as eligible for the state tax credits determined and awarded by the authority, as authorized by, and in accordance with, Sections 1 through 10 of this act.

(v) "Qualified annual payroll" means the sum of the annual salary and wages for new full-time jobs of the qualified business or industry, excluding the amount or value of any benefits that are not subject to state income taxes.

(w) "Qualified business or industry" means any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof, which makes a qualified minimum investment in a qualified economic development project.

(x) "Qualified economic development project" or "qualified project" means the location in the state of one or more of the following enumerated enterprises for which a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity, or subunit or affiliate thereof, makes or causes to be made from the minimum qualified investment and/or satisfies or causes to be satisfied the minimum job creation requirement:

(i) A new warehouse and/or distribution enterprise or an expansion of an existing warehouse and/or distribution enterprise; provided that, in any such instance, such warehouse and/or distribution enterprise or expansion thereof is certified by the authority to qualify as such;

(ii) A new manufacturing, remanufacturing, assembly, processing and/or refinery enterprise or an expansion of an existing manufacturing, remanufacturing, assembly, processing and/or refinery enterprise; provided that, in any such instance, such manufacturing, remanufacturing, assembly, processing and/or refinery enterprise or expansion thereof is certified by the authority to qualify as such;

(iii) A new research or research and development enterprise or an expansion of an existing research or research and development enterprise; provided that, in any such instance, such research and development enterprise or an expansion thereof is certified by the authority to qualify as such;

(iv) A new regional or national headquarters of the qualified business or industry or an expansion of an existing regional or national headquarters of the qualified business or industry; provided that, in any such instance, such regional or national headquarters or expansion thereof is certified by the authority to qualify as such;

(v) An air transportation, repair and/or maintenance enterprise or an expansion of an existing air transportation, repair and/or maintenance enterprise; provided that, in either instance, such air transportation, repair and/or maintenance enterprise or expansion thereof is certified by the authority to qualify as such;

(vi) A ship or other maritime vessel or barge transportation, repair and/or maintenance enterprise or an expansion of an existing ship or other maritime vessel or barge transportation, repair and/or maintenance enterprise; provided that, in either instance, the ship or other maritime vessel or barge transportation, repair and/or maintenance enterprise or expansion thereof is certified by the authority to qualify as such;

(vii) A new data/information processing enterprise or an expansion of an existing new data/information processing enterprise; provided that, in any such instance such data/information processing enterprise or expansion thereof is certified by the authority to qualify as such;

(viii) A new technology intensive enterprise or an expansion of an existing technology intensive enterprise; provided that, in either instance, the technology intensive enterprise or expansion thereof is certified by the authority to qualify as such;

provided further, that a business or enterprise primarily engaged in creating computer programming codes to develop applications, websites and/or software shall qualify as a technology intensive enterprise;

(ix) A new telecommunications enterprise principally engaged in the creation, display, management, storage, processing, transmission and/or distribution, for compensation, of images, text, voice, video or data by wire or by wireless means, or engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities, or an expansion of an existing telecommunications enterprise as herein described; provided that, in any such instance, any such telecommunications enterprise or expansion thereof is certified by the authority to qualify as such; provided, further that commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprise";

(x) A new data center enterprise principally engaged in the utilization of hardware, software, technology, infrastructure and/or workforce, to store, manage or manipulate digital data, or an expansion of an existing data center enterprise as herein described; provided that, in such instance, any such data center enterprise or expansion thereof is certified by the authority to qualify as such.

(y) "Qualified investment" means any expenditures made or caused to be made by the qualified business or industry following the project certification date for construction, installation, equipping and operation of a qualified economic development project from any source or combination of sources, excluding any funds contributed by the state or any agency or other political subdivision thereof, or by any local government or any agency or other political subdivision thereof, to the extent such expenditures can be capitalized under applicable accounting rules or otherwise by the Internal Revenue Code, whether or not the qualified business or industry elects to capitalize the same, as reflected in its financial statements, including, but not limited to, all costs associated with the acquisition, installation and/or construction of, or capital leasehold interest in, any buildings and other real property improvements, fixtures, equipment, machinery, landscaping, fire protection, depreciable fixed assets, engineering and design costs.

(z) "Reporting year" means the twelve-month period ending on the last day of the month during which the annual anniversary of a project certification date occurs, and for which an annual report must be filed with the authority by a qualified business or industry in accordance with Section 7 of this act.

(aa) "State" means the State of Mississippi.

(bb) "State tax" means:

(i) Any sales and use tax imposed on, and payable directly to the Department of Revenue by, the qualified business or industry in accordance with state law, except for contractor's tax and the taxes levied by Section 27-65-24(1)(b);

(ii) All income tax imposed pursuant to law on income earned by the qualified business or industry pursuant to state law;

(iii) Franchise tax imposed pursuant to state law on the value of capital used, invested or employed by the business enterprise certified by the Mississippi Development Authority; and

(iv) Withholding tax required to be deducted and withheld from employee wages pursuant to Section 27-7-301 et seq.

SECTION 3. Application for the mFlex tax incentive. Business or industrial enterprises wishing to apply for the mFlex tax incentive authorized by Sections 1 through 10 of this act shall make application to the authority, on a form prescribed thereby; provided that the application shall, at a minimum, contain:

(a) A brief overview of the applicant's business or industry, including its formation type (e.g., corporation, limited liability company, limited partnership, etc.) its date of incorporation or formation thereof, and the location of its principal headquarters, together with its principal place of business in the state if the applicant already has one or more facilities located in the state;

(b) The location of the selected project site or locations of selected project sites, if multiple locations will be involved;

(c) A description of the proposed project;

(d) The amount of the qualified investment proposed to be made as a result of the proposed project, including a breakout of projected expenditures for manufacturing machinery, nonmanufacturing equipment and component building materials to establish and equip the proposed project;

(e) If the proposed project will be an expansion of an existing business or industrial operation, the current number of base full-time jobs;

(f) The number of new full-time jobs proposed to be created as a result of the proposed project;

(g) The average employer wage proposed to be paid by the applicant for new full-time jobs disclosed in the application;

(h) A description of benefits, including but not limited to, health, dental and/or vision insurance, retirement savings account, etc. made available to employees, as well as a description of any employees to whom such benefits are not made available (e.g., part-time employees);

(i) The length of time necessary for the applicant to meet its qualified investment and new full-time job creation projections;

(j) A list of all affiliates of the qualified business or industry known at the time of the application, including the Federal Employer Identification Number for each such affiliate, which have or are expected to have any state tax liability that may be offset by all or some portion of the mFlex tax incentives awarded to the qualified business or industry;

(k) An acknowledgment that the applicant, if awarded an mFlex tax incentives pursuant to Sections 1 through 10 of this act, will be required to provide the annual report prescribed by Section 7 of this act to demonstrate the actual amount of its qualified investment, including actual expenditures on manufacturing machinery, nonmanufacturing equipment and component building materials, and the number of new full-time jobs created and maintained as a result of the project; and

(l) Any other information as may be requested by the authority.

SECTION 4. Certification and award of mFlex tax incentive, terms of such incentive, nontransferability of such certification and incentive; mandatory and permissive conditions to certifications and incentive awards. (1) The authority shall evaluate an application to determine whether the applicant's proposed project is a qualified economic development project and whether it is therefore eligible for an award by the authority of an mFlex tax incentive, as calculated in accordance with Section 5 of this act.

(2) Upon approval of an applicant's application, the authority shall issue a certification (a) designating the applicant's project as a "qualified economic development project" and eligible for the mFlex tax incentive authorized by Sections 1 through 10 of this act; (b) awarding the initial mFlex tax incentive calculated pursuant to Section 5 of this act; and (c) imposing those mandatory conditions pursuant to subsection (4) of this section and any discretionary conditions otherwise imposed by the authority.

(3) Upon the issuance of the certification and execution of the mFlex agreement by a qualified business or industry and the authority, the qualified business or industry may apply the amount of its mFlex tax incentive as a credit to offset (a) any state taxes (except for withholding tax required to be deducted and withheld from employee wages pursuant to Section 27-7-301 et seq.), as incurred thereby, up to the full amount of the mFlex tax incentive awarded by the authority for the associated qualified economic development project, and (b) only up to twenty percent (20%) of the mFlex tax incentive amount may be applied as a credit during the course of any reporting year to offset withholding tax deducted and withheld from employee wages pursuant to Section 27-7-301 et seq.; provided that the amount of the mFlex tax incentive available to be applied as a credit to offset such state taxes shall be subject to (a) any subsequent adjustments made by the authority to such award pursuant to Section 7 of this act, and (b) any performance requirements set out in the mFlex agreement. The amount of the mFlex tax incentive available to be applied as a credit to offset any state taxes described in Section 2(bb)(i) of this act shall be limited to those such taxes payable directly by the qualified business or industry to the Department of Revenue pursuant to a direct pay permit issued by the Department of Revenue under Section 27-65-93, except as otherwise provided herein. The amount of the mFlex tax incentive available to be applied as a credit to offset any state taxes may not be applied as a credit to offset any state taxes incurred prior to the issuance of the certification by the authority and execution of the mFlex agreement by the qualified business or industry and the authority. Notwithstanding any other provision herein, a qualified business or industry shall not be permitted to utilize the mFlex incentive available for a state tax described in Section 2(bb) of this act if that qualified business or industry has received or intends to receive any exemption pursuant to 57-10-255(2) or 57-10-439(2).

(4) The following conditions shall apply to each such certification made, and each mFlex tax incentive awarded, by the authority in accordance with Sections 1 through 10 of this act:

(a) Any certification and mFlex tax incentive award issued by the authority under Sections 1 through 10 of this act is nontransferable and cannot be applied, used or assigned to any other person or business or tax account without prior approval by the authority, except for one or more affiliates of the qualified business or industry disclosed thereby on its application or in a subsequent annual report submitted to the authority in accordance with Sections 1 through 10 of this act;

(b) No qualified business or industry may claim or use the mFlex tax incentive awarded thereto under Sections 1 through 10 of this act unless the qualified business or industry is in full compliance with all state and local tax laws, and related ordinances, permits and other applicable governmental approvals; and

(c) Each qualified business or industry must enter into an agreement with the authority which sets out, at a minimum, (i) the obligation of the business or industry to provide an annual report to the authority pursuant to Section 7 of this act that demonstrates the actual amount of its qualified investment, including actual expenditures on manufacturing machinery, nonmanufacturing equipment and component building materials, the number of new full-time jobs created and maintained as a result of the project, and any other relevant information as may be required by the authority; and (ii) terms for readjustment or recapture of all or a portion of the mFlex tax incentive awarded thereto pursuant to Section 7 of this act if the applicant 1. fails to satisfy the minimum job

creation requirement if certification of the project is predicated on satisfaction of the minimum job creation requirement and not the minimum qualified investment, or 2. fails to satisfy the minimum qualified investment if certification of the project is predicated on satisfaction of the minimum job creation requirement and not the minimum qualified investment, and/or 3. fails to otherwise satisfy any other additional performance requirements of the qualified business or industry or its qualified economic development project that are imposed by the authority.

(5) In addition to those mandatory conditions prescribed by Sections 1 through 10 of this act that apply to each certification and award of a mFlex tax incentive made by the authority in accordance herewith, the authority is authorized to impose any other conditions upon any certification and award of an mFlex tax incentive made by the authority as it shall find best promotes economic development in the state.

(6) Upon certifying a qualified business or industry as eligible for, and awarding, an mFlex tax incentive under Sections 1 through 10 of this act, the authority shall forward the certification along with any other necessary information to the Department of Revenue so that the mFlex tax incentive awarded to the qualified business or industry can be recorded by the Department of Revenue and used to verify each state tax credit subsequently applied by the qualified business or industry.

(7) Within thirty (30) days following the end of each calendar quarter, the authority shall provide to the Governor, Lieutenant Governor and the Speaker of the House of Representatives a copy of each certification made, together with a copy of each mFlex agreement approved and executed, during the immediately preceding calendar quarter.

SECTION 5. Calculation and application of an mFlex tax incentive award. The total amount of the initial mFlex tax incentive determined and awarded by the authority to the certified applicant shall be calculated by the authority as follows:

(a) One and one-half percent (1.5%) of the total purchase or sales price, or value, including any installation costs thereof, as applicable, of all manufacturing or processing machinery acquired, leased or otherwise moved into the state following the project certification date to establish and equip the qualified economic development project; plus

(b) Seven percent (7%) of the total purchase or sales price, or value, including any installation costs thereof, as applicable, of all nonmanufacturing equipment, other than tagged over-the-road vehicles, acquired, leased or otherwise moved into the state following the project certification date to establish and equip the qualified economic development project; plus

(c) Two percent (2%) of the total contract price or compensation paid to any contractor pursuant to any construction contract entered into following the project certification date by the qualified business or industry or any affiliate thereof, to construct, build, erect, repair or add to any building, facility, structure or other improvement to real property described in Section 27-65-21(1)(a)(i) to establish and construct the qualified economic development project; plus, if applicable,

(d) To the extent that the average employer wage is equal to or more than seventy-five percent (75%) of the average state or county wage, then an additional fifteen percent (15%) of the product derived by multiplying the average employer wage by the number of new full-time jobs; plus, if applicable,

(e) (i) To the extent that 1. the qualified economic development project is an enterprise enumerated in Section 2(x)(i) or Section 2(x)(ii) of this act; 2. the number of new full-time jobs totals fifty (50) or more; 3. the qualified investment totals Ten Million Dollars (\$10,000,000) or more; 4. the average employer wage is equal to or more than one hundred ten percent (110%) of the average state or county wage; and 5. all full-time

employees are eligible for and offered health insurance coverage funded in whole or at least fifty percent (50%) by the qualified business or industry (or by a leasing company with respect to leased employees), then an additional thirty percent (30%) of the product derived by multiplying the average employer wage by the number of new full-time jobs; or

(ii) To the extent that subparagraph (i) of this paragraph (e) does not apply, but 1. the number of new full-time jobs totals twenty-five (25) or more; 2. the average employer wage is equal to or more than one hundred twenty-five percent (125%) of the average state or county wage; and 3. all full-time employees are eligible for and offered health insurance coverage funded in whole or at least fifty percent (50%) by the qualified business or industry (or by a leasing company with respect to leased employees), then an additional thirty percent (30%) of the product derived by multiplying the average employer wage by the number of new full-time jobs; provided, however, that the initial mFlex tax incentive award amount determined by the authority and awarded on the project certification date shall be based upon estimates provided by the qualified business or industry to the authority with respect to paragraphs (a) through (d) of this section, which estimates shall be memorialized as project performance measures agreed to by the qualified business or industry in the mFlex agreement; provided, further, that such initial award amount shall be subject to any subsequent adjustments made by the authority pursuant to Section 7 of this act.

SECTION 6. Exclusive utilization of mFlex tax incentive. (1) A qualified business or industry awarded any mFlex tax incentive by the authority for its qualified economic development project pursuant to Sections 1 through 10 of this act shall not be eligible for, nor shall it apply for or claim, any one or more of the following tax credits, exemptions or incentives for such qualified project:

(a) For any new full-time job, any state income tax credit authorized by Sections 27-7-22.17, 22-7-22.18, 22-7-22.19, 27-7-22.27, 27-7-22.29, 27-7-22.34, 27-7-22.36 and 57-73-21(2) through (5);

(b) For any new full-time job, any withholding tax rebate authorized by Sections 57-62-1 through 57-62-7 or Sections 57-100-1 through 57-100-9;

(c) Any exemption from state income tax authorized by Section 27-7-30, Sections 57-80-1 through 57-80-11, Sections 57-113-1 through 57-113-7, and Sections 57-113-21 through 57-113-27;

(d) Any state income tax credit authorized by Section 27-7-22.20 or Section 22-7-22.35;

(e) Any exemption from state sales or use tax authorized by Section 27-65-101(1)(q), (r), (v), (w), (x), (y), (cc), (dd), (ff), (gg), (hh), (kk), (ll), (mm), (nn), (qq), (uu), (vv), (2) or (3); Sections 57-80-1 through 57-80-11; Sections 57-113-1 through 57-113-7; and Sections 57-113-21 through 57-113-27;

(f) Any exemption from state franchise tax authorized by Section 27-13-5(4), Section 27-13-7(4), Sections 57-80-1 through 57-80-11, Sections 57-113-1 through 57-113-7, and Sections 57-113-21 through 57-113-27.

(2) A qualified business or industry awarded any mFlex incentive by the authority for a qualified economic development project shall not be prohibited from applying or receiving the tax credits, exemptions or incentives in Section 6(1) of this act for any future project(s) regardless of whether such qualified business or industry has previously been awarded mFlex incentives.

SECTION 7. Taxpayer annual performance reporting to, and reviews by, the Mississippi Development Authority; subsequent adjustments by the Mississippi Development Authority to mFlex tax incentive award; deadline for mFlex tax incentive

utilization. (1) Unless its mFlex agreement prescribes a longer reporting period or additional reporting requirements, each qualified business or industry shall file an annual report with the authority for each qualified economic development project which has been certified, and for which any mFlex tax incentive has been awarded, by the authority in accordance with Sections 1 through 10 of this act, for the longer of the following periods: (a) until the reporting year during which all or any remaining portion of the mFlex tax incentive amount awarded to such qualified business or industry has been applied to offset state taxes, or (b) until the seventh reporting year, provided that an annual report shall in either instance be due in the final reporting year prescribed hereby or by the mFlex agreement. Each annual report shall be due to the authority no later than the last business day of the month following the month during which the annual anniversary of its project certification date occurred. Each annual report shall include the information set forth in this section, together with any other information required to be provided by the qualified business or industry pursuant to its mFlex agreement, for the immediately preceding twelve-month period ending on the last day of the month during which the annual anniversary of its project certification date occurred.

(2) Each annual report submitted to the authority by a qualified business or industry shall, at a minimum, contain the following information:

(a) The total qualified investment made between the project certification date through the end of the reporting year, including a breakout of actual expenditures made by the qualified business or industry for manufacturing machinery, nonmanufacturing equipment and component building materials to establish and equip the qualified economic development project;

(b) The incremental qualified investment made during the reporting year, including a breakout of actual expenditures made by the qualified business or industry for manufacturing machinery, nonmanufacturing equipment and component building materials to establish and equip the qualified economic development project;

(c) If applicable, the total number of base full-time jobs;

(d) The total number of people employed in new full-time jobs as of the last day the year preceding the reporting year;

(e) The total number of people employed in new full-time jobs as of the last day the year of the reporting year;

(f) The average employer wage for the reporting year;

(g) The percentage and number, as of the last day of the reporting year, of new full-time employees who are eligible for and offered a health insurance coverage funded in whole or at least fifty percent (50%) by the qualified business or industry (or by a leasing company with respect to leased employees);

(h) A description of employee benefits, including but not limited to, health, dental and/or vision insurance, retirement savings account, etc. made available to employees, as well as a description of any employees to whom the benefits are not made available (e.g., part-time employees);

(i) The total amount of the mFlex tax incentive awarded thereto, which the qualified business or industry has already applied and taken as a credit to offset state taxes through the end of the reporting period;

(j) A list of all affiliates of the qualified business or industry, including the Federal Employer Identification Number for each affiliate, for which any state tax liability thereof has been or is expected to be offset by all or some portion of the mFlex tax incentives awarded to the qualified business or industry, which list shall further identify (i)

any affiliate of the qualified business or industry that was not disclosed as such on its application or annual report submitted for the prior reporting period, whichever was more recent, but which has either become an affiliate of the qualified business or industry as of the date the current annual report or which the qualified business or industry desires to utilize all or a portion of its mFlex tax incentive as a credit to offset the affiliate's state tax liability following the date of the current annual report; (ii) any change in the name of any previously disclosed affiliate since the date the qualified business or industry filed its application or annual report for the prior reporting period, whichever was more recent; (iii) any prior affiliate of the qualified business or industry disclosed as such on its application or annual report for the prior reporting period, whichever was more recent, and which is no longer an affiliate of the qualified business or industry as of the date the current annual report; and (iv) any affiliate of the qualified business or industry disclosed as such on its application or annual report for the prior reporting period, whichever was more recent, and which the qualified business or industry no longer desires that the affiliate utilize all or a portion of its mFlex tax incentive as a credit to offset the affiliate's state tax liability following the date of the current annual report.

(3) The authority shall prescribe a form or forms for the annual report.

(4) Notwithstanding the obligation of a qualified business or industry to file an annual report with the authority for each qualified economic development project which has been certified, and for which any mFlex tax incentive has been awarded, the authority is authorized to request from the qualified business or industry at any other time any of the information set forth herein that must be included in an annual report for purposes of determining whether a qualified business or industry has met any of the project performance measures set forth in its mFlex agreement on or before the respective deadlines imposed with respect thereto. Upon any such written request by the authority, the qualified business or industry shall, within thirty (30) days after receipt of the request, provide to the authority a certified copy of the information requested.

(5) If a qualified business or industry fails to either file an annual report with the authority on or before the deadline mandated by subsection (1) of this section, or provide any information requested by the authority pursuant to subsection (4) of this section within the time period mandated by such subsection, the authority shall provide written notice to the qualified business or industry of the failure to report, and the qualified business or industry shall have thirty (30) additional days to cure the reporting failure following its receipt of the notice. If the qualified business or industry thereafter fails to file its annual report with the authority, or provide such information requested by the authority within the thirty-day-cure period, the authority is authorized to suspend or revoke, at the discretion thereof, all or a portion of the amount of the mFlex tax incentive previously awarded to the qualified business or industry for its qualified economic development project.

(6) If a qualified business or industry either fails to achieve or exceeds any project performance measure set forth in its mFlex agreement within or for any time period required by such agreement, the authority shall, following its (a) review of any annual report filed by the qualified business or industry or of any certified information provided by the qualified business or industry pursuant to subsection (4) of this section, and (b) verification based upon such information that the qualified business or industry either failed to achieve or exceeded any of the project performance measures set forth in its mFlex agreement within or for any time period required by such agreement, adjust the mFlex tax incentive awarded thereto for its qualified economic development project such that the award is no longer based upon any one or more of the performance measures set forth in its mFlex agreement but is instead based upon one or more of the following, as applicable, as of the end of the most recent reporting year for which the annual report was filed: (a) the actual expenditures made by the qualified business or industry for purposes of the calculation prescribed by Section 5(a), (b) and (c) of this act; and (b)(i) the actual number of new full-time jobs created by the qualified business or industry, together with (ii) the actual average employer wage associated therewith, for purposes of the calculations prescribed by Section 5(d) and (e) of this act.

(7) A qualified business or industry and the authority may, at any time, amend or amend and restate an mFlex agreement in order to modify the performance measures of the qualified business or industry with respect to its qualified economic development project, and in connection with such amendment or amendment and restatement, the authority shall modify the amount of the mFlex tax incentive awarded for the qualified economic development project to comport with the modified performance measures; provided that the modified award amount shall thereafter be subject to the adjustment requirements of subsection (6) of this section.

(8) If the authority adjusts any mFlex tax incentive award pursuant to subsection (6) or subsection (7) of this section, the authority shall issue an amended certification of the corresponding qualified economic development project, which shall specify the amount of mFlex tax incentive award adjustment. The authority shall forward the amended certification, along with any other necessary information, to the Department of Revenue so that the mFlex tax incentive award adjustment for the qualified business or industry can be recorded by the Department of Revenue and used to verify each state tax credit subsequently applied by the qualified business or industry.

(9) If at any time the authority reduces the mFlex tax incentive award granted for the qualified economic development project to an amount less than the total amount of credits already applied and taken by the qualified business or industry, or by one or more affiliates thereof eligible to utilize such credit, to offset state taxes thereof, the Department of Revenue shall charge the qualified business or industry, or such affiliate or affiliates, with an assessment for the amount of state taxes for which no mFlex tax incentive is available, following such reduction by the authority, for application as a tax credit, beginning with those state taxes against which the qualified business or industry most recently applied the credit, and such state tax assessment shall be immediately due and payable.

(10) Any portion of an mFlex tax incentive awarded to the qualified business or industry by the authority for its qualified economic development project pursuant to Sections 1 through 10 of this act that has not been applied, on or before the tenth annual anniversary of the project certificate date, as a credit by such qualified business or industry, or by one or more affiliates thereof eligible to utilize such credit, to offset state taxes otherwise payable, shall expire.

(11) Within thirty (30) days following the end of each calendar quarter, the authority shall provide to the Governor, Lieutenant Governor and the Speaker of the House of Representatives a copy of each amendment to any certification made, together with a copy of each amendment to any mFlex agreement approved and executed, during the immediately preceding calendar quarter.

SECTION 8. Audits and interagency cooperation. (1) No provisions of Sections 1 through 10 of this act shall in any way limit or restrict the authority of the Department of Revenue to perform audits for all state tax liabilities for any qualified business or industry that is awarded any mFlex tax incentives by the authority.

(2) The Department of Revenue is authorized to provide to the authority any information received, obtained or produced, or findings or determinations made, thereby as a result of the performance by Department of Revenue of any audit of state tax liabilities of any qualified business or industry that is awarded any mFlex tax incentives by the authority, and any such information, findings or determinations provided to the authority by the Department of Revenue shall be exempt from the provisions of the Mississippi Public Records Act of 1983, as amended.

(3) If any audit by the Department of Revenue results in a reclassification of component building materials, manufacturing equipment or nonmanufacturing equipment, as previously reported by a qualified business or industry, to a different property

classification, or a change in the number of new full-time employees or average employer wage, as previously reported by a qualified business or industry, the authority is authorized to adjust the amount of the mFlex tax incentive awarded to the qualified business or industry for a qualified economic development project to comport with any property reclassification or change in the number of new full-time employees or average employer wage in the manner prescribed by Section 7 of this act.

(4) The Department of Employment Security is authorized to provide to the authority any information received, obtained or produced, or findings or determinations made, thereby with respect to any qualified business or industry that is awarded any mFlex tax incentives by the authority, and any such information, findings or determinations provided to the authority by the Department of Revenue shall be exempt from the provisions of the Mississippi Public Records Act of 1983, Section 25-61-1 et seq.

(5) The State Auditor may conduct performance and compliance audits under Sections 1 through 10 of this act according to Section 7-72-11(o).

(6) Upon written request made by the Director of the University Research Center Division of the Mississippi Institutions of Higher Learning, the authority shall provide to the director a copy of any certification, together with any amendments thereto, made by the authority, and/or any mFlex agreement, together with any amendments thereto, approved and executed by the authority pursuant to Sections 1 through 10 of this act, described in such request for the purpose of the University Research Center conducting an economic impact analysis and other analyses performed by the University Research Center with respect thereto; provided that any such analyses conducted by the University Research Center with respect to one or more particular qualified economic development projects shall be communicated and provided only to the Governor, Lieutenant Governor, Speaker of the House of Representatives and/or the authority.

SECTION 9. Implementation and exclusive jurisdiction. (1) The authority and the Department of Revenue shall implement the provisions of Sections 1 through 10 of this act and exercise all powers as authorized in Sections 1 through 10 of this act; however, the application of Sections 1 through 10 of this act and the offering and awarding of any mFlex tax incentive as to any particular qualified business or industry shall be carried out at the discretion of the authority subject to, and in compliance with, Sections 1 through 10 of this act. The exercise of powers conferred by Sections 1 through 10 of this act shall be deemed and held to be the performance of essential public purposes.

(2) The authority shall have sole and exclusive jurisdiction and authority to determine whether an applicant qualifies as a qualified business or industry, whether an applicant's project qualifies as a qualified economic development project, whether to certify an applicant and its project as a qualified business or industry undertaking a qualified economic development project and the eligibility thereof for the mFlex tax incentive, the initial calculation of any mFlex tax incentive award, any terms or conditions or further requirements to be included in any mFlex agreement, and any subsequent adjustments any mFlex tax incentive award or any revocation thereof, in all instances in accordance with Sections 1 through 10 of this act.

(3) Nothing in Sections 1 through 10 of this act shall be construed to constitute a guarantee or assumption by the State of Mississippi of any debt of any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof nor to authorize the credit of the state to be given, pledged or loaned to any corporation, limited liability company, partnership, person or sole proprietorship, business trust or other legal entity and subunit or affiliate thereof. Further, nothing in Sections 1 through 10 of this act gives any right to any qualified business or industry to the incentives authorized by Sections 1 through 10 of this act unless such incentive is awarded by Sections 1 through 10 of this act.

SECTION 10. Promulgation of rules and regulations. The authority and the Department of Revenue shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, Section 25-43-1.101 et seq. and all application forms and other forms necessary to implement their respective duties and responsibilities under the provisions of Sections 1 through 10 of this act.

SECTION 11. Section 27-7-22, Mississippi Code of 1972, is amended as follows:

27-7-22. (1) For any qualified business, as defined in Section 57-51-5, which is located in a county, or portion thereof, designated as an enterprise zone pursuant to Title 57, Chapter 51, Mississippi Code of 1972, there shall be allowed as a credit against the tax imposed by this chapter, an amount equal to One Thousand Dollars (\$1,000.00) per net full-time employee as determined by the average annual employment of the business reported to the Employment Security Commission. Such credit shall be allowed annually to each qualified business for a period not to exceed ten (10) years. If the amount allowable as a credit exceeds the tax imposed by this chapter, the amount of such excess shall not be refundable or carried forward to any other taxable year.

For the purpose of determining the credit allowed to a qualified business which is an existing trade or business having expanded its buildings and facilities, the number of net full-time employees shall be the difference between the average annual employment of such business before and after such expansion.

If the Mississippi Enterprise Zone Act is repealed, any qualified business which had been granted a tax credit under this subsection prior to the date of such repeal shall be entitled to such tax credit until the period for which it was granted expires.

(2) For any qualified business, as defined in Section 57-54-5, there shall be allowed as a credit against the tax imposed by this chapter, an amount equal to One Thousand Dollars (\$1,000.00) per net full-time employee as determined by the average annual employment of the business reported to the Employment Security Commission. Such credit shall be allowed annually to each qualified business for a period not to exceed ten (10) years. If the amount allowable as a credit exceeds the tax imposed by this chapter, the amount of such excess shall not be refundable or carried forward to any other taxable year.

For the purpose of determining the credit allowed to a qualified business which is an existing trade or business having expanded its buildings and facilities, the number of net full-time employees shall be the difference between the average annual employment of such business before and after such expansion.

If the Mississippi Advanced Technology Initiative Act is repealed, any qualified business which had been granted a tax credit under this subsection prior to the date of such repeal shall be entitled to such tax credit until the period for which it was granted expires.

(3) For any qualified company, certified as such by the *** Mississippi Development Authority under Section 57-53-1, there shall be allowed as a credit against the tax imposed by this chapter, an amount equal to One Thousand Dollars (\$1,000.00) per net full-time employee in this state, provided there is a minimum of seventy-five (75) net full-time employees, as determined by the average annual employment of the company in this state reported to the Employment Security Commission. Such credit shall be allowed annually to each qualified company for a period not to exceed ten (10) years. If the amount allowable as a credit exceeds the tax imposed by this chapter, the amount of such excess shall not be refundable or carried forward to any other taxable year.

For the purpose of determining the credit allowed to a qualified company which has expanded its existing buildings and facilities, the number of net full-time employees shall

be the difference between the average annual employment of such company before and after such expansion.

(4) For any qualified business or industry, which is certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act and awarded any mFlex tax incentive amount for such qualified business's or industry's qualified economic development project, certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act, there shall be allowed as a credit against the tax imposed by this chapter, an amount prescribed by, and subject to, the Mississippi Flexible Tax Incentive Act.

SECTION 12. Section 27-7-309, Mississippi Code of 1972, is amended as follows:

27-7-309. (1) (a) Except as otherwise provided in this subsection, every employer required to deduct and withhold from wages under this article shall, for each calendar quarter, on or before the fifteenth day of the month following the close of such calendar quarter, file a withholding return as prescribed by the commissioner and pay over to the commissioner the full amount required to be deducted and withheld from wages by such employer for the calendar quarter. Provided that the commissioner may, by regulation, provide that every such employer shall, on or before the fifteenth day of each month, pay over to the commissioner or a depository designated by the commissioner, the amount required to be deducted and withheld by such employer for the preceding month, if such amount is One Hundred Dollars (\$100.00) or more. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed.

(b) An employer having an average monthly withholding tax liability of at least Fifty Thousand Dollars (\$50,000.00) for the preceding calendar year shall pay to the Department of Revenue on or before June 25, 2014, and on or before the twenty-fifth day of June of each succeeding year thereafter, an amount equal to at least seventy-five percent (75%) of such employer's estimated withholding tax liability for the month of June of the current taxable year, or an amount equal to at least seventy-five percent (75%) of the employer's withholding tax liability for the month of June of the preceding taxable year. Payments required to be made under this paragraph must be received by the Department of Revenue no later than June 25 in order to be considered timely made. An employer that fails to comply with the requirements of this paragraph may be assessed a penalty in an amount equal to ten percent (10%) of the difference between any amount the taxpayer pays pursuant to this paragraph and the employer's actual withholding tax liability for the month of June for which the estimated payment was required to be made. This paragraph shall not apply to any agency, department or instrumentality of the United States, any agency, department, institution, instrumentality or political subdivision of the State of Mississippi, or any agency, department, institution or instrumentality of any political subdivision of the State of Mississippi. Payments made pursuant to this paragraph for the month of June, less One Hundred Thousand Dollars (\$100,000.00) thereof to be retained by the Department of Revenue each year to defray the costs of collection, shall be deposited by the Department of Revenue into the State General Fund.

(c) The commissioner may promulgate rules and regulations to require or permit filing periods of any duration, in lieu of monthly or quarterly filing periods, for any taxpayer or group thereof.

(2) Notwithstanding any of the other provisions of this section, all transient employers and all employers engaged in any business which is seasonal shall make return and pay over to the commissioner on a monthly basis, the full amounts required to be deducted and withheld from the wages by such employer for the calendar month. Such returns and payments to the commissioner by such employers shall be made on or before the fifteenth day of the month following the month for which such amounts were deducted

and withheld from the wages of his employees. The commissioner shall have the authority to issue reasonable rules and regulations designating or classifying those transient and seasonal employers.

(3) If the commissioner, in any case, has justifiable reason to believe that the collection of funds required to be withheld by any employer as provided herein is in jeopardy, he may require the employer to file a return and pay such amount required to be withheld at any time.

(4) Every employer who fails to withhold or pay to the commissioner any sums required by this article to be withheld and paid, shall be personally and individually liable therefor, except as provided in Section 27-7-307; and any sum or sums withheld in accordance with the provisions of this article shall be deemed to be held in trust for the State of Mississippi and shall be recorded by the employer in a ledger account so as to clearly indicate the amount of tax withheld and that the amount is the property of the State of Mississippi.

(5) Once an employer has become liable to a quarterly return of withholding, he must continue to file a quarterly report, even though no tax has been withheld, until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such quarterly returns.

(6) Once an employer has become liable to a monthly return of withholding, he must continue to file a monthly report, even though no tax has been withheld until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such monthly returns.

(7) Magnetic media reporting may be required in a manner to be determined by the commissioner.

(8) Any employer who is required to deduct and withhold from wages for any monthly or quarterly period pursuant to this article, and who is also eligible to apply as a credit against any amount to be deducted and withheld for such period from wages by such employer under this article a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax incentive Act, may apply the tax credit in the amount available for such purpose, or such lesser amount determined by such employer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for any monthly or quarterly reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 13. Section 27-7-311, Mississippi Code of 1972, is amended as follows:

27-7-311. Every employer shall file an annual statement of withholding for each employee. The annual statement shall be in the form prescribed by the commissioner and shall be filed with the commissioner and two (2) copies thereof furnished the employee on or before the thirty-first day of January following the close of the calendar year. Provided, if the employment of the employee is terminated during the calendar year, the employer shall furnish such statement to the employee at the time of the termination of employment. Such statement shall show:

(1) The name and withholding account number of the employer;

(2) The name of the employee and his social security account number;

(3) The total compensation paid to the employee; and

(4) The total amount withheld by the employer pursuant to this article for the year or part of a calendar year where the employee worked for less than a full calendar year, and such other information as the commissioner shall require by rule or regulation.

The total amount withheld by the employer shall reflect the gross amount withheld by the employer pursuant to this article for such year or part of such calendar year prior to, and expressly excluding, the application of any credit applied and taken by the employer of any tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act.

SECTION 14. Section 27-13-5, Mississippi Code of 1972, is amended as follows:

27-13-5. (1) (a) Franchise tax levy. Except as otherwise provided in subsections (3), (4), (5) and (7) of this section, there is hereby imposed, to be paid and collected as hereinafter provided, a franchise or excise tax upon every corporation, association or joint-stock company or partnership treated as a corporation under the income tax laws or regulations, organized or created for pecuniary gain, having privileges not possessed by individuals, and having authorized capital stock now existing in this state, or hereafter organized, created or established, under and by virtue of the laws of the State of Mississippi, equal to:

(i) For tax years beginning before January 1, 2018, Two Dollars and Fifty Cents (\$2.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(ii) For tax years beginning on or after January 1, 2018, but before January 1, 2019, Two Dollars and Fifty Cents (\$2.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iii) For tax years beginning on or after January 1, 2019, but before January 1, 2020, Two Dollars and Twenty-five Cents (\$2.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iv) For tax years beginning on or after January 1, 2020, but before January 1, 2021, Two Dollars (\$2.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(v) For tax years beginning on or after January 1, 2021, but before January 1, 2022, One Dollar and Seventy-five Cents (\$1.75) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vi) For tax years beginning on or after January 1, 2022, but before January 1, 2023, One Dollar and Fifty Cents (\$1.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vii) For tax years beginning on or after January 1, 2023, but before January 1, 2024, One Dollar and Twenty-five Cents (\$1.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars

(\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(viii) For tax years beginning on or after January 1, 2024, but before January 1, 2025, One Dollar (\$1.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(ix) For tax years beginning on or after January 1, 2025, but before January 1, 2026, Seventy-five Cents (75¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(x) For tax years beginning on or after January 1, 2026, but before January 1, 2027, Fifty Cents (50¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(xi) For tax years beginning on or after January 1, 2027, but before January 1, 2028, Twenty-five Cents (25¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(b) In no case shall the franchise tax due for the accounting period be less than Twenty-five Dollars (\$25.00).

(c) It is the purpose of this section to require the payment to the State of Mississippi of this tax for the right granted by the laws of this state to exist as such organization, and to enjoy, under the protection of the laws of this state, the powers, rights, privileges and immunities derived from the state by the form of such existence.

(2) Annual report of domestic corporations. Each domestic corporation shall file an annual report as required by the provisions of Section 79-4-16.22.

(3) (a) A corporation that has negotiated a fee-in-lieu as defined in Section 57-75-5 shall not be subject to the tax levied by this section on such project; however, the fee-in-lieu payment shall be otherwise treated in the same manner as the payment of franchise taxes.

(b) (i) As used in this paragraph:

1. "Authority" shall have the meaning ascribed to such term in Section 57-75-5(b);

2. "Project" shall have the meaning ascribed to such term in Section 57-75-5(f)(xxix); and

3. "Enterprise" shall mean the corporation authorized for the project pursuant to Section 57-75-5(f)(xxix).

(ii) The term of the franchise tax fee-in-lieu agreement negotiated under this subsection and authorized by Section 57-75-5(j), between the authority and the enterprise for the project shall not exceed twenty-five (25) years. The franchise tax fee-in-lieu agreement shall apply only to new franchise tax liability attributable to the

project, and shall not apply to any existing franchise tax liability of the enterprise in connection with any current operations in this state.

(iii) In the event that the annual number of full-time jobs maintained by the enterprise falls below the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise for two (2) consecutive years, the franchise tax fee-in-lieu for the project shall be suspended until the first tax year during which the annual number of full-time jobs maintained by the enterprise reaches the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise.

(iv) The enterprise shall be entitled to utilize a single sales apportionment factor in the calculation of its liability for franchise tax imposed by this chapter which is attributable to the project for any year for which it files a Mississippi franchise tax return. The enterprise shall be entitled to continue to utilize such single sales apportionment factor notwithstanding a suspension of the franchise tax fee-in-lieu pursuant to subparagraph (iii) of this paragraph.

(4) An approved business enterprise as defined in the Growth and Prosperity Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the approved business enterprise in a growth and prosperity county or supervisors district as provided in the Growth and Prosperity Act.

(5) A business enterprise operating a project as defined in Section 57-64-33, in a county that is a member of a regional economic development alliance created under the Regional Economic Development Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise in such a county as provided in Section 57-64-33.

(6) The tax levied by this chapter and paid by a business enterprise located in a redevelopment project area under Sections 57-91-1 through 57-91-11 shall be deposited into the Redevelopment Project Incentive Fund created in Section 57-91-9.

(7) A business enterprise as defined in Section 57-113-1 or 57-113-21 that is exempt from certain state taxes under Section 57-113-5 or 57-113-25 shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise.

(8) A taxpayer who is eligible to apply as a credit against the tax levied by this chapter a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax incentive Act may apply the tax credit in the amount available for such purpose, or such lesser amount determined by the taxpayer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for a tax-reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 15. Section 27-13-7, Mississippi Code of 1972, is amended as follows:

27-13-7. (1) (a) Franchise tax levy. Except as otherwise provided in subsections (3), (4), (5) and (7) of this section, there is hereby imposed, levied and assessed upon every corporation, association or joint-stock company, or partnership treated as a corporation under the income tax laws or regulations as hereinbefore defined, organized and existing under and by virtue of the laws of some other state, territory or country, or organized and existing without any specific statutory authority, now or hereafter doing business or exercising any power, privilege or right within this state, as hereinbefore defined, a franchise or excise tax equal to:

(i) For tax years beginning before January 1, 2018, Two Dollars and Fifty Cents (\$2.50) of each One Thousand Dollars (\$1,000.00), or fraction thereof, of the

value of capital used, invested or employed within this state, except as hereinafter provided.

(ii) For tax years beginning on or after January 1, 2018, but before January 1, 2019, Two Dollars and Fifty Cents (\$2.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iii) For tax years beginning on or after January 1, 2019, but before January 1, 2020, Two Dollars and Twenty-five Cents (\$2.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(iv) For tax years beginning on or after January 1, 2020, but before January 1, 2021, Two Dollars (\$2.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(v) For tax years beginning on or after January 1, 2021, but before January 1, 2022, One Dollar and Seventy-five Cents (\$1.75) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vi) For tax years beginning on or after January 1, 2022, but before January 1, 2023, One Dollar and Fifty Cents (\$1.50) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(vii) For tax years beginning on or after January 1, 2023, but before January 1, 2024, One Dollar and Twenty-five Cents (\$1.25) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(viii) For tax years beginning on or after January 1, 2024, but before January 1, 2025, One Dollar (\$1.00) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(ix) For tax years beginning on or after January 1, 2025, but before January 1, 2026, Seventy-five Cents (75¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(x) For tax years beginning on or after January 1, 2026, but before January 1, 2027, Fifty Cents (50¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the

capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(xi) For tax years beginning on or after January 1, 2027, but before January 1, 2028, Twenty-five Cents (25¢) for each One Thousand Dollars (\$1,000.00), or fraction thereof, in excess of One Hundred Thousand Dollars (\$100,000.00), of the value of the capital used, invested or employed in the exercise of any power, privilege or right enjoyed by such organization within this state, except as hereinafter provided.

(b) In no case shall the franchise tax due for the accounting period be less than Twenty-five Dollars (\$25.00).

(c) It is the purpose of this section to require the payment of a tax by all organizations not organized under the laws of this state, measured by the amount of capital or its equivalent, for which such organization receives the benefit and protection of the government and laws of the state.

(2) Annual report of foreign corporations. Each foreign corporation authorized to transact business in this state shall file an annual report as required by the provisions of Section 79-4-16.22.

(3) (a) A corporation that has negotiated a fee-in-lieu as defined in Section 57-75-5 shall not be subject to the tax levied by this section on such project; however, the fee-in-lieu payment shall be otherwise treated in the same manner as the payment of franchise taxes.

(b) (i) As used in this paragraph:

1. "Authority" shall have the meaning ascribed to such term in Section 57-75-5(b);

2. "Project" shall have the meaning ascribed to such term in Section 57-75-5(f)(xxix); and

3. "Enterprise" shall mean the corporation authorized for the project pursuant to Section 57-75-5(f)(xxix).

(ii) The term of the franchise tax fee-in-lieu agreement negotiated under this subsection and authorized by Section 57-75-5(j), between the authority and the enterprise for the project shall not exceed twenty-five (25) years. The franchise tax fee-in-lieu agreement shall apply only to new franchise tax liability attributable to the project, and shall not apply to any existing franchise tax liability of the enterprise in connection with any current operations in this state.

(iii) In the event that the annual number of full-time jobs maintained by the enterprise falls below the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise for two (2) consecutive years, the franchise tax fee-in-lieu for the project shall be suspended until the first tax year during which the annual number of full-time jobs maintained by the enterprise reaches the minimum annual number of full-time jobs required by the authority pursuant to a written agreement between the authority and the enterprise.

(iv) The enterprise shall be entitled to utilize a single sales apportionment factor in the calculation of its liability for franchise tax imposed by this chapter which is attributable to the project for any year for which it files a Mississippi franchise tax return. The enterprise shall be entitled to continue to utilize such single sales apportionment factor notwithstanding a suspension of the franchise tax fee-in-lieu pursuant to subparagraph (iii) of this paragraph.

(4) An approved business enterprise as defined in the Growth and Prosperity Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the approved business enterprise in a growth and prosperity county or supervisors district as provided in the Growth and Prosperity Act.

(5) A business enterprise operating a project as defined in Section 57-64-33, in a county that is a member of a regional economic development alliance created under the Regional Economic Development Act shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise in such a county as provided in Section 57-64-33.

(6) The tax levied by this chapter and paid by a business enterprise located in a redevelopment project area under Sections 57-91-1 through 57-91-11 shall be deposited into the Redevelopment Project Incentive Fund created in Section 57-91-9.

(7) A business enterprise as defined in Section 57-113-1 or 57-113-21 that is exempt from certain state taxes under Section 57-113-5 or 57-113-25 shall not be subject to the tax levied by this section on the value of capital used, invested or employed by the business enterprise.

(8) A taxpayer who is eligible to apply as a credit against the tax levied by this chapter a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax incentive Act may apply the tax credit in the amount available for such purpose, or such lesser amount determined by the taxpayer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for a tax-reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 16. Section 27-65-93, Mississippi Code of 1972, is amended as follows:

27-65-93. (1) The commissioner shall, from time to time, promulgate rules and regulations, not inconsistent with the provisions of the sales tax law, for making returns and for the ascertainment, assessment and collection of the tax imposed by the sales tax law as he may deem necessary to enforce its provisions; and, upon request, he shall furnish any taxpayer with a copy of the rules and regulations.

(2) All forms, necessary for the enforcement of the sales tax law, shall be prescribed, printed and furnished by the commissioner.

(3) The commissioner may adopt rules and regulations providing for the issuance of permits to manufacturers, utilities, construction contractors, companies receiving bond financing through the Mississippi Business Finance Corporation or the Mississippi Development Authority, and other taxpayers as determined by the commissioner, and the commissioner shall adopt rules and regulations providing for the issuance of a permit to any qualified business or industry, which is certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act and awarded any mFlex tax incentive amount for such qualified business's or industry's qualified economic development project, certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act, to purchase tangible personal property taxed under Section 27-65-17, items taxed under Section 27-65-18, items taxed under Section 27-65-19, services taxed under Section 27-65-23, items taxed under Section 27-65-24, and items taxed under Section 27-65-26 without the payment to the vendor of the tax imposed by the sales and use tax laws, and providing for persons to report and pay the tax directly to the commissioner in instances where the commissioner determines that these provisions will facilitate and expedite the collection of the tax at the proper rates which may be due on purchases by the permittee. Under the provisions of this chapter, the vendor is relieved of collecting and remitting the taxes specified hereunder and the person holding the permit shall become liable for such taxes instead of the seller. The full enforcement provisions of the sales tax law shall apply in the collection of the tax from the permittee.

SECTION 17. Section 27-67-17, Mississippi Code of 1972, is amended as follows:

27-67-17. (1) Except as otherwise provided in this section, the commissioner shall collect the tax imposed by this article, and every person subject to its provisions shall remit to the commissioner, on or before the twentieth day of each month, the amount of tax due by such person for the preceding calendar month. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except that when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed. Every taxpayer shall file a return with his remittance, which return shall be prescribed by the commissioner and shall show for the calendar month preceding the tax payment date, the total sale or purchase price, or value of tangible personal property or specified digital products sold, used, stored or consumed by him for benefit received or service performed, and such other information as the commissioner may deem pertinent and necessary for determining the amount of tax due thereunder.

(2) The commissioner, in his discretion, may authorize in writing the filing of returns and the payment of tax on a quarterly basis by any person required or authorized to pay the tax imposed, such authority to be subject to revocation for good cause by the commissioner.

(3) In instances where it is impractical to file returns and pay the tax monthly or quarterly, the commissioner may authorize the filing of semiannual or annual returns.

(4) A taxpayer required to collect use taxes under this article and having an average monthly use tax liability of at least Fifty Thousand Dollars (\$50,000.00) for the preceding calendar year shall pay to the Department of Revenue on or before June 25, 2014, and on or before the twenty-fifth day of June of each succeeding year thereafter, an amount equal to at least seventy-five percent (75%) of such taxpayer's estimated use tax liability for the month of June of the current calendar year, or an amount equal to at least seventy-five percent (75%) of the taxpayer's use tax liability for the month of June of the preceding calendar year. Payments required to be made under this subsection must be received by the Department of Revenue no later than June 25 in order to be considered timely made. A taxpayer that fails to comply with the requirements of this subsection may be assessed a penalty in an amount equal to ten percent (10%) of the difference between any amount the taxpayer pays pursuant to this subsection and the taxpayer's actual use tax liability for the month of June for which the estimated payment was required to be made. Payments made by a taxpayer under this subsection shall not be considered to be collected for the purposes of any use tax diversions required by law until the taxpayer files a return for the actual use taxes collected during the month of June. This subsection shall not apply to any agency, department or instrumentality of the United States, any agency, department, institution, instrumentality or political subdivision of the State of Mississippi, or any agency, department, institution or instrumentality of any political subdivision of the State of Mississippi.

(5) The commissioner, in his discretion, may authorize the computation of the tax on the basis of a formula in lieu of direct accounting of specific properties in instances where such method will expedite, simplify or provide a more equitable means of determining liability under this article. All formulas shall be subject to revocation for good cause by the commissioner.

(6) A taxpayer who is eligible to apply as a credit against the tax levied by this chapter a tax credit awarded by the Mississippi Development Authority in accordance with the Mississippi Flexible Tax Incentive Act may apply the tax credit in the amount available for such purpose, or such lesser amount determined by the taxpayer, pursuant to the Mississippi Flexible Tax Incentive Act. The credit applied for a tax-reporting period shall be reflected on the form of the return in the manner prescribed by the commissioner.

SECTION 18. Section 57-1-14, Mississippi Code of 1972, is amended as follows:

57-1-14. (1) Except as otherwise provided in subsection (3) of this section, any records of the Mississippi Development Authority which contain client information concerning development projects shall be exempt from the provisions of the Mississippi Public Records Act of 1983 for a period of two (2) years after receipt of the information by the department. Confidential client information as described in this section shall not include the information which must be disclosed by the certified applicant related to a qualified economic development project in the annual report described in Section 57-1-759.

(2) Except as otherwise provided in subsection (3) of this section, confidential client information in public records held by the department shall be exempt from the provisions of the Mississippi Public Records Act of 1983 during the period of review and negotiation on a project proposal and for a period of thirty (30) days after approval, disapproval or abandonment of the proposal not to exceed one (1) year by the department in writing.

(3) Any breakouts or subcategories of the total qualified investment amounts reported pursuant to Sections 3(d), 7(2)(a) and 7(2)(b) of this act, and information reported pursuant to Sections 3(g), 3(h), 3(j), 7(2)(f), 7(2)(g), 7(2)(h) and 7(2)(i) of this act shall not be subject to any disclosure under the Mississippi Public Records Act of 1983. In addition, any information and documentation, including without limitation, copies of any certifications, together with any amendments thereto, made by the Mississippi Development Authority, and copies of any mFlex agreements, together with any amendments thereto, approved and executed by the Mississippi Development Authority, pursuant to the Mississippi Flexible Tax Incentive Act, which are (a) provided by the authority to the Governor, Lieutenant Governor and/or Speaker of the House of Representatives pursuant to Section 4(7) or Section 7(11) of this act; (b) provided by the authority to the University Research Center division of the Mississippi Institutions of Higher Learning pursuant to Section 8(5) of this act; and (c) provided by the University Research Center division of the Mississippi Institutions of Higher Learning to the Governor, Lieutenant Governor, Speaker of the House of Representatives and/or the authority, shall not be subject to any disclosure under the Mississippi Public Records Act of 1983.

SECTION 19. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI FLEXIBLE TAX INCENTIVE ACT"; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR APPLICATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR THE CERTIFICATION AND AWARD OF THE MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO A QUALIFIED BUSINESS OR INDUSTRY FOR A QUALIFIED ECONOMIC DEVELOPMENT PROJECT; TO PRESCRIBE THE MEANS OF CALCULATING AND APPLYING SUCH INCENTIVE; TO PROHIBIT UTILIZATION OF CERTAIN OTHER INCENTIVES IN COMBINATION WITH THE MISSISSIPPI FLEXIBLE TAX INCENTIVE; TO ESTABLISH REQUIREMENTS AND STANDARDS FOR ANNUAL REPORTING BY A QUALIFIED BUSINESS OR INDUSTRY, MODIFICATIONS TO PRIOR INCENTIVE AWARDS BY THE MISSISSIPPI DEVELOPMENT AUTHORITY AND DEADLINES FOR THE UTILIZATION OF SUCH INCENTIVE; TO AUTHORIZE AUDITS BY THE MISSISSIPPI DEPARTMENT OF REVENUE AND SHARING OF CERTAIN INFORMATION ABOUT CERTAIN INCENTIVE AWARDEES BETWEEN STATE AGENCIES; TO CLARIFY THAT THE MISSISSIPPI DEVELOPMENT

AUTHORITY IS GRANTED EXCLUSIVE JURISDICTION TO CERTIFY, AWARD AND MAKE ANY ADJUSTMENTS TO A MISSISSIPPI FLEXIBLE TAX INCENTIVE FOR A QUALIFIED BUSINESS OR INDUSTRY; TO AUTHORIZE THE MISSISSIPPI DEVELOPMENT AUTHORITY AND THE MISSISSIPPI DEPARTMENT OF REVENUE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT THIS ACT; TO AMEND SECTION 27-7-22, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE INCOME TAX LIABILITY; TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET WITHHOLDING TAX LIABILITY; TO AMEND SECTION 27-7-311, MISSISSIPPI CODE OF 1972, TO EXCLUDE ANY MISSISSIPPI FLEXIBLE TAX INCENTIVE APPLIED AS A CREDIT TO OFFSET STATE INCOME TAX LIABILITY FROM THE ANNUAL STATEMENT REQUIRED TO BE FILED WITH THE COMMISSIONER OF REVENUE FOR AN EMPLOYEE; TO AMEND SECTION 27-13-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF MISSISSIPPI CORPORATIONS; TO AMEND SECTION 27-13-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET FRANCHISE TAX LIABILITY OF FOREIGN CORPORATIONS; TO AMEND SECTION 27-65-93, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF REVENUE TO ISSUE A DIRECT PAY PERMIT TO A QUALIFIED BUSINESS OR INDUSTRY THAT IS AWARDED A MISSISSIPPI FLEXIBLE TAX INCENTIVE BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE APPLICATION OF A MISSISSIPPI FLEXIBLE TAX INCENTIVE AS A CREDIT TO OFFSET STATE USE TAX LIABILITY; TO AMEND SECTION 57-1-14, MISSISSIPPI CODE OF 1972, TO DELAY OR PRECLUDE CERTAIN INFORMATION PROVIDED IN APPLICATIONS AND ANNUAL REPORTS FOR THE MISSISSIPPI FLEXIBLE TAX INCENTIVE FROM DISCLOSURE PURSUANT TO THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2895** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Notwithstanding the provisions of Section 27-35-4 that fix the assessment rate of property for ad valorem tax purposes, property owned by a transformative renewable energy project shall be assessed at eight percent (8%) of true value for ad valorem taxes. Such assessment rate shall be used in calculating any payments under a fee-in-lieu of ad valorem taxes agreement under Section 27-31-104.

(2) The assessment rate established under this section shall remain in full force and effect for any transformative renewable energy projects for as long as any fee-in-lieu of ad valorem taxes agreement between the project and a qualifying county remain in effect.

As used in this section, the term "transformative renewable energy project" means a project that proposes to invest at least One Hundred Million Dollars (\$100,000,000.00) in generating renewable energy within a qualifying county and that has been designated as such by resolution of the board of supervisors of that qualifying county.

As used in this section, the term "qualifying county" means a county in Mississippi:

- (a) Wholly located north of United States Highway 82;
 - (b) Located within fifty (50) miles of the Mississippi state border;
 - (c) Either (i) bordering the Mississippi River, or (ii) wholly east of United States Interstate 55; and
 - (d) With a population between eight thousand five hundred (8,500) and nineteen thousand (19,000) as determined by both the 2010 federal decennial census and the latest estimates from the United States Census Bureau.
- (3) The authority of the board of supervisors of a qualifying county to designate transformative renewable energy projects shall expire on December 31, 2022.

SECTION 2. Section 27-35-4, Mississippi Code of 1972, is amended as follows:

27-35-4. (1) All Class I property, as defined in Section 112, Mississippi Constitution of 1890, shall be assessed at the rate of ten percent (10%) of true value.

(2) Except as otherwise provided in Section 1 of this act, all Class II property and Class III property, as defined in Section 112, Mississippi Constitution of 1890, shall be assessed at the rate of fifteen percent (15%) of true value.

(3) All Class IV property and Class V property, as defined in Section 112, Mississippi Constitution of 1890, shall be assessed at the rate of thirty percent (30%) of true value.

SECTION 3. Section 27-31-104, Mississippi Code of 1972, is brought forward as follows:

[Through June 30, 2022, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects by a qualified business (as such term is defined in Section 57-117-3) meeting minimum criteria established by the Mississippi Development Authority;

(iv) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iv), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(v) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital

investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3) of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3)

of that amount. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before the effective date of this act, and consistent herewith, is hereby ratified, approved and confirmed.

[From and after July 1, 2022, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5, Mississippi Code of 1972) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iii), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(iv) A private company (as such term is defined in Section 57-61-5) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests

therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3) of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the annual debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before the effective date of this act, and consistent herewith, is hereby ratified, approved and confirmed.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE AN AD VALOREM TAX ASSESSMENT RATE OF 8% OF TRUE VALUE FOR PROPERTY OWNED BY A TRANSFORMATIVE RENEWABLE ENERGY PROJECT DESIGNATED AS SUCH BY THE BOARD OF SUPERVISORS OF A QUALIFYING COUNTY; TO AMEND SECTION 27-35-4, MISSISSIPPI CODE OF 1972, TO EXEMPT PROPERTY OWNED BY A TRANSFORMATIVE ENERGY PROJECT FROM THE 15% ASSESSMENT RATE APPLYING TO CLASS II PROPERTY GENERALLY; TO BRING FORWARD SECTION 27-31-104, MISSISSIPPI CODE OF 1972, WHICH RELATES TO GRANTS OF FEE-IN-LIEU OF AD VALOREM TAXES FOR CERTAIN PROJECTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 2904** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not

otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support, maintenance, affirmative action plan, interest funds and repairs at the state-supported institutions of higher learning; for support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 288,005,192.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of education and general operations of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 941,324,738.00.

SECTION 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Ayers Endowment Interest Fund, State Treasury Fund No. 3325800000, for the purposes as set out by the courts in the Ayers Case for the fiscal year beginning July 1, 2021, and ending June 30, 2022:

Alcorn State University.....	\$ 254,700.00
Jackson State University.....	\$ 390,600.00
Mississippi Valley State University	\$ 254,700.00

SECTION 4. Of the funds appropriated under the provisions of Section 2, the amount of One Million Four Hundred Thirty-nine Thousand Five Hundred Eighty-nine Dollars (\$1,439,589.00) shall be derived from unexpended balances in the Ayers program funds provided for the purpose in prior-year appropriations enacted by the Mississippi Legislature. These funds are to be allocated as follows:

Jackson State University.....	\$ 1,019,621.00
Mississippi Valley State University	\$ 419,968.00

SECTION 5. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2) or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall insure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Forty-five Thousand Dollars (\$145,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities selection on a competitive basis from all Mississippi senior colleges and universities. The Mississippi Governor's School for the Gifted and Talented shall accept not less than one (1) high school student nominee from each accredited high school in Mississippi. The nominees, selected under criteria developed and adopted by the Board of Trustees of State Institutions of Higher Learning, shall be provided a two-week tuition-free program.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Forty-nine Thousand Two Hundred Dollars (\$349,200.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 8. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds

which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 9. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

- (a) For Mississippi State University as interest on agricultural land script fund and interest on sale of university land, the sum of..... \$ 14,387.00.
- (b) For the University of Mississippi as interest on original seminary fund, the sum of..... \$ 32,643.00.
- (c) For the University of Mississippi as interest on 1904 land grant fund, the sum of..... \$ 9,965.00.
- (d) For the University of Mississippi as interest on LaBauve Fund, the sum of \$ 1,420.00.
- (e) For Mississippi University for Women as interest on funds paid into the State Treasury as proceeds of sale of land donated to the Industrial Institute and College by the United States government, the sum of..... \$ 9,389.00.
- (f) For Alcorn State University as interest on land script and land sales funds, the sum of \$ 12,592.00.

SECTION 10. Of the funds appropriated in Section 2 of this act, the following amount shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

On-campus and off-campus support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi for the sum of \$ 56,855,104.00.

SECTION 11. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, Seven Million Six Hundred Thirty-three Thousand Dollars (\$7,633,000.00) shall be available to be expended by the Board of Trustees of State Institutions of Higher Learning for the purpose of defraying the costs associated with the implementation of the Ayers Settlement as follows:

Ayers-related programs at Alcorn State University, Jackson State University and Mississippi Valley State University \$ 6,733,000.00
Interest on the Ayers Endowment Fund \$ 900,000.00

SECTION 12. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall first use special funds to the greatest extent possible to defray the costs of providing remediation at the state-supported institutions of higher learning.

SECTION 13. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 14. It is the intention of the Legislature that the budget requests of the institutions for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 15. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning continue to review, and eliminate when possible, duplicating programs and degrees in the existing institutions of higher learning in this state.

SECTION 16. No state appropriations or student tuition and fee receipts, except those specifically charged for the provision of the services, shall be used to support auxiliary enterprises, with the exception of intercollegiate athletics at a level designated by the board of trustees. It is the intent of the Legislature that auxiliary enterprises shall be self-supporting and that deficits not be taken from funds intended for instruction and academic programs.

SECTION 17. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 18. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 19. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Instruction	
Number of Undergraduate Degrees Awarded	12,221
Number of Graduate Degrees Awarded	4,592
Number of Degrees (Graduate & Undergraduate) Awarded in the Fields of STEM, Health & Education	5,083
Number of Undergraduate Degrees Awarded per 100 Undergraduate FTE Enrollment	20.10
Number of Graduate Degrees Awarded per 100 Graduate FTE Enrollment	44.20
Number of Students Completing 30 Hours	13,915
Number of Students Completing 60 Hours	10,132
Research	
Number of Patents Obtained in Emerging Technologies	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 20. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated equally to Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities....\$ 2,000,000.00.

SECTION 21. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch.....\$ 824,500.00.

SECTION 22. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 23. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be

necessary, shall be allocated to Jackson State University E-Learning Center.....\$ 485,000.00.

SECTION 24. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center.....\$ 310,400.00.

SECTION 25. It is the intent of the Legislature that at the end of Fiscal Year 2022 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 26. None of the state general funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 27. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation

\$ 654,750.00.

SECTION 28. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred Ten Dollars (\$191,610.00) is provided for geospatial site licenses.

SECTION 29. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 30. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount shall be allocated to the Delta State University Delta Center for Culture and Learning.....\$ 169,750.00.

The funds allocated in this section shall only be used for the Delta Center for Culture and Learning.

SECTION 31. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to fund the Washington Center for Internships and Academic Seminars Mississippi Initiative Scholarship Program\$ 72,750.00.

This program will provide opportunities for Mississippi's university and college students to gain real-life experience working in Washington, D.C. The funding will provide scholarships at Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, the University of Mississippi, and the University of Southern Mississippi. A written report shall be submitted listing the scholarship recipients by university to the Chairmen and members of the Senate and House Appropriations Committees.

SECTION 32. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 33. Of the funds appropriated under the provisions of Section 1 of this act, an amount not more than One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be allocated to implement university system efficiencies, including, but not limited to, academic, space, energy and any other system projects or expenditures that would lead to improved efficiency. Such funds may also be used to draw down other funds or as matching funds.

SECTION 34. Of the funds appropriated under the provisions of Section 1 of this act, Eighty-seven Thousand Three Hundred Dollars (\$87,300.00) shall be used to defray the expenses of the Children's Center for Communication and Development at the University of Southern Mississippi.

SECTION 35. Of the funds appropriated in Section 1 of this act, the amount of Two Hundred Forty-two Thousand Five Hundred Dollars (\$242,500.00) is provided for defraying the expenses of the DuBard School.

SECTION 36. Of the funds appropriated under the provisions of Section 1 of this act, the following sum is for the Southwest Mississippi Center Culture and Learning at Alcorn State University for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 266,750.00.

SECTION 37. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Nine Hundred Twenty-one Thousand Five Hundred Dollars (\$921,500.00) is provided for the Engineer Research and Development Center in Vicksburg, Mississippi, for Research and Development opportunities in Science and Technology initiatives.

SECTION 38. Of the funds appropriated in Section 1 of this act, Two Hundred Eighteen Thousand Two Hundred Fifty Dollars (\$218,250.00) is provided for the Delta State University Delta Music Institute.

SECTION 39. It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately-owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State University shall not provide any water or sewer service to any new, privately-owned structures.

SECTION 40. Of the funds herein appropriated, Seven Hundred Twenty-nine Thousand Eight Hundred Ninety Dollars (\$729,890.00) shall be provided to the Charter School Authorizer Board. Of this amount, Two Hundred Twenty-nine Thousand Eight Hundred Ninety Dollars (\$229,890.00) shall be provided in General Funds and Five Hundred Thousand Dollars (\$500,000.00) shall be provided in Special Funds from the Charter School Authorizer Board Fund - Fund No. 3001700000.

SECTION 41. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 42. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 43. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2905** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Center for Advanced Vehicular Systems, Center for

Manufacturing Excellence, Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Law Research Institute, Jackson State University Urban Research Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, the Stennis Institute of Government, Gulf Coast Research Laboratory, Polymer Institute, Small Business Development Center, Stennis Center for Higher Learning, the Commission for Volunteer Services, the State Court Education Program, and the executive office of the board of trustees for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 32,297,358.00.

SECTION 2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Board of Trustees of State Institutions of Higher Learning for the purpose of support of Mississippi State Chemical Laboratory, Mississippi Alcohol Safety Education Program, Mississippi Law Research Institute, Mississippi Small Business Development Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, Gulf Coast Research Laboratory, the Commission for Volunteer Services, and the executive office of the board of trustees for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 45,512,167.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Center for Advanced Vehicular Systems	\$ 4,133,493.00.
Supercomputer for the sum of	\$ 597,412.00.
Center for Manufacturing Excellence for the sum of	\$ 2,455,971.00.
Mississippi Mineral Resources Institute for the sum of	\$ 319,655.00.
State Court Education Program for the sum of	\$ 1,657,300.00.
Mississippi Law Research Institute for the sum of	\$ 780,975.00.
Executive Office of the Board of Trustees for the sum of	\$ 6,668,270.00.
Mississippi Polymer Institute for the sum of	\$ 599,104.00.
Mississippi Small Business Development Center for the sum of	\$ 247,364.00.
Stennis Space Center - Center for Higher Learning for the sum of	\$ 333,986.00.
Jackson State University Urban Research Center for the sum of	\$ 450,959.00.
Stennis Institute of Government for the sum of	\$ 715,869.00.
Commission for Volunteer Services for the sum of	\$ 671,922.00.
Gulf Coast Research Laboratory for the sum of	\$ 7,611,789.00.
Mississippi Water Resources Institute for the sum of	\$ 342,884.00.
Mississippi State Chemical Laboratory for the sum of	\$ 1,533,224.00.
Research Institute of Pharmaceutical Sciences for the sum of	\$ 3,177,181.00.

(b) From Special Funds, for the support of:

Center for Advanced Vehicular Systems for the sum of	\$ 142,782.00.
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Center for Manufacturing Excellence for the
sum of.....\$ 142,782.00.

Mississippi Mineral Resources Institute for
the sum of \$ 532,790.00.

Mississippi State University-Alcohol Safety
for the sum of \$ 1,752,502.00.

Mississippi Law Research Institute for the
sum of \$ 1,344,830.00.

Executive Office of the Board of Trustees for
the sum of \$ 19,858,700.00.

Mississippi Small Business Development
Center for the sum of..... \$ 1,368,396.00.

Commission for Volunteer Services for
the sum of \$ 5,083,677.00.

Gulf Coast Research Laboratory for the
sum of \$ 1,820,956.00.

Mississippi State Chemical Laboratory for the
sum of \$ 503,441.00.

Research Institute of Pharmaceutical Sciences
for the sum of \$ 12,961,311.00.

Of the funds appropriated under the provisions of Section 1 and allocated to the Gulf Coast Research Laboratory, the Board of Trustees of State Institutions of Higher Learning shall allocate One Hundred Seventy-five Thousand Dollars (\$175,000.00) for Sea Grants matching for the Fiscal Year 2022.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 if any charges for such services previously provided are more than ninety (90) days past due. After all such delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

SECTION 4. Of the funds appropriated in Section 2 and authorized for expenditure in Section 3(b), the following amounts shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

Center for Advanced Vehicular Systems.....\$ 142,782.00.
Center for Manufacturing Excellence.....\$ 142,782.00.
Gulf Coast Research Laboratory.....\$ 142,782.00
Executive Office of the Board of Trustees
for the sum of \$ 402,396.00.
Total.....\$ 830,742.00.

SECTION 5. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the budget requests of the individual institutes, laboratories and programs consolidated in this bill for Fiscal Year

2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature any institution not in compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 2906** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 6,033,962.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 19,322.00.

SECTION 3. Of the funds appropriated in Section 2, Nineteen Thousand Three Hundred Twenty-two Dollars (\$19,322.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. Of the funds appropriated in Section 1, One Hundred Eighty-five Thousand Dollars (\$185,000.00) is provided for the Poultry Sciences Academic Research Center.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL
RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2907** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 20,865,867.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the

Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 10,235,234.00.

SECTION 3. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2022 Regular Session of the Mississippi Legislature.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. Of the funds appropriated in Section 2, One Million One Hundred Sixty-five Thousand Five Hundred Seventy-eight Dollars (\$1,165,578.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2022 Target
Performance Measures	
Plant Systems	
Number of Scientist FTE (Scientist Years)	52.35
Research Publications (Publications)	268
Appropriated Funds & Extramural Funds (Ratio)	1.12
Animal Systems	
Number of Scientist FTE (Scientist Years)	29.15
Research Publications (Publications)	262
Appropriated Funds & Extramural Funds (Ratio)	0.29
Health & Sustainable Communities	
Number of Scientist FTE (Scientist Years)	43.83
Research Publications (Publications)	337
Appropriated Funds & Extramural Funds (Ratio)	0.26

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY
EXPERIMENT STATION FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2908** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2021, and ending
June 30, 2022 \$ 28,483,896.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 14,127,456.00.

SECTION 3. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Mississippi Cooperative Extension Service provide programs in the emphasis areas of Agriculture, Family and Consumer Education, Natural Resources and Environment, 4-H, and Business and Community Development in each county.

SECTION 5. No part of the funds appropriated or authorized to be expended hereby shall be spent directly or indirectly for payment of attorneys' fees for the services of any attorney who was not employed by the Mississippi Cooperative Extension Service pursuant to the express authorization of the Board of Trustees of State Institutions of Higher Learning prior to performance of such legal services.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2022 Regular Session of the Mississippi Legislature.

SECTION 8. Of the funds appropriated in Section 2, Nine Hundred Seventy-five Thousand Two Hundred Forty-five Dollars (\$975,245.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Agriculture	
Published Information (items)	300
Mass Media (items)	4,500
Direct Educational Contacts (persons)	270,000
Average Cost per Educational Contact	13.46
Family & Consumer Education	
Published Information (items)	150
Direct Educational Contacts (persons)	205,000
Average Cost per Educational Contact	9.34
Business & Community Dev	
Direct Educational Contacts (persons)	88,000
Average Cost per Educational Contact	20.28
4-H Youth Development	
Direct Educational Contacts (persons)	178,000
Average Cost per Educational Contact	11.66
Natural Resources & Environment	
Published Information (items)	150
Mass Media (items)	6,000
Total Contacts (persons across all delivery methods/events)	370,000
Average Cost per Educational Contact	27.75

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2909** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of paying the expenses incurred in the operation and maintenance of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 5,245,065.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 1,164,064.00.

SECTION 3. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2022 Regular Session of the Mississippi Legislature.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. Of the funds appropriated in Section 2, Two Hundred Fifty-three Thousand Five Dollars (\$253,005.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2910** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning to be used for the operation of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 16,518,292.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 31,485,969.00.

SECTION 3. Any transfer shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated in Section 2, Five Hundred Fifty-two Thousand Nine Hundred Twenty Dollars (\$552,920.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Instruction	
.....Percentage of Year 4 DVM students	
.....	
passing NAVLE at graduation (%).....	95.00
.....Percentage of DVM graduates reporting	
employment in the field within 12 months	
.....	
of graduation.....	95.00
Research	

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Number	of	grants/contracts	awarded
55			
Percentage of graduate students			
reporting employment in the field within			
12 months of graduation (%)			
95.00			
Pub-service - Animal Health Ctr			
Number of patient visits to AHC (AHC			
caseload managed)			
29,677			
Client	satisfaction	based	on surveys (%)
98.00			
Referring veterinarian satisfaction			
based on surveys (%)			
95.00			
Pub-service - Diagnostic Lab			
Number	of	Lab	Accessions (Test Requests)
22,849			
Vet Research & Diagnostic Lab			
Diagnostic	tests	performed	(number)
383,000			
Academic Support			
Percentage of vet campers and parents			
indicating "willing to recommend" on			
satisfaction surveys (%)			
100.00			
Percentage of alumni who report a			
satisfactory level of engagement with			
the college on surveys (%)			
98.00			
Operation & Maintenance			
Number of square feet O & M / Custodial			
Services			
483,589			
Cost per square foot Maintenance and			
Custodial Services			
1.20			

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be used for the purpose of testing, programming, and personnel-related expenses for Chronic Waste Disease.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2911** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 42,085,128.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized out of the proceeds derived from any federal funds, grants, donations, fees, or other special source funds which are collected by or otherwise become available for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law including funds used as federal matching funds for the GEAR UP Mississippi Scholarship Program and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 1,336,000.00.

SECTION 3. None of the funds appropriated in this act shall be paid to or for the benefit of any student who applies for the first time, subsequent to July 1, 2021, for assistance through the Assistant Teacher Forgivable Loan established under the provisions of Section 37-106-35, the Southeast Asia POW/MIA Grant established under the provisions of Section 37-106-41, the Public Management Graduate Internship established under the provisions of Section 37-106-43, the State Medical Education Loan established under the provisions of Section 37-106-61, the State Dental Education Loan established under the provisions of Section 37-106-63, the Graduate and Professional Degree Forgivable Loan established under the provisions of Section 37-106-65, the Health Care Professions Forgivable Loan established under the provisions of Section 37-106-67, or the Family Protection Specialist Social Worker Forgivable Loan established under the provisions of Section 37-106-69.

SECTION 4. It is the intention of the Legislature that of the funds appropriated under the provisions of Section 1, the Board of Trustees of State Institutions of Higher Learning shall expend from the support of the out-of-state graduate and professional studies program an amount not exceeding the funding necessary, contingent upon the availability of qualified applicants, for nine (9) new entering optometry students and the number of returning optometry students who received funding under the program during the preceding school year.

SECTION 5. In the allocation of funds appropriated under the provisions of Sections 1 and 2, among the student financial aid programs included herein, it is the intention of the Legislature that priority shall be given and funds shall be first allocated to all students eligible for financial aid under the provisions of Section 37-106-39, Mississippi Code of 1972.

SECTION 6. All funds provided for in this act shall be accounted for in an annual report, which shall be submitted at the next regular session of the Legislature within ten (10) days after the convening thereof. The report should detail for each grant, scholarship, or loan program the number of recipients, the total amount of awards made, and the average award amount. The report shall include the number of students at each institution receiving financial assistance and the amount of such assistance. For loan programs, the report shall also include a summary of the repayment status and method of repayment for student cohorts as well as an accounting of the receipt of funds in repayment. Furthermore, all funds received and expended shall be reported and otherwise accounted for in accordance with the provisions of Section 37-106-11, Mississippi Code of 1972, except where individual identifying information must be withheld pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 USC Section 1232g 34 CFR Part 99.

No public or private institution of higher learning receiving funds under the respective provisions of this act, for the purpose of issuing scholarship grants or loans, shall issue any official transcripts for any persons who have any amount of repayment in arrears on the date such official transcript is requested.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1, an amount not to exceed Seventy Thousand Dollars (\$70,000.00) is provided for the Speech-Language Pathologists Loan Forgiveness Program established under the provisions of Section 37-106-73, Mississippi Code of 1972, and administered by the Mississippi Office of Student Financial Aid.

SECTION 11. Of the funds appropriated in Section 1, an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) is provided for the Teacher Education Scholars Program established under the provisions of Section 37-106-37, Mississippi Code of 1972, and administered by the Mississippi Office of Student Financial Aid.

SECTION 12. Awards for the Higher Education Legislative Plan Grant Program, authorized by Section 37-106-75, shall be made to applicants meeting all program requirements and found to be in financial need according to the following definition:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00); or

(b) The family has annual adjusted gross income of less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

SECTION 13. Of the funds appropriated in Section 1, an amount not to exceed Five Hundred Fifty Thousand Dollars (\$550,000.00) is provided for the William F. Winter Teacher Forgivable Loan Program.

SECTION 14. It is the intention of the Legislature that no student should receive undergraduate grant aid through more than one state-supported undergraduate grant

program in the same term of enrollment. If a student is eligible for aid through multiple grant programs, the student shall be awarded from the program that awards the larger sum.

SECTION 15. It is the intention of the Legislature that all students must demonstrate eligibility at the conclusion of each term during the regular academic year in order to continue to receive state-supported aid.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2912** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 154,119,032.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of the proceeds derived from patient fees, student fees or any other special source funds which are collected by or otherwise become available, for the support and maintenance of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 1,489,568,089.00.

SECTION 3. With the funds appropriated and authorized for expenditure under the provisions of Section 1 and Section 2, the University of Mississippi Medical Center shall maintain the School of Medicine, the School of Dentistry, the School of Nursing, the School of Health Related Professions, the School of Population Health, the Teaching Hospital and the Medical Center Service Area. The University of Mississippi Medical Center shall prepare and make available to the Legislature an accounting of expenditures for each of the divisions listed in this section at the beginning of the legislative session.

SECTION 4. Due to critical nurse shortages and staffing, it is the intention of the Legislature to enhance recognition of excellence and expand the experience factor in attracting qualified registered nurses.

SECTION 5. Of the funds appropriated in Section 1, and the funds authorized to be expended in Section 2, none may be used to provide medical services on behalf of any state agency, institution or political subdivision, except to the extent that such agency, institution or political subdivision reimburses the hospital for the cost of the

services provided. Upon the rendering of medical services to any such agency, institution or political subdivision, the hospital shall issue an invoice for the charges which shall be paid within ninety (90) days. In the event that payment is not made within ninety (90) days, the hospital shall discontinue providing services to that agency, institution or political subdivision until all outstanding charges have been paid.

SECTION 6. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the University of Mississippi Medical Center's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 8. Of the funds authorized for expenditure in Section 2, Six Million Eight Hundred Eighty-eight Thousand Twenty-nine Dollars (\$6,888,029.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 9. Of the funds appropriated under the provisions of Section 2, Two Million Three Hundred Eighty Thousand Four Hundred Thirty-one Dollars (\$2,380,431.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the University of Mississippi Medical Center.

SECTION 10. Of the funds appropriated under the provisions of Section 1, the sum of Three Hundred Fifteen Thousand Dollars (\$315,000.00) is hereby provided for scholarships for the Rural Dentists Scholarship Program as described in House Bill 776, 2013 Regular Session.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Of the funds appropriated in Section 1 and Section 2, One Million Eight Hundred Thirty Thousand Dollars (\$1,830,000.00) is hereby provided for scholarships for the Rural Physicians' Scholarship Program as described in House Bill 1465, 2007 Regular Session. Of this amount, Thirty Thousand Dollars (\$30,000.00) is provided for a Psychiatrist Scholarship as described in Senate Bill 2524, 2019 Regular Session.

SECTION 13. Of the funds appropriated in Section 2, the sum of Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000.00) is hereby appropriated for the University of Mississippi Medical Center Cancer Institute.

SECTION 14. Of the funds appropriated in Section 2, Five Hundred Ninety-five Thousand Dollars (\$595,000.00) is hereby appropriated for a Comprehensive Tobacco Center at the University of Mississippi Medical Center.

SECTION 15. Of the funds appropriated in Section 1 and Section 2, One Million Three Hundred Eighty-two Thousand Two Hundred Fifty Dollars (\$1,382,250.00) is provided for the Office of Mississippi Physician Workforce as described in House Bill 317, 2012 Regular Session.

SECTION 16. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research that kills or destroys an existing human embryo.

SECTION 17. Of the funds appropriated under the provisions of Section 1, One Million Three Hundred Forty-nine Thousand Nine Hundred Ninety-eight Dollars (\$1,349,998.00) shall be provided from General Funds and shall be provided to the Center of Excellence at the Blair E. Batson Hospital for Children for the care of abused and neglected children, and expended to improve, enlarge and/or construct the physical facilities of the Children's Safe Center and for support and maintenance of the center.

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 19. Of the funds appropriated in Section 1 and Section 2 of this act, Two Hundred Eighty Thousand Eight Hundred Forty-eight Dollars (\$280,848.00) is provided for the administration of the Rural Physicians' Scholarship Program and the Rural Dentists' Scholarship Program.

SECTION 20. Of the funds appropriated under the provisions of Section 1, Two Million Nine Hundred Fifty Thousand Dollars (\$2,950,000.00) shall be provided to the MIND Center at the University of Mississippi Medical Center.

SECTION 21. It is the intention of the Legislature that any cash balances at the Office of Physician Workforce, the Children's Safe Center, and the MIND Center shall only be spent in support of those divisions.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR
FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2913** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 5,764,767.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Community College Board, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 120,709,640.00.

SECTION 3. Of the funds appropriated in Section 2, Two Hundred Fifty-six Thousand Dollars (\$256,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Proprietary School and College Registration, for the purpose of defraying the expenses incurred in the regulation and administration of the Mississippi Proprietary School and College Registration Law and the associated expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 574,386.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	52
	Part Time	0
Time-Limited:	Full Time	10
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 6. It is the intention of the Legislature that the budget requests of the administrative expenses of the Mississippi Community College Board for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. Of the funds appropriated herein, up to One Million Dollars (\$1,000,000.00) shall be expended from the Work Force Carryover Fund as created by House Bill No. 1271, 1995 Regular Session.

SECTION 8. Of the funds appropriated in Sections 1 and 2, funds in the amount of Fifty Million Eight Hundred Thirty-one Thousand Eight Hundred Two Dollars (\$50,831,802.00) are appropriated for the Workforce Education Program and Industrial Training. No funding obligation or commitment shall be made on behalf of the state for industrial training beyond the level of funding made available in this section. All industrial training program commitments made in Fiscal Year 2022 and future fiscal years shall be based only upon funds available in this section and any proposed commitments shall be approved by the Executive Director of the Mississippi Community College Board, or the Executive Director's designee prior to such commitment being finalized. Industrial training program commitments shall be made and based only upon training services provided and not for a specific funding amount. Any expenditures of funds authorized in this section are limited to obligations made July 1, 2021, or after, and shall not be expended for obligations made prior to this date.

SECTION 9. Of the funds appropriated in Section 2, funds in the amount of Twenty-eight Million Dollars (\$28,000,000.00) shall be derived from unemployment compensation contributions deposited into the Mississippi Workforce Enhancement Training Fund and shall be utilized exclusively by the Mississippi Community College Board for workforce training in accordance with Senate Bill No. 2027, 2010 Regular Session. It is the intention of the Legislature that the Workforce Enhancement Training Fund shall have not less than Two Million Dollars (\$2,000,000.00) set aside as a carry-forward to begin the Fiscal Year 2023 Workforce Education Program.

SECTION 10. Of the funds appropriated in Section 2, funds in the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be derived from fees charged for the Workforce Online Training Program, and the Mississippi Virtual Community College and funds in the amount of Two Million Six Hundred Fifty-six Thousand One Hundred Three Dollars (\$2,656,103.00) shall be transferred from the Community and Junior College Education Technology Fund for the purpose of defraying the costs of the Mississippi Virtual Community College, the Workforce Online Training Program and the administrative expenses of the Mississippi Community College Board.

SECTION 11. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be derived from fees charged for issuing duplicate transcripts and duplicate diplomas for the High School Equivalency Testing Program for the purpose of defraying the costs of administering the High School Equivalency Testing Program of the Mississippi Community College Board, in accordance with Senate Bill No. 2626, 2002 Regular Session.

SECTION 12. Of the funds appropriated in Section 2, funds in the amount of Thirty Million Dollars (\$30,000,000.00) shall be derived from the transfer of postsecondary vocational and technical funds from the Mississippi Department of

Education to the Mississippi Community College Board for the purpose of managing the day-to-day operations of postsecondary career and technical education.

SECTION 13. Of the funds appropriated in Section 1, Five Hundred Forty-two Thousand Four Hundred Fifty-nine Dollars (\$542,459.00) is provided to the Mississippi Community College Board for the purpose of defraying the cost of the Greenville Higher Education Center.

SECTION 14. Of the funds provided in Sections 1 and 2, up to One Million One Hundred Seven Thousand Dollars (\$1,107,000.00) shall be used to implement dual enrollment opportunities in practical nursing programs for secondary students.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be transferred to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 17. Of the funds appropriated in Section 1, Thirty-seven Thousand Six Hundred Twenty-six Dollars (\$37,626.00) is provided for geospatial site licenses.

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2914** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid and support of the public community and junior colleges for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 138,161,704.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, for the aid and support of public community and junior colleges for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 44,384,946.00.

SECTION 3. The funds appropriated in this act for the aid and support of the public and community junior colleges shall be apportioned in accordance with the following assigned weights:

Formula Section	FTE Formula
(a) Aid to Colleges:	
Base	15% prior year appropriation
Academic	1.0
Technical	1.0
MSVCC Shared Host	.75
MSVCC Shared Provider	.25
(b) Career	1.0
(c) Associate Degree	
Nursing	1.19
(d) Associate Degree	
Allied Health	1.19

Academic, Technical, Career, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for each public community and junior college student actually enrolled and in attendance the last day of the sixth week of each semester, or its equivalent, counting only students who reside within the State of Mississippi. However, associate degree nursing students who reside outside the State of Mississippi may be counted for pay purposes.

Mississippi Virtual Community College (MSVCC) shared hosted and provided courses may qualify for incentive funding on the basis of the prior year full-time equivalency (FTE) of MSVCC shared hours generated during the summer, fall and spring semesters. In addition, all provider MSVCC semester credit hours will be included in either the academic, technical or career sections of the formula at a weight of one (1.0).

The Director of the Mississippi Community College Board, or his designee, shall audit each public community and junior college and shall determine who shall be counted in each college and shall certify the number to the Mississippi Community College Board.

If, pending determination of the enrollment of students at the public community and junior colleges entitled to participate in this appropriation, as provided for in this section, the Mississippi Community College Board shall find and determine that any such public or community junior college does not have sufficient funds on hand for payment of the necessary expenses of its operation for the period commencing July 1, 2021, until distribution of the funds appropriated hereby, then, in that event, the Mississippi Community College Board is expressly authorized to make an advance to any such public community or junior college or colleges not having sufficient operating funds for such period from the funds appropriated hereby; provided, however, that the amount of any such advance to any one (1) public community or junior college shall not exceed thirty-three percent (33%) of the amount of state-appropriated funds received by such public community or junior college during the preceding fiscal year; and provided, further, that the amount of any such advance shall be deducted from the pro rata part of the funds appropriated hereby accruing to said public community or junior college when enrollment has been ascertained and distribution of funds is made.

SECTION 4. No part of the amount herein appropriated shall be used by the Mississippi Community College Board for administrative or other purposes except in the manner and to the extent authorized in the act making an appropriation for the expenses of the Mississippi Community College Board.

SECTION 5. The funds disbursed under the provisions of this act shall be accounted for through the Mississippi Community College Board.

SECTION 6. The following public community and junior colleges which qualify shall participate in the funds provided by Sections 1 and 2 of this act:

Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College

District, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College District, Northeast Mississippi Community College, Northwest Mississippi Community College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 7. It is the intention of the Legislature that none of the General Funds appropriated herein shall be expended for the purpose of paying salaries, wages, and fringe benefits of any public community and junior college employee who is serving as a member of the State of Mississippi Legislature.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid of the public community and junior colleges, to fund life and health insurance, for all employees of the public community and junior colleges for the fiscal year beginning July 1, 2021, and ending

June 30, 2022 \$ 23,888,400.00.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan. Any funds appropriated in this section which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 9. In addition to funds appropriated in Section 8, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Insurance Carryover Fund No. 3295, for the purpose of fully funding life and health insurance through the State and School Employees' Life and Health Insurance Plan for all qualified community and junior college employees, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 400,000.00.

SECTION 10. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of Workforce and Economic Development Support, including the operation of the Workforce Development Centers and Advanced Training Centers, providing start-up costs for new career and technical programs, and providing the necessary funding to replace outdated and obsolete equipment for existing career and technical programs at each of the public community and junior colleges for the fiscal year beginning July 1, 2021 and ending

June 30, 2022 \$ 6,750,000.00.

SECTION 11. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of Sign Language Interpreter Training at the public community and junior colleges for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 179,050.00.

SECTION 12. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board for the fiscal year beginning July 1, 2021, and ending

June 30, 2022 \$ 7,099,160.00.

SECTION 13. A Mississippi Prepaid Affordable College Tuition (MPACT) program beneficiary shall be considered a Mississippi resident for the purposes of participating in this appropriation regardless of the beneficiary's residence on the date of enrollment, as set out in Section 37-155-5(d)(iii), Mississippi Code of 1972.

SECTION 14. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Instruction	
Number of Total Degrees Awarded per 100	

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FTE Enrollment (%)	31.29
Number of Associate Degrees Awarded per 100 FTE Enrollment (%)	17.11
Number of Associate of Applied Science Degrees Awarded per 100 FTE Enrollment (%)	7.00
Number of Certificates Awarded per 100 FTE Enrollment (%)	9.50
Percentage of First-Time Entering, Part-time degree- seeking students (fall) who earned 24 credit hours by the end of year two (%)	18.50
Percentage of First-Time Entering, Full-time degree-seeking students (fall) who earned 42 credit hours by the end of year two (%)	46.82
Percentage of Associate Degree Nursing and Practical Nursing Licensure Exam Pass Rates (%)	42.51
Percentage of Total Student Success, which includes Graduates, Transfers, and Retention (those still enrolled) (%)	60.78
Percentage of Graduates (%)	33.50
Percentage of Transfers (%)	20.78
Percentage of Retention (%)	8.34
Percentage of Students Enrolled in Career/ Technical and Health Science Graduates (%)	23.50
Percentage of In-State Job Placements of Career/ Technical and Health Science Graduates (%)	90.10
Percentage of developmental English Students (unduplicated headcount) who enrolled in English Composition I who successfully completed English Composition I during the academic year (%)	70.00
Percentage of developmental Math students (unduplicated headcount) who enrolled in College Algebra who successfully completed College Algebra during the academic year (%)	68.00
Number of High School Equivalencies awarded	2,320.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 15. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of the Associate Degree Nursing and Allied Health Programs, for the fiscal year beginning July 1, 2021, and ending
June 30, 2022 \$ 2,556,922.00.

SECTION 16. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of continuing the dropout recovery initiative based on a successful program administered through the adult basic education program with the Mississippi Community College Board and to enroll

low-skill adults in career pathways that combine high school equivalency, skills training and workforce credentials in an intensive program that produces adults who can compete for jobs for the fiscal year beginning July 1, 2021 and ending June 30, 2022 \$ 3,000,000.00.

Of the funds provided in this section, one-half (1/2) shall be allocated equally and the remaining half shall be allocated on the basis of the prior year headcount enrollment in Adult Education, MIBEST or other career pathway programs.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office a comprehensive report on the number of dropouts that have enrolled in a High School Equivalency and/or career program for each community and junior college during Fiscal Year 2021 on, or before, August 1, 2022.

SECTION 17. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 18. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 19. It is the intention of the Legislature that the support of community and junior colleges shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 20. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2915** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 301,771,007.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Corrections which is collected by or otherwise becomes available for the purpose of defraying the expenses of the department, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 18,807,934.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended:

CENTRAL OFFICE

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 23,392,715.00
Special Funds	3,845,660.00
Total	\$ 27,238,375.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	159
	Part Time	1
Time-Limited:	Full Time	8
	Part Time	0

FARMING OPERATIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 0.00
Special Funds	2,410,649.00
Total	\$ 2,410,649.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	4
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

PAROLE BOARD

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 644,616.00
Special Funds	0.00
Total	\$ 644,616.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	7
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

PRIVATE PRISONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 66,729,681.00
Special Funds	0.00
Total	\$ 66,729,681.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	0
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

MEDICAL SERVICES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 75,343,375.00
Special Funds	260,482.00
Total	\$ 75,603,857.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	0
	Part Time	0
Time-Limited:	Full Time	2
	Part Time	0

REGIONAL FACILITIES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 38,383,025.00
Special Funds	0.00
Total	\$ 38,383,025.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	0
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

LOCAL CONFINEMENT

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 7,438,367.00
Special Funds	0.00
Total	\$ 7,438,367.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	0
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

COMMUNITY CORRECTIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 20,024,218.00
Special Funds	10,700,827.00
Total	\$ 30,725,045.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	458
	Part Time	0
Time-Limited:	Full Time	75
	Part Time	0

CENTRAL MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 25,563,816.00
Special Funds	373,077.00
Total	\$ 25,936,893.00

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AUTHORIZED POSITIONS:

Permanent:	Full Time	438
	Part Time	1
Time-Limited:	Full Time	4
	Part Time	0

PARCHMAN

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 26,965,311.00
Special Funds	866,837.00
Total	\$ 27,832,148.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	382
	Part Time	5
Time-Limited:	Full Time	9
	Part Time	0

SOUTH MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 17,285,883.00
Special Funds	350,402.00
Total	\$ 17,636,285.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	279
	Part Time	0
Time-Limited:	Full Time	2
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
General Administration	
Support as a percent of total budget (%).	9.20
State prisoners per 100,000 population (includes only inmates sentenced to more than a year) (Number of).	619
Average annual incarceration cost per inmate (\$).	39.91
Offenders returning to incarceration with 3 years of release (%).	33.00
Farming Operations	
Annual income from farm sales (\$).	1,000,000.00
Parole Board	
Inmates paroled (Number of).	5,100
Private Prisons	
ABE program slots available (Number of).	572
VOC-ED program slots available (Number of).	221
A&D program slots available (Number of).	186
Medical Services	
Total inmate days in a hospital (Number of).	4,172
Regional Facilities	
ABE Program slots available (Number of).	585
VOC-ED program slots available (Number of).	700
A&D Program slots available (Number of).	424
Probation/parole	
Recidivism rate within 12 months of release to field supervision (%).	10.70
Recidivism rate within 36 months of release to field supervision (%).	14.00
Community Work Centers	
Recidivism rate within 12 months of release (%).	6.50
Recidivism rate within 36 months of release (%).	25.90
Restitution Centers	
Recidivism rate within 12 months (%).	16.80
Recidivism rate within 36 months (%).	35.50
Local Confinement	
Number of Inmates Housed in County Jails (Inmate Days).	260,626
Institutional Security	
Assault on inmates per 100 inmates (Number of).	7
Assaults on officers per 100 officers (Number of).	19

Youthful Offender School

Recidivism rate within 12 months of release (%).	26.00
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Recidivism rate within 36 months of release (%).	50.00
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Evidenced Based Intervention

Recidivism rate for inmates who complete the ABE program (%).	24.00
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Recidivism rate for inmates who complete a vocational program (%).	16.00
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Recidivism rate for inmates who complete the A&D program (%).	23.00
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Offenders possessing GED Certificate or High School Diploma at time of release (%).	38.30
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Offenders obtaining marketable job skills during incarceration (%).	3.00
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A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. Of the funds appropriated in Sections 1 and 2, none shall be expended for personnel housing under the jurisdiction of the Department of Corrections unless the department shall collect a reasonable rent, after a finding of fact as to what is a reasonable rent, and/or the cost of utilities furnished to said housing. The Department of Corrections shall not pay for the installation or monthly service of any telephone installed in a staff residence under its jurisdiction.

It is further the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane and cable services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 6. Of the funds appropriated in Sections 1 and 2, and authorized for expenditure in Section 3, payment may be authorized for court-ordered attorney fees and any accrued interest subject to the approval of the Office of the Attorney General.

SECTION 7. It is the intent of the Legislature, that staffing levels developed through a Mississippi Department of Corrections study that used nationally recognized staffing ratios, that funding and positions for these recommended levels will be phased in over the next two years. The Legislature recognizes that a safe environment is crucial to the mission of the department.

SECTION 8. None of the money herein appropriated shall be paid to any person who by the provision of Section 47-5-47, Mississippi Code of 1972, as amended, is prohibited from being an employee of the Mississippi Department of Corrections. The State Department of Finance and Administration shall at least annually make a report to the Joint Legislative Committee on Performance Evaluation and Expenditure Review and to the Attorney General stating the name of any person prohibited under the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, from being an employee of the Mississippi Department of Corrections who has during the preceding year received any money herein appropriated. In the event that any such person prohibited as hereinabove provided from receiving funds herein appropriated should receive any of said funds, the Attorney General shall immediately commence action to recover the monies so paid to said person and to enjoin the further employment of said person at the Mississippi Department of Corrections.

SECTION 9. It is the intent of the Legislature that all prisoners at Parchman shall work a minimum of eight (8) hours per day, excluding prisoners with a physical disability or those incarcerated in maximum security.

SECTION 10. It is the intention of the Legislature that the per diem rates paid to regional facilities shall not exceed Thirty-one Dollars (\$31.00) per inmate. All regional

facilities shall continue to receive the annual three percent (3%) increase in the per diem rate as authorized in Section 47-5-933, Mississippi Code of 1972, however, in no event shall any regional facility's per diem rate exceed Thirty-one Dollars (\$31.00) per inmate.

SECTION 11. The department or its contracted medical provider will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of a negotiated discounted fee schedule, medical care service providers will be paid by the department or its contracted medical service provider an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications provided to any and all incarcerated persons outside of the correctional or detention facility. None of the monies appropriated herein may be used to pay for cosmetic medical procedures for any prisoner. Cosmetic medical procedure means any medical procedure performed in order to change an individual's appearance without significantly serving to prevent or treat illness or disease or to promote proper functioning of the body.

SECTION 12. It is the intention of the Legislature that the Commissioner of the Mississippi Department of Corrections shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Corrections. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. The Commissioner of the Mississippi Department of Corrections is hereby authorized to transfer spending authority between and within budgets, both positions and funds, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund be placed in a treasury fund effective July 1, 2021. Of the amounts appropriated in Section 2, an amount not exceeding Three Million Dollars (\$3,000,000.00) shall be available for expenditure in the Inmate Welfare Fund.

SECTION 16. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 17. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in accordance with Title 47 of the Mississippi Code of 1972, as amended.

SECTION 18. With the funds herein appropriated, it is the intent of the Legislature that upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs as provided for in Section 47-5-901(3)(b), Mississippi Code of 1972, as amended by House Bill No. 585, 2014 Regular Session.

SECTION 19. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2022, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars (\$20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where the value of the property taken is Five Hundred Dollars (\$500.00) or more but is equal to or less than One Thousand Dollars (\$1,000.00). A copy of the court abstract of record and the jail docket shall be provided to show the total number of days an individual was incarcerated in said jail facility. The reimbursement shall be payable back to the municipality upon receipt of required documentation and an invoice. Total reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00).

SECTION 20. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Hundred Ten Thousand Two Hundred Sixty-one Dollars (\$510,261.00) shall be allocated to Victim's Notification Programs supported by General Fund court assessments.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR
FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2916** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 88,162,874.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 100,036,467.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1,194
	Part Time	0
Time-Limited:	Full Time	76
	Part Time	2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. The Commissioner of Public Safety may, on a case-by-case basis, within funds available, recommend that corrective salary adjustments be made to the compensation of employees of the Department of Public Safety where an inequity was created between employees of equivalent capacity by previous application of the agency appropriation acts. Any such corrective salary adjustment plan must have prior approval by the State Personnel Board. Such adjustments will not be retroactive.

Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within funds available.

SECTION 5. It is the intent of the Legislature that the local governments pay for part of the computer cost of the Mississippi Justice Information Center by maintaining their contribution to the Department of Public Safety.

SECTION 6. It is the intention of the Legislature that the Department of Public Safety designate certain employees to aid the Office of Forensics Laboratories in the billing and collecting of all fees charged for services rendered by the Office of Forensics Laboratories.

SECTION 7. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid with funds appropriated herein be transferred or assigned to any other state agency, department or officer for public relations, publicity, or publication activities of such office.

SECTION 8. It is the intention of the Legislature that the Department of Public Safety shall not issue citations for violations of speed limits on a quota basis. No funds expended under this act shall be used for such quota-based citations for violations of speed limits.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Enforcement	
Increased Enforcement - Citations (%)	6.30
Decrease Fatalities (%)	4.10
Increase in DUI Arrests (Includes Felony DUI) (%)	5.00
Criminal Investigations (Actions)	30,000
Highway Fatalities per 100 Million Vehicle Miles of Travel (#)	0.90
Alcohol Impaired Driving Fatalities per 100,000 Population (#)	1.40
Driving Under the Influence (DUI) Arrests per 100,000 Population (#)	230
Percentage Increase in Seatbelt/Child Restraint Citations	13.00
Driver Services	
Driver's License/ID Cards Issued (Items)	622,720
Cost per License Document Produced (\$)	24.00
Drivers Suspended (Persons)	40,549
Accident Reports Processed (Actions)	2,018
Average Wait Time (Minutes)	56
Number of Complaints (Documented)	27
Percentage Change in Wait Time (%)	-10.00
Percentage Change in Complaints (%)	-18.00
Increase in Regular & Commercial Driver Licenses Issued (%)	10.00
Support Services	
Number of Financial Transactions Processed	35,500
Number of Employees Supported	1,188
Forensic Analysis	
Reports Issued (Cases)	17,000
Court Testimonies (Cases)	200
Cost per Case Analyzed (\$)	500.00
Cost per Testimony (\$)	500.00
Percentage of Days for Reports Issued	30.00
Dna Analysis	
Known Felony Offender Samples in Database (Items)	137,000
Proficiency Samples (Items)	434
Casework Samples Examined (Items)	9500
Cost per Sample (\$)	450.00
Maintain the Integrity of the CODIS Database	99.00
Forensic Pathology	

Deaths Investigated (Actions)	24,250
Autopsies Performed SME Office (Actions)	1,200
Cost per Autopsy Performed (\$)	1,800.00
% Change in the # of Deaths Investigated	2.00
% of Coroners Educated by ME's Office	30.00
% Change in the # of Autopsies Performed at SME Office	-6.00
Training Academy	
Basic Students to Graduate (Persons)	320
Basic Refresher Students to Graduate (Persons)	70
In-Service & Advanced Students to Graduate (Persons)	2,600
Percentage of Law Enforcement Officers Trained (%)	100.00
Drug Enforcement	
Number of Drug Suspects Arrested (Persons)	1,050
Number of Drug Cases Prosecuted (Actions)	900
Number of Drug Organization Disrupted &/or Dismantled	8
Percentage Change in Number of Drug Suspects Arrested	1.00
Percentage Change in Number of Drug Cases Prosecuted	1.00
Percentage Change in Number of Drug Organization Disrupted and/or Dismantled	1.00
Jail Officer Training	
Jail and Youth Detention Officers Certified	350
Certification Transactions (Actions)	3,850
Number of Administrative Review Actions	20
Percent of Appointed Jail and Youth Detention Officers Obtaining Certification (%)	75.00
Percent of Administrative Review Actions Taken Within One Year (%)	4.00
Law Enforcement Training	
Basic Law Enforcement Officers Certified (Persons)	550
Certification Transactions (Actions)	2,750
Training Quality Monitoring (Actions)	1,100
Percent of Appointed Law Enforcement Officers Obtaining Certification (%)	90.00
Percent of Appointed Part-Time, Reserve, and Auxiliary Officers Obtaining Certification (%)	85.00
Percent of Administrative Disciplinary Actions Taken Within One Year (%)	4.00
Highway Safety	
Number of Federal Applications Funded & Statewide Programs Supported	8
% decrease in the number of unrestrained passenger vehicle occupant fatalities by 5%	2.00
% decrease in the number of fatalities in crashes involving a driver or motorcycle operator with a bac of .08 and above	12.45
Justice	
Number of Juvenile Jail/Detention	

Alternatives (Alternatives)	0.00
Number of Hot Spots Policing Programs Funded	3
Emerg Telecommunications Tng	
Emergency Telecommunicators Certified	
(Persons)	500
Certification Transactions (Actions)	2,000
Percent of Appointed Emergency	
Telecommunicators Obtaining	
Certification	80.00
Percent of Appointed Emergency	
Telecommunicators Obtaining	
Recertification (%)	60.00
Percent of Administrative Review Actions	
Taken Within One Year (%)	3.00
Council On Aging	
Establish Triad Programs (Programs)	3
Conduct Training Programs (Programs)	1
Provide On-Site-Training	0
Percentage Change in the Number of	
Operational Triad Programs	10.00
Percentage Increase in Funding to	
Counties to Educate Senior Citizens	0.00
Juvenile Facility Monitoring Unit	
Number of Facilities Inspected (Items)	125
Strategic Plans Implemented (Items)	20
Percentage of Admin Review Actions Taken	
Within One Year	80.00
Homeland Security	
OHS Grants for Jurisdictions (Number)	107
First Responder Classes (Number)	118
Percentage increase in Emergency Task	
Force Responder Training and Exercises	
(%)	2.00
Percentage increase in Citizen and	
Community Preparedness Training and	
Exercises (%)	2.00
Percentage increase in Requests for	
Information (%)	2.00
Percentage increase in National Incident	
Management Training and Exercises (%)	2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 10. It is the intention of the Legislature that all divisions within the Mississippi Department of Public Safety shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 11. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 14. Of the funds provided herein, and in addition to the One Hundred Dollars (\$100.00) authorized in Section 45-3-7, Mississippi Code of 1972, Department of Public Safety Officers who are licensed commercial pilots shall receive an additional Nine Hundred Dollars (\$900.00), for a total of One Thousand Dollars (\$1,000.00), additional compensation for such service.

SECTION 15. It is the direction of the Legislature that all Fair Labor Standards Act (FLSA) nonexempt sworn officers of the Mississippi Highway Safety Patrol who are working one hundred seventy-one (171) hours in a twenty-eight-day work cycle be compensated based on the annual salary established by the State Personnel Board for a one-hundred-sixty-hour per month schedule divided by two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143), for an hourly rate, to be multiplied by two thousand two hundred twenty-three (2,223) or one hundred seventy-one (171) hours in a twenty-eight-day work cycle for a new annual salary. All hours worked over one hundred seventy-one (171) hours in a twenty-eight-day schedule shall be governed by the FLSA or other special compensation plan. All realignments after July 1, 2010, shall be calculated using this formula. This section shall be known as the "David R. Huggins Act."

SECTION 16. Of the funds appropriated in Sections 1 and 2, Four Hundred Ninety-five Thousand One Hundred Ninety Dollars (\$495,190.00) is appropriated out of any funds in the State Treasury to the credit of the Department of Public Safety for the purposes of paying for eleven (11) hours of compensatory time at an hourly rate based on two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143) hours per year for sworn officers who hold the rank of Lieutenant and above. The funds provided in this section to pay for the eleven (11) hours authorized in this section shall be expended only for this purpose.

SECTION 17. It is the intention of the Legislature that the Department of Public Safety shall provide an annual report to the Mississippi Legislature detailing any elected official or any other person who is not an employee of the Department of Public Safety who was transported in Highway Patrol aircraft during the fiscal year. The report shall be provided to each member of the Mississippi Legislature on or before January 15, 2022.

SECTION 18. The Commissioner of Public Safety shall have the authority to transfer any funds from any division within the Department of Public Safety to any other division of the Department of Public Safety Special Funds, including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars (\$20,000,000.00) collectively during Fiscal Year 2022. However, none of the funds appropriated by this act shall be expended unless the Department of Public Safety provides prior written notification of any transfer of funds provided in this section.

SECTION 19. The Bureau of Narcotics is authorized to expend a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00) from account No. 3371800000, for purposes of effectuating the provisions of House Bill 812, 2017 Regular Session, Section 1. Expenditures authorized by this section may include, but not be limited to, costs associated with contracting with one or more vendors, contractors or other persons or entities to create, operate and maintain the forfeiture website and to provide continuing support in relation thereto. In the event an amount less than Five Hundred Thousand (\$500,000.00) is required to effectuate the purposes of this section, the Bureau is authorized to expend the remainder of such authorized funds for the purchase of commodities, vehicles and/or other equipment necessary in the furtherance of the needs of the Bureau.

SECTION 20. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Million Three Hundred Twelve Thousand Six Hundred Two Dollars

(\$4,312,602.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Crime Stoppers Fund.....	\$ 99,003.00.
Adult Driver Training.....	\$ 75,794.00.
Information Exchange Network Fund.....	\$ 264,007.00.
Forensics Lab MS Implied Consent Law Fund.....	\$ 404,795.00.
Forensics Lab MS – DNA Identification Fund.....	\$ 629,543.00.
Law Enforcement and Firefighters Death Benefits Trust Fund.....	\$ 191,361.00.
Law Enforcement Standards Training – Law Enforcement Officers Training Fund.....	\$ 2,276,404.00.
Drug Abuse/Driver's License Reinstatement.....	\$ 13,573.00.
Federal – State Alcohol Program Fund.....	\$ 160,431.00.
MS Leadership Council on Aging Fund.....	\$ 197,691.00.

SECTION 21. It is the intention of the Legislature that the Mississippi Bureau of Narcotics in the Mississippi Department of Public Safety, shall have the authority to receive, budget and expend special funds from the Drug Evidence Disposition Funds (3372000000), not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 22. Of the funds appropriated by this act, pursuant to House Bill No 571, 2019 Regular Session, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the duties and operations of a Statewide Human Trafficking Coordinator and a data analyst within the Bureau of Investigation in the Department of Public Safety, who shall coordinate all statewide activities and work with the Department of Child Protection Services for all victims recovered.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2917** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Emergency Management Agency in accordance with the provisions of Section 33-15-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 3,699,931.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Emergency Management Agency which is comprised of special source funds collected by or otherwise available to the agency, for the support and

maintenance of the agency for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

.....\$ 35,877,156.00.

SECTION 3. Of the funds appropriated in Sections 1 and 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	121
	Part Time	0
Time-Limited:	Full Time	70
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency may, upon the request of a local public emergency management organization in an area which has suffered a natural disaster, supply equipment to rural water associations to enable their continued operation when the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

SECTION 5. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency shall provide enhanced training to local governments, supervisors, mayors, civil defense groups and municipal associations in disaster management.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 585,056.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and 58202 for the purpose of defraying certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 628,551,214.00.

SECTION 8. The funds appropriated under the provisions of Sections 6 and 7 of this act are provided to defray certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including public assistance programs, individual and family grant programs, and mitigation programs resulting from, but not being limited to, the following:

1604	Hurricane Katrina
4175	Severe Storms, Tornadoes, Flooding - Cities of Louisville & Tupelo
4205	Severe Storms, Tornadoes, Marion County & City of Columbia
	Hazard Mitigation
	Other Needs Assistance
	Mississippi Temporary Housing Program
	Pre-Disaster Response
	Emergency Preparedness Programs
4429	Feb 22-March 29, 2019 Flooding
4450	Severe Weather April 13, 2019
4470	Severe Weather October 26, 2019
4478	Severe Weather January 10-11, 2020
4528	Coronavirus Pandemic
4536	Severe Weather April 12, 2020 Easter Tornadoes
4538	Flooding Feb 10-18, 2020 (Pearl River Flood)
4248	Severe Storms, Tornadoes, Flooding - North Mississippi/Holly Springs
4268	Delta Flooding
4295	Pine Belt Tornado/Flooding
4314	Severe Storms, Flooding in Adams, Calhoun, Carroll, Claiborne, Holmes, Jefferson, Montgomery, Webster & Yazoo Counties
4350	Hurricane Nate
4415	Severe Storms, Flooding & Tornado in Clarke, Covington, Forrest, Greene, Jasper, Jones, Marion, Newton, Perry & Wayne Counties
4551	Severe Weather April 22-23, 2020
3539	Hurricane Marco / Tropical Storm Laura
3544	Hurricane Sally
3548	Hurricane Delta
3550/4576	Hurricane Zeta

SECTION 9. None of the funds appropriated in Section 6 shall be used to establish a special reserve fund in the State Treasury for disaster relief except as provided for in Section 33-15-307, Mississippi Code of 1972.

SECTION 10. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 11. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Emergency Mgmt Preparedness	
Percentage of the Affected Population Informed	100.00
Average Time to Deliver Goods and Services (Hrs)	24.00
Recovery	
Number of Ongoing Projects	1,205
Number of Meetings Conducted	3,500
Average Cost Per Project	195,658.00
Percentage of Recovery Objectives Complete	100.00
Mitigation	
Number of Workshops Conducted	22
Number of Ongoing Projects	85
Average Cost Per Project	500,000.00
Reduction in Damage Due to Natural and Man-Made Incidents (%)	7.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall have authority to transfer not more than Five Hundred Thousand Dollars (\$500,000.00) from any general or special fund treasury fund and major object budget category to another special or general fund treasury fund and major object budget category accordingly under the control of the Mississippi Emergency Management Agency. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall submit a notification and summary of all state support funding on all disasters that require general funds or state support special funds to the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that from any funds appropriated in this act, the agency shall maintain a minimum of nine (9) Area Coordinators to provide daily assistance to local jurisdictions with emergency management activities as well as to provide quicker response to incidents and/or disasters. In addition, it is the intent of the Legislature that these Area Coordinators shall reside in or within fifty (50) miles of their assigned districts.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The expenditure of the funds appropriated by this act shall be under the direction of the Governor and shall be paid by the State Treasurer out of any

money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2918** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the general expenses of the operation of the Mississippi National Guard for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 7,558,359.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated to the Mississippi National Guard, out of any money in the State Treasury to the credit of the Camp Shelby Timber Fund No. 3700, as created by Chapter 187, Laws of 1954, as amended; the Army National Guard Programs Fund No. 3701; the Camp Shelby Base Operations Fund No. 3705; and the Air National Guard Programs Fund No. 3709, for the purpose of carrying out the provisions of applicable statutes and federal/state agreements for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 140,090,542.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	851
	Part Time	0
Time-Limited:	Full Time	26
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. All funds authorized to be expended herein shall be expended and otherwise accounted for in accordance with the provisions of Section 27-104-1 et seq., Mississippi Code of 1972. If not needed for other purposes, the Adjutant General is hereby expressly authorized to invest any part of or all monies herein appropriated out of the Camp Shelby Timber Fund at the highest rate of interest obtainable and credit

interest accruing on such investments to the respective fund. Such monies may be invested in any short-term bonds, notes or other direct obligations of the United States of America or the State of Mississippi or any county or municipality of this state, which said county or municipal bonds have been approved by a reputable bonds attorney or have been validated by a decree of the court, and in any event the said bonds, notes or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for the refund or refunds herein provided for.

SECTION 6. Of the funds appropriated in Section 1, One Million Nine Hundred Twenty-eight Thousand Seventy-five Dollars (\$1,928,075.00) shall be provided for the support of the Youth Challenge Program at Camp Shelby.

SECTION 7. Of the funds provided under the provisions of this act, Six Hundred Twenty-six Thousand Five Hundred Five Dollars (\$626,505.00) is provided for the Armed Forces Military Museum located at Camp Shelby.

SECTION 8. Of the funds appropriated to be expended in this act, no General Funds shall be used to reimburse members and personnel of the Mississippi National Guard for the costs associated with attending authorized training. Any expenditure of funds for the purpose of compensation of such personnel and members for per diems and travel expenses shall be expended from any federal funds which are made available to the Mississippi National Guard for ancillary purposes.

SECTION 9. Of the funds provided under the provisions of this act, an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) is provided for the Sonny Montgomery Center for America's Veterans at Mississippi State University.

SECTION 10. Of the funds provided in Sections 1 and 2, Ten Thousand Dollars (\$10,000.00) is provided for the purchase of uniforms for the Youth Challenge Program staff.

SECTION 11. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds, to special funds, within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2919** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses and paying salaries of the Veterans Affairs Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 5,324,778.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Veterans Affairs Board which is comprised of special source funds collected by or otherwise available to the board, for the support and maintenance of said board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 44,112,274.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	72
	Part Time	0
Time-Limited:	Full Time	409
	Part Time	51

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2, funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) are provided to defray the cost of providing care to indigent/low-income Mississippi veterans and the nonveteran surviving spouses of Mississippi veterans if the surviving spouse was a resident of a state veterans home at the time of the veteran's death and who, subsequent to the veteran's death, meets the indigent/low-income criteria established by the State Veterans Affairs Board, in the state veterans homes. It is the intention of the Legislature that the provision pertaining to use of indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

SECTION 5. The Veterans Affairs Board shall have continued authority for all action related to planning, development, construction, and outfitting of the North Mississippi Veterans' Memorial Cemetery.

SECTION 6. It is the intention of the Legislature that the Veterans Affairs Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. The Veterans Affairs Board shall have the authority to escalate and expend increased federal funds obtained by virtue of Public Law 109-461 (38 CFR Part 51).

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2920** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise

appropriated, for the purpose of defraying the expenses of the Mississippi Ethics Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 583,597.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	6
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi Ethics Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature, that of the funds provided in Section 1, the Ethics Commission is hereby authorized to purchase and pay premiums for casualty insurance on passenger vehicles owned and operated by the agency.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2921** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 525,399.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Judicial Performance, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 40,029.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	5
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Judicial Performance Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2922** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Employment Security, or its successor, for the purpose of defraying the expenses incurred by said department for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 157,098,796.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	275
	Part Time	141
Time-Limited:	Full Time	24
	Part Time	124

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

- (a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce information services. This includes, but is not limited to, the following activities:
 - (i) Staff for delivery of reemployment services to UI claimants, including group job search assistance and staff-assisted referrals to jobs.
 - (ii) Equipment and resources for resource rooms.
 - (iii) Payment for rent, utilities and maintenance of facilities, including common spaces such as resource rooms, reception areas, conference areas, etc.
 - (iv) Payment of shared costs for operation of local One-Stop Career Centers, including payment for One-Stop operators.
 - (v) Purchase of computer equipment, network equipment, telecommunications equipment, application development and other technology resources.
 - (vi) Training, technical assistance, and professional development of staff who deliver employment and workforce information services.
 - (vii) Access Improvement costs for individuals with disabilities, including remodeling or retrofitting One-Stop Career Centers and purchasing appropriate software, hardware, furniture and supplies.
- (b) Administration of the Unemployment Compensation (UC) law and its public employment service (ES) offices. This includes, but is not limited to, the following uses:

- (i) ES and UI automation. This includes purchases, modifications, or automation of computer-related systems and related costs.
 - (ii) UI and ES Performance Improvement costs.
 - (iii) Fraud and Abuse Reduction costs.
 - (iv) UI Claims Filing and Payment Methods Improvement costs.
 - (v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2021, and ending June 30, 2022
- \$ 33,047,000.00.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security from the Unemployment Trust Fund maintained by the Secretary of the Treasury of the United States as needed for the payment of obligations incurred under this appropriation, and such monies shall be deposited in the Employment Security Administration Fund in accordance with the provisions of Section 71-5-457, Mississippi Code of 1972.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated in Section 1, the Mississippi Department of Employment Security is authorized to expend up to One Million Dollars (\$1,000,000.00) from the State Workforce Investment Funds for the State Workforce Investment Board, collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in this act, a sum not to exceed Two Hundred Thousand Dollars (\$200,000.00) is made available for Pathways2Possibilities from the State Workforce Investment Funds collected.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the Mississippi Department of Employment Security is authorized to expend up to Fifteen

Million Dollars (\$15,000,000.00) from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT
SECURITY FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2923** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Revenue, including the Homestead Exemption Division, the Motor Vehicle Comptroller functions, the Alcoholic Beverage Control Division and the Bureau of Telecommunications, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 37,670,588.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Revenue which are collected by or otherwise become available for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 19,177,588.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the following amounts set forth below shall be expended unless funds are transferred in accordance with Section 4 of this act:

GENERAL ADMINISTRATION

FUNDING:

General Funds	\$ 8,791,267.00
Special Funds	13,603,859.00
Total	\$ 22,395,126.00

With the funds appropriated for this budget, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" do not exceed the following amount:.....\$ 9,237,156.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	130
	Part Time	0
Time-Limited:	Full Time	0

Part Time 0
TAX ADMINISTRATION

FUNDING:

General Funds \$ 6,518,945.00
Special Funds 547,858.00
Total \$ 7,066,803.00

With the funds appropriated for this budget, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" do not exceed the following amount:.....\$ 6,849,583.00

AUTHORIZED POSITIONS:

Permanent: Full Time 125
Part Time 0
Time-Limited: Full Time 0
Part Time 0
AUDIT

FUNDING:

General Funds \$ 7,129,615.00
Special Funds 903,418.00
Total \$ 8,033,033.00

With the funds appropriated for this budget, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" do not exceed the following amount:.....\$ 7,491,226.00

AUTHORIZED POSITIONS:

Permanent: Full Time 106
Part Time 0
Time-Limited: Full Time 0
Part Time 0
TAX ENFORCEMENT

FUNDING:

General Funds \$ 5,383,125.00
Special Funds 1,308,606.00
Total \$ 6,691,731.00

With the funds appropriated for this budget, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" do not exceed the following amount:.....\$ 5,656,156.00

AUTHORIZED POSITIONS:

Permanent: Full Time 94
Part Time 0
Time-Limited: Full Time 0
Part Time 0
PROPERTY & MOTOR VEHICLE SERVICES

FUNDING:

General Funds \$ 3,080,913.00
Special Funds 1,290,810.00
Total \$ 4,371,723.00

With the funds appropriated for this budget, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" do not exceed the following amount:.....\$ 3,237,176.00

AUTHORIZED POSITIONS:

Permanent: Full Time 69
Part Time 0
Time-Limited: Full Time 0
Part Time 0
ALCOHOL BEVERAGE CONTROL

FUNDING:

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General Funds	\$ 6,766,723.00
Special Funds	1,523,037.00
Total	\$ 8,289,760.00

With the funds appropriated for this budget, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" do not exceed the following amount:.....\$ 7,109,928.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	147
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. The Commissioner of the Department of Revenue shall have the authority to transfer from any funds appropriated herein from any program and salaries category, and if necessary their associated PINS, within the Department of Revenue to any other program of the Department of Revenue in an amount not to exceed twenty-five percent (25%) of the total amount of funds appropriated during Fiscal Year 2022.

SECTION 5. It shall be the duty of the Chairman of the Mississippi Department of Revenue, and he is hereby empowered to select in the manner provided by Section 27-3-13, Mississippi Code of 1972, such employees as may be necessary to the

administration of all acts relating to the exemption of homesteads and the reimbursement of tax losses to the several taxing units of the state, and to assign them to the use of the Mississippi Department of Revenue.

SECTION 6. The money herein appropriated may be used for any expenses which the commission may legally incur. Provided, however, that no part of the money herein appropriated shall be used for the payment of attorney's fees, except upon recommendation of the Governor with the approval of the Attorney General, nor shall any of said funds be used either directly or indirectly for the purpose of paying any clerk, stenographer, assistant, deputy or other employee who may be related by blood or marriage within the third degree, computed by the rule of civil law, to the official employing or having the right of employment or selection thereof, except that when the relationship is by affinity and the person is dead through whom the relationship was established, this rule shall not apply. In the event of any such payment, then the official or person approving and making such payment shall be liable to return to the State of Mississippi and to pay into the State Treasury to the credit of the General Fund three (3) times any such amount so paid to be recovered at suit by the Attorney General.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
General Administration	
Average Cost per Return Processed (\$)	4.32
ROI - Revenue Collected per Dollar of Expense	127.16
Tax Administration	
Cost per Unit of Work (Item/Case/Call) (\$)	13.70
Cost per Call Center Call Answered (\$)	3.30
Audit	
Cost per Audit (\$)	729.69
Production per audit	5,661.00
Tax Enforcement	
Cost per Dollar Collected in Recovery Actions (\$)	0.06
Property & Motor Vehicle Services	
Cost per Homestead Exemption Application (\$)	3.50
Cost per Title Issued (\$)	2.79
Alcohol Beverage Control	
Cost per Case Shipped (\$)	1.65
ROI - GF Dollars Returned per Dollar of Cost	15.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Department of Revenue for the purpose of reimbursing the counties of the state, the road districts and school districts therein and the municipal separate school districts, for tax losses incurred by reason of the exemption of homes from certain ad valorem taxes under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 77,038,135.00.

SECTION 9. Each county, road district, school district and municipal separate school district which has incurred a tax loss that is reimbursable under Section 8 of this act shall be reimbursed a sum which is equivalent to the amount of tax loss produced by the application of tax rates annually fixed for maintenance and current expenses to the assessed value of homes, or so much thereof as has been lawfully authorized under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

The disbursements from the funds appropriated under the provisions of Section 8 shall be based upon the certificates required of the clerks of the county boards of supervisors and of the clerks of the municipalities, which certificates shall conform strictly in every respect to the requirements of the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

All disbursements from the funds appropriated under the provisions of Section 8 of this act shall be made strictly in accordance with the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, and no disbursements other than those clearly authorized by those sections shall be made, the provisions of any other law to the contrary notwithstanding.

SECTION 10. None of the funds appropriated under the provisions of Section 8 of this act may be distributed to any county, municipality, school district or other taxing district in which the assessed valuation of the taxing district has increased as a result of reappraisal of the property of the taxing district unless the governing board of the taxing district has published a notice in a newspaper having a general circulation in the taxing district, stating the lower millage rate that would produce the same amount of revenue from ad valorem taxation on property of the taxing district that was produced in the fiscal year before the property of the taxing district was reappraised.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purchase and delivery of motor vehicle license tags for the fiscal year beginning July 1, 2021, and ending June 30, 2022
.....\$ 2,989,091.00.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. None of the funds appropriated under the provisions of Sections 1 and 2 of this act shall be expended unless an advisory committee continues to coordinate, in an advisory capacity only, with the Department of Revenue in the determination of the collection of statistical data and information related to economic and tax policy. This advisory committee shall consist of the following members or their designees: the Director of the Legislative Budget Office, the Director of the Joint Legislative PEER Committee, the State Economist, the President of the Mississippi Economic Council and the Director of the Mississippi Economic Policy Center.

SECTION 14. It is the intention of the Legislature that the Mississippi Department of Revenue shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 15. None of the funds appropriated in Section 11 of this act shall be expended to purchase motor vehicle license tags made or manufactured by any department, agency or instrumentality of a state other than the State of Mississippi. None of the funds appropriated in this section shall be used for the purchase of bolts, nuts or other fastening devices for attaching said motor vehicle license tags. Provided further, that all motor vehicles belonging to any state department, agency, commission, institution or any other division of state government shall have license tags which shall bear the words "Government" at the bottom of such license tags.

SECTION 16. Of the funds appropriated in this act, it is the intention of the Legislature that up to Eight Hundred Eleven Thousand Seven Hundred Forty Dollars (\$811,740.00) shall be allocated as follows: to the Municipal Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) and to the Justice Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) to be supported from General Fund court assessments.

SECTION 17. Of the funds appropriated by this act, it is the intention of the Legislature that the department make certain that funds required to be appropriated to defray rent expenses for the department's headquarters located in Clinton, Mississippi, do not exceed Two Million Five Hundred Ninety Thousand Dollars (\$2,590,000.00).

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION, AND THE BUREAU OF TELECOMMUNICATIONS, FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2924** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Board of Tax Appeals for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 497,493.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	6
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless

otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2925** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses incurred by the Mississippi Workers' Compensation Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 4,935,956.00.

SECTION 2. With the funds appropriated herein, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	55
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that with the funds appropriated in Section 1, the Mississippi Workers' Compensation Commission shall enter into a contract with the industrial private sector for the purpose of implementing a safety education and training program.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Adjudication	
Cases Resolved at the Administrative or Commission Level Within 3 Months (Number of)	900
Cases Resolved at the Administrative or Commission Level Within 6 Months (Number of)	950
Cases Resolved at the Administrative or Commission Level Within 9 Months (Number of)	900
Cases Resolved at the Administrative or Commission Level Within 1 Year (Number of)	900
Self-insurance	
Percentage of Individual Self-Insurers Reviewed in the Past Fiscal Year (%)	34.00
Percentage of Individual Self-Insurer Reviews Conducted in the past Fiscal Year Showing That Reserves Are Insufficient to Cover Claims (%)	5.00
Percentage of Self-Insurance Groups Reviewed in the Past Fiscal Year (%)	100.00
Percentage of Self-Insurance Group Reviews Conducted in the past Fiscal Year Showing That Reserves Are Insufficient to Cover Claims (%)	0.00
Medical Cost Containment	
Fee Schedule Adjustments (Cost in Millions)	35.00
Medical Cost Savings to Payers (as a % of Total Billings)	46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the salary of the Workers' Compensation Commission members shall be equal and the salary of the Commission Chairman shall exceed these salaries as approved by the State Personnel Board.

SECTION 7. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Second Injury Fund (Fund Number 3352300000) for the purpose of making payments under the provisions of Section 71-3-73, Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending

June 30, 2022 \$ 200,000.00.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2926** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 207,094,040.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$

334,060,191.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Eighteen Million Nine Hundred Fifty-one Thousand Eight Hundred Eighty-six Dollars (\$18,951,886.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the Department of Mental Health. The funds provided for in this section shall be allocated as follows:

\$ 9,259,790.00	Expenses of the Department of Mental Health.
\$ 379,417.00	Alzheimer's disease services development and implementation of Senate Bill No. 2100, 1997 Regular Session.
\$ 3,896,641.00	Medicaid matching funds.
\$ 252,944.00	Psychotropic drugs or Medicaid match.
\$ 505,890.00	Alzheimer's Disease Program, prepayment to Medicaid, etc.
\$ 2,727,792.00	Holding centers, group homes, substance abuse programs, Children's Programs, Prepayment of Medicaid, etc.
\$ 636,374.00	Crisis Centers
\$ 1,138,252.00	Physician services at community mental health centers.
\$ 50,590.00	Grant for Epilepsy Foundation of Mississippi or Medicaid match.
\$ 104,196.00	Specialized Treatment Facility.

\$ 18,951,886.00 TOTAL

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	5,954
	Part Time	19
Time-Limited:	Full Time	460
	Part Time	9

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Services Management	
Number of on-site reviews conducted by the Division of Audit	58
Number of on-site reviews conducted for DMH certified provider agencies	190
Mental Health Services	

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Percentage of population lacking access to community-based mental health care	31.00
Percentage of DMH clients served in the community versus in an institutional setting	98.00
Increase by at least 25% the utilization of alternative placement/treatment options for individuals who have had multiple hospitalizations and do not respond to traditional treatment	25.00
Number served by the Program of Assertive Community Treatment (PACT), Intensive Community Outreach and Recovery Teams (ICORT), and Intensive Community Support Services (ICSS)	4,100
Number of individuals employed through supported employment	300
Increase access to crisis services by tracking the number of calls to Mobile Crisis Response Teams	37,663
Number referred from Mobile Crisis Response Teams to a Community Mental Health Center and scheduled an appointment	8,813
Number diverted from a more restrictive environment due to Mobile Crisis Response Teams	31,327
Increase the number of Certified Peer Support Specialists in the State	311
IDD Services	
Number of individuals on planning list for home and community-based services	2,800
Percentage of DMH institutionalized clients who could be served in the community	86.00
Percentage of DMH clients served in the community versus in an institutional setting	86.00
Number of people added from planning list to ID/DD Waiver services	50
Children & Youth Services	
Percentage of children with serious mental illness served by local Multidisciplinary Assessment and Planning (MAP) teams	1.20
Number served by MAP teams	550
Number of children and youth that are served by Wraparound Facilitation	2,288
3% Alcohol Tax-alcohol/drug Prg	
Number of residential beds made available statewide due to the Three Percent Tax supplements	226
Number receiving residential substance use disorder treatment	1,589
Crisis Stabilization Units	
Average length of time from mental health crisis to receipt of community mental health crisis service	1.50
Percentage of people receiving mental	

health crisis services who were treated at community mental health centers vs. institutions	98.00
Diversion rate of admissions to state hospitals (% of people)	90.00
Number of involuntary admissions	1,726
Number of voluntary admissions	1,804
MI - Institutional Care	
Number served adult acute psychiatric	1,985
Maintain readmission rates within national trends (%)	3.30
MI - Support Services	
Support as an overall percent of total budget	6.40
IDD - Institutional Care	
Number of people served in residential IID programs	791
Number of people transitioned from facility to ICF/IID community home	26
IDD - Group Homes	
Number of people served in the 10-bed ICF/IID community homes	609
Percentage of people served in the community versus in an institutional setting	86.00
IDD - Community Programs	
Number of people added from planning list to ID/DD Waiver Services	53
Number of people enrolled in the 1915i	955
IDD - Support Services	
Support as a percentage of total budget	3.70

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. The Department of Mental Health and its facilities shall have the authority, within funding and spending authority appropriated under the provisions of this act to transfer funds to the Division of Medicaid in payment of Medicaid match and designate that the funds thus transferred shall be applied to Medicaid match obligations arising in the subsequent fiscal year.

SECTION 7. Any person within the Department of Mental Health who must work on a statutory holiday or any holiday proclaimed by the Governor may, at the discretion of the Director of the Institution and the Executive Director of the Department of Mental Health and within available personnel funds, be paid "call-back pay" in lieu of "compensatory time credit."

SECTION 8. Of the funds appropriated to the "Service Budget," funds are included for the support of community mental health services for Fiscal Year 2022.

Provided, however, that none of the funds appropriated for the support of community mental health services shall be made available to any Regional Mental Health/Intellectual Disability Center which does not receive from each of its participating counties a dollar amount equivalent to what the proceeds of a three-fourths (3/4) mill tax on all taxable property in the county in Fiscal Year 1982 would have been or the amount of funds contributed to the center by the county in Fiscal Year 1984, whichever shall be greater. By means of performance contracts, the Department of Mental Health shall disburse the funds appropriated in this section for services for the mentally ill, intellectually disabled and alcohol/drug abusers. The State Board of Mental Health and the Department of Mental Health shall be responsible for selecting the types of services which shall be provided with the funds appropriated in this section, for developing and monitoring performance contracts and for holding contractors accountable for utilization of funds.

SECTION 9. Ellisville State School is authorized to draw up to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest earned on funds invested in Ellisville State School Client's Trust Fund for the purpose of supplementing the cost related to supplies, property, and equipment in direct care.

SECTION 10. The Department of Mental Health and its facilities shall have the express legal authority, within funding and spending authority appropriated under the provisions of this act to purchase land for use by residential facilities operated by the department, either directly or by means of transferring funds to the Bureau of Building, Grounds and Real Property Management, and to transfer such funds to the Bureau of Building, Grounds, and Real Property Management for the purposes of constructing and equipping group homes for persons with mental illness, intellectual disability, and/or substance abuse; constructing and equipping such other buildings as may be required for treatment of persons with mental illness, intellectual disability, and/or substance abuse; repair and renovate existing buildings; and to construct, repair and/or renovate employee housing. Any intermediate care facilities for individuals with intellectual disabilities (ICF/IID) constructed with funds authorized in this section shall be authorized to participate in Medicaid funding available for such services.

SECTION 11. It is the intention of the Legislature that the Department of Mental Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the Executive Director of the Department of Mental Health shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Mental Health. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Mental Health shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration. None of the funds transferred with this section may be transferred to the Central Office for Personal Services.

SECTION 14. Of the funds appropriated under the provisions of this act, Twenty Million One Hundred Thousand Dollars (\$20,100,000.00) is provided to the Department of Mental Health to expand those community-based services that will improve the State of Mississippi's compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that the Department of Mental Health shall have the authority to transfer such sums from this source as are necessary to implement or improve those community services that are more appropriately addressed by the Mississippi Department of Education and/or the Mississippi Department of Rehabilitation Services to those agencies for that purpose. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2021, by the Mississippi Department of Mental Health shall be reappropriated for the same purpose during the fiscal year ending June 30, 2022. Further, it is the intention of the Legislature that the Department of Mental Health shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were expended. The Executive Director of the Department of Mental Health shall report any such reappropriation to the Legislative Budget Office no later than fifteen (15) days after the effective date of the reappropriation.

SECTION 15. Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a Community Mental Health Center, or suitable entities, for the purpose of operating the Crisis Intervention Center at Grenada.

Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a community health center to allow Region 14 to be served at the Crisis Stabilization Unit at Gulfport.

The Department of Mental Health, with approval by the board, may also contract with suitable entities for the purpose of operating the crisis intervention centers in Batesville, Brookhaven, Cleveland, Corinth, Laurel and Newton. The department shall provide quarterly progress reports on the operation of the crisis intervention centers to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Department of Finance and Administration (DFA) shall transfer funds back to the Department of Mental Health, upon the request of the Department of Mental Health, where the funds received by DFA from the Department of Mental Health were special funds (neither general funds or bond funds) and where those funds are not required for the payment of costs already incurred on a building or repair project. For the purposes of this section, the term "special funds" includes any state source special funds including, but not limited to, funds from the Health Care Expendable Fund. The duty of DFA to transfer funds back to the Department of Mental Health under this section applies to any funds described in this section that were transferred to DFA, regardless of the year that the transfer was made by the Department of Mental Health.

SECTION 18. It is the intention of the Legislature that the Department of Mental Health may provide, upon the availability of funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope Village for Children Program.

SECTION 19. None of the funds provided in Section 1, 2, or 3 of this act shall be used to pay Medicaid match for the fourteen (14) Community Mental Health Centers.

SECTION 20. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for community-based mental health services for juveniles in detention.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Three Million Nine Hundred Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be allocated to the Crisis Intervention Mental Health Fund supported by General Fund court assessments.

SECTION 22. Of the funds appropriated in this act, the Department of Mental Health shall fund four (4) Programs of Assertive Community Treatment (PACT) Teams and provide supportive employment for individuals with intellectual and developmental disabilities.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2927** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Office of State Aid Road Construction Fund, for the purpose of defraying the expenses of the Office of State Aid Road Construction of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 195,410,848.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	52
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is authorized to be expended from funds received from the Mississippi Development Authority as reimbursements for actual expenses incurred by the Office of State Aid Road Construction for administering and providing engineering services to political subdivisions as authorized under Section 65-4-15, Mississippi Code of 1972. Any such funds shall be deposited into the Office of State Aid Roads Administrative Fund for the fiscal year beginning July 1, 2021, and ending June 30, 2022.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Thirty Million Dollars (\$30,000,000.00) is authorized to be expended for the purpose of replacement of structurally deficient bridges on the Local System Bridge Program (LSBP).

SECTION 5. It is the intention of the Legislature that the Office of State Aid Road Construction shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Administrative	
Administrative Costs as Compared to	
Construction Costs (%)	4.00
State Aid Construction Funds Allocated	
to Counties (%)	95.00
Number of Projects Let to Contract	175
Personnel Devoted to Construction	
Programs (%)	81.00
Federal Percentage of Total Project Fund	
Obligations (%)	35.00
Construction	
Reduction of Structurally Deficient	
Bridges (%)	0.00
Increase in Total Miles Paved (%)	1.00
Total State Aid Funds Available	
Programmed or Obligated to Projects (%)	75.00
Number of State Aid Projects Let to Contract	75
Number of Federal Projects Let to Contract	50
Number of State Aid Projects Completed	30
Number of Federal Projects Completed	20
Average Time from Initiation to	
Completion of a Federal Project (Days)	450
Number of Bridges Replaced or Repaired	85
Number of Structurally Deficient Bridges	
on the State Aid System	750
Average Cost of a State Aid/Federal	
Bridge Project	1,550,000
Local System Bridge	
Change in Deficient LSBP Bridges (%)	3.00
Average Number of Active LSBP Projects	
Per County	1
LSBP Funds Available Programmed or	

Obligated to Projects (%)	85.00
Number of LSBP Projects Let to Contract	55
Number of LSBP Projects Completed	70
Number of LSBP Bridges Replaced or Repaired	70
Number of Eligible Deficient LSBP Bridges	4,080
Average Time From Initiation to Completion of a LSBP Project (Days)	450
Counties Utilizing All of Their Available LSBP Funds (%)	30.00
Bridges Eligible for LSBP Funds (%)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 7. With the funds appropriated in this act, the Office of State Aid Road Construction shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." The signage shall further state the four-year legislative term in which the project was funded.

SECTION 8. It is the intention of the Legislature to authorize the State Aid Engineer to utilize funds available to the Office of State Aid Road Construction, from any source herein appropriated or made available by the counties or any other source, to pay for costs necessary to comply with the National Bridge Inspection Standards and the Federal Highway Administration's requirements for bridge inspections and/or special studies necessary to comply with federal laws. The State Aid Engineer shall follow the same procedures as have heretofore been established by Sections 65-9-9, 65-9-15 and 65-9-17, Mississippi Code of 1972, for payment of such costs. The Office of State Aid Road Construction may accept, budget and expend these funds subject to and in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal or state funds.

SECTION 9. It is the intention of the Legislature that in the letting of contracts for which the Office of State Aid Road Construction administers and provides engineering services to political subdivisions under the Economic Development Highway Act, bids may be made from the lowest and best bidder after advertising for competitive sealed bids once in a newspaper published or having a circulation in the county or municipality where the contract will be performed, and the date published for the bid opening may be not less than seven (7) working days after the advertisement is published.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2928** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Tennessee-Tombigbee Waterway Development Authority for the purposes enumerated in Section 51-27-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 146,125.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Tennessee-Tombigbee Waterway Development Authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 212,275.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	2
	Part Time	1
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the Tennessee-Tombigbee Waterway Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for

Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE
WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN
SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2022.

Senator Hopson moved that the rules be suspended for the immediate consideration of calendar item 61, **S. B. No. 2937**, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 2937** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Gaming Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 7,702,308.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Gaming Commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 766,211.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	105
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a

special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated in Section 2, a portion shall be derived from the amount of forfeited property that is seized by the Gaming Commission, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the specific purpose of increasing law enforcement resources as outlined in Section 41-29-185, Mississippi Code 1972.

SECTION 5. Of the funds appropriated in Section 2, a portion shall be derived from the amount that is received by the Gaming Commission under the Gaming Control Act, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the purpose of investigating, permitting, interagency fees, and providing fingerprint analysis by the Department of Public Safety.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the Gaming Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Riverboat Gaming	
Annual State Riverboat Gaming Revenues (\$)	2,000,000,000.00
Casinos Regulated (Number of)	26
Average Cost per Employee to Total State Riverboat Gaming Revenues (\$)	16,025,457.00
Charitable Bingo	
Bingo Applications Received (Number of)	50
Bingo Halls Regulated (Number of)	68
Average Cost per Employee to Total State Charitable Bingo Revenues (\$)	4,676,905.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR
2022.

Senator Hopson moved that the rules be suspended for the immediate consideration of calendar item 66, **S. B. No. 2942**, and the motion prevailed.

Senator Hopson called up the following House Amendment to **S. B. No. 2942** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support, Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....
\$ 7,013,675.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds, which are collected by or otherwise become available for the purpose of defraying the expenses of the State

Department of Agriculture and Commerce, including the Divisions of Support and Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 13,446,103.00.

The funds authorized for expenditure under the provisions of this section include subscription fees produced from the Market Bulletin and admission fees produced from the Mississippi Agriculture and Forestry Museum.

SECTION 3. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, shall be derived from the Mississippi Department of Agriculture and Commerce - Fruit and Vegetable Revolving Fund, for the purpose of defraying the expenses of the department..... \$ 600,000.00.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	202
	Part Time	7
Time-Limited:	Full Time	16
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Plant Industry	
Pesticide related inspections (Number of)	2,000
Marketplace Inspections in Full Compliance (Number of)	205
Dealer Inspections in Full Compliance (Number of)	110
Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance (Number of)	1,200
Agricultural and Non-Agricultural Record Inspections in Full Compliance (Number of)	350
Marketplace Inspections in Full Compliance (%)	85.00
Dealer Inspections in Full Compliance (%)	96.00
Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance (%)	93.00
Agricultural and Non-Agricultural Record Inspections in Full Compliance (%)	95.00
Museum	
Total Attendance (Number of)	125,000
Students in School Groups (Number of)	18,000
Private Revenue Generating Functions (Number of)	1,700
Change in Number of Private Revenue Generating Functions (%)	1.00
Change in Revenue from Private Functions (%)	1.00
Increase in Attendance from Prior Year (%)	2.00
Increase of School Students in Attendance from Prior Year (%)	2.00
Revenue Generated from Functions (\$)	312,000.00
Regulatory	
Retail Motor Fuel devices Inspected (Number of)	55,100
Food Sanitation Inspections (Number of)	5,000
Total Retail Motor Fuel Devices Inspected (%)	100.00
Total Retail Food Sanitation Inspections (%)	100.00
Consumer Complaints Answered within 48 Hours (%)	97.00
Marketing	
Persons Reached by Marketing Means (Number of)	1,138,150
Increase of Persons Reached by Marketing Means (%)	3.00
Administration	
Maintain Administrative Cost at 18% of Total Budget (%)	25.00
Livestock Theft	
Cases Investigated (Number of)	200
Cases cleared (Number of)	30
Cases Prosecuted (%)	20.00
Farmer's Market	
Retail Spaces Rented Based on Seasonal	

Availability of Produce (%)	85
Amount of Revenue Generated through Rental Space Rented (\$)	45,000.00
Seed Testing Lab	
Days to run cool test (Number of)	7
Official samples collected (Number of)	2,350
Days for Germination test (Number of)	
(Average Depending on Type of Seed)	20
Hours to evaluate TZ test (Number of)	1
Mississippi State Fairgrounds	
Event Days	520
Estimated Total Attendance	1,250,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. The funds appropriated and authorized to be expended under the provisions of this act shall be expended for the purpose of defraying all expenses incurred by the State Department of Agriculture and Commerce in the operation of all programs and activities (except operation of the State Lime Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine Inspection Stations and Fire Ant Program) authorized to be conducted and carried on by said department; including, but not limited to: the administration of the Feed, Fertilizer and Dairy Act; the Weights and Measures Act; the Meat Inspection Act of 1968; the Mississippi Pure Seed Law; and the following additional programs and activities: enforcement of the egg law; publication and distribution of the Mississippi Market Bulletin, agricultural statistics, market news service at Stoneville, Mississippi; and inspection, grading and certifying of fruits, vegetables, hay, grain, meat and meat products, milk and dairy products, pecans, seed and syrup.

SECTION 7. The Mississippi Department of Agriculture and Commerce, with the assistance of the State Department of Audit and the Department of Finance and Administration, shall establish nonbudgeted enterprise funds for all "for-profit" activities related to the Mississippi Agriculture and Forestry Museum. The funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Beaver Control Program or from any other special source funds made available to the Beaver Control Program, to the Department of Agriculture and Commerce for the support of the Beaver Control Program for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,100,000.00.

Of the special funds authorized in this section, Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be derived from funds received from the Mississippi Department of Transportation and from fees charged private persons/organizations, and Two Hundred Thousand Dollars (\$200,000.00) shall be derived from funds received from the State Forestry Commission. A county in order to participate must pay up to Seven Thousand Five Hundred Dollars (\$7,500.00) and if any county wishes to pay any additional funds than provided, those funds may be used only in said county.

SECTION 9. Of the funds provided by the provisions of this act, it is the intent of the Legislature that not more than Thirty Thousand Dollars (\$30,000.00) shall be expended for the Mississippi Senior Farmers' Market Nutrition Pilot Program, which shall be established by the State Department of Agriculture and Commerce to serve senior citizens above sixty (60) years of age who fall within one hundred thirty percent (130%) of the poverty level. The Commissioner of Agriculture may promulgate rules and regulations necessary to implement the Mississippi Senior Farmers' Market Nutrition Pilot Program.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the Department of Agriculture and Commerce shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND
COMMERCE, FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2943** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Special Fund in the State Treasury to the credit of the Mississippi Egg Marketing Board, to defray the expenses of said board for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 74,805.00.

SECTION 2. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 3. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 4. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI EGG MARKETING BOARD, FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2944** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 1,110,727.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Board of Animal Health, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 756,653.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	20
	Part Time	0
Time-Limited:	Full Time	5
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth

within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2945** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Department of Agriculture and Commerce's special fund account, to the State Department of Agriculture and Commerce for the purposes of defraying the costs of prizes, premiums, judges and other actual and necessary costs of putting on the Dixie National Livestock Show at the State Fairgrounds in Jackson, Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 954,150.00.

SECTION 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 52,725.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 18,104.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 12,330.00.

Provided, however, that of the amount herein appropriated in paragraph (c), not more than One Thousand Dollars (\$1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies herein appropriated in paragraph (c) shall be used in offering or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a minimum amount of Five Hundred Dollars (\$500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars (\$1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars (\$1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 53,231.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 6,891.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.

The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e). The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) due each show

and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e), that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 11,589.00.

(g) For the support of the NCHA Eastern National Championship, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 41,670.00.

SECTION 3. Of the funds in Section 2, any funds that are remaining at the end of the fiscal year may be transferred between the different show awards and prize monies, with the exception that no county show in paragraph (c) shall receive more than One Thousand Dollars (\$1,000.00).

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAIVING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2946** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of paying salaries and defraying the expenses of the State

Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 7,769,478.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any special funds in the State Treasury to the credit of the State Department of Audit's special fund account for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 3,787,612.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	145
	Part Time	2
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Finance & Compliance	
County Government Audits (82) - Percentage Audited by CPA Firms (%)	70.00
County Government Audits (82) - Percentage Audited by OSA (%)	30.00
Single Audit Federal Program Coverage - Percentage Audited by CPA Firms (%)	0.00
Single Audit Federal Program Coverage - Percentage Audited by OSA (%)	100.00
CAFR Opinion Units - Percentage General Fund Assets (%)	75.00
CAFR Opinion Units - Percentage General Fund Reserves (%)	75.00
Technical Assistance	
Technical Assistance Inquiries (Number of)	6,100
Cost per Technical Assistance Inquiry (\$)	15.00
Customer Satisfaction Rating of 70% or Higher (%)	75.00
Investigations	
Recovered Embezzled and/or Misspent Funds as a Result of Investigations Conducted by this Office (\$)	600,000.00
Recovered Funds as a Percent of Total Misspent Funds (%)	18.00
Performance Audits	
Performance Audit Reports Completed (Number of)	10
Positive Changes Recommended in Performance Audits or Bond Monitoring Reports (Number of)	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2, it is the intention of the Legislature that Thirty Thousand Dollars (\$30,000.00) is provided for the purpose of paying fees for a CPA Review Course for the Office of the State Auditor's employees to be reimbursed over a 12-month period by the employee taking the course.

SECTION 7. It is the intention of the Legislature that the State Auditor is hereby authorized to escalate, budget and expend funds from any source made available to comply with the Single Audit Act of 1984 for the purpose of employing staff, paying related expenses, or to engage private accountants, as necessary, to comply with the provisions of the act, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. No more than One Million Dollars (\$1,000,000.00) may be provided to defray expenses incurred by the Office of the State Auditor pursuant to the rules and regulations of the United States Department of Justice Federal Equitable Sharing Program. These funds may only be used for nonbudgeted law enforcement purposes by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the State Department of Audit shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2947** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Department of Banking and Consumer Finance, for the support of the State Department of Banking and Consumer Finance, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 11,668,589.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	86
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and

House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Department of Banking and Consumer Finance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE
SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE
FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2948** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 38,267,034.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred in the operation of the various offices of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 30,911,236.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	468
	Part Time	2
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Tort Claims Trust Fund not otherwise appropriated, for the purpose of defraying the expenses of the Tort Claims Board in the administration of the Tort Claims Act for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 6,549,647.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	8
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the

State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Commission on the Status of Women for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 39,995.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Commission on the Status of Women for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 7,265.00.

This appropriation is made for the purpose of providing funds to defray the expense of the Mississippi Commission on the Status of Women as established pursuant to Sections 43-59-1 through 43-59-14, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Sections 6 and 7, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the Department of Finance and Administration shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in

the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 10. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Of the funds appropriated in Section 1, an amount not to exceed Four Hundred Thousand Dollars (\$400,000.00) and ten (10) positions are provided in order to provide the required Police Protection services for such governmental organizations, under the rules and regulations of the Department of Finance and Administration.

SECTION 13. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is hereby expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repairs and renovation projects. The Bureau of Building, Grounds and Real Property Management of the Office of General Services shall not use any of the funds authorized in this section to pay salaries. For the purposes of this section, the Bureau of Building, Grounds and Real Property Management of the Office of General Services does not have the authority to escalate from the Capital Expense Fund or the Working Cash-Stabilization Reserve Fund.

SECTION 14. Of the funds appropriated in Section 2, it is the intention of the Legislature that an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) is authorized to be expended for the purpose of transferring funds to the Bureau of Building, Grounds and Real Property Management for the administration of projects for the repair and maintenance of state-owned buildings.

SECTION 15. A report based on expenditures incurred during the current and immediate past fiscal years shall be provided to the Legislative Budget Office each regularly scheduled legislative session. This report should reflect expenditures as a result of the operation of the Robert E. Lee Building, the Woolfolk State Office Building, the Gartin and Stillers Buildings, the Capitol Buildings, the Central High School Building, the Robert G. Clark, Jr. Building and other state buildings, and this report should contain any steps taken to reduce operating costs.

SECTION 16. It is the intention of the Legislature that no state-owned aircraft shall be utilized by any person except for official business only.

SECTION 17. Of the funds appropriated in Section 2, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is authorized to be expended to defray any shortfall in the Master Lease Purchase Program as defined in Section 31-7-10, Mississippi Code of 1972.

SECTION 18. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of State Property Insurance for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 10,330,004.00.

SECTION 19. Of the funds herein appropriated, it is the intention of the Legislature that two (2) of the allotted Full-Time Permanent Positions in Section 3 of this bill may be used for performing related administrative duties of the State Property Insurance program.

SECTION 20. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing a grant to the Mississippi Home Corporation, for the fiscal year beginning

July 1, 2021, and ending June 30, 2022 \$ 1,410,227.00.

SECTION 21. The funds appropriated herein shall be targeted to individuals with disabilities or individuals with serious mental illnesses who:

(1) Are being discharged from a state psychiatric hospital after a stay of more than ninety (90) days; or, nursing facility, or intermediate care facility for individuals with intellectual disabilities after a stay of more than ninety (90) days; or

(2) Have been discharged from a state psychiatric hospital within the last two (2) years; and

(a) Had multiple hospital visits in the last year due to mental illness; or

(b) Are known to the mental health or state-housing agency to have been arrested or incarcerated in the last year due to conduct related to mental illness; or

(c) Are known to the mental health or state-housing agency to have been homeless for one (1) full year or have had four (4) or more episodes of homelessness in the last three (3) years.

(3) Lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resides in an emergency shelter or a place not meant for human habitation immediately before entering that institution.

Any funds appropriated herein to hire additional staff or employ staff shall only be used to implement this housing program.

SECTION 22. It is the intention of the Legislature that an annual financial report based upon the state's fiscal year shall be provided to the Attorney General, the Chairman of Senate Appropriations, the Chairman of House Appropriations, and the Legislative Budget Office.

SECTION 23. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Mississippi Home Corporation (MHC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, MHC board member, or person who has been a member of the MHC within the last year.

SECTION 24. Of the funds appropriated in Section 2, Twelve Million Dollars (\$12,000,000.00) shall be expended from the Capitol Complex Improvement District Project Fund, as established in Section 29-5-215, Mississippi Code of 1972.

SECTION 25. Of the funds appropriated under the provisions of this act, the department is authorized to enter into a contract for use by state agencies to establish a pilot program for Fleet Management Services, to include vehicle leasing and disposal, without being subject to the provisions of law otherwise applicable to fleet management.

SECTION 26. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 27. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 28. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2949** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for expenses of the Executive Department, being the Governor's office and staff, and for expenses incidental to the proper operation of the Governor's Mansion and residence of the Governor for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 2,518,571.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in Special Funds in the State Treasury to the credit of the Governor's office for the purpose of defraying the expenses incurred by the Executive Department, being the Governor's office and staff, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 665,000.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	38
	Part Time	1
Time-Limited:	Full Time	7
	Part Time	0

Any escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Executive Department shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR

EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S
MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2950** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Department of Information Technology Services, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 25,154,322.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Information Technology Services which are collected by or otherwise become available for the purpose of defraying expenses of the Mississippi Department of Information Technology Services as provided in Senate Bill 2779, 2018 Legislative Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 18,951,588.00.

The funds in this section are provided to defray the costs incurred by the Department of Information Technology Services for providing telecommunication services, data center services, and/or other information technology services to state agencies.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	127
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the

appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that the Executive Director of Information Technology Services (ITS) shall have authority to transfer an amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) to the ITS Revolving Fund (3360900000). The purpose of this authority is to provide operating cash to alleviate cash flow problems in the ITS Revolving Fund. Any funds transferred during the fiscal year shall be transferred back to the State General Fund before the end of the lapse period for the fiscal year.

SECTION 5. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

.....\$9,707,575.00.

The Wireless Communication Commission shall follow all state procurement and bid laws for all contracts and consultants.

SECTION 6. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	5
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when

annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

The commission is hereby authorized to escalate federal funds and other special funds in accordance with rules and regulations of the Department of Finance and Administration.

SECTION 7. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 8. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION
TECHNOLOGY SERVICES FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2951** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Mississippi Development Authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 19,602,646.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority or the appropriate special fund for the purpose of defraying the expenses incurred in the operation of the various divisions of the authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 80,363,812.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	190
	Part Time	1
Time-Limited:	Full Time	42
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Global Business	
National recruitment contacts	1,000
International investment contracts	1,800
International trade contacts	1,000
Qualified national prospects	225
Return on investment (ROI)	10.00
Number of new businesses - Global contacts	15
Number of new jobs from Global contacts	3,000
Minority & Small Business Dev	
Minority & Small Business contacts	8,000
Minority Business certification applications processed	150
Technical assistance to disadvantaged contacts	2,300
State contracting with Minority Business businesses (\$)	45,000,000.00
Financial Resources	
Requests for financing or incentives	250
Existing Industry & Business	
Interactions with interested businesses	2,500
Number of qualified contacts	750
Number of expansions	30
Jobs created from expansions	3,000
Energy	
Energy Efficiency & Renewable Energy Direct Contacts	12,000
Community Services	
Awarded Grants and Loans for Community and Economic Development (\$)	50,000,000.00
Number of grants and loans awarded	100
Support Services	
Administration as a percent of Total Budget	9.50
Tourism	
Number of tourist inquiries generated	37,875
Number of visitors per year	25,000,000
Travel Revenue (Billions)	6.80
Welcome Centers	
Tourist Registered (persons)	2,226,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. Of the funds appropriated in Section 2, the amount of Eight Hundred Thousand Dollars (\$800,000.00) shall be provided from the Mississippi Department of Transportation to defray the expenses of the Mississippi Development Authority in operating the state welcome centers.

SECTION 6. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. Of the funds appropriated in Sections 1 and 2, the amount of Four Million Eight Hundred Seventy-six Thousand Two Hundred Ninety-eight Dollars (\$4,876,298.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2022, and shall not be expended for any type of cultural exchange program. Of the funds appropriated herein and allocated within this section, Two Hundred Ninety-nine Thousand Dollars (\$299,000.00) is provided for Tourism Grant Development Awards.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Delta National Heritage Areas.

SECTION 11. Of the funds appropriated in Section 1, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Hills National Heritage Area.

SECTION 12. It is the intention of the Legislature that the Mississippi Development Authority shall submit a notification of any General Fund Transfers out of the major category Subsidies into any other major categories to the Legislative Budget Office.

SECTION 13. Of the funds appropriated in Section 1, Twenty Thousand Twenty-five Dollars (\$20,025.00) shall be provided for the support of the Mississippi River Parkway Commission.

SECTION 14. Of the funds appropriated in Section 1, Four Hundred Thousand Dollars (\$400,000.00) shall be transferred to Innovate Mississippi.

SECTION 15. Of the funds appropriated in Section 1, One Hundred Fifty-six Thousand Dollars (\$156,000.00) is provided for the Energy High School Academy, established by Senate Bill 2928, 2019 Regular Session.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Air Service Development Act, as authorized in SB 2977, 2020 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 321,579.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2021.

SECTION 17. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in SB 2977, 2020 Regular

Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$59,687,545.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

Of the funds reappropriated in this section, the following sums are provided for projects recommended by the department and projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist the City of Gautier with the Gautier Town Center Development	\$ 3,500,000.00.
(b) To assist Power Dynamics Innovations, LLC with Equipment and Facility Upgrades	\$ 1,550,000.00.
(c) To assist the City of Bay St. Louis with the Old Town Police Department.....	\$ 1,000,000.00.
(d) To assist the City of Bay St. Louis with the Old Town Depot Revitalization District.....	\$ 1,500,000.00.
(e) To assist the City of Diamondhead with the Commercial District Transformation Project.....	\$ 1,500,000.00.
(f) To assist the Stone County School District with the Stone County High School Career and Technical Education Center	\$ 3,200,000.00.
(g) To assist the University of Southern Mississippi with the Ocean Enterprise Phase I	\$ 7,000,000.00.
(h) To assist the Walter Anderson Museum Creative Complex Phase I and begin Phase II.....	\$ 750,000.00.
(i) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development.....	\$ 2,000,000.00.
(j) To assist the Gulfport School with a STEM Exploration Lab.....	\$ 100,000.00.
(k) To assist the City of Biloxi with downtown revitalization at the Saenger Theater	\$ 2,000,000.00.
(l) To assist Hancock County Port and Harbor Commission with the multi-user aero strip at Stennis Airport	\$ 2,500,000.00.

Of the funds appropriated in this section, the following sums are provided for projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Harrison County with the Harrison County Law Enforcement Training Academy	\$ 3,000,000.00.
(b) To assist George Regional Health System with a multi-specialty medical office complex.....	\$ 2,157,035.00.
(c) To assist George Regional Health System with a cafeteria expansion and renovation.....	\$ 1,080,510.00.
(d) To assist Mississippi State University with the Mississippi Cyber Center.....	\$ 3,500,000.00.
(e) To assist the Port of Pascagoula with the North Rail Connector.....	\$ 6,600,000.00.
(f) To assist Jackson County Economic Development Foundation with site development and related support of a defense supplier.....	\$ 1,400,000.00.
(g) To assist the Pascagoula Redevelopment Authority with the Innovation Center	\$ 1,000,000.00.
(h) To assist the Pascagoula Redevelopment Authority with the City Center	\$ 4,000,000.00.
(i) To assist the Institute for Marine Mammal Studies with Educational Classrooms	

and Dorms..... \$ 3,000,000.00.
(j) To assist the City of Pass Christian
with redevelopment and revitalization \$ 750,000.00.
(k) To assist the City of Long Beach
with development and revitalization \$ 2,000,000.00.
(l) To assist the city of Long Beach
with the Quarles House \$ 2,000,000.00.
(m) To assist George County with a rail connection project:
(1) George County rail and highway
improvements for Enviva project..... \$ 1,600,000.00.
(2) Mississippi Export Railroad for
the Enviva project..... \$ 1,000,000.00.

SECTION 18. The following sum, or so much thereof as may be necessary, is
reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise
appropriated for the Mississippi Development Authority for the purpose of reauthorizing
the expenditure of Gulf Coast Restoration Fund, as authorized in SB 2977, 2020 Regular
Session , for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$5,500,000.00.

Notwithstanding the amount reappropriated under the provisions of this section,
in no event shall the amount expended exceed the unexpended balance as of June 30,
2021.

Of the funds reappropriated in this section the following sums are provided for the
following programs:

(a) For the Mississippi Development Authority
and the Air Service Development Incentive
Program \$2,500,000.00.

(b) For the Mississippi Development Authority
and the Quality of Place Incentives Program \$3,000,000.00.

Of these funds, One Million Dollars (\$1,000,000.00) is provided for the
development of a South Mississippi defense and space industry strategy for small
companies to compete for defense related contracts to include government, industry and
academia.

SECTION 19. The following sum, or so much thereof as may be necessary, is
reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise
appropriated for the Mississippi Development Authority for the purpose of reauthorizing
the expenditure of Gulf Coast Restoration Fund, as authorized in SB 2977, 2020 Regular
Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$500,000.00.

These funds are provided for Mississippi Development Authority's administrative
expenses as outlined in Section 57-119-7, Mississippi Code of 1972. Prior to expending
any funds in this section, the Mississippi Development Authority shall implement a
project management system that provides for full tracking and reporting of the amounts
appropriated, reappropriated and expended for each project funded by the Gulf Coast
Restoration Fund in this act. The Mississippi Development Authority shall provide
quarterly reports on the status of these projects to the Legislative Budget Office and the
Department of Finance and Administration. The Mississippi Development Authority shall
provide the Joint Legislative Budget Committee a detailed report and other such related
information on each project's expenditures with the subsequent fiscal year's budget
submission.

Notwithstanding the amount reappropriated under the provisions of this section,
in no event shall the amount expended exceed the unexpended balance as of June 30,
2021.

SECTION 20. It is the intention of the Legislature that the Mississippi
Development Authority may provide operational support to any park operated by the
United States National Park Service in Mississippi during the event of a government
shutdown that materially affects the operations of such park.

SECTION 21. The money herein appropriated shall be paid by the State
Treasurer out of any money in the State Treasury to the credit of the proper fund or
funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2952** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Personnel Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 3,958,976.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	39
	Part Time	1
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth

within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. None of the funds appropriated under the provisions of Section 1 of this act may be expended until the State Personnel Board, based on data provided by the Legislative Budget Office, determines and publishes the projected annual cost to fully fund all appropriated positions for all agencies with compliance language in their appropriation bills.

SECTION 4. It is the intention of the Legislature that the State Personnel Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
STATE PERSONNEL BOARD FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2953** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise

appropriated, for the support and maintenance of the Secretary of State for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 11,294,708.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Secretary of State for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 14,990,000.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	94
	Part Time	0
Time-Limited:	Full Time	12
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Secretary of State that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 5. No part of the funds appropriated herein shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy, or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. Of the funds appropriated in Section 1, the Secretary of State may use funds appropriated for the purposes of defraying litigation expenses associated with the enforcement of the Mississippi Securities Act, the Regulation of Charitable Solicitations Act, and the administration of the Public Trust.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Business Services	
Answer at Least 95% of Business Services	
Customer Phone Calls	95.00
Elections	
Poll Workers to Successfully Complete	
the Online Training Program (Number of)	82
Voter Registrations Updated via Secure	
Online Website (Number of)	50
Poll Workers who Successfully Complete	
the Online Poll Manager Training on	
their First Attempt (%)	60.00
Publications	
Visits to the Secretary of State's	
Website (Number of)	11,000,000
Public Lands	
Tax-Forfeited Properties Sold (Number of)	500
Support Services	
Support Services as a Percentage of	
Total Agency Expenditures (%)	27.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 8. Of the funds appropriated in Section 1, no more than Five Hundred Thousand Dollars (\$500,000.00) is provided for paying principal and interest on bond issues for county voting systems.

SECTION 9. Of the funds appropriated in Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Land Records Maintenance Fund, for the purpose of making distributions to local governments for taxes owed during the fiscal year.

SECTION 10. Of the funds appropriated in Section 2, One Million Five Hundred Thousand Dollars (\$1,500,000.00) or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Elections Support Fund, for the purpose of acquiring, upgrading, maintaining, or repairing voting equipment, systems, and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems and training election officials during the fiscal year.

SECTION 11. Of the funds appropriated in Section 2, Seven Million Three Hundred Forty-nine Thousand Two Hundred Seventy-seven Dollars (\$7,349,277.00) or

so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Trust Tidelands Fund, and is authorized to be transferred by the Secretary of State to the Mississippi Department of Marine Resources.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2954** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Treasurer's office which are collected by or otherwise become available, to defray the expenses of the Office of the State Treasurer for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 5,300,342.00.

SECTION 2. Of the funds appropriated in Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	37
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of

Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No. 3219 for the purpose of investing funds for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 150,000.00.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 35,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars (\$1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget request for Fiscal Year

2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. Of the funds appropriated to the State Treasury under the provisions of Section 1, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program\$
1,854,655.00.

(b) Mississippi Affordable College Savings
program..... \$ 177,860.00.

(c) Treasury Office - Support
programs..... \$ 3,267,827.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
STATE TREASURER'S OFFICE FOR FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2955** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying service charges to banks for acting as agents of the State of Mississippi in paying bonds and interest on the full faith and credit bonds of the state, this appropriation to be available from the effective date of this act until such bonds shall be paid or until June 30, 2022, whichever shall first occur; and for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2022..... \$ 436,432,824.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2022.....
\$ 30,514,951.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby authorized to expend any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the revenue bonds of the State of Mississippi falling due during Fiscal Year 2022..... \$ 35,618,100.00.

SECTION 4. The several items covering maturing bonds and interest as evidenced by coupons on the bonds shall be paid out of the State Treasury as and when provided by law and according to the schedule of interest payments in the several issues of full faith and credit bonds or revenue bonds on which principal and interest is due and payable between the dates of July 1, 2021, and June 30, 2022.

SECTION 5. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend any excess funds which become available from interest earnings on bond proceeds or from loan repayments received pursuant to bond documents. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 6. Of the funds appropriated in Section 1 hereof, the sum of Five Hundred Thousand Dollars (\$500,000.00), or so much thereof as may be necessary, is herein appropriated for paying bank service charges. Itemized statements of banks making service charges shall be attached to requisitions of the State Treasurer.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed from and after June 29, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2022, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2022.

Senator Hopson called up the following House Amendment to **S. B. No. 2956** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period July 1, 2020, and ending June 30, 2021\$ 520,654.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) Settlement between the United States Environmental Protection Agency and State of Mississippi; Chemfax Inc., Superfund Site, Gulfport, Harrison County, Mississippi,

Site/Spill ID Number: 04JF, CERCLA ID Number: MSD008154486, Settlement Agreement for the Recovery of Response Costs, Docket No. CERCLA-04-2014-3756...\$ 3,000.00.

(b) Express Oil Change, LLC and TE, LLC d/b/a Tire Engineers v. Mississippi State Board of Licensure for Professional Engineers and Surveyors, et al. 3:16cv414-HTW-LRA \$ 192,533.00.

(c) Mann Agency, LLC v. Mississippi Department of Public Safety \$ 43,672.00.

(d) State of Mississippi v. Dale Partners Architects P.A.; Earl Walls Associates aka NTH, Inc.; Eldridge & Associates Environmental Management Plus; in the Circuit Court of Hinds County, Mississippi, Civil Action Number 14-666..... \$ 31,449.00.

(e) Larry Ruffin Estate v. State of Mississippi, Circuit Court of Forrest County, Mississippi, Claimant No. CI-11-0238..... \$ 50,000.00.

(f) Jimmie Bass v. State of Mississippi, Circuit Court of Bolivar County, Mississippi, Claimant No. 2011-0009..... \$ 50,000.00.

(g) Rolland Glen Anderson v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Claimant No. 251-09-640CIV..... \$ 50,000.00.

(h) Tyler Edmonds v. State of Mississippi, Circuit Court of Oktibbeha County, Mississippi, Claimant No. 2009-0457-CV..... \$ 50,000.00.

(i) Natasha Orlantha Stewart v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Civil Action No. 25C11:17-cv-00349..... \$ 50,000.00.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning upon passage of this act and ending June 30, 2022..... \$ 1,860,000.00.

(a) Olivia Y., et al v. Phil Bryant, as Governor of the State of Mississippi and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No. 3:03cv251(L)(N)..... \$ 125,000.00.

(b) Amos et al. v Taylor et al. 20-cv-00007-DMB-JMV (N.D. Miss); Lang, et al. v Cain et al., 4:20-cv-030-DMB-RP (N.D. Miss) and Brittany Waddell, et al. v. Taylor et al., Civil Action No. 3:20-cv-340-TSL-RHW (S.D. Miss)..... \$ 1,200,000.00.

(c) Jackson Women's Health Organization et al v. Dobbs et al., 3:18-cv-00171-CWR-FKB (S.D. Miss)..... \$ 150,000.00.

(d) United States v. State of Mississippi, 3:16-cv-622-CWR-FKB (S.D. Miss).....\$ 190,000.00.

(e) Special Master as Required by Order of the Federal Court for United States v. State of Mississippi, 3:16-cv-00622-CWR-FKS (S.D. Miss)..... \$ 20,000.00.

(f) Joseph Thomas, Vernon Ayers, and Melvin Lawson v. Tate Reeves \$ 75,000.00.

(g) State Agency Representation for IRS \$ 100,000.00.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Community and Junior College Board for the period July 1, 2020, and ending June 30, 2021 \$ 366,133.00.

This additional appropriation is made for the purpose of paying for health insurance.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety for the period July 1, 2020, and ending June 30, 2021 \$ 1,522,743.00.

This additional appropriation is made for the purpose of a Highway Patrol Trooper School.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Workers' Compensation Commission for the period July 1, 2020, and ending June 30, 2021..... \$ 150,000.00.

This additional appropriation is made for agency operations.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Veteran's Affairs for the period July 1, 2020, and ending June 30, 2021 \$ 8,000,000.00.

This additional appropriation is made for agency operations.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Wireless Communication Commission for the period July 1, 2020, and ending June 30, 2021 \$ 331,057.00.

This additional appropriation is made for contractually obligated system maintenance.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Mental Health and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the period July 1, 2020, and ending June 30, 2021 \$ 20,000,000.00.

This additional appropriation is for the purpose of agency operations.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Information Technology Services, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the period July 1, 2020, and ending June 30, 2021 \$ 700,000.00.

This additional appropriation is for the purpose of providing services to state agencies.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Secretary of State, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the period July 1, 2020, and ending June 30, 2021 \$ 267,479.00.

This additional appropriation is for agency operations.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Agriculture and Commerce, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the period July 1, 2020, and ending June 30, 2021 \$ 76,120.00.

This additional appropriation is for agency operations.

SECTION 12. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Finance and Administration, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the period July 1, 2020, and ending June 30, 2021..... \$ 124,370.00.

This additional appropriation is for agency operations.

SECTION 13. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Revenue, and allocated in a manner as determined by the

Treasurer's Office to defray the expenses of the department for the period July 1, 2020, and ending June 30, 2021
\$ 554,192.00.

This additional appropriation is for agency operations.

SECTION 14. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Governor's Office – Division of Medicaid, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the period July 1, 2020, and ending June 30, 2021 \$ 199,710,000.00.

This additional appropriation is for federal matching funds for Medicaid medical services.

SECTION 15. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Board of Animal Health and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Board for the period July 1, 2020, and ending June 30, 2021
\$ 15,000.00.

This additional appropriation is for a grant received to purchase additional equipment.

SECTION 16. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Medical Licensure Board, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Board for the period July 1, 2020, and ending June 30, 2021
\$ 75,000.00.

This additional appropriation is for administrative expenses.

SECTION 17. This act shall take effect and be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE ATTORNEY GENERAL'S OFFICE FOR FISCAL YEAR 2021 AND FISCAL YEAR 2022; THE COMMUNITY AND JUNIOR COLLEGE BOARD FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2021; THE STATE VETERAN'S AFFAIRS FOR FISCAL YEAR 2021; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2021; THE DEPARTMENT OF MENTAL HEALTH; INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2021; THE SECRETARY OF STATE'S OFFICE FOR FISCAL YEAR 2021; THE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2021; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; THE DEPARTMENT OF REVENUE FOR FISCAL YEAR 2021; THE GOVERNOR'S OFFICE – DIVISION OF MEDICAID FOR FISCAL YEAR 2021; MISSISSIPPI BOARD OF ANIMAL HEALTH FOR FISCAL YEAR 2021; BOARD OF MEDICAL LICENSURE FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 1, **S. B. No. 2539**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 2539: Hinds County; authorize assessments on convictions, for improvements to courthouses and pretrial detention facilities.

YEAS AND NAYS On S. B. No. 2539. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 4, **H. B. No. 1346**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1346: City of Guntown; authorize use of low-speed vehicles and golf carts on certain public streets.

YEAS AND NAYS On H. B. No. 1346. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 10, **S. B. No. 3075**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 3075: Town of Sardis; extend repeal date on hotel, motel and restaurant tax.

YEAS AND NAYS On S. B. No. 3075. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.
Absent and those not voting--Fillingane. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 11, **S. B. No. 3079**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 3079: City of Greenwood; extend the repeal date on the tourism tax and the Greenwood Tourism Commission.

YEAS AND NAYS On S. B. No. 3079. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--McDaniel, Sojourner. Total--2.
Absent and those not voting--Fillingane. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 12, **S. B. No. 3076**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 3076: Jackson County and the City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, Inc.

YEAS AND NAYS On S. B. No. 3076. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.
Absent and those not voting--Fillingane. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 13, **S. B. No. 3083**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 3083: City of Vicksburg; extend repealers on authority to contribute to various organizations.

YEAS AND NAYS On S. B. No. 3083. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 14, **S. B. No. 3080**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 3080: City of Vicksburg; authorize adoption of vacant commercial building registration ordinance.

Senator McMahan moved that S. B. No. 3080 be tabled subject to call, and the motion prevailed.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Jeremy T. Tillman of Darling, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jackie Benjamin Leger, Sr., Raymond Lee Jourdan and Allen Joseph Prevost of Biloxi, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Linda Joy Pullen of Poplarville, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Sam Noble Fonda of Greenwood, MS.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Christopher Leflore Carl of Miramar Beach, FL.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, March 19, 2021.

The motion prevailed, and at 10:54 AM, the Senate stood in recess.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1494: AN ACT TO AMEND CHAPTER 991, LOCAL AND PRIVATE LAWS OF 1998, AS AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2013, AS AMENDED BY CHAPTER 913, LOCAL AND PRIVATE LAWS OF 2019; TO AUTHORIZE THE WALNUT GROVE CORRECTIONAL AUTHORITY TO CONTRACT WITH THE STATE OF MISSISSIPPI FOR THE OPERATION OF THE WALNUT GROVE CORRECTIONAL FACILITY; AND FOR RELATED PURPOSES.

H. B. No. 1497: AN ACT TO AMEND CHAPTER 906, LOCAL AND PRIVATE LAWS OF 2017, AS AMENDED BY CHAPTER 933, LOCAL AND PRIVATE LAWS OF 2020, WHICH AUTHORIZES THE GOVERNING AUTHORITIES OF JACKSON COUNTY, MISSISSIPPI, TO CONTRIBUTE TO HOME OF GRACE, THE MARY C. O'KEEFE CULTURAL CENTER OF ARTS AND EDUCATION, AND THE PASCAGOULA RIVER AUDUBON CENTER, TO SPECIFY THAT CONTRIBUTIONS MADE TO THE MARY C. O'KEEFE CULTURAL CENTER OF ARTS AND EDUCATION ARE TO BE DIRECTED TO MANAGEMENT AND OPERATIONS OF THE CENTER; AND FOR RELATED PURPOSES.

H. B. No. 1498: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO P.E.A.R.L.S. MENTORING FOR GIRLS, INC.; AND FOR RELATED PURPOSES.

H. B. No. 1499: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE FANNIE LOU HAMER CANCER FOUNDATION; AND FOR RELATED PURPOSES.

H. B. No. 1500: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO TRANSFER FUNDS AND CERTAIN PROPERTY TO THE HOLMES COUNTY ECONOMIC DEVELOPMENT DISTRICT FROM THE NONOPERATIONAL HOLMES COUNTY ECONOMIC DEVELOPMENT AUTHORITY; TO AMEND CHAPTER 814, LOCAL AND PRIVATE LAWS OF 1987, WHICH PERTAINS TO THE ESTABLISHMENT OF THE HOLMES COUNTY ECONOMIC DEVELOPMENT AUTHORITY, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1502: AN ACT TO AUTHORIZE THE MISSISSIPPI COAST TRANSPORTATION AUTHORITY TO BEAR THE FULL COST OF PROCESSING ELECTRONIC PAYMENTS FOR PARKING GARAGE FEES, FARES, RENTAL FEES AND ADVERTISEMENT FEES THAT ARE COLLECTED BY THE AUTHORITY; AND FOR RELATED PURPOSES.

H. B. No. 1504: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF FOREST, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED 2% UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM

RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF GENERATING REVENUE TO ENHANCE TOURISM AND PARKS AND RECREATION; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

H. C. R. No. 4: A CONCURRENT RESOLUTION COMMENDING REPRESENTATIVE GARY CHISM FOR HIS LEGISLATIVE LEGACY AND PUBLIC SERVICE AND CONGRATULATING HIM UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that a motion to reconsider has been entered in the House on the following:

S. B. No. 2799: Mississippi Medicaid Program; make technical amendments to reimbursements and administration.

The HOUSE REQUESTS RETURN OF SAME.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 500: Mississippi Home Corporation; extend reverter on authority to issue a certain amount of bonds.

H. B. No. 511: Amusement ride operating permit decal; revise period for issuance.

H. B. No. 667: Alcoholic beverages; delete requirement for immediate permit revocation for certain prohibited sales.

H. B. No. 974: DPS; revise law regarding.

H. B. No. 1211: Administrative hearing procedures for Commission on Marine Resources; revise to authorize executive director of Department of Marine Resources to make final decisions during.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. C. R. No. 32: Sarcoidosis Awareness Month in Mississippi; designate April 2021 as. Title Sufficient. Do Be Adopted.

H. C. R. No. 35: Steve Hale; commend distinguished public service career including as a State Senator. Title Sufficient. Do Be Adopted.

H. C. R. No. 36: Kidney Disease Awareness Month; recognize March 2021 as. Title Sufficient. Do Be Adopted.

H. C. R. No. 37: Franklin Academy; congratulate upon observance of the Bicentennial Celebration as first public school in Mississippi. Title Sufficient. Do Be Adopted.

H. C. R. No. 38: Robert Daniel "Dan" Camp; commend life, legacy and contributions of upon his passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 39: Gulf of Mexico continental shelf leasing and infrastructure development; urge and support continuation of. Title Sufficient. Do Be Adopted.

H. C. R. No. 40: Governor William Winter; commend life and legacy upon his passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 41: Taiwan; recognize the friendship and encourage further economic ties with the State of Mississippi. Title Sufficient. Do Be Adopted.

H. C. R. No. 42: Mississippi Electric Power Associations; commend for their tireless efforts to restore power after the winter storm in February 2021. Title Sufficient. Do Be Adopted.

H. C. R. No. 43: "Mississippi Mosquito and West Nile Virus Awareness Week"; designate April 12-17, 2021, as. Title Sufficient. Do Be Adopted.

S. C. R. No. 533: Recommend that the United States Forest Service reconsider certain restrictive action on National Forest Lands in Mississippi. Title Sufficient. Do Be Adopted.

S. C. R. No. 534: Declare September 2021 as "Prostate Cancer Awareness Month". Title Sufficient. Do Be Adopted.

S. C. R. No. 536: State Taxation Study Committee; establish. Title Sufficient. Do Be Adopted.

S. C. R. No. 537: Declare that March 21, 2021, is "World Down Syndrome Day in Mississippi." Title Sufficient. Do Be Adopted.

S. R. No. 27: Recognize Biloxi native and Nashville Predators Mathieu Olivier for first NHL goal by player born in Mississippi. Title Sufficient. Do Be Adopted.

S. R. No. 28: Commend JSU Lady Tigers Basketball Team for 2019-2020 SWAC Championship. Title Sufficient. Do Be Adopted.

S. R. No. 29: Recognize Biloxi Elementary School and D'Iberville Elementary School for National Blue Ribbon School Award. Title Sufficient. Do Be Adopted.

S. R. No. 30: Commemorate Centennial Anniversary of Howell-Grantham American Legion Post 53. Title Sufficient. Do Be Adopted.

S. R. No. 31: Congratulate Jackson Academy "Lady Raiders" Girls Basketball Team and Coach Jan Sojourner for MAIS Class 5A Championship. Title Sufficient. Do Be Adopted.

S. R. No. 32: Commend Lanier High School "Bulldogs" Boys Basketball Team for winning the 2021 Class 4A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 33: Commend Willy Showah as "Instructor of the Year" at the Jackson County Campus of Mississippi Gulf Coast Community College. Title Sufficient. Do Be Adopted.

S. R. No. 34: Commend James Pittman as "Instructor of the Year" at the Perkinston Campus of Mississippi Gulf Coast Community College. Title Sufficient. Do Be Adopted.

S. R. No. 35: Commend Kristi Matthews as "Instructor of the Year" at the Bryant Center of Mississippi Gulf Coast Community College. Title Sufficient. Do Be Adopted.

S. R. No. 36: Commend Coahoma County High School "Red Panthers" Boys Basketball Team for Class 2A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 37: Commend Manchester Academy "Lady Mavericks" Girls Basketball Team for first State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 38: Commend Amanda Sharrow as "Instructor of the Year" at the Harrison County Campus of Mississippi Gulf Coast Community College. Title Sufficient. Do Be Adopted.

S. R. No. 39: Commemorate 100th Anniversary of Troop 8, Boy Scouts of America at First Baptist Church of Jackson, Mississippi. Title Sufficient. Do Be Adopted.

S. R. No. 40: Commend JSU "Tigers" Men's Basketball Team for winning the Co-SWAC 2021 Regular Season Championship. Title Sufficient. Do Be Adopted.

S. R. No. 41: Congratulate JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for consecutive SWAC Regular Season Championship. Title Sufficient. Do Be Adopted.

S. R. No. 42: Commend Leake Academy "Lady Rebels" Girls Basketball Team for winning 2021 MAIS Overall Championship. Title Sufficient. Do Be Adopted.

S. R. No. 43: Honor the legacy of Marine Corporal Vonzia J. Rigsby of Jasper County, the oldest living Montford Point Marine, on his 100th birthday. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2799: Mississippi Medicaid Program; make technical amendments to reimbursements and administration.

Andrew Ketchings, Clerk of the House of Representatives

SENATE JOURNAL
THURSDAY, MARCH 18, 2021MESSAGE FROM THE GOVERNOR
March 18, 2021

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Russell (Russ) Latino, III, Madison, Mississippi, Mississippi Authority for Educational Television to represent the state at large, unexpired portion of a four year term beginning immediately and ending June 30, 2024.

Owen Bowdre (Hammer) Emerson, Hernando, Mississippi, State Oil and Gas Board to represent the Third Supreme Court District, six year term effective immediately and ending May 7, 2026.

John Scott Coopwood, Cleveland, Mississippi, Commission on Wildlife, Fisheries and Parks representing the Second Congressional District as it existed in 1991, five year term effective immediately and ending June 30, 2025.

Betsy Anne Lum Lipscomb, DVM, Port Gibson, Mississippi, Mississippi Board of Animal Health as the beef cattle breeder and producer representative, four year term effective immediately and ending January 18, 2024.

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Russell (Russ) Latino, III, Mississippi Authority for Educational Television to represent the state at large, unexpired portion of a four year term beginning immediately and ending June 30, 2024, Education.

Owen Bowdre (Hammer) Emerson, State Oil and Gas Board to represent the Third Supreme Court District, six year term effective immediately and ending May 7, 2026, Energy.

John Scott Coopwood, Commission on Wildlife, Fisheries and Parks, five year term effective immediately and ending June 30, 2025, Wildlife, Fisheries and Parks.

Betsy Anne Lum Lipscomb, DVM, Mississippi Board of Animal Health as the beef cattle breeder and producer representative, four year term effective immediately and ending January 18, 2024, Agriculture.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. C. R. No. 535: A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES AND OTHER PROVISIONS OF JOINT RULE NO. 40 FOR THE PURPOSE OF THE FURTHER CONSIDERATION AND PASSAGE OF SENATE BILL NO. 2799, 2021 REGULAR SESSION, ENTITLED "AN ACT RELATING TO THE MISSISSIPPI MEDICAID PROGRAM; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, RELATING TO REIMBURSEMENT FOR CARE AND SERVICES UNDER THE MEDICAID PROGRAM; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING

TO REIMBURSEMENT OF INPATIENT HOSPITAL SERVICES; TO PROVIDE THAT MEDICAID IS AUTHORIZED TO MAKE PARTIAL PAYMENTS FOR NURSING SERVICES; TO PROVIDE FOR NURSING FACILITY REIMBURSEMENT FOR HOME LEAVE DAYS; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING TO REIMBURSEMENT OF NURSING FACILITY SERVICES; TO PROVIDE FOR REIMBURSEMENT FOR FEES FOR PHYSICIAN SERVICES COVERED ONLY BY MEDICAID; TO AUTHORIZE THE DIVISION TO REIMBURSE OBSTETRICIANS AND GYNECOLOGISTS FOR CERTAIN PRIMARY CARE SERVICES AT 100% OF THE MEDICARE RATE; TO DELETE THE PROVISION THAT REQUIRES THE DIVISION TO ALLOW PHYSICIAN-ADMINISTERED DRUGS TO BE BILLED AND REIMBURSED AS A MEDICAL CLAIM OR PHARMACY POINT-OF-SALE; TO PROVIDE THAT THE DIVISION SHALL MAKE PARTIAL PAYMENTS, AS DETERMINED BY THE DIVISION, TO INTERMEDIATE CARE FACILITY SERVICES AND TO DELETE CERTAIN PROVISIONS RELATING TO FAIR RENTAL REIMBURSEMENT FOR SUCH FACILITIES; TO DEFINE CLINIC SERVICES AS IT RELATES TO THE REIMBURSEMENTS BY MEDICAID FOR THOSE SERVICES; TO AUTHORIZE MEDICAID REIMBURSEMENT FOR THERAPEUTIC AND CASE MANAGEMENT MENTAL HEALTH SERVICES PROVIDED BY SERVICE PROVIDERS ACCREDITED BY THE JOINT COMMISSION OR CERTAIN OTHER ACCREDITING AGENCIES; TO PROVIDE THAT MEDICAID MAY ESTABLISH AN UPPER PAYMENT LIMITS PROGRAM FOR AMBULANCE TRANSPORTATION AND ASSESS PROVIDERS OF SUCH SERVICE; TO REQUIRE THE DIVISION OF MEDICAID TO RECOGNIZE FEDERALLY QUALIFIED HEALTH CENTERS (FQHC), RURAL HEALTH CLINICS (RHC) AND COMMUNITY MENTAL HEALTH CENTERS (CMHC) AS BOTH AN ORIGINATING AND DISTANT SITE PROVIDER FOR THE PURPOSES OF TELEHEALTH REIMBURSEMENT; TO DELETE THE PROVISIONS RELATING TO MEDICAID'S DEVELOPMENT OF AN ALTERNATIVE MODEL FOR DISTRIBUTION OF MEDICAL CLAIMS AND SUPPLEMENTAL PAYMENTS FOR SERVICES; TO AUTHORIZE REIMBURSEMENT FOR CERTAIN PSYCHIATRIC SERVICES; TO CLARIFY THE REIMBURSEMENT OF PEDIATRIC SKILLED NURSING SERVICES, INPATIENT PSYCHIATRIST SERVICES AND NONEMERGENCY TRANSPORTATION SERVICES; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REIMBURSE CROSSOVER CLAIMS FOR INPATIENT HOSPITAL SERVICES AND THOSE UNDER MEDICARE PART B; TO DELETE CERTAIN PROVISIONS RELATING TO THE REIMBURSEMENT OF PHYSICIAN ASSISTANT SERVICES; TO PROVIDE THAT THE DIVISION MAY ESTABLISH COPAYMENTS AND COINSURANCE FOR ANY MEDICAID SERVICES; TO ALLOW THE DIVISION TO USE ENHANCED REIMBURSEMENTS AND UPPER PAYMENT LIMIT PROGRAMS FOR ITS REIMBURSEMENT PROGRAM; TO AUTHORIZE REIMBURSEMENT FOR A BARIATRIC SURGERY PROGRAM; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REDUCE THE RATE OF REIMBURSEMENT TO CERTAIN PROVIDERS FOR SERVICES BY 5% OF THE ALLOWED AMOUNT FOR THAT SERVICE; TO REQUIRE PROVIDERS TO MAINTAIN RECORDS AS PRESCRIBED BY THE DIVISION AND IN ACCORDANCE WITH FEDERAL LAW; TO DELETE CERTAIN ENROLLMENT LIMITATIONS AND PROVISIONS RELATING TO MANAGED CARE PROGRAMS; TO ALLOW THE DIVISION OF MEDICAID TO APPROVE THE USE OF ALTERNATIVE PAYMENT MODELS FOR REIMBURSEMENT RATES; TO CLARIFY LIMITATIONS ON MEDICAID ELIGIBILITY FOR ENROLLMENT IN MANAGED CARE PROGRAMS; TO DELETE THE PROVISIONS THAT PROVIDE FOR THE COMMISSION ON EXPANDING MEDICAID MANAGED CARE; TO REQUIRE CONTRACTORS RECEIVING PAYMENTS UNDER A MANAGED CARE DELIVERY SYSTEM TO DISCLOSE TO THE CHAIRMEN OF THE SENATE AND HOUSE MEDICAID COMMITTEES THE ADMINISTRATIVE EXPENSES FOR THE PRIOR YEAR, AND THE NUMBER OF EMPLOYEES IN MISSISSIPPI WHO ARE DEDICATED TO MEDICAID AND CHIP LINES OF BUSINESS AS OF JUNE 30 OF EACH YEAR; TO PROVIDE FOR REVIEWS OF THE MANAGED CARE PROGRAMS BY THE STATE AUDITOR; TO REQUIRE THAT ALL MANAGED CARE CONTRACTORS SHALL DEVELOP AND IMPLEMENT A UNIFORM CREDENTIALING PROCESS BY WHICH ALL PROVIDERS ARE CREDENTIALLED BY JULY 1, 2022; TO DELETE THE PROVISION THAT THERE

SHALL NOT BE CUTS TO INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO DIRECT THE DIVISION TO EVALUATE THE FEASIBILITY OF CONTINUING TO ADMINISTER PHARMACY BENEFITS UNDER FEE-FOR-SERVICE AND DENTAL BENEFITS UNDER MANAGED CARE; TO DIRECT MANAGED CARE CONTRACTORS TO IMPLEMENT INNOVATIVE PROGRAMS FOR MEMBERS WITH PREDIABETES AND DIABETES; TO AUTHORIZE THE DIVISION TO NEGOTIATE A LIMITATION ON LIABILITY TO THE STATE OF CERTAIN PROSPECTIVE CONTRACTORS; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NURSING FACILITIES OPERATED BY THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER ARE NOT EXEMPT FROM THE ANNUAL ASSESSMENT FOR THE SUPPORT OF THE MEDICAID PROGRAM, TO DELETE CERTAIN TECHNICAL PROVISIONS RELATING TO THE ASSESSMENT AND COLLECTION OF THE HOSPITAL ASSESSMENT, TO CLARIFY THE PROCEDURE FOR PAYMENT OF THE HOSPITAL ASSESSMENT FOR THE NONFEDERAL SHARE NECESSARY FOR THE MEDICARE UPPER PAYMENT LIMITS (UPL) PROGRAM AND THE DISPROPORTIONATE SHARE HOSPITAL (DSH) PROGRAM; TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO PROVIDE UP TO 12 MONTHS OF CONTINUOUS COVERAGE POSTPARTUM FOR ANY INDIVIDUAL WHO QUALIFIES FOR MEDICAID AS A PREGNANT WOMAN TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE MORATORIUM ON THE AUTHORITY OF THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OR CONVERSION OF CHILD/ADOLESCENT PSYCHIATRIC OR CHEMICAL DEPENDENCY BEDS PARTICIPATING IN THE MEDICAID PROGRAM AND TO DELETE CERTAIN RESTRICTIONS ON MEDICAID REIMBURSEMENT FOR SUCH BEDS; TO AMEND SECTION 41-75-5, MISSISSIPPI CODE OF 1972, TO DELETE THE RESTRICTION ON POST ACUTE RESIDENTIAL BRAIN INJURY REHABILITATION FACILITIES PARTICIPATION IN THE MEDICAID PROGRAM; TO AMEND SECTION 83-9-353, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN RESTRICTIONS ON REMOTE PATIENT TELEMONITORING SERVICES; AND SUSPENDING THE DEADLINES AND OTHER PROVISIONS OF JOINT RULE NO. 40 FOR THE PURPOSE OF THE FURTHER CONSIDERATION AND PASSAGE OF HOUSE BILL NO. 1008, 2021 REGULAR SESSION, ENTITLED "AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO MAKE VARIOUS TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID SERVICES AND MANAGED CARE PROVISIONS; TO EXTEND THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO MAKE SEVERAL TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID ASSESSMENT PROVISIONS; TO DELETE THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTIONS 43-13-107 AND 43-13-117.1, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, TO MAKE SOME MINOR, NONSUBSTANTIVE CHANGES; TO BRING FORWARD SECTIONS 43-13-103, 43-13-105, 43-13-109, 43-13-113, 43-13-116, 43-13-120, 43-13-121, 43-13-123, 43-13-125 AND 43-13-139, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES."

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 70: AN ACT TO ENACT "CHRISTIAN'S LAW"; TO CODIFY NEW SECTION 41-61-66, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE CONFIDENTIALITY OF AUTOPSY MEDIA RECORDS HELD BY A MEDICAL EXAMINER; TO DEFINE TERMS; TO PROVIDE EXCEPTIONS UNDER CERTAIN CIRCUMSTANCES, INCLUDING FOR THE DECEASED'S SURVIVING RELATIVES, FOR LOCAL GOVERNMENTAL ENTITIES, FOR CRIMINAL OR ADMINISTRATIVE PROCEEDINGS, AND FOR EDUCATIONAL PURPOSES; TO AUTHORIZE COURTS TO ALLOW ANY PERSON TO VIEW SUCH RECORDS UPON A DEMONSTRATION OF GOOD CAUSE; TO PROVIDE CRIMINAL PENALTIES FOR WILLFUL VIOLATION OF A COURT ORDER; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATION OF THIS SECTION BY A CUSTODIAN OF AUTOPSY MEDIA RECORDS; TO PROVIDE THAT THIS SECTION SHALL NOT PREVENT CERTAIN DISCLOSURES; AND FOR RELATED PURPOSES.

H. B. No. 551: AN ACT TO ENACT THE "EMPOWERING REENTRY THROUGH LICENSING ACT" WHICH PROVIDES FOR A SIX-MONTH PROVISIONAL DRIVER'S LICENSE ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY TO ELIGIBLE PERSONS WHO HAVE BEEN RELEASED FROM INCARCERATION; TO DEFINE TERMS; TO AUTHORIZE PROVISIONAL LICENSES; TO PROVIDE CERTAIN REQUIREMENTS AND CERTAIN DISQUALIFICATIONS FOR ELIGIBILITY; TO REQUIRE CERTAIN DUTIES OF THE DEPARTMENT OF PUBLIC SAFETY TO ADMINISTER THE ACT; TO DIRECT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO IDENTIFY ELIGIBLE PERSONS TO APPLY FOR A PROVISIONAL DRIVER'S LICENSE; TO AMEND SECTIONS 47-5-157 AND 47-7-33.1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

H. B. No. 628: AN ACT TO AMEND SECTION 27-19-11, MISSISSIPPI CODE OF 1972, TO ADD GROSS WEIGHT CATEGORY FROM 80,001 POUNDS TO 84,000 POUNDS FOR CARRIERS OF PROPERTY AND SPECIFY PRIVILEGE TAX RATES FOR THE NEW WEIGHT CATEGORY WHICH SHALL BE LIMITED TO TRANSPORT OF PRODUCTS AS PROVIDED FOR HARVEST PERMITS; AND FOR RELATED PURPOSES.

H. B. No. 1048: AN ACT TO AMEND SECTION 23-15-299, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFYING DEADLINE FROM MARCH 1 TO FEBRUARY 1 FOR GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, SECRETARY OF STATE, STATE TREASURER, AUDITOR OF PUBLIC ACCOUNTS, COMMISSIONER OF INSURANCE, COMMISSIONER OF AGRICULTURE AND COMMERCE, STATE HIGHWAY COMMISSIONER, STATE PUBLIC SERVICE COMMISSIONER, DISTRICT ATTORNEY, STATE SENATOR, STATE REPRESENTATIVE, SHERIFF, CHANCERY CLERK, CIRCUIT CLERK, TAX ASSESSOR, TAX COLLECTOR, COUNTY ATTORNEY, BOARD OF SUPERVISORS, COUNTY SURVEYOR, COUNTY CORONER, JUSTICE COURT JUDGE AND CONSTABLE; TO AMEND SECTION 23-15-213, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFYING DEADLINE FOR ELECTION COMMISSIONERS FROM THE FIRST MONDAY IN JUNE TO FEBRUARY 1; TO AMEND SECTION 23-15-977, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFYING DEADLINE FROM MARCH 1 TO FEBRUARY 1 FOR SUPREME COURT JUSTICE, COURT OF APPEALS JUDGE, CIRCUIT JUDGE, CHANCELLOR, COUNTY JUDGE AND FAMILY COURT JUDGE; TO BRING FORWARD SECTIONS 23-15-309 AND 37-5-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

H. B. No. 1323: AN ACT TO AMEND SECTION 25-41-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ANY PUBLIC BODY TO ENTER INTO EXECUTIVE SESSION FOR STRATEGIC DEVELOPMENT OF PLANS TO COMBAT, ELIMINATE, REDUCE OR RESPOND TO HUMAN TRAFFICKING OR COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN; TO BRING FORWARD SECTION 25-41-3, MISSISSIPPI CODE OF 1972, WHICH PROVIDES DEFINITIONS FOR THE

PROVISIONS OF LAW THAT REGULATE OPEN MEETINGS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2107: Firearms; prohibit local governments and state agencies from restricting possession.

Senators Fillingane, DeBar, Hill.

S. B. No. 2117: Juvenile offenders; provide alternative sentencing and parole options.

Senators Fillingane, Thompson, Suber.

S. B. No. 2121: Intimate visual material; criminalize disclosure of.

Senators Fillingane, England, Thomas.

S. B. No. 2223: Arrest warrants; authorize issuance for sex offenses against children upon oral testimony.

Senators Fillingane, Jackson (32nd), England.

S. B. No. 2279: Parole and earned release; criminalize absconding.

Senators Fillingane, Wiggins, McCaughn.

S. B. No. 2569: Urine; create the crime of selling or tampering with urine.

Senators Fillingane, McCaughn, Simmons (12th).

S. B. No. 2573: Department of Public Safety; implement uniform reporting standards for jail census data & create & maintain a centralized database.

Senators Fillingane, Barnett, England.

S. B. No. 2598: Department of Public Safety; revise licensing.

Senators Fillingane, Branning, Thompson.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 3089: Panola County; exempt certain tracts of land from certain provisions of Individual On-Site Wastewater Disposal System Law. Title Sufficient. Do Pass.

H. B. No. 1479: City of McComb; extend date of repeal on hotel/motel tourism tax. Title Sufficient. Do Pass.

H. B. No. 1480: Marshall County; expand boundaries of Marshall Utility Services Sewer District. Title Sufficient. Do Pass.

H. B. No. 1481: Town of Shannon; authorize expansion of its gas distribution system. Title Sufficient. Do Pass.

H. B. No. 1482: City of Indianola; extend repeal date on tourism commission and hotel, motel and restaurant tax. Title Sufficient. Do Pass.

H. B. No. 1483: City of Senatobia; extend repeal date on hotel/motel tourism tax. Title Sufficient. Do Pass.

H. B. No. 1487: City of Vicksburg; authorize to execute certain agreement to make contributions to Vicksburg Warren Economic Development Foundation. Title Sufficient. Do Pass.

H. B. No. 1490: Coahoma County; authorize contributions to Tri-County Workforce Alliance. Title Sufficient. Do Pass.

H. B. No. 1491: Coahoma County; authorize contributions to the Family and Youth Opportunities, Inc. Title Sufficient. Do Pass.

H. B. No. 1493: Jackson County; revise duties of civil service commission for sheriff's department relating to certain personnel matters. Title Sufficient. Do Pass.

H. B. No. 1495: Tallahatchie County; authorize leasing of certain water well to City of Charleston. Title Sufficient. Do Pass.

S. B. No. 3072: Lafayette County; change governing law for county trust fund investments from PERS to MS Uniform Prudent Investor Act. Title Sufficient. Do Pass.

S. B. No. 3086: Lauderdale County; extend repeal date on the Lauderdale County Tourism Commission. Title Sufficient. Do Pass.

S. B. No. 3087: Warren County; authorize contributions to various organizations. Title Sufficient. Do Pass.

S. B. No. 3090: Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax. Title Sufficient. Do Pass.

MCMAHAN, Chairman

REPORT OF COMMITTEES ON
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 3078: Tunica County; authorize occupancy assessment for the benefit of the Convention Center Complex. Title Sufficient. Committee Substitute. Do Pass.

MCMAHAN, Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 52: Carl Eugene (Gene) Delcomyn, Brandon, Mississippi, Mississippi Home Corporation, six year term effective immediately and ending April 23, 2026, representing the First Supreme Court District. Do Advise and Consent.

HARKINS, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 2971: Bonds; authorize issuance for state institutions of higher learning.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2419: AN ACT TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION THAT PROVIDES FOR THE FEES PAID BY THE COUNTY TO A MEDICAL EXAMINER OR HIS DEPUTY FOR THE FILING OF CERTAIN INVESTIGATION REPORTS; AND FOR RELATED PURPOSES.

S. B. No. 2759: AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE MONTHLY BENEFIT AMOUNT FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES; TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE REPORTS TO THE CHAIRMEN OF THE HOUSE AND SENATE PUBLIC HEALTH COMMITTEES ON THE STATUS AND EFFECTIVENESS OF CERTAIN PROGRAMS; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2435: Alcoholic beverages; revise various provisions relating to distilleries.

Senators Harkins, Boyd, Sparks.

S. B. No. 2437: Distinctive motor vehicle license tags; authorize for Wildlife Mississippi.

Senators Harkins, Younger, Simmons (12th).

S. B. No. 2806: Department of Revenue; bring forward code sections relating to ABC Division and authority to contract for services.
Senators Harkins, Johnson, Carter.

S. B. No. 2807: Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized.
Senators Harkins, Jackson (32nd), Tate.

S. B. No. 2816: Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors.
Senators Harkins, Johnson, Whaley.

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature.
Senators Polk, Hopson, Butler.

S. B. No. 2830: New Markets Tax Credit; extend MDA's ability to allocate by one year.
Senators Harkins, Johnson, Fillingane.

S. B. No. 2831: Historic structure income tax credit; cap per taxpayer and authorize sale or transfer.
Senators Harkins, Johnson, Chassaniol.

S. B. No. 2832: Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026.
Senators Harkins, Sparks, Whaley.

S. B. No. 2839: SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate.
Senators Harkins, Thompson, England.

S. B. No. 2843: Tax; phase out June 25 deadline for taxpayers with average liability of at least \$50,000 to remit 75% of June liability.
Senators Harkins, Johnson, Parker.

S. B. No. 2868: Qualified resort areas; include certain municipalities.
Senators Harkins, Barrett, Horhn.

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit.
Senators Harkins, McMahan, Thompson.

MESSAGE FROM THE COM. OF DEPT. OF REVENUE
March 18, 2021

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Russell Hanna, Louisville, Mississippi, Appeals Board of the Mississippi Transportation Commission, term beginning immediately upon confirmation by the Senate and ending June 30, 2023.

Chris Graham, Commissioner of Revenue
DEPT. OF REVENUE

The executive nomination in the foregoing message was referred to committee as follows:

Russell Hanna, Appeals Board of the Mississippi Transportation Commission, term beginning immediately upon confirmation by the Senate and ending June 30, 2023, Highways and Transportation.

MESSAGE FROM THE GOVERNOR
March 18, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2076: Mississippi Fair Commission; remove repealer and revise advisory council composition. (March 17, 2021, 4:49 PM)

S. B. No. 2124: Mississippi Department of Employment Security; revise various provisions regarding authority of. (March 17, 2021, 4:46 PM)

S. B. No. 2165: Veterans Service Officers; revise certain qualifications and requirements. (March 17, 2021, 4:49 PM)

S. B. No. 2332: Comprehensive Hurricane Damage Mitigation Program; extend repealer on development and implementation of program. (March 17, 2021, 4:50 PM)

S. B. No. 2336: MS First Responders Health and Safety Act; delay effective date of. (March 17, 2021, 4:52 PM)

S. B. No. 2481: Memorial highways; designate various segments. (March 17, 2021, 4:53 PM)

S. B. No. 2603: Salvage or abandoned vehicles; authorize disposition by auction firms on behalf of insurers. (March 17, 2021, 4:55 PM)

S. B. No. 2605: Golf carts and low-speed vehicles; authorize municipalities to permit operation on municipal streets. (March 17, 2021, 4:56 PM)

S. B. No. 2626: MS Business Corporation Act; amend to allow corporations to hold annual or special shareholder meetings remotely. (March 17, 2021, 4:58 PM)

S. B. No. 2630: County law library; authorize use of money for technological purposes. (March 17, 2021, 4:58 PM)

S. B. No. 2643: Service of tax sale notices; revise to allow service by a constable. (March 17, 2021, 5:00 PM)

S. B. No. 2648: MS Geologic Sequestration of Carbon Dioxide Act; Oil and Gas Board shall have jurisdiction to enforce provisions of. (March 17, 2021, 5:02 PM)

S. B. No. 2785: Driver's license requirements; exempt military members, spouses and dependent children under certain conditions. (March 17, 2021, 5:03 PM)

S. B. No. 2788: Radar speed detection; revise provisions concerning use by Highway Patrol and municipal law enforcement in certain cities. (March 17, 2021, 5:04 PM)

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE GOVERNOR
March 18, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2149: MAEP; Department of Education required to hold harmless school district from calculating 2020-2021 average daily attendance. (March 18, 2021, 3:48 PM)

S. B. No. 2189: Counties and municipalities; authorize to offer Medicare-eligible employees supplemental compensation if employees secure Medicare. (March 18, 2021, 3:51 PM)

S. B. No. 2253: Concealed carry weapons permit; combine with driver's license or identification card. (March 18, 2021, 3:50 PM)

Respectfully submitted,
Debbie Carney, Legislative Aide

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Jeremy T. Tillman, Jackie Benjamin Leger, Sr., Raymond Lee Jourdan, Allen Joseph Prevost, Linda Joy Pullen, Sam Noble Fonda and Christopher Leflore Carl.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, MARCH 18, 2021

S. C. R. No. 537: Rules

A CONCURRENT RESOLUTION DECLARING THAT MARCH 21, 2021, IS "WORLD DOWN SYNDROME DAY IN MISSISSIPPI" TO ENCOURAGE AWARENESS AND OPPORTUNITIES FOR INDIVIDUALS WITH DOWN SYNDROME.
By Senator(s) England

S. C. R. No. 538: Rules

A CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL OF THE STATE OF MISSISSIPPI TO PETITION THE MISSISSIPPI SUPREME COURT TO IMPLEMENT A COVID-19 LANDLORD-TENANT EVICTION RESOLUTION PROGRAM FOR LITIGANTS TO PARTICIPATE IN PRIOR TO THE FILING OF COURT ACTION IN ORDER TO FAIRLY ADDRESS THE INFLUX OF EVICTION ACTIONS FOLLOWING THE LIFTING OF CERTAIN FEDERAL GOVERNMENT AND COURT-ORDERED MORATORIA ON NONPAYMENT EVICTIONS.

By Senator(s) Moran, Polk, England

S. R. No. 30: Rules

A RESOLUTION COMMEMORATING THE CENTENNIAL ANNIVERSARY OF THE FOUNDING OF HOWELL-GRANTHAM AMERICAN LEGION POST 53 IN LUCEDALE, MISSISSIPPI.

By Senator(s) DeBar

S. R. No. 31: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON ACADEMY "LADY RAIDERS" GIRLS BASKETBALL TEAM AND AWARD WINNING COACH JAN SOJOURNER FOR WINNING THE MAIS CLASS 5A STATE CHAMPIONSHIP.

By Senator(s) Michel

S. R. No. 32: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LANIER HIGH SCHOOL "BULLDOGS" BOYS BASKETBALL TEAM AND COACH LAWRENCE CLARK FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION 2021 BOYS 4A STATE CHAMPIONSHIP.

By Senator(s) Norwood, Frazier, Horhn, Blount

S. R. No. 33: Rules

A RESOLUTION COMMENDING AND CONGRATULATING MR. WILLY SHOWAH FOR BEING SELECTED AS "INSTRUCTOR OF THE YEAR" AT THE JACKSON COUNTY CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

By Senator(s) Wiggins, Seymour, England

S. R. No. 34: Rules

A RESOLUTION COMMENDING AND CONGRATULATING MR. JAMES PITTMAN FOR BEING SELECTED AS "INSTRUCTOR OF THE YEAR" AT THE PERKINSTON CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

By Senator(s) Wiggins, Seymour

S. R. No. 35: Rules

A RESOLUTION COMMENDING AND CONGRATULATING KRISTI MATTHEWS FOR BEING SELECTED AS "INSTRUCTOR OF THE YEAR" AT THE BRYANT CENTER OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

By Senator(s) Wiggins

S. R. No. 36: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE COAHOMA COUNTY HIGH SCHOOL "RED PANTHERS" BOYS BASKETBALL TEAM AND COACH DERRICK MOORE FOR WINNING THEIR SECOND CONSECUTIVE MHSAA CLASS 2A STATE CHAMPIONSHIP.

By Senator(s) Jackson (11th), McCaughn

S. R. No. 37: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE 2021 MANCHESTER ACADEMY "LADY MAVERICKS" GIRLS BASKETBALL TEAM AND HEAD COACH EMILY POE FOR WINNING THEIR FIRST STATE CHAMPIONSHIP.

By Senator(s) Thomas

S. R. No. 38: Rules

A RESOLUTION COMMENDING AND CONGRATULATING AMANDA SHARROW FOR BEING SELECTED AS "INSTRUCTOR OF THE YEAR" AT THE HARRISON COUNTY CAMPUS OF MISSISSIPPI GULF COAST COMMUNITY COLLEGE.

By Senator(s) Wiggins, England, Seymour, DeLano, Carter

S. R. No. 39: Rules

A RESOLUTION COMMEMORATING THE CENTENNIAL ANNIVERSARY OF THE FOUNDING OF TROOP 8, BOY SCOUTS OF AMERICA OF FIRST BAPTIST CHURCH OF JACKSON, MISSISSIPPI.

By Senator(s) Kirby, Blount, Michel

S. R. No. 40: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON STATE UNIVERSITY "TIGERS" MEN'S BASKETBALL TEAM AND HEAD COACH WAYNE BRENT FOR WINNING THE CO-SWAC 2021 REGULAR SEASON CHAMPIONSHIP.

By Senator(s) Norwood, Frazier, Horhn, Blount, Jackson (11th), Jordan, Simmons (12th), Barnett, Thomas, Simmons (13th)

S. R. No. 41: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON STATE UNIVERSITY "LADY TIGERS" WOMEN'S BASKETBALL TEAM AND "COACH OF THE YEAR" TOMEKIA REED FOR WINNING THE SOUTHWESTERN ATHLETIC CONFERENCE (SWAC) REGULAR SEASON CHAMPIONSHIP IN BACK-TO-BACK YEARS, FOR WINNING THEIR FIRST SWAC POSTSEASON CHAMPIONSHIP SINCE 2008, AND FOR THEIR APPEARANCE IN THE NCAA "MARCH MADNESS" POSTSEASON TOURNAMENT.

By Senator(s) Norwood, Frazier, Horhn, Blount, Jackson (11th), Simmons (12th), Simmons (13th), Thomas, Barnett

S. R. No. 42: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LEAKE ACADEMY "LADY REBELS" GIRLS BASKETBALL TEAM AND HEAD COACH AMANDA HATCH FOR WINNING THE 2021 MIDSOUTH ASSOCIATION OF INDEPENDENT SCHOOLS OVERALL CHAMPIONSHIP TOURNAMENT WHICH IS THE SCHOOL'S 6TH OVERALL TITLE.

By Senator(s) Branning

S. R. No. 43: Rules

A RESOLUTION HONORING THE LEGACY OF MARINE CORPORAL VONZIA J. RIGSBY OF JASPER COUNTY, MISSISSIPPI, THE OLDEST LIVING MONTFORD POINT MARINE, ON THE OCCASION OF HIS 100TH BIRTHDAY.

By Senator(s) Barnett

S. R. No. 44: Rules

A RESOLUTION MOURNING THE PASSING OF LONGTIME FUNERAL HOME OWNER LUZERN "SONNY" DILLON OF MCCOMB, MISSISSIPPI, AND RECOGNIZING HIS CIVIC CONTRIBUTIONS AS THE FIRST BLACK-ELECTED OFFICIAL IN WALTHALL COUNTY.

By Senator(s) Witherspoon

S. R. No. 45: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LAFAYETTE HIGH SCHOOL "LADY COMMODORES" GIRLS SOCCER TEAM AND COACH MELINDA SCRUGGS FOR THEIR THREE-PEAT THIRD STRAIGHT MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A STATE CHAMPIONSHIP.

By Senator(s) Boyd, Suber

SEVENTY-FOURTH DAY, FRIDAY, MARCH 19, 2021

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.
Absent--Carter, Chassaniol, Fillingane, Parks. Total--4.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Fillingane.

The invocation was delivered by Senator Boyd, written by Rev. Roger Howell, Pastor, Adonai Church, Water Valley, MS.

Senator Jackson S. (32nd) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 160: AN ACT TO REENACT SECTIONS 41-3-1.1, 41-3-3, 41-3-4, 41-3-5.1, 41-3-6, 41-3-15, 41-3-16, 41-3-17, 41-3-18 AND 41-3-19, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF HEALTH, ESTABLISH THE POSITION OF EXECUTIVE OFFICER OF THE STATE DEPARTMENT OF HEALTH, AND ESTABLISH AND PRESCRIBE THE POWERS AND DUTIES OF THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTION 41-3-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED STATUTES; TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DELETE THE MORATORIUM ON THE AUTHORITY OF THE STATE DEPARTMENT OF HEALTH TO ISSUE A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OR CONVERSION OF CHILD/ADOLESCENT PSYCHIATRIC OR CHEMICAL DEPENDENCY BEDS PARTICIPATING IN THE MEDICAID PROGRAM

AND TO DELETE CERTAIN RESTRICTIONS ON MEDICAID REIMBURSEMENT FOR SUCH BEDS AND TO PLACE CERTAIN STANDARDS ON THE DEPARTMENT IN ISSUING SUCH CERTIFICATES; TO SET FORTH STATE POLICY REGARDING THE TREATMENT OF CERTAIN MENTAL HEALTH PATIENTS; AND FOR RELATED PURPOSES.

H. B. No. 500: AN ACT TO AMEND SECTION 43-33-729, MISSISSIPPI CODE OF 1972, TO REMOVE THE REVERTER ON THE PROVISION OF LAW AUTHORIZING THE MISSISSIPPI HOME CORPORATION TO ISSUE NEGOTIABLE BONDS AND NOTES; AND FOR RELATED PURPOSES.

H. B. No. 511: AN ACT TO AMEND SECTION 45-49-3, MISSISSIPPI CODE OF 1972, TO CHANGE THE PERIOD FOR ISSUANCE OF AN AMUSEMENT RIDE OPERATING PERMIT DECAL FROM 12 MONTHS TO A CALENDAR YEAR; AND FOR RELATED PURPOSES.

H. B. No. 667: AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO MAKE DISCRETIONARY THE PROVISION REQUIRING THE DEPARTMENT OF REVENUE TO IMMEDIATELY REVOKE THE PERMIT OF ANY PERMITTEE WHO VIOLATES THE SECTION'S PROHIBITIONS ON ALCOHOLIC BEVERAGE SALES TO CERTAIN PERSONS OR AT CERTAIN TIMES; AND FOR RELATED PURPOSES.

H. B. No. 974: AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS OF THE COMMISSIONER OF PUBLIC SAFETY; TO EXPAND THE COMMISSIONER'S POWERS; TO REQUIRE THE COMMISSIONER TO ESTABLISH WITHIN THE DEPARTMENT THE MISSISSIPPI OFFICE OF HOMELAND SECURITY; TO CODIFY A NEW SECTION WITHIN CHAPTER 1, TITLE 45, MISSISSIPPI CODE OF 1972, TO TRANSFER THE OFFICE OF CAPITOL POLICE FROM THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 45-1-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER TO ADMINISTER OATHS; TO AMEND SECTION 45-6-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "LAW ENFORCEMENT OFFICER" TO INCLUDE THE COMMISSIONER OF PUBLIC SAFETY AND OTHER DEPARTMENT OF PUBLIC SAFETY EMPLOYEES; TO REVISE THE DEFINITION OF THE TERM "PART-TIME LAW ENFORCEMENT OFFICER" TO INCLUDE ANY PART-TIME EMPLOYEE OF THE DEPARTMENT OF PUBLIC SAFETY SO DESIGNATED BY THE COMMISSIONER; TO AMEND SECTION 45-1-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTIGATIVE SERVICES PROVIDED ON A CONTRACTUAL BASIS TO THE MISSISSIPPI BUREAU OF INVESTIGATION SHALL BE DESIGNED TO SUPPORT LAW ENFORCEMENT EFFORTS OF STATE AGENCIES; TO REVISE THE APPROVAL REQUIREMENTS OF CONTRACTUAL ARRANGEMENTS WITH THE MISSISSIPPI BUREAU OF INVESTIGATION; TO PROVIDE JURISDICTION TO THE MISSISSIPPI BUREAU OF INVESTIGATION TO INVESTIGATE ALL INCIDENTS OF OFFICER-INVOLVED SHOOTINGS IN THE STATE; TO AMEND SECTION 41-29-112, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE INVESTIGATIVE SERVICES PROVIDED ON A CONTRACTUAL BASIS TO THE BUREAU OF NARCOTICS SHALL BE DESIGNED TO SUPPORT LAW ENFORCEMENT EFFORTS OF STATE AGENCIES; TO REVISE THE APPROVAL REQUIREMENTS OF CONTRACTUAL ARRANGEMENTS WITH THE MISSISSIPPI BUREAU OF NARCOTICS; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2021, 2021 REGULAR SESSION, TO EXEMPT FROM PUBLIC PROCUREMENT REVIEW BOARD APPROVAL CONTRACTS ENTERED INTO BY THE DEPARTMENT OF PUBLIC SAFETY FOR SERVICE ON SPECIALIZED EQUIPMENT AND SOFTWARE USED BY THE OFFICE OF FORENSICS LABORATORIES AND CONTRACTS FOR ANATOMICAL PATHOLOGY SERVICES; TO AMEND SECTION 41-61-53, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "MEDICAL EXAMINER INVESTIGATOR"; TO AMEND SECTION 41-61-55, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT OF CERTAIN PERSONS TO APPROVE THE APPOINTMENT OR DISCHARGE OF THE

STATE MEDICAL EXAMINER; TO AMEND SECTION 41-61-65, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE MEDICAL EXAMINER TO USE MEDICAL EXAMINER INVESTIGATORS; TO AMEND SECTION 41-61-75, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTOMATIC REPEALER ON THE PROVISION THAT AUTHORIZES FEES FOR MEDICAL EXAMINERS; TO AMEND SECTION 41-61-77, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT DEPUTY STATE MEDICAL EXAMINERS BE LICENSED IN MISSISSIPPI TO PRACTICE MEDICINE; TO AMEND SECTION 45-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE QUALIFICATIONS OF CERTAIN POSITIONS WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 45-3-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PRIOR SWORN LAW ENFORCEMENT OFFICERS MAY HAVE A PERIOD OF TRAINING THAT IS LESS THAN 80 DAYS; TO ENACT THE "MISSISSIPPI UNMANNED AIRCRAFT SYSTEMS PROTECTION ACT OF 2021"; TO PROSECUTE UNAUTHORIZED FLYING OPERATIONS OF UNMANNED AIRCRAFT SYSTEMS OVER CORRECTIONAL FACILITIES AND CRITICAL INFRASTRUCTURE SITES; TO DEFINE TERMS; TO PENALIZE VIOLATIONS OF THE ACT; TO AMEND SECTIONS 25-1-87 AND 29-5-69, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 29-5-77, MISSISSIPPI CODE OF 1972, WHICH PROVIDES JURISDICTION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ENFORCE THE LAWS OF MISSISSIPPI WITHIN THE CAPITOL COMPLEX; AND FOR RELATED PURPOSES.

H. B. No. 1211: AN ACT TO AMEND SECTION 49-15-401, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF MARINE RESOURCES SHALL ENFORCE THE RULES AND REGULATIONS, ADMINISTRATIVE CODE AND OTHER STATUTES WITHIN THE JURISDICTION OF THE DEPARTMENT OF MARINE RESOURCES; TO AMEND SECTION 49-15-403, MISSISSIPPI CODE OF 1972, TO REVISE THE ADMINISTRATIVE HEARING PROCESS FOR VIOLATIONS WITHIN THE JURISDICTION OF THE DEPARTMENT OF MARINE RESOURCES AND TO CLARIFY THE AUTHORITY OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT; TO PROVIDE THAT THE EXECUTIVE DIRECTOR SHALL MAKE THE FINAL DECISION REGARDING THE PENALTY, IF ANY, TO BE ISSUED; TO AMEND SECTION 49-15-405, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A FORMAL HEARING CONCLUDED BY A REPRESENTATIVE OF THE ATTORNEY GENERAL; TO AMEND SECTION 49-15-407, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ALLEGED VIOLATOR'S FAILURE TO PRESENT EVIDENCE SHALL CONSTITUTE A WAIVER OF THE RIGHT TO A HEARING; TO AMEND SECTION 49-15-409, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF MARINE RESOURCES SHALL HAVE JURISDICTION OVER ALL PERSONS AND PROPERTY NECESSARY TO ADMINISTER AND ENFORCE THE ADMINISTRATIVE HEARING PROCEDURES FOR THE DEPARTMENT; TO AMEND SECTION 49-15-411, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INDIVIDUAL AGGRIEVED BY A FINAL DECISION OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF MARINE RESOURCES SHALL BE ENTITLED TO JUDICIAL REVIEW; TO AMEND SECTIONS 49-15-413, 49-15-415, 49-15-323 AND 49-15-63, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

H. B. No. 1263: AN ACT TO CREATE SECTION 73-50-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MISSISSIPPI OCCUPATIONAL LICENSING BOARDS SHALL ISSUE A LICENSE TO AN APPLICANT WHO ESTABLISHES RESIDENCE IN THIS STATE IF THE APPLICANT HOLDS A CURRENT LICENSE IN GOOD STANDING FROM ANOTHER STATE, HAS BEEN LICENSED BY THE OTHER STATE FOR AT LEAST ONE YEAR AND SATISFIES CERTAIN OTHER CONDITIONS; TO PROVIDE THAT THE LICENSE ISSUED TO THE APPLICANT WILL BE IN THE DISCIPLINE APPLIED FOR AND AT THE SAME PRACTICE LEVEL AS DETERMINED BY THE OCCUPATIONAL LICENSING BOARD; TO AMEND SECTIONS 37-3-2, 73-1-21, 73-2-11, 73-4-23, 73-5-21, 73-6-13, 73-7-23, 73-9-24, 73-10-15, 73-11-51, 73-13-35, 73-14-25, 73-15-19, 73-15-21, 73-17-11, 73-19-25, 73-21-87, 73-23-51, 73-23-53, 73-24-21, 73-25-21, 73-27-5, 73-29-19, 73-30-15, 73-31-14, 73-31-15, 73-33-9, 73-34-51, 73-35-7, 73-

35-13, 73-36-31, 73-38-23, 73-39-71, 73-53-13, 73-54-23, 73-60-25, 73-63-39, 73-65-7, 73-67-25, 73-69-11, 73-71-21, 73-73-11 AND 73-75-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 4: Representative Gary Chism; commend dedicated legislative career and public service upon his retirement. Rules.

Senator Harkins called up the following entitled nomination:

S. N. No. 52: Carl EuGene (Gene) Delcomyn, Brandon, Mississippi, Mississippi Home Corporation, six year term effective immediately and ending April 23, 2026, representing the First Supreme Court District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 52 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

On motion of Senator McMahan the following entitled bill was removed from the table for immediate consideration:

S. B. No. 3080: City of Vicksburg; authorize adoption of vacant commercial building registration ordinance.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 3080. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Voting Present--DeBar, DeLano. Total--2.

Senator Hopson called up the following House Amendment to **S. B. No. 2834** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is created in the State Treasury a special fund to be known as the "Mississippi Historic Site Preservation Fund," hereafter referred to as "the Fund." The Fund shall be included in the budget of the Mississippi Department of Archives and History and implemented by the Historic Preservation Division of the department. The Fund shall consist of general funds appropriated by the Legislature and funds received as grants, endowments or gifts from the federal government, its agencies and instrumentalities and funds from any other available sources, public or private. All such funds shall be paid into the State Treasury and credited to the Fund. Interest earned on monies in the Fund shall remain in the Fund and be credited to it. Any monies remaining in the Fund, including interest thereon, at the end of each fiscal year shall not lapse to the State General Fund but shall remain in the Fund.

(2) Monies in the Fund shall be used by the Department of Archives and History, subject to appropriation by the Legislature, solely for the purpose of making grants to nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the Internal Revenue Service, hereafter referred to as "organizations" or local governmental entities, to match federal and other matching funds. All such grants shall be made solely for the fee simple purchase of, or purchase of protective interests in (a) any Native American archeology site, (b) any endangered Mississippi battlefield property, and/or (c) any endangered Mississippi Civil Rights Movement historic site. To be eligible for a grant, a site must be individually listed in the National Register of Historic Places, identified as nationally significant in a National Park Service Special Resource Study, or listed in the Report on the Nation's Civil War Battlefields by the Civil War Sites Advisory Commission, National Park Service, as amended, and such sites shall be specified by the Legislature in the annual appropriation to the department. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the State Fiscal Officer upon written request of the Director of the Department of Archives and History.

(3) The Director of the Department of Archives and History shall establish, administer, manage, and make expenditures and allocations from the Fund.

(4) Organizations seeking grant funding from the Fund shall be required to provide at least One Dollar (\$1.00) in matching funds for each One Dollar (\$1.00) received from the Fund for the proposed project. As used in this subsection, the term "matching funds" shall include both cash and the value of any contribution due to a bargain sale or the donation of land or interest therein made by the landowner as part of the proposed project. No state funds may be included in determining the amount of the match.

(5) Eligible costs for which monies from the Fund may be allocated to include acquisition of land and any improvements thereon (collectively referred to in this section as "land") or permanent protective interests, such as perpetual conservation easements, and costs associated with such acquisitions, including the cost of appraisals, environmental reports, any survey, title searches and title insurance, and other closing costs.

(6) Grants from the Fund shall not exceed fifty percent (50%) of the appraised value of the land or permanent protective interest therein.

(7) Grants from the Fund may be awarded for prospective purchases or for acquisitions on which the applicant has closed. In the latter case the applicant shall demonstrate:

(a) The closing occurred no more than twelve (12) months prior to the date of application for the grant; and

(b) An identifiable threat to the resource or compelling need for preservation existed at the time of the purchase.

(8) Any eligible organization making an acquisition of land or interest therein pursuant to this section shall grant to the Department of Archives and History or other holder a perpetual easement placing restrictions on the use or development of the land. In cases where the easement is granted to a holder other than the Department of Archives and History, all terms and conditions of the easement shall be reviewed by and found by the department to accomplish the perpetual preservation of the property. Such other holder shall demonstrate to the department that it has the capacity and expertise to manage and enforce the terms of the easement.

(9) Nothing in this section shall preclude the subsequent transfer or assignment by a state agency or other owner or holder of any property interest acquired pursuant to this section to the United States of America to be incorporated into a national park, national forest, national wildlife refuge, or other national conservation area in accordance with 54 USC Section 100101, 16 USC Section 551, the Fish and Wildlife Act of 1956 (16 USC Section 742a et seq.), or 16 USC Section 1131, as amended and applicable. The Department of Archives and History shall facilitate transfers and assignments of any such interests held by the department. The United States of America shall be considered a "public body" for the purposes of any transfer or assignment to the United States of America of any easement granted under this section.

(10) The Director of Archives and History shall establish, administer, manage, and make expenditures and allocations from the Fund and shall establish guidelines for applications, evaluation, and award of grants from the Fund in consultation with appropriate preservation interests.

(11) Eligible costs for which monies from the Fund may be allocated include:

(a) Acquisition of land and any improvements thereon;

(b) Permanent protective interests;

(c) Conservation easements;

(d) Costs of appraisals;

(e) Environmental reports;

(f) Surveys;

(g) Title searches and title insurance; and

(h) Any other closing costs.

(12) The Department of Archives and History shall prioritize and award grants of monies from the Fund and consider in relation to the sites identified:

(a) The significance of the site;

(b) The location of the proposed project;

(c) The proximity to other protected lands;

(d) The threat to and integrity of the features associated with the historic significance of the site; and

(e) The financial and administrative capacity of the applicant to complete the project and to maintain and manage the property consistent with the public investment and public interest, including:

(i) Education;

(ii) Recreation;

(iii) Research;

(iv) Heritage tourism promotion; or

(v) Orderly community development.

(13) To carry out this act, the Department of Archives and History may enter into cooperative agreements with entities in the public and private sectors, including:

(a) Colleges and universities;

(b) Historical societies;

(c) State and local agencies; and

(d) Nonprofit organizations.

(14) To develop cooperative land-use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural and scenic resources, the Department of Archives and History may provide technical assistance, to the extent that a recipient of technical assistance is engaged in the protection, interpretation or commemoration of historically significant resources in the area in and around the historic site.

SECTION 2. Section 39-5-5, Mississippi Code of 1972, is amended as follows:

39-5-5. The duties and powers of the Board of Trustees of the Department of Archives and History shall include, in addition to other duties and powers granted or prescribed by law, the following:

(a) To determine the location of places of historical interest within the state;

(b) To make a survey of buildings of all types throughout the state which are in danger of destruction, without proper care, and which in the opinion of the board of trustees should be preserved for historical purposes;

(c) To contact the proper authorities of the United States national cemeteries and military parks to determine whether or not the record of Mississippi troops is adequately commemorated;

(d) To acquire, preserve, restore or operate any real or personal property deemed significant for historical, architectural, archaeological or cultural reasons, to expend funds for such purposes, to enter into contracts or agreements with any agency of the United States or any person, firm, corporation or association for such purposes and to do any and all things which may be necessary or desirable to carry out such purposes;

(e) To participate with any agency of the United States, any other governmental agency or any person, firm, corporation, association or group in mutual or cooperative programs or projects within the duties and powers of the board of trustees;

(f) To accept grants or donations of money or property, real or personal, from any agency of the United States, any other governmental agency or any person, firm, corporation, association or group. However, the board of trustees shall not be required, except by specific act of the Legislature, to accept any property without its consent; * * *

(g) To provide suitable markers with adequate descriptions of the historical sites to which they refer, for places of historical interest and to provide suitable markers on the highways and roads of this state showing the direction and distance to the historical sites * * *; and

(h) To establish, administer, manage and make expenditures and allocations from the Mississippi Historic Site Preservation Fund under the provisions of Section 1 of this act.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A MISSISSIPPI HISTORIC SITE PRESERVATION FUND TO BE USED TO MATCH FEDERAL OR OTHER PRIVATE FUNDS FOR MAKING GRANTS FOR THE PURPOSE OF FEE SIMPLE PURCHASE OR PROTECTIVE INTEREST PURCHASE OF ENDANGERED PROPERTY DIRECTLY RELATED TO MISSISSIPPI NATIVE AMERICAN ARCHEOLOGY SITES, MISSISSIPPI BATTLEFIELD PROPERTY OR MISSISSIPPI CIVIL RIGHTS MOVEMENT SITES; TO PROVIDE THAT SUCH FUND SHALL BE ADMINISTERED BY THE DEPARTMENT OF ARCHIVES AND HISTORY'S HISTORIC PRESERVATION DIVISION; TO PRESCRIBE CERTAIN CONDITIONS ON THE ALLOCATIONS FROM THE FUND; TO PRESCRIBE ELIGIBLE COSTS FOR WHICH MONIES FROM THE FUND MAY BE ALLOCATED; TO AUTHORIZE COOPERATIVE AGREEMENTS FOR THE IMPLEMENTATION OF SUCH GRANTS; TO AMEND SECTION 39-5-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 2929** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Chiropractic Examiners, for the support of said Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$	106,461.00.
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SECTION 2. It is the intention of the Legislature that the Chiropractic Examiners Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall

be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2929** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2930** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Dental Examiners, for the support of said board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,118,908.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	8
	Part Time	0

Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds provided under the provisions of this act, an amount not to exceed Twenty-seven Thousand Dollars (\$27,000.00) shall be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 4. Of the funds appropriated in Section 1, Fifty Thousand Five Hundred Dollars (\$50,500.00) shall only be expended for the implementation of a licensing system. These funds shall not be used for any other expenditures related to agency operations.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2930** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2931** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Funeral Services for the purpose of defraying the expenses of said board for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 296,653.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	2
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of

each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Funeral Services Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2931** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2932** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Massage Therapy Fund, for the purpose of defraying the expenses of the Mississippi State Board of Massage Therapy for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 191,432.00.

SECTION 2. It is the intention of the Legislature that the Board of Massage Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. The money herein appropriated shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2932** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2933** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Pharmacy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 3,405,392.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	18
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written

approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Licensure	
Licenses Issued within 10 Business Days (%)	100.00
Renewals Issued within 2 Business Days (%)	100.00
Compliance	
Written Complaints Received (Number of)	39
Written Complaints Resolved Within Six Months (%)	100.00
Investigations Conducted due to the Diversion of Prescription Drugs, Impaired (Number of)	20
Investigations Conducted due to the Pharmacists and Pharmacy Technicians (Number of)	20
Recidivism Rate for Those Receiving Disciplinary Actions (% Avg of 3 years)	24.00
Prescription Monitoring Prg	
In-State Physicians Registered to PMP (%)	100.00
Licensed APRNs Registered to PMP (%)	100.00
Pharmacists Registered to PMP (%)	100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Board of Pharmacy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or

funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. In accordance with Section 73-21-127(h), Mississippi Code of 1972, the Mississippi Board of Pharmacy may accept and expend funds from any other state agency to defray the expenses of the Prescription Monitoring Program.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY
THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL
YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2933** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2934** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Examiners for Licensed Professional Counselors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 230,402.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	2
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Examiners for Licensed Professional Counselors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for

Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2934** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2935** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Veterinary Examiners for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 192,617.00.

SECTION 2. Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Veterinary Examiners Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY
THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY
EXAMINERS FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2935** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2936** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Architecture and Landscape Architecture Advisory Committee, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 357,921.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	2
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Board of Architecture shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2936** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.
Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2938** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Board of Registered Professional Geologists for the purpose of defraying the expenses of the board, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 138,296.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully

fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2938** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2939** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Motor Vehicle Commission, as provided by Section 63-17-51 et seq., Mississippi Code of 1972, for the purpose of defraying the expenses of said Commission, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ... \$ 361,824.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	3
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth

within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2939** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2940** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Accountancy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 684,593.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	5
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated in Section 1, Forty-two Thousand Dollars (\$42,000.00) shall only be expended for investigation, testimony, and administrative hearings related to matters under the jurisdiction of the board.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY
THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY
FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2940** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.
Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Hopson called up the following House Amendment to **S. B. No. 2941** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Contractors, for the purpose of defraying the expenses of said board, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 4,065,939.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	16
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully

fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated in this act, it is the intention of the Legislature that the State Board of Contractors may expend funds not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000.00) for the purpose of defraying the cost of (1) enforcement as set forth in Section 31-3-21, Mississippi Code of 1972, (2) enlisting of any private collection firm(s) to locate and collect any uncollected fines, and (3) administrative costs associated with collections. Any funds spent for this purpose shall be subject to a performance audit if requested by the Appropriations Chairmen in either the House or Senate.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2941** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Chassaniol, Fillingane, Parks. Total--4.

Senator Blackwell called up the following House Amendment to **S. B. No. 2799** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-13-103, Mississippi Code of 1972, is brought forward as follows:

43-13-103. For the purpose of affording health care and remedial and institutional services in accordance with the requirements for federal grants and other assistance under Titles XVIII, XIX and XXI of the Social Security Act, as amended, a statewide system of medical assistance is established and shall be in effect in all political subdivisions of the state, to be financed by state appropriations and federal matching funds therefor, and to be administered by the Office of the Governor as hereinafter provided.

SECTION 2. Section 43-13-105, Mississippi Code of 1972, is brought forward as follows:

43-13-105. When used in this article, the following definitions shall apply, unless the context requires otherwise:

(a) "Administering agency" means the Division of Medicaid in the Office of the Governor as created by this article.

(b) "Division" or "Division of Medicaid" means the Division of Medicaid in the Office of the Governor.

(c) "Medical assistance" means payment of part or all of the costs of medical and remedial care provided under the terms of this article and in accordance with provisions of Titles XIX and XXI of the Social Security Act, as amended.

(d) "Applicant" means a person who applies for assistance under Titles IV, XVI, XIX or XXI of the Social Security Act, as amended, and under the terms of this article.

(e) "Recipient" means a person who is eligible for assistance under Title XIX or XXI of the Social Security Act, as amended and under the terms of this article.

(f) "State health agency" means any agency, department, institution, board or commission of the State of Mississippi, except the University of Mississippi Medical School, which is supported in whole or in part by any public funds, including funds directly appropriated from the State Treasury, funds derived by taxes, fees levied or collected by statutory authority, or any other funds used by "state health agencies" derived from federal sources, when any funds available to such agency are expended either directly or indirectly in connection with, or in support of, any public health, hospital, hospitalization or other public programs for the preventive treatment or actual medical treatment of persons with a physical disability, mental illness or an intellectual disability.

(g) "Mississippi Medicaid Commission" or "Medicaid Commission," wherever they appear in the laws of the State of Mississippi, means the Division of Medicaid in the Office of the Governor.

SECTION 3. Section 43-13-107, Mississippi Code of 1972, is amended as follows:

43-13-107. (1) The Division of Medicaid is created in the Office of the Governor and established to administer this article and perform such other duties as are prescribed by law.

(2) (a) The Governor shall appoint a full-time executive director, with the advice and consent of the Senate, who shall be either (i) a physician with administrative experience in a medical care or health program, or (ii) a person holding a graduate degree in medical care administration, public health, hospital administration, or the equivalent, or (iii) a person holding a bachelor's degree with at least three (3) years' experience in management-level administration of, or policy development for, Medicaid programs. Provided, however, no one who has been a member of the Mississippi Legislature during the previous three (3) years may be executive director. The executive director shall be the official secretary and legal custodian of the records of the division; shall be the agent of the division for the purpose of receiving all service of process, summons and notices directed to the division; shall perform such other duties as the Governor may prescribe from time to time; and shall perform all other duties that are now or may be imposed upon him or her by law.

(b) The executive director shall serve at the will and pleasure of the Governor.

(c) The executive director shall, before entering upon the discharge of the duties of the office, take and subscribe to the oath of office prescribed by the Mississippi Constitution and shall file the same in the Office of the Secretary of State, and shall execute a bond in some surety company authorized to do business in the state in the penal sum of One Hundred Thousand Dollars (\$100,000.00), conditioned for the faithful and impartial discharge of the duties of the office. The premium on the bond shall be paid as provided by law out of funds appropriated to the Division of Medicaid for contractual services.

(d) The executive director, with the approval of the Governor and subject to the rules and regulations of the State Personnel Board, shall employ such professional, administrative, stenographic, secretarial, clerical and technical assistance as may be necessary to perform the duties required in administering this article and fix the compensation for those persons, all in accordance with a state merit system meeting federal requirements. When the salary of the executive director is not set by law, that salary shall be set by the State Personnel Board. No employees of the Division of Medicaid shall be considered to be staff members of the immediate Office of the Governor;

however, Section 25-9-107(c)(xv) shall apply to the executive director and other administrative heads of the division.

(3) (a) There is established a Medical Care Advisory Committee, which shall be the committee that is required by federal regulation to advise the Division of Medicaid about health and medical care services.

(b) The advisory committee shall consist of not less than eleven (11) members, as follows:

(i) The Governor shall appoint five (5) members, one (1) from each congressional district and one (1) from the state at large;

(ii) The Lieutenant Governor shall appoint three (3) members, one (1) from each Supreme Court district;

(iii) The Speaker of the House of Representatives shall appoint three (3) members, one (1) from each Supreme Court district.

All members appointed under this paragraph shall either be health care providers or consumers of health care services. One (1) member appointed by each of the appointing authorities shall be a board-certified physician.

(c) The respective Chairmen of the House Medicaid Committee, the House Public Health and Human Services Committee, the House Appropriations Committee, the Senate Medicaid Committee, the Senate Public Health and Welfare Committee and the Senate Appropriations Committee, or their designees, one (1) member of the State Senate appointed by the Lieutenant Governor and one (1) member of the House of Representatives appointed by the Speaker of the House, shall serve as ex officio nonvoting members of the advisory committee.

(d) In addition to the committee members required by paragraph (b), the advisory committee shall consist of such other members as are necessary to meet the requirements of the federal regulation applicable to the advisory committee, who shall be appointed as provided in the federal regulation.

(e) The chairmanship of the advisory committee shall be elected by the voting members of the committee annually and shall not serve more than two (2) consecutive years as chairman.

(f) The members of the advisory committee specified in paragraph (b) shall serve for terms that are concurrent with the terms of members of the Legislature, and any member appointed under paragraph (b) may be reappointed to the advisory committee. The members of the advisory committee specified in paragraph (b) shall serve without compensation, but shall receive reimbursement to defray actual expenses incurred in the performance of committee business as authorized by law. Legislators shall receive per diem and expenses, which may be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session.

(g) The advisory committee shall meet not less than quarterly, and advisory committee members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(h) The executive director shall submit to the advisory committee all amendments, modifications and changes to the state plan for the operation of the Medicaid program, for review by the advisory committee before the amendments, modifications or changes may be implemented by the division.

(i) The advisory committee, among its duties and responsibilities, shall:

(i) Advise the division with respect to amendments, modifications and changes to the state plan for the operation of the Medicaid program;

(ii) Advise the division with respect to issues concerning receipt and disbursement of funds and eligibility for Medicaid;

(iii) Advise the division with respect to determining the quantity, quality and extent of medical care provided under this article;

(iv) Communicate the views of the medical care professions to the division and communicate the views of the division to the medical care professions;

(v) Gather information on reasons that medical care providers do not participate in the Medicaid program and changes that could be made in the program to encourage more providers to participate in the Medicaid program, and advise the division with respect to encouraging physicians and other medical care providers to participate in the Medicaid program;

(vi) Provide a written report on or before November 30 of each year to the Governor, Lieutenant Governor and Speaker of the House of Representatives.

(4) (a) There is established a Drug Use Review Board, which shall be the board that is required by federal law to:

(i) Review and initiate retrospective drug use, review including ongoing periodic examination of claims data and other records in order to identify patterns of fraud, abuse, gross overuse, or inappropriate or medically unnecessary care, among physicians, pharmacists and individuals receiving Medicaid benefits or associated with specific drugs or groups of drugs.

(ii) Review and initiate ongoing interventions for physicians and pharmacists, targeted toward therapy problems or individuals identified in the course of retrospective drug use reviews.

(iii) On an ongoing basis, assess data on drug use against explicit predetermined standards using the compendia and literature set forth in federal law and regulations.

(b) The board shall consist of not less than twelve (12) members appointed by the Governor, or his designee.

(c) The board shall meet at least quarterly, and board members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(d) The board meetings shall be open to the public, members of the press, legislators and consumers. Additionally, all documents provided to board members shall be available to members of the Legislature in the same manner, and shall be made available to others for a reasonable fee for copying. However, patient confidentiality and provider confidentiality shall be protected by blinding patient names and provider names with numerical or other anonymous identifiers. The board meetings shall be subject to the Open Meetings Act (Sections 25-41-1 through 25-41-17). Board meetings conducted in violation of this section shall be deemed unlawful.

(5) (a) There is established a Pharmacy and Therapeutics Committee, which shall be appointed by the Governor, or his designee.

(b) The committee shall meet as often as needed to fulfill its responsibilities and obligations as set forth in this section, and committee members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(c) The committee meetings shall be open to the public, members of the press, legislators and consumers. Additionally, all documents provided to committee members shall be available to members of the Legislature in the same manner, and shall be made available to others for a reasonable fee for copying. However, patient confidentiality and provider confidentiality shall be protected by blinding patient names and provider names with numerical or other anonymous identifiers. The committee meetings shall be subject to the Open Meetings Act (Sections 25-41-1 through 25-41-17). Committee meetings conducted in violation of this section shall be deemed unlawful.

(d) After a thirty-day public notice, the executive director, or his or her designee, shall present the division's recommendation regarding prior approval for a therapeutic class of drugs to the committee. However, in circumstances where the division deems it necessary for the health and safety of Medicaid beneficiaries, the division may present to the committee its recommendations regarding a particular drug without a thirty-day public notice. In making that presentation, the division shall state to the committee the circumstances that precipitate the need for the committee to review the status of a particular drug without a thirty-day public notice. The committee may determine whether or not to review the particular drug under the circumstances stated by the division without a thirty-day public notice. If the committee determines to review the status of the particular drug, it shall make its recommendations to the division, after which the division shall file those recommendations for a thirty-day public comment under Section 25-43-7(1).

(e) Upon reviewing the information and recommendations, the committee shall forward a written recommendation approved by a majority of the committee to the executive director, or his or her designee. The decisions of the committee regarding any limitations to be imposed on any drug or its use for a specified indication shall be based on sound clinical evidence found in labeling, drug compendia, and peer-reviewed clinical literature pertaining to use of the drug in the relevant population.

(f) Upon reviewing and considering all recommendations including recommendations of the committee, comments, and data, the executive director shall make a final determination whether to require prior approval of a therapeutic class of drugs, or modify existing prior approval requirements for a therapeutic class of drugs.

(g) At least thirty (30) days before the executive director implements new or amended prior authorization decisions, written notice of the executive director's decision shall be provided to all prescribing Medicaid providers, all Medicaid enrolled pharmacies, and any other party who has requested the notification. However, notice given under Section 25-43-7(1) will substitute for and meet the requirement for notice under this subsection.

(h) Members of the committee shall dispose of matters before the committee in an unbiased and professional manner. If a matter being considered by the committee presents a real or apparent conflict of interest for any member of the committee, that member shall disclose the conflict in writing to the committee chair and recuse himself or herself from any discussions and/or actions on the matter.

SECTION 4. Section 43-13-109, Mississippi Code of 1972, is brought forward as follows:

43-13-109. The director, with the approval of the Governor and pursuant to the rules and regulations of the State Personnel Board, may adopt reasonable rules and regulations to provide for an open, competitive or qualifying examination for all employees

of the division other than the director, part-time consultants and professional staff members.

SECTION 5. Section 43-13-113, Mississippi Code of 1972, is brought forward as follows:

43-13-113. (1) The State Treasurer shall receive on behalf of the state, and execute all instruments incidental thereto, federal and other funds to be used for financing the medical assistance plan or program adopted pursuant to this article, and place all such funds in a special account to the credit of the Governor's Office-Division of Medicaid, which funds shall be expended by the division for the purposes and under the provisions of this article, and shall be paid out by the State Treasurer as funds appropriated to carry out the provisions of this article are paid out by him.

The division shall issue all checks or electronic transfers for administrative expenses, and for medical assistance under the provisions of this article. All such checks or electronic transfers shall be drawn upon funds made available to the division by the State Auditor, upon requisition of the director. It is the purpose of this section to provide that the State Auditor shall transfer, in lump sums, amounts to the division for disbursement under the regulations which shall be made by the director with the approval of the Governor; however, the division, or its fiscal agent in behalf of the division, shall be authorized in maintaining separate accounts with a Mississippi bank to handle claim payments, refund recoveries and related Medicaid program financial transactions, to aggressively manage the float in these accounts while awaiting clearance of checks or electronic transfers and/or other disposition so as to accrue maximum interest advantage of the funds in the account, and to retain all earned interest on these funds to be applied to match federal funds for Medicaid program operations.

(2) The division is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding One Hundred Fifty Million Dollars (\$150,000,000.00) to fund shortfalls which, from time to time, may occur due to decreases in state matching fund cash flow. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Medicaid designated special fund account. Loan proceeds shall be expended only for health care services provided under the Medicaid program. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the division in the manner of and subject to the same terms provided in this section.

In the event the State Treasurer makes a determination that special source funds are not sufficient to cover a line of credit for the Division of Medicaid, the division is authorized to obtain a line of credit, in an amount not exceeding One Hundred Fifty Million Dollars (\$150,000,000.00), from a commercial lender or a consortium of lenders. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. The division shall obtain a minimum of two (2) written quotes that shall be presented to the State Fiscal Officer and State Treasurer, who shall jointly select a lender. Loan proceeds shall be received by the State Treasurer and shall be placed in a Medicaid designated special fund account. Loan proceeds shall be expended only for health care services provided under the Medicaid program. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the division in the manner of and subject to the same terms provided in this section.

(3) Disbursement of funds to providers shall be made as follows:

(a) All providers must submit all claims to the Division of Medicaid's fiscal agent no later than twelve (12) months from the date of service.

(b) The Division of Medicaid's fiscal agent must pay ninety percent (90%) of all clean claims within thirty (30) days of the date of receipt.

(c) The Division of Medicaid's fiscal agent must pay ninety-nine percent (99%) of all clean claims within ninety (90) days of the date of receipt.

(d) The Division of Medicaid's fiscal agent must pay all other claims within twelve (12) months of the date of receipt.

(e) If a claim is neither paid nor denied for valid and proper reasons by the end of the time periods as specified above, the Division of Medicaid's fiscal agent must pay the provider interest on the claim at the rate of one and one-half percent (1-1/2%) per month on the amount of such claim until it is finally settled or adjudicated.

(4) The date of receipt is the date the fiscal agent receives the claim as indicated by its date stamp on the claim or, for those claims filed electronically, the date of receipt is the date of transmission.

(5) The date of payment is the date of the check or, for those claims paid by electronic funds transfer, the date of the transfer.

(6) The above specified time limitations do not apply in the following circumstances:

(a) Retroactive adjustments paid to providers reimbursed under a retrospective payment system;

(b) If a claim for payment under Medicare has been filed in a timely manner, the fiscal agent may pay a Medicaid claim relating to the same services within six (6) months after it, or the provider, receives notice of the disposition of the Medicare claim;

(c) Claims from providers under investigation for fraud or abuse; and

(d) The Division of Medicaid and/or its fiscal agent may make payments at any time in accordance with a court order, to carry out hearing decisions or corrective actions taken to resolve a dispute, or to extend the benefits of a hearing decision, corrective action, or court order to others in the same situation as those directly affected by it.

(7) Repealed.

(8) If sufficient funds are appropriated therefor by the Legislature, the Division of Medicaid may contract with the Mississippi Dental Association, or an approved designee, to develop and operate a Donated Dental Services (DDS) program through which volunteer dentists will treat needy disabled, aged and medically-compromised individuals who are non-Medicaid eligible recipients.

SECTION 6. Section 43-13-116, Mississippi Code of 1972, is brought forward as follows:

43-13-116. (1) It shall be the duty of the Division of Medicaid to fully implement and carry out the administrative functions of determining the eligibility of those persons who qualify for medical assistance under Section 43-13-115.

(2) In determining Medicaid eligibility, the Division of Medicaid is authorized to enter into an agreement with the Secretary of the Department of Health and Human Services for the purpose of securing the transfer of eligibility information from the Social Security Administration on those individuals receiving supplemental security income

benefits under the federal Social Security Act and any other information necessary in determining Medicaid eligibility. The Division of Medicaid is further empowered to enter into contractual arrangements with its fiscal agent or with the State Department of Human Services in securing electronic data processing support as may be necessary.

(3) Administrative hearings shall be available to any applicant who requests it because his or her claim of eligibility for services is denied or is not acted upon with reasonable promptness or by any recipient who requests it because he or she believes the agency has erroneously taken action to deny, reduce, or terminate benefits. The agency need not grant a hearing if the sole issue is a federal or state law requiring an automatic change adversely affecting some or all recipients. Eligibility determinations that are made by other agencies and certified to the Division of Medicaid pursuant to Section 43-13-115 are not subject to the administrative hearing procedures of the Division of Medicaid but are subject to the administrative hearing procedures of the agency that determined eligibility.

(a) A request may be made either for a local regional office hearing or a state office hearing when the local regional office has made the initial decision that the claimant seeks to appeal or when the regional office has not acted with reasonable promptness in making a decision on a claim for eligibility or services. The only exception to requesting a local hearing is when the issue under appeal involves either (i) a disability or blindness denial, or termination, or (ii) a level of care denial or termination for a disabled child living at home. An appeal involving disability, blindness or level of care must be handled as a state level hearing. The decision from the local hearing may be appealed to the state office for a state hearing. A decision to deny, reduce or terminate benefits that is initially made at the state office may be appealed by requesting a state hearing.

(b) A request for a hearing, either state or local, must be made in writing by the claimant or claimant's legal representative. "Legal representative" includes the claimant's authorized representative, an attorney retained by the claimant or claimant's family to represent the claimant, a paralegal representative with a legal aid services, a parent of a minor child if the claimant is a child, a legal guardian or conservator or an individual with power of attorney for the claimant. The claimant may also be represented by anyone that he or she so designates but must give the designation to the Medicaid regional office or state office in writing, if the person is not the legal representative, legal guardian, or authorized representative.

(c) The claimant may make a request for a hearing in person at the regional office but an oral request must be put into written form. Regional office staff will determine from the claimant if a local or state hearing is requested and assist the claimant in completing and signing the appropriate form. Regional office staff may forward a state hearing request to the appropriate division in the state office or the claimant may mail the form to the address listed on the form. The claimant may make a written request for a hearing by letter. A simple statement requesting a hearing that is signed by the claimant or legal representative is sufficient; however, if possible, the claimant should state the reason for the request. The letter may be mailed to the regional office or it may be mailed to the state office. If the letter does not specify the type of hearing desired, local or state, Medicaid staff will attempt to contact the claimant to determine the level of hearing desired. If contact cannot be made within three (3) days of receipt of the request, the request will be assumed to be for a local hearing and scheduled accordingly. A hearing will not be scheduled until either a letter or the appropriate form is received by the regional or state office.

(d) When both members of a couple wish to appeal an action or inaction by the agency that affects both applications or cases similarly and arose from the same issue, one or both may file the request for hearing, both may present evidence at the hearing, and the agency's decision will be applicable to both. If both file a request for hearing, two (2) hearings will be registered but they will be conducted on the same day and in the same

place, either consecutively or jointly, as the couple wishes. If they so desire, only one of the couple need attend the hearing.

(e) The procedure for administrative hearings shall be as follows:

(i) The claimant has thirty (30) days from the date the agency mails the appropriate notice to the claimant of its decision regarding eligibility, services, or benefits to request either a state or local hearing. This time period may be extended if the claimant can show good cause for not filing within thirty (30) days. Good cause includes, but may not be limited to, illness, failure to receive the notice, being out of state, or some other reasonable explanation. If good cause can be shown, a late request may be accepted provided the facts in the case remain the same. If a claimant's circumstances have changed or if good cause for filing a request beyond thirty (30) days is not shown, a hearing request will not be accepted. If the claimant wishes to have eligibility reconsidered, he or she may reapply.

(ii) If a claimant or representative requests a hearing in writing during the advance notice period before benefits are reduced or terminated, benefits must be continued or reinstated to the benefit level in effect before the effective date of the adverse action. Benefits will continue at the original level until the final hearing decision is rendered. Any hearing requested after the advance notice period will not be accepted as a timely request in order for continuation of benefits to apply.

(iii) Upon receipt of a written request for a hearing, the request will be acknowledged in writing within twenty (20) days and a hearing scheduled. The claimant or representative will be given at least five (5) days' advance notice of the hearing date. The local and/or state level hearings will be held by telephone unless, at the hearing officer's discretion, it is determined that an in-person hearing is necessary. If a local hearing is requested, the regional office will notify the claimant or representative in writing of the time of the local hearing. If a state hearing is requested, the state office will notify the claimant or representative in writing of the time of the state hearing. If an in-person hearing is necessary, local hearings will be held at the regional office and state hearings will be held at the state office unless other arrangements are necessitated by the claimant's inability to travel.

(iv) All persons attending a hearing will attend for the purpose of giving information on behalf of the claimant or rendering the claimant assistance in some other way, or for the purpose of representing the Division of Medicaid.

(v) A state or local hearing request may be withdrawn at any time before the scheduled hearing, or after the hearing is held but before a decision is rendered. The withdrawal must be in writing and signed by the claimant or representative. A hearing request will be considered abandoned if the claimant or representative fails to appear at a scheduled hearing without good cause. If no one appears for a hearing, the appropriate office will notify the claimant in writing that the hearing is dismissed unless good cause is shown for not attending. The proposed agency action will be taken on the case following failure to appear for a hearing if the action has not already been effected.

(vi) The claimant or his representative has the following rights in connection with a local or state hearing:

(A) The right to examine at a reasonable time before the date of the hearing and during the hearing the content of the claimant's case record;

(B) The right to have legal representation at the hearing and to bring witnesses;

(C) The right to produce documentary evidence and establish all facts and circumstances concerning eligibility, services, or benefits;

(D) The right to present an argument without undue interference;

(E) The right to question or refute any testimony or evidence including an opportunity to confront and cross-examine adverse witnesses.

(vii) When a request for a local hearing is received by the regional office or if the regional office is notified by the state office that a local hearing has been requested, the Medicaid specialist supervisor in the regional office will review the case record, reexamine the action taken on the case, and determine if policy and procedures have been followed. If any adjustments or corrections should be made, the Medicaid specialist supervisor will ensure that corrective action is taken. If the request for hearing was timely made such that continuation of benefits applies, the Medicaid specialist supervisor will ensure that benefits continue at the level before the proposed adverse action that is the subject of the appeal. The Medicaid specialist supervisor will also ensure that all needed information, verification, and evidence is in the case record for the hearing.

(viii) When a state hearing is requested that appeals the action or inaction of a regional office, the regional office will prepare copies of the case record and forward it to the appropriate division in the state office no later than five (5) days after receipt of the request for a state hearing. The original case record will remain in the regional office. Either the original case record in the regional office or the copy forwarded to the state office will be available for inspection by the claimant or claimant's representative a reasonable time before the date of the hearing.

(ix) The Medicaid specialist supervisor will serve as the hearing officer for a local hearing unless the Medicaid specialist supervisor actually participated in the eligibility, benefits, or services decision under appeal, in which case the Medicaid specialist supervisor must appoint a Medicaid specialist in the regional office who did not actually participate in the decision under appeal to serve as hearing officer. The local hearing will be an informal proceeding in which the claimant or representative may present new or additional information, may question the action taken on the client's case, and will hear an explanation from agency staff as to the regulations and requirements that were applied to claimant's case in making the decision.

(x) After the hearing, the hearing officer will prepare a written summary of the hearing procedure and file it with the case record. The hearing officer will consider the facts presented at the local hearing in reaching a decision. The claimant will be notified of the local hearing decision on the appropriate form that will state clearly the reason for the decision, the policy that governs the decision, the claimant's right to appeal the decision to the state office, and, if the original adverse action is upheld, the new effective date of the reduction or termination of benefits or services if continuation of benefits applied during the hearing process. The new effective date of the reduction or termination of benefits or services must be at the end of the fifteen-day advance notice period from the mailing date of the notice of hearing decision. The notice to claimant will be made part of the case record.

(xi) The claimant has the right to appeal a local hearing decision by requesting a state hearing in writing within fifteen (15) days of the mailing date of the notice of local hearing decision. The state hearing request should be made to the regional office. If benefits have been continued pending the local hearing process, then benefits will continue throughout the fifteen-day advance notice period for an adverse local hearing decision. If a state hearing is timely requested within the fifteen-day period, then benefits will continue pending the state hearing process. State hearings requested after the fifteen-day local hearing advance notice period will not be accepted unless the initial thirty-day period for filing a hearing request has not expired because the local hearing was held early, in which case a state hearing request will be accepted as timely within the number of days remaining of the unexpired initial thirty-day period in addition to the

fifteen-day time period. Continuation of benefits during the state hearing process, however, will only apply if the state hearing request is received within the fifteen-day advance notice period.

(xii) When a request for a state hearing is received in the regional office, the request will be made part of the case record and the regional office will prepare the case record and forward it to the appropriate division in the state office within five (5) days of receipt of the state hearing request. A request for a state hearing received in the state office will be forwarded to the regional office for inclusion in the case record and the regional office will prepare the case record and forward it to the appropriate division in the state office within five (5) days of receipt of the state hearing request.

(xiii) Upon receipt of the hearing record, an impartial hearing officer will be assigned to hear the case either by the Executive Director of the Division of Medicaid or his or her designee. Hearing officers will be individuals with appropriate expertise employed by the division and who have not been involved in any way with the action or decision on appeal in the case. The hearing officer will review the case record and if the review shows that an error was made in the action of the agency or in the interpretation of policy, or that a change of policy has been made, the hearing officer will discuss these matters with the appropriate agency personnel and request that an appropriate adjustment be made. Appropriate agency personnel will discuss the matter with the claimant and if the claimant is agreeable to the adjustment of the claim, then agency personnel will request in writing dismissal of the hearing and the reason therefor, to be placed in the case record. If the hearing is to go forward, it shall be scheduled by the hearing officer in the manner set forth in subparagraph (iii) of this paragraph (e).

(xiv) In conducting the hearing, the state hearing officer will inform those present of the following:

(A) That the hearing will be recorded on tape and that a transcript of the proceedings will be typed for the record;

(B) The action taken by the agency which prompted the appeal;

(C) An explanation of the claimant's rights during the hearing as outlined in subparagraph (vi) of this paragraph (e);

(D) That the purpose of the hearing is for the claimant to express dissatisfaction and present additional information or evidence;

(E) That the case record is available for review by the claimant or representative during the hearing;

(F) That the final hearing decision will be rendered by the Executive Director of the Division of Medicaid on the basis of facts presented at the hearing and the case record and that the claimant will be notified by letter of the final decision.

(xv) During the hearing, the claimant and/or representative will be allowed an opportunity to make a full statement concerning the appeal and will be assisted, if necessary, in disclosing all information on which the claim is based. All persons representing the claimant and those representing the Division of Medicaid will have the opportunity to state all facts pertinent to the appeal. The hearing officer may recess or continue the hearing for a reasonable time should additional information or facts be required or if some change in the claimant's circumstances occurs during the hearing process which impacts the appeal. When all information has been presented, the hearing officer will close the hearing and stop the recorder.

(xvi) Immediately following the hearing the hearing tape will be transcribed and a copy of the transcription forwarded to the regional office for filing in the case record. As soon as possible, the hearing officer shall review the evidence and record of the proceedings, testimony, exhibits, and other supporting documents, prepare a written summary of the facts as the hearing officer finds them, and prepare a written recommendation of action to be taken by the agency, citing appropriate policy and regulations that govern the recommendation. The decision cannot be based on any material, oral or written, not available to the claimant before or during the hearing. The hearing officer's recommendation will become part of the case record which will be submitted to the Executive Director of the Division of Medicaid for further review and decision.

(xvii) The Executive Director of the Division of Medicaid, upon review of the recommendation, proceedings and the record, may sustain the recommendation of the hearing officer, reject the same, or remand the matter to the hearing officer to take additional testimony and evidence, in which case, the hearing officer thereafter shall submit to the executive director a new recommendation. The executive director shall prepare a written decision summarizing the facts and identifying policies and regulations that support the decision, which shall be mailed to the claimant and the representative, with a copy to the regional office if appropriate, as soon as possible after submission of a recommendation by the hearing officer. The decision notice will specify any action to be taken by the agency, specify any revised eligibility dates or, if continuation of benefits applies, will notify the claimant of the new effective date of reduction or termination of benefits or services, which will be fifteen (15) days from the mailing date of the notice of decision. The decision rendered by the Executive Director of the Division of Medicaid is final and binding. The claimant is entitled to seek judicial review in a court of proper jurisdiction.

(xviii) The Division of Medicaid must take final administrative action on a hearing, whether state or local, within ninety (90) days from the date of the initial request for a hearing.

(xix) A group hearing may be held for a number of claimants under the following circumstances:

(A) The Division of Medicaid may consolidate the cases and conduct a single group hearing when the only issue involved is one (1) of a single law or agency policy;

(B) The claimants may request a group hearing when there is one (1) issue of agency policy common to all of them.

In all group hearings, whether initiated by the Division of Medicaid or by the claimants, the policies governing fair hearings must be followed. Each claimant in a group hearing must be permitted to present his or her own case and be represented by his or her own representative, or to withdraw from the group hearing and have his or her appeal heard individually. As in individual hearings, the hearing will be conducted only on the issue being appealed, and each claimant will be expected to keep individual testimony within a reasonable time frame as a matter of consideration to the other claimants involved.

(xx) Any specific matter necessitating an administrative hearing not otherwise provided under this article or agency policy shall be afforded under the hearing procedures as outlined above. If the specific time frames of such a unique matter relating to requesting, granting, and concluding of the hearing is contrary to the time frames as set out in the hearing procedures above, the specific time frames will govern over the time frames as set out within these procedures.

(4) The Executive Director of the Division of Medicaid, with the approval of the Governor, shall be authorized to employ eligibility, technical, clerical and supportive staff as may be required in carrying out and fully implementing the determination of Medicaid eligibility, including conducting quality control reviews and the investigation of the improper receipt of medical assistance. Staffing needs will be set forth in the annual appropriation act for the division. Additional office space as needed in performing eligibility, quality control and investigative functions shall be obtained by the division.

SECTION 7. Section 43-13-117, Mississippi Code of 1972, is amended as follows:

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

* * *

(* * *a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(* * *b) No service benefits or reimbursement limitations in this * * * subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division may give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this * * * subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

* * *

(* * *d) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(* * *e) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided

from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician's services. Physician visits as determined by the division and in accordance with federal laws and regulations. The division may develop and implement a different reimbursement model or schedule for physician's services provided by physicians based at an academic health care center and by physicians at rural health centers that are associated with an academic health care center. From and after January 1, 2010, all fees for physician's services that are covered only by Medicaid shall be increased to ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers as determined by the *** division for certain primary care services *** at one hundred percent (100%) of the rate established under Medicare. *** The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as may be determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are

not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents (\$7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as * * * determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents (\$3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division may allow certain drugs, implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

* * *

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

This dental services program under this paragraph shall be known as the "James Russell Dumas Medicaid Dental Services Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services, which means preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. * * * Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ASCs); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

* * *

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by *** a community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, *** nursing facilities, and *** physicians employed or contracted by public hospitals. Upon successful implementation of a Medicare Upper Payment Limits Program for physicians employed by public hospitals, the division may develop a plan for implementing an Upper Payment Limits Program for physicians employed by other classes of hospitals.

(ii) The division shall assess each hospital and *** nursing facility *** for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subparagraph (b). The hospital assessment shall be as provided in Section 43-13-145(4)(a) and the nursing facility assessment, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subparagraph (b). Public hospitals with physicians participating in the Medicare Upper Payment Limits Program shall be required to participate in an intergovernmental transfer program for the purpose of financing the state portion of the physician UPL payments. ***

(iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subparagraph (b), the division shall make additional reimbursement to hospitals and *** nursing facilities *** for the Medicare Upper Payment Limits Program or other program(s) authorized under this subparagraph (b), and, if the program is established for physicians, shall make additional

reimbursement for physicians, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. * * *

(c) (i) Not later than December 1, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject * * * to approval by the Centers for Medicare and Medicaid Services (CMS) * * *, the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide the services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)). The State Department of Health as the agency for PHRM/ISS for the Division of Medicaid shall be reimbursed on a full reasonable cost basis.

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of

Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services * * * as determined by the division.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services * * * as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members

of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars (\$700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare, as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care

services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waived program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division *** may establish copayments and/or coinsurance for *** any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue.

(B) * * * [Deleted]

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) [Deleted]

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any

fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

- (1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;
- (2) Reducing reimbursement rates for any or all service types;
- (3) Imposing additional assessments on health care providers; or
- (4) Any additional cost-containment measures deemed appropriate by the Governor.

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in * * * accordance with federal law and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. Managed care programs, coordinated care programs, coordinated care organization programs, health maintenance organization programs, patient-centered medical home programs, accountable care organization programs, provider-sponsored health plans, or any combination of the above programs or other similar programs implemented by the division under this section shall be limited to the greater of (i) forty-five percent (45%) of the total enrollment of Medicaid beneficiaries, or (ii) the categories of beneficiaries participating in the program as of January 1, 2014, plus the categories of beneficiaries composed primarily of persons younger than nineteen (19) years of age, and the division is authorized to enroll categories of beneficiaries in such program(s) as long as the appropriate limitations are not exceeded in the aggregate. As a condition for the approval of any program under this subsection (H)(1), the division shall require that no program may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar

contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program * * *. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d).

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers. * * *

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid managed care program authorized under this subsection (H) shall include only those categories of recipients eligible for participation in the Medicaid managed care program as of January 1, 2019, and the Children's Health Insurance Program (CHIP) and CMS approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid managed care program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature. * * *

* * *

(3) Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care (including the Level of Care Utilization System [LOCUS], Child and Adolescent Level of Care Utilization System [CALOCUS] and the American Society of Addiction Medicine [ASAM], Child and Adolescent Service Intensity Instrument [CASSI]). Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those level of care guidelines.

(4) (a) Any contractors providing direct patient care under a managed care program established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairman of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to *** program reviews or audits performed by the Office of the State Auditor, the PEER Committee and/or an independent third party that has no existing contractual relationship with the division.

(c) Those reviews or audits shall *** include, but not be limited to, at least one (1) of the following items ***:

(i) The financial benefit to the State of Mississippi of the managed care program ***;

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers ***;

(iii) Compliance with performance measures required under the contracts ***;

(iv) Administrative expense allocation methodologies;

(v) Whether nonprovider payments assigned as medical expenses are appropriate;

(vi) Capitated arrangements with related party subcontractors;

(vii) Reasonableness of corporate allocations;

(viii) Value-added benefits and the extent to which they are used;

(ix) The effectiveness of subcontractor oversight, including subcontractor review;

(x) *** Whether *** health care outcomes *** have been improved; and

(xi) *** The most common claim denial codes to determine the reasons for the denials.

*** These review or audit reports shall be considered *** public documents and shall be posted in *** their entirety on the division's website.

(5) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(6) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(7) *** (a) Not later than December 1, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing and enrollment process for providers. Under that uniform credentialing and enrollment process, a

provider who meets the criteria for credentialing will be credentialed and enrolled with all of those contractors and no such provider will have to be separately credentialed or enrolled by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing and enrollment process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing and enrollment process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing and enrollment process by which all providers will be credentialed and enrolled. Under the division's single, consolidated credentialing and enrollment process, no such contractor shall require its providers to be separately credentialed or enrolled by the *** contractor in order to receive reimbursement from the *** contractor, but those *** contractors shall recognize the credentialing and enrollment of the providers by the division's credentialing and enrollment process.

(c) Not later than sixty (60) days after a provider has submitted all required information necessary for credentialing and enrollment under the uniform credentialing and enrollment process implemented under paragraph (a) or the single, consolidated credentialing and enrollment process implemented under paragraph (b), the provider shall be credentialed and enrolled by all of the contractors. If the contractors do not credential or enroll a provider who has submitted all required information within sixty (60) days of receiving the information, the provider shall be deemed to be credentialed and enrolled with the contractors and eligible to receive reimbursement from the contractors.

(8) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed explanation of the reasons for the denial of coverage of the procedure and the name and the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days.

(9) The division is authorized to make not more than two (2) emergency extensions of the contracts that are in effect on the effective date of this act with contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H), as provided in this paragraph (8). The maximum period of any such extension shall be one (1) year, and under any such extensions the contractors shall be subject to all of the provisions of this subsection (H) as amended by House Bill No. 1008, 2021 Regular Session, and the extended contracts shall be revised to incorporate those provisions.

(10) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H).

(11) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established under this subsection (H).

(12) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the chairmen of the House and Senate Medicaid Committees and House and Senate Public Health committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(I) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) This section shall stand repealed on July 1, * * * 2022.

SECTION 8. Section 43-13-117.1, Mississippi Code of 1972, is amended as follows:

43-13-117.1. It is the intent of the Legislature to expand access to Medicaid-funded home- and community-based services for eligible nursing facility residents who choose those services. The Executive Director of the Division of Medicaid is authorized to transfer funds allocated for nursing facility services for eligible residents to cover the cost of services available through the Independent Living Waiver, the Traumatic Brain Injury/Spinal Cord Injury Waiver, the Elderly and Disabled Waiver, and the Assisted Living Waiver programs when eligible residents choose those community services. The amount of funding transferred by the division shall be sufficient to cover the cost of home- and community-based waiver services for each eligible nursing facility * * * resident who * * * chooses those services. The number of nursing facility residents who return to the community and home- and community-based waiver services shall not count against the total number of waiver slots for which the Legislature appropriates funding each year. Any funds remaining in the program when a former nursing facility resident ceases to participate in a home- and community-based waiver program under this provision shall be returned to nursing facility funding.

SECTION 9. Section 43-13-120, Mississippi Code of 1972, is brought forward as follows:

43-13-120. (1) Any person who is a Medicaid recipient and is receiving medical assistance for services provided in a long-term care facility under the provisions of Section 43-13-117 from the Division of Medicaid in the Office of the Governor, who dies intestate and leaves no known heirs, shall have deemed, through his acceptance of such medical assistance, the Division of Medicaid as his beneficiary to all such funds in an amount not to exceed Two Hundred Fifty Dollars (\$250.00) which are in his possession at the time of

his death. Such funds, together with any accrued interest thereon, shall be reported by the long-term care facility to the State Treasurer in the manner provided in subsection (2).

(2) The report of such funds shall be verified, shall be on a form prescribed or approved by the Treasurer, and shall include (a) the name of the deceased person and his last known address prior to entering the long-term care facility; (b) the name and last known address of each person who may possess an interest in such funds; and (c) any other information which the Treasurer prescribes by regulation as necessary for the administration of this section. The report shall be filed with the Treasurer prior to November 1 of each year in which the long-term care facility has provided services to a person or persons having funds to which this section applies.

(3) Within one hundred twenty (120) days from November 1 of each year in which a report is made pursuant to subsection (2), the Treasurer shall cause notice to be published in a newspaper having general circulation in the county of this state in which is located the last known address of the person or persons named in the report who may possess an interest in such funds, or if no such person is named in the report, in the county in which is located the last known address of the deceased person prior to entering the long-term care facility. If no address is given in the report or if the address is outside of this state, the notice shall be published in a newspaper having general circulation in the county in which the facility is located. The notice shall contain (a) the name of the deceased person; (b) his last known address prior to entering the facility; (c) the name and last known address of each person named in the report who may possess an interest in such funds; and (d) a statement that any person possessing an interest in such funds must make a claim therefor to the Treasurer within ninety (90) days after such publication date or the funds will become the property of the State of Mississippi. In any year in which the Treasurer publishes a notice of abandoned property under Section 89-12-27, the Treasurer may combine the notice required by this section with the notice of abandoned property. The cost to the Treasurer of publishing the notice required by this section shall be paid by the Division of Medicaid.

(4) Each long-term care facility that makes a report of funds of a deceased person under this section shall pay over and deliver such funds, together with any accrued interest thereon, to the Treasurer not later than ten (10) days after notice of such funds has been published by the Treasurer as provided in subsection (3). If a claim to such funds is not made by any person having an interest therein within ninety (90) days of the published notice, the Treasurer shall place such funds in the special account in the State Treasury to the credit of the "Governor's Office - Division of Medicaid" to be expended by the Division of Medicaid for the purposes provided under Mississippi Medicaid Law.

(5) This section shall not be applicable to any Medicaid patient in a long-term care facility of a state institution listed in Section 41-7-73, who has a personal deposit fund as provided for in Section 41-7-90.

SECTION 10. Section 43-13-121, Mississippi Code of 1972, is brought forward as follows:

43-13-121. (1) The division shall administer the Medicaid program under the provisions of this article, and may do the following:

(a) Adopt and promulgate reasonable rules, regulations and standards, with approval of the Governor, and in accordance with the Administrative Procedures Law, Section 25-43-1.101 et seq.:

(i) Establishing methods and procedures as may be necessary for the proper and efficient administration of this article;

(ii) Providing Medicaid to all qualified recipients under the provisions of this article as the division may determine and within the limits of appropriated funds;

(iii) Establishing reasonable fees, charges and rates for medical services and drugs; in doing so, the division shall fix all of those fees, charges and rates at the minimum levels absolutely necessary to provide the medical assistance authorized by this article, and shall not change any of those fees, charges or rates except as may be authorized in Section 43-13-117;

(iv) Providing for fair and impartial hearings;

(v) Providing safeguards for preserving the confidentiality of records;
and

(vi) For detecting and processing fraudulent practices and abuses of the program;

(b) Receive and expend state, federal and other funds in accordance with court judgments or settlements and agreements between the State of Mississippi and the federal government, the rules and regulations promulgated by the division, with the approval of the Governor, and within the limitations and restrictions of this article and within the limits of funds available for that purpose;

(c) Subject to the limits imposed by this article, to submit a Medicaid plan to the United States Department of Health and Human Services for approval under the provisions of the federal Social Security Act, to act for the state in making negotiations relative to the submission and approval of that plan, to make such arrangements, not inconsistent with the law, as may be required by or under federal law to obtain and retain that approval and to secure for the state the benefits of the provisions of that law.

No agreements, specifically including the general plan for the operation of the Medicaid program in this state, shall be made by and between the division and the United States Department of Health and Human Services unless the Attorney General of the State of Mississippi has reviewed the agreements, specifically including the operational plan, and has certified in writing to the Governor and to the executive director of the division that the agreements, including the plan of operation, have been drawn strictly in accordance with the terms and requirements of this article;

(d) In accordance with the purposes and intent of this article and in compliance with its provisions, provide for aged persons otherwise eligible for the benefits provided under Title XVIII of the federal Social Security Act by expenditure of funds available for those purposes;

(e) To make reports to the United States Department of Health and Human Services as from time to time may be required by that federal department and to the Mississippi Legislature as provided in this section;

(f) Define and determine the scope, duration and amount of Medicaid that may be provided in accordance with this article and establish priorities therefor in conformity with this article;

(g) Cooperate and contract with other state agencies for the purpose of coordinating Medicaid provided under this article and eliminating duplication and inefficiency in the Medicaid program;

(h) Adopt and use an official seal of the division;

(i) Sue in its own name on behalf of the State of Mississippi and employ legal counsel on a contingency basis with the approval of the Attorney General;

(j) To recover any and all payments incorrectly made by the division to a recipient or provider from the recipient or provider receiving the payments. The division shall be authorized to collect any overpayments to providers sixty (60) days after the conclusion of any administrative appeal unless the matter is appealed to a court of proper jurisdiction and bond is posted. Any appeal filed after July 1, 2015, shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi, within sixty (60) days after the date that the division has notified the provider by certified mail sent to the proper address of the provider on file with the division and the provider has signed for the certified mail notice, or sixty (60) days after the date of the final decision if the provider does not sign for the certified mail notice. To recover those payments, the division may use the following methods, in addition to any other methods available to the division:

(i) The division shall report to the Department of Revenue the name of any current or former Medicaid recipient who has received medical services rendered during a period of established Medicaid ineligibility and who has not reimbursed the division for the related medical service payment(s). The Department of Revenue shall withhold from the state tax refund of the individual, and pay to the division, the amount of the payment(s) for medical services rendered to the ineligible individual that have not been reimbursed to the division for the related medical service payment(s).

(ii) The division shall report to the Department of Revenue the name of any Medicaid provider to whom payments were incorrectly made that the division has not been able to recover by other methods available to the division. The Department of Revenue shall withhold from the state tax refund of the provider, and pay to the division, the amount of the payments that were incorrectly made to the provider that have not been recovered by other available methods;

(k) To recover any and all payments by the division fraudulently obtained by a recipient or provider. Additionally, if recovery of any payments fraudulently obtained by a recipient or provider is made in any court, then, upon motion of the Governor, the judge of the court may award twice the payments recovered as damages;

(l) Have full, complete and plenary power and authority to conduct such investigations as it may deem necessary and requisite of alleged or suspected violations or abuses of the provisions of this article or of the regulations adopted under this article, including, but not limited to, fraudulent or unlawful act or deed by applicants for Medicaid or other benefits, or payments made to any person, firm or corporation under the terms, conditions and authority of this article, to suspend or disqualify any provider of services, applicant or recipient for gross abuse, fraudulent or unlawful acts for such periods, including permanently, and under such conditions as the division deems proper and just, including the imposition of a legal rate of interest on the amount improperly or incorrectly paid. Recipients who are found to have misused or abused Medicaid benefits may be locked into one (1) physician and/or one (1) pharmacy of the recipient's choice for a reasonable amount of time in order to educate and promote appropriate use of medical services, in accordance with federal regulations. If an administrative hearing becomes necessary, the division may, if the provider does not succeed in his or her defense, tax the costs of the administrative hearing, including the costs of the court reporter or stenographer and transcript, to the provider. The convictions of a recipient or a provider in a state or federal court for abuse, fraudulent or unlawful acts under this chapter shall constitute an automatic disqualification of the recipient or automatic disqualification of the provider from participation under the Medicaid program.

A conviction, for the purposes of this chapter, shall include a judgment entered on a plea of nolo contendere or a nonadjudicated guilty plea and shall have the same force as a judgment entered pursuant to a guilty plea or a conviction following trial. A certified copy of the judgment of the court of competent jurisdiction of the conviction shall constitute prima facie evidence of the conviction for disqualification purposes;

(m) Establish and provide such methods of administration as may be necessary for the proper and efficient operation of the Medicaid program, fully utilizing computer equipment as may be necessary to oversee and control all current expenditures for purposes of this article, and to closely monitor and supervise all recipient payments and vendors rendering services under this article. Notwithstanding any other provision of state law, the division is authorized to enter into a ten-year contract(s) with a vendor(s) to provide services described in this paragraph (m). Notwithstanding any provision of law to the contrary, the division is authorized to extend its Medicaid Management Information System, including all related components and services, and Decision Support System, including all related components and services, contracts in effect on June 30, 2020, for a period not to exceed two (2) years without complying with state procurement regulations;

(n) To cooperate and contract with the federal government for the purpose of providing Medicaid to Vietnamese and Cambodian refugees, under the provisions of Public Law 94-23 and Public Law 94-24, including any amendments to those laws, only to the extent that the Medicaid assistance and the administrative cost related thereto are one hundred percent (100%) reimbursable by the federal government. For the purposes of Section 43-13-117, persons receiving Medicaid under Public Law 94-23 and Public Law 94-24, including any amendments to those laws, shall not be considered a new group or category of recipient; and

(o) The division shall impose penalties upon Medicaid only, Title XIX participating long-term care facilities found to be in noncompliance with division and certification standards in accordance with federal and state regulations, including interest at the same rate calculated by the United States Department of Health and Human Services and/or the Centers for Medicare and Medicaid Services (CMS) under federal regulations.

(2) The division also shall exercise such additional powers and perform such other duties as may be conferred upon the division by act of the Legislature.

(3) The division, and the State Department of Health as the agency for licensure of health care facilities and certification and inspection for the Medicaid and/or Medicare programs, shall contract for or otherwise provide for the consolidation of on-site inspections of health care facilities that are necessitated by the respective programs and functions of the division and the department.

(4) The division and its hearing officers shall have power to preserve and enforce order during hearings; to issue subpoenas for, to administer oaths to and to compel the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions before any designated individual competent to administer oaths; to examine witnesses; and to do all things conformable to law that may be necessary to enable them effectively to discharge the duties of their office. In compelling the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions, as authorized by this section, the division or its hearing officers may designate an individual employed by the division or some other suitable person to execute and return that process, whose action in executing and returning that process shall be as lawful as if done by the sheriff or some other proper officer authorized to execute and return process in the county where the witness may reside. In carrying out the investigatory powers under the provisions of this article, the executive director or other designated person or persons may examine, obtain, copy or reproduce the books, papers, documents, medical charts, prescriptions and other records relating to medical care and services furnished by the provider to a recipient or designated recipients of Medicaid services under investigation. In the absence of the voluntary submission of the books, papers, documents, medical charts, prescriptions and other records, the Governor, the executive director, or other designated person may issue and serve subpoenas instantly upon the provider, his or her agent, servant or employee for the production of the books, papers, documents, medical charts, prescriptions or other records during an audit or investigation of the provider. If any provider or his or her agent,

servant or employee refuses to produce the records after being duly subpoenaed, the executive director may certify those facts and institute contempt proceedings in the manner, time and place as authorized by law for administrative proceedings. As an additional remedy, the division may recover all amounts paid to the provider covering the period of the audit or investigation, inclusive of a legal rate of interest and a reasonable attorney's fee and costs of court if suit becomes necessary. Division staff shall have immediate access to the provider's physical location, facilities, records, documents, books, and any other records relating to medical care and services rendered to recipients during regular business hours.

(5) If any person in proceedings before the division disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the hearing, or neglects to produce, after having been ordered to do so, any pertinent book, paper or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take the oath as a witness, or after having taken the oath refuses to be examined according to law, the executive director shall certify the facts to any court having jurisdiction in the place in which it is sitting, and the court shall thereupon, in a summary manner, hear the evidence as to the acts complained of, and if the evidence so warrants, punish that person in the same manner and to the same extent as for a contempt committed before the court, or commit that person upon the same condition as if the doing of the forbidden act had occurred with reference to the process of, or in the presence of, the court.

(6) In suspending or terminating any provider from participation in the Medicaid program, the division shall preclude the provider from submitting claims for payment, either personally or through any clinic, group, corporation or other association to the division or its fiscal agents for any services or supplies provided under the Medicaid program except for those services or supplies provided before the suspension or termination. No clinic, group, corporation or other association that is a provider of services shall submit claims for payment to the division or its fiscal agents for any services or supplies provided by a person within that organization who has been suspended or terminated from participation in the Medicaid program except for those services or supplies provided before the suspension or termination. When this provision is violated by a provider of services that is a clinic, group, corporation or other association, the division may suspend or terminate that organization from participation. Suspension may be applied by the division to all known affiliates of a provider, provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and circumstances. The violation, failure or inadequacy of performance may be imputed to a person with whom the provider is affiliated where that conduct was accomplished within the course of his or her official duty or was effectuated by him or her with the knowledge or approval of that person.

(7) The division may deny or revoke enrollment in the Medicaid program to a provider if any of the following are found to be applicable to the provider, his or her agent, a managing employee or any person having an ownership interest equal to five percent (5%) or greater in the provider:

(a) Failure to truthfully or fully disclose any and all information required, or the concealment of any and all information required, on a claim, a provider application or a provider agreement, or the making of a false or misleading statement to the division relative to the Medicaid program.

(b) Previous or current exclusion, suspension, termination from or the involuntary withdrawing from participation in the Medicaid program, any other state's Medicaid program, Medicare or any other public or private health or health insurance program. If the division ascertains that a provider has been convicted of a felony under federal or state law for an offense that the division determines is detrimental to the best interest of the program or of Medicaid beneficiaries, the division may refuse to enter into

an agreement with that provider, or may terminate or refuse to renew an existing agreement.

(c) Conviction under federal or state law of a criminal offense relating to the delivery of any goods, services or supplies, including the performance of management or administrative services relating to the delivery of the goods, services or supplies, under the Medicaid program, any other state's Medicaid program, Medicare or any other public or private health or health insurance program.

(d) Conviction under federal or state law of a criminal offense relating to the neglect or abuse of a patient in connection with the delivery of any goods, services or supplies.

(e) Conviction under federal or state law of a criminal offense relating to the unlawful manufacture, distribution, prescription or dispensing of a controlled substance.

(f) Conviction under federal or state law of a criminal offense relating to fraud, theft, embezzlement, breach of fiduciary responsibility or other financial misconduct.

(g) Conviction under federal or state law of a criminal offense punishable by imprisonment of a year or more that involves moral turpitude, or acts against the elderly, children or infirm.

(h) Conviction under federal or state law of a criminal offense in connection with the interference or obstruction of any investigation into any criminal offense listed in paragraphs (c) through (i) of this subsection.

(i) Sanction for a violation of federal or state laws or rules relative to the Medicaid program, any other state's Medicaid program, Medicare or any other public health care or health insurance program.

(j) Revocation of license or certification.

(k) Failure to pay recovery properly assessed or pursuant to an approved repayment schedule under the Medicaid program.

(l) Failure to meet any condition of enrollment.

SECTION 11. Section 43-13-123, Mississippi Code of 1972, is brought forward as follows:

43-13-123. The determination of the method of providing payment of claims under this article shall be made by the division, with approval of the Governor, which methods may be:

(a) By contract with insurance companies licensed to do business in the State of Mississippi or with nonprofit hospital service corporations, medical or dental service corporations, authorized to do business in Mississippi to underwrite on an insured premium approach, such medical assistance benefits as may be available, and any carrier selected under the provisions of this article is expressly authorized and empowered to undertake the performance of the requirements of that contract.

(b) By contract with an insurance company licensed to do business in the State of Mississippi or with nonprofit hospital service, medical or dental service organizations, or other organizations including data processing companies, authorized to do business in Mississippi to act as fiscal agent.

The division shall obtain services to be provided under either of the above-described provisions in accordance with the Personal Service Contract Review Board Procurement Regulations.

The authorization of the foregoing methods shall not preclude other methods of providing payment of claims through direct operation of the program by the state or its agencies.

SECTION 12. Section 43-13-125, Mississippi Code of 1972, is brought forward as follows:

43-13-125. (1) If Medicaid is provided to a recipient under this article for injuries, disease or sickness caused under circumstances creating a cause of action in favor of the recipient against any person, firm, corporation, political subdivision or other state agency, then the division shall be entitled to recover the proceeds that may result from the exercise of any rights of recovery that the recipient may have against any such person, firm, corporation, political subdivision or other state agency, to the extent of the Division of Medicaid's interest on behalf of the recipient. The recipient shall execute and deliver instruments and papers to do whatever is necessary to secure those rights and shall do nothing after Medicaid is provided to prejudice the subrogation rights of the division. Court orders or agreements for reimbursement of Medicaid's interest shall direct those payments to the Division of Medicaid, which shall be authorized to endorse any and all, including, but not limited to, multipayee checks, drafts, money orders, or other negotiable instruments representing Medicaid payment recoveries that are received. In accordance with Section 43-13-305, endorsement of multipayee checks, drafts, money orders or other negotiable instruments by the Division of Medicaid shall be deemed endorsed by the recipient. All payments must be remitted to the division within sixty (60) days from the date of a settlement or the entry of a final judgment; failure to do so hereby authorizes the division to assert its rights under Sections 43-13-307 and 43-13-315, plus interest.

The division, with the approval of the Governor, may compromise or settle any such claim and execute a release of any claim it has by virtue of this section at the division's sole discretion. Nothing in this section shall be construed to require the Division of Medicaid to compromise any such claim.

(2) The acceptance of Medicaid under this article or the making of a claim under this article shall not affect the right of a recipient or his or her legal representative to recover Medicaid's interest as an element of damages in any action at law; however, a copy of the pleadings shall be certified to the division at the time of the institution of suit, and proof of that notice shall be filed of record in that action. The division may, at any time before the trial on the facts, join in that action or may intervene in that action. Any amount recovered by a recipient or his or her legal representative shall be applied as follows:

(a) The reasonable costs of the collection, including attorney's fees, as approved and allowed by the court in which that action is pending, or in case of settlement without suit, by the legal representative of the division;

(b) The amount of Medicaid's interest on behalf of the recipient; or such amount as may be arrived at by the legal representative of the division and the recipient's attorney; and

(c) Any excess shall be awarded to the recipient.

(3) No compromise of any claim by the recipient or his or her legal representative shall be binding upon or affect the rights of the division against the third party unless the division, with the approval of the Governor, has entered into the compromise in writing. The recipient or his or her legal representative maintain the absolute duty to notify the division of the institution of legal proceedings, and the third party and his or her insurer

maintain the absolute duty to notify the division of a proposed compromise for which the division has an interest. The aforementioned absolute duties may not be delegated or assigned by contract or otherwise. Any compromise effected by the recipient or his or her legal representative with the third party in the absence of advance notification to and approved by the division shall constitute conclusive evidence of the liability of the third party, and the division, in litigating its claim against the third party, shall be required only to prove the amount and correctness of its claim relating to the injury, disease or sickness. If the recipient or his or her legal representative fails to notify the division of the institution of legal proceedings against a third party for which the division has a cause of action, the facts relating to negligence and the liability of the third party, if judgment is rendered for the recipient, shall constitute conclusive evidence of liability in a subsequent action maintained by the division and only the amount and correctness of the division's claim relating to injuries, disease or sickness shall be tried before the court. The division shall be authorized in bringing that action against the third party and his or her insurer jointly or against the insurer alone.

(4) Nothing in this section shall be construed to diminish or otherwise restrict the subrogation rights of the Division of Medicaid against a third party for Medicaid provided by the Division of Medicaid to the recipient as a result of injuries, disease or sickness caused under circumstances creating a cause of action in favor of the recipient against such a third party.

(5) Any amounts recovered by the division under this section shall, by the division, be placed to the credit of the funds appropriated for benefits under this article proportionate to the amounts provided by the state and federal governments respectively.

SECTION 13. Section 43-13-139, Mississippi Code of 1972, is brought forward as follows:

43-13-139. Nothing contained in this article shall be construed to prevent the Governor, in his discretion, from discontinuing or limiting medical assistance to any individuals who are classified or deemed to be within any optional group or optional category of recipients as prescribed under Title XIX of the federal Social Security Act or the implementing federal regulations. If the Congress or the United States Department of Health and Human Services ceases to provide federal matching funds for any group or category of recipients or any type of care and services, the division shall cease state funding for such group or category or such type of care and services, notwithstanding any provision of this article.

SECTION 14. Section 43-13-145, Mississippi Code of 1972, is amended as follows:

43-13-145. (1) (a) Upon each nursing facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A nursing facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The State Veterans Affairs Board; or

(iii) The University of Mississippi Medical Center.

(2) (a) Upon each intermediate care facility for individuals with intellectual disabilities licensed by the State of Mississippi, there is levied an assessment in an

amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) An intermediate care facility for individuals with intellectual disabilities is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The State Veterans Affairs Board; or

(iii) The University of Mississippi Medical Center.

(3) (a) Upon each psychiatric residential treatment facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A psychiatric residential treatment facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The University of Mississippi Medical Center; or

(iii) A state agency or a state facility that either provides its own state match through intergovernmental transfer or certification of funds to the division.

(4) Hospital assessment.

(a) (i) Subject to and upon fulfillment of the requirements and conditions of paragraph (f) below, and notwithstanding any other provisions of this section, * * * an annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing the sum prescribed in this subparagraph (i), plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and Medicare Upper Payment Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-13-117(A)(18), by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals, except as provided in paragraph (d) below. If the state matching funds percentage for the Mississippi Medicaid program is sixteen percent (16%) or less, the sum used in the formula under this subparagraph (i) shall be Seventy-four Million Dollars (\$74,000,000.00). If the state matching funds percentage for the Mississippi Medicaid program is twenty-four percent (24%) or higher, the sum used in the formula under this subparagraph (i) shall be One Hundred Four Million Dollars (\$104,000,000.00). If the state matching funds percentage for the Mississippi Medicaid program is between sixteen percent (16%) and twenty-four percent (24%), the sum used in the formula under this subparagraph (i) shall be a pro rata amount determined as follows: the current state matching funds percentage rate minus sixteen percent (16%) divided by eight percent (8%) multiplied by Thirty Million Dollars (\$30,000,000.00) and add that amount to Seventy-four Million Dollars (\$74,000,000.00). However, no assessment in a quarter under this subparagraph (i) may exceed the assessment in the previous quarter by more than Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000.00) (which would be Fifteen Million Dollars (\$15,000,000.00) on an annualized basis). The division shall publish the state matching funds percentage rate applicable to the Mississippi Medicaid program on the tenth day of the first month of each quarter and the assessment determined under the formula prescribed above shall be applicable in the quarter following

any adjustment in that state matching funds percentage rate. The division shall notify each hospital licensed in the state as to any projected increases or decreases in the assessment determined under this subparagraph (i). However, if the Centers for Medicare and Medicaid Services (CMS) does not approve the provision in Section 43-13-117(39) requiring the division to reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B for dually eligible beneficiaries in the same manner that was in effect on January 1, 2008, the sum that otherwise would have been used in the formula under this subparagraph (i) shall be reduced by Seven Million Dollars (\$7,000,000.00).

(ii) In addition to the assessment provided under subparagraph (i), * * * an additional annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing twenty-five percent (25%) of any provider reductions in the Medicaid program as authorized in Section 43-13-117(F) for that fiscal year up to the following maximum amount, plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and inpatient Medicare Upper Payment Limits (UPL) Program payments and inpatient hospital access payments, by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals: in fiscal year 2010, the maximum amount shall be Twenty-four Million Dollars (\$24,000,000.00); in fiscal year 2011, the maximum amount shall be Thirty-two Million Dollars (\$32,000,000.00); and in fiscal year 2012 and thereafter, the maximum amount shall be Forty Million Dollars (\$40,000,000.00). Any such deficit in the Medicaid program shall be reviewed by the PEER Committee as provided in Section 43-13-117(F).

(iii) In addition to the assessments provided in subparagraphs (i) and (ii), * * * an additional annual assessment on each hospital licensed in the state is imposed pursuant to the provisions of Section 43-13-117(F) if the cost containment measures described therein have been implemented and there are insufficient funds in the Health Care Trust Fund to reconcile any remaining deficit in any fiscal year. If the Governor institutes any other additional cost containment measures on any program or programs authorized under the Medicaid program pursuant to Section 43-13-117(F), hospitals shall be responsible for twenty-five percent (25%) of any such additional imposed provider cuts, which shall be in the form of an additional assessment not to exceed the twenty-five percent (25%) of provider expenditure reductions. Such additional assessment shall be imposed on each non-Medicare hospital inpatient day in the same manner as assessments are imposed under subparagraphs (i) and (ii).

(b) * * * Definitions.

* * *

For purposes of this subsection (4):

* * *(i) "Non-Medicare hospital inpatient day" means total hospital inpatient days including subcomponent days less Medicare inpatient days including subcomponent days from the hospital's most recent Medicare cost report for the second calendar year preceding the beginning of the state fiscal year, on file with CMS per the CMS HCRIS database, or cost report submitted to the Division if the HCRIS database is not available to the division, as of June 1 of each year.

* * *1. Total hospital inpatient days shall be the sum of Worksheet S-3, Part 1, column 8 row 14, column 8 row 16, and column 8 row 17, excluding column 8 rows 5 and 6.

* * *2. Hospital Medicare inpatient days shall be the sum of Worksheet S-3, Part 1, column 6 row 14, column 6 row 16.00, and column 6 row 17, excluding column 6 rows 5 and 6.

* * *3. Inpatient days shall not include residential treatment or long-term care days.

* * *(ii) "Subcomponent inpatient day" means the number of days of care charged to a beneficiary for inpatient hospital rehabilitation and psychiatric care services in units of full days. A day begins at midnight and ends twenty-four (24) hours later. A part of a day, including the day of admission and day on which a patient returns from leave of absence, counts as a full day. However, the day of discharge, death, or a day on which a patient begins a leave of absence is not counted as a day unless discharge or death occur on the day of admission. If admission and discharge or death occur on the same day, the day is considered a day of admission and counts as one (1) subcomponent inpatient day.

(c) The assessment provided in this subsection is intended to satisfy and not be in addition to the assessment and intergovernmental transfers provided in Section 43-13-117(A)(18). Nothing in this section shall be construed to authorize any state agency, division or department, or county, municipality or other local governmental unit to license for revenue, levy or impose any other tax, fee or assessment upon hospitals in this state not authorized by a specific statute.

(d) Hospitals operated by the United States Department of Veterans Affairs and state-operated facilities that provide only inpatient and outpatient psychiatric services shall not be subject to the hospital assessment provided in this subsection.

(e) Multihospital systems, closure, merger, change of ownership and new hospitals.

(i) If a hospital conducts, operates or maintains more than one (1) hospital licensed by the State Department of Health, the provider shall pay the hospital assessment for each hospital separately.

(ii) Notwithstanding any other provision in this section, if a hospital subject to this assessment operates or conducts business only for a portion of a fiscal year, the assessment for the state fiscal year shall be adjusted by multiplying the assessment by a fraction, the numerator of which is the number of days in the year during which the hospital operates, and the denominator of which is three hundred sixty-five (365). Immediately upon ceasing to operate, the hospital shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(iii) The division shall determine the tax for new hospitals and hospitals that undergo a change of ownership in accordance with this section, using the best available information, as determined by the division.

(f) Applicability.

The hospital assessment imposed by this subsection shall not take effect and/or shall cease to be imposed if:

(i) The assessment is determined to be an impermissible tax under Title XIX of the Social Security Act; or

(ii) CMS revokes its approval of the division's 2009 Medicaid State Plan Amendment for the methodology for DSH payments to hospitals under Section 43-13-117(A)(18).

* * *

(5) Each health care facility that is subject to the provisions of this section shall keep and preserve such suitable books and records as may be necessary to determine

the amount of assessment for which it is liable under this section. The books and records shall be kept and preserved for a period of not less than five (5) years, during which time those books and records shall be open for examination during business hours by the division, the Department of Revenue, the Office of the Attorney General and the State Department of Health.

(6) * * * [Deleted]

(7) All assessments collected under this section shall be deposited in the Medical Care Fund created by Section 43-13-143.

(8) The assessment levied under this section shall be in addition to any other assessments, taxes or fees levied by law, and the assessment shall constitute a debt due the State of Mississippi from the time the assessment is due until it is paid.

(9) (a) If a health care facility that is liable for payment of an assessment levied by the division does not pay the assessment when it is due, the division shall give written notice to the health care facility * * * demanding payment of the assessment within ten (10) days from the date of delivery of the notice. If the health care facility fails or refuses to pay the assessment after receiving the notice and demand from the division, the division shall withhold from any Medicaid reimbursement payments that are due to the health care facility the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. If the health care facility does not participate in the Medicaid program, the division shall turn over to the Office of the Attorney General the collection of the unpaid assessment by civil action. In any such civil action, the Office of the Attorney General shall collect the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full.

(b) As an additional or alternative method for collecting unpaid assessments levied by the division, if a health care facility fails or refuses to pay the assessment after receiving notice and demand from the division, the division may file a notice of a tax lien with the chancery clerk of the county in which the health care facility is located, for the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. Immediately upon receipt of notice of the tax lien for the assessment, the chancery clerk shall forward the notice to the circuit clerk who shall enter the notice of the tax lien as a judgment upon the judgment roll and show in the appropriate columns the name of the health care facility as judgment debtor, the name of the division as judgment creditor, the amount of the unpaid assessment, and the date and time of enrollment. The judgment shall be valid as against mortgagees, pledgees, entrusters, purchasers, judgment creditors and other persons from the time of filing with the clerk. The amount of the judgment shall be a debt due the State of Mississippi and remain a lien upon the tangible property of the health care facility until the judgment is satisfied. The judgment shall be the equivalent of any enrolled judgment of a court of record and shall serve as authority for the issuance of writs of execution, writs of attachment or other remedial writs.

(10) (a) To further the provisions of Section 43-13-117(A)(18), the Division of Medicaid shall submit to the Centers for Medicare and Medicaid Services (CMS) any documents regarding the hospital assessment established under subsection (4) of this section. In addition to defining the assessment established in subsection (4) of this section if necessary, the documents shall describe any * * * supplemental payment programs and/or payment methodologies as authorized in Section 43-13-117(A)(18) if necessary.

(b) All hospitals satisfying the minimum federal DSH eligibility requirements (Section 1923(d) of the Social Security Act) may, subject to OBRA 1993 payment limitations, receive a DSH payment. This DSH payment shall expend the balance of the

federal DSH allotment and associated state share not utilized in DSH payments to state-owned institutions for treatment of mental diseases. The payment to each hospital shall be calculated by applying a uniform percentage to the uninsured costs of each eligible hospital, excluding state-owned institutions for treatment of mental diseases; however, that percentage for a state-owned teaching hospital located in Hinds County shall be multiplied by a factor of two (2).

(11) The division shall implement DSH and supplemental payment calculation methodologies that result in the maximization of available federal funds.

(12) The DSH payments shall be paid on or before December 31, March 31, and June 30 of each fiscal year, in increments of one-third (1/3) of the total calculated DSH amounts. Supplemental payments developed pursuant to Section 43-13-117(A)(18) shall be paid monthly.

(13) * * * Payment.

(a) The hospital assessment as described in subsection (4) of this section for the nonfederal share necessary to maximize the Medicare Upper Payment Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed under Section 43-13-117(A)(18) shall be assessed and collected monthly no later than the fifteenth calendar day of each month.

(b) The hospital assessment as described in subsection (4) of this section for the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) payments shall be assessed and collected on December 15, March 15 and June 15.

(c) The annual hospital assessment and any additional hospital assessment as described in subsection (4) of this section shall be assessed and collected on September 15 and on the 15th of each month from December through June.

(14) If for any reason any part of the plan for annual DSH and supplemental payment programs to hospitals provided under subsection (10) of this section and/or developed pursuant to Section 43-13-117(A)(18) is not approved by CMS, the remainder of the plan shall remain in full force and effect.

(15) Nothing in this section shall prevent the Division of Medicaid from facilitating participation in Medicaid supplemental hospital payment programs by a hospital located in a county contiguous to the State of Mississippi that is also authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi to fund the state share of the hospital's supplemental and/or MHAP payments.

* * *

SECTION 15. This act shall take effect and be in force from and after July 1, 2021, and shall stand repealed on June 30, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO MAKE VARIOUS TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID SERVICES AND MANAGED CARE PROVISIONS; TO EXTEND THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO MAKE SEVERAL TECHNICAL AMENDMENTS AND REVISIONS TO THE MEDICAID ASSESSMENT PROVISIONS; TO DELETE THE DATE OF THE REPEALER ON THIS SECTION; TO AMEND SECTIONS 43-13-107 AND 43-13-117.1, MISSISSIPPI

CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, TO MAKE SOME MINOR, NONSUBSTANTIVE CHANGES; TO BRING FORWARD SECTIONS 43-13-103, 43-13-105, 43-13-109, 43-13-113, 43-13-116, 43-13-120, 43-13-121, 43-13-123, 43-13-125 AND 43-13-139, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MEDICAID PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2971** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		\$ 5,675,000.00
Phase I of repair and		
renovation of and		
upgrades and improvements		

to campus dormitories.....\$ 5,675,000.00

Delta State University \$ 10,800,000.00

Renovation and expansion

of and upgrades,

improvements and additions

to the Robert E. Smith

School of Nursing

Building and related

facilities.....\$ 7,800,000.00

Repair, renovation

and upgrading of

campus buildings

and facilities.....\$ 3,000,000.00

Jackson State University \$ 6,500,000.00

Phase III of repair,

renovation and

upgrading of campus

buildings, facilities,

and infrastructure.....\$ 6,000,000.00

Preplanning for

construction, furnishing

and equipping of a new

dining facility and

related facilities.....\$ 500,000.00

Mississippi State University \$ 15,000,000.00

Construction, furnishing

and equipping of a new

building and related

facilities to house the

College of Architecture,

Art and Design.....\$ 15,000,000.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary Medicine \$ 8,000,000.00

Repair and renovation of

and upgrades and

improvements to Dorman Hall

and related facilities.....\$ 8,000,000.00

Mississippi University for Women \$ 2,750,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 2,750,000.00

Mississippi Valley State University..... \$ 500,000.00

Preplanning for repair,

renovation, furnishing

and equipping of the

Charles Lackey

Recreation Center.....\$ 500,000.00

University of Mississippi \$ 12,000,000.00

Construction, furnishing

and equipping of a new

mechanical and power

plant building and related

facilities.....\$ 12,000,000.00

University of Mississippi Medical Center \$ 8,000,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 8,000,000.00

University of Southern Mississippi \$ 10,750,000.00

Repair and renovation

of Hickman Hall and

related facilities.....\$ 10,000,000.00

Preplanning and

construction, furnishing

and equipping of a new

science research facility...\$ 750,000.00

University of Southern Mississippi/Gulf

Coast Campuses \$ 5,800,000.00

Construction, furnishing

and equipping of

Executive Education

and Conference Center

and related facilities

on the Gulf Park

Campus.....	\$ 4,800,000.00	
Repair, renovation life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.....	\$ 1,000,000.00	
IHL Education and Research Center	\$ 600,000.00	
Repair and replacement of underground mechanical hot/chilled water distribution system for the Mississippi Public Broadcasting Building and sewer lines for the Paul B. Johnson Building....	\$ 600,000.00	
TOTAL	\$ 86,375,000.00	

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Three Hundred Seventy-five Thousand Dollars (\$86,375,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price

as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated

place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this act.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma	\$ 1,601,497.00
Copiah-Lincoln	1,914,389.00
East Central	1,788,372.00
East Mississippi.....	2,070,016.00
Hinds 3,858,858.00	
Holmes.....	2,670,171.00
Itawamba	2,436,346.00
Jones 2,354,904.00	
Meridian	1,932,245.00
Mississippi Delta.....	1,801,892.00
Mississippi Gulf Coast	3,410,539.00
Northeast Mississippi.....	2,052,257.00
Northwest Mississippi.....	2,937,492.00
Pearl River	2,456,481.00
Southwest Mississippi	1,714,541.00
GRAND TOTAL.....	\$35,000,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized

and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Thirty-five Million Dollars (\$35,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special funds created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are

incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such

warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 3. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-701. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Site Development Grant Fund created pursuant to Section 57-1-701. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Site Development Grant Fund created in Section 57-1-701. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 4. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned; and/or

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned.

(c) "MDA" means the Mississippi Development Authority.

(d) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; land reclamation; water supply (storage, treatment and distribution); aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, * * * Section 4 of Chapter 492, Laws of 2020, or Section 1 of this act, may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of

bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

(i) A description of the eligible expenditures for which assistance is requested;

(ii) The amount of assistance requested;

(iii) The amount and type of matching funds to be provided by the eligible entity; and

(iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 5. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-16. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Twenty Million Dollars (\$20,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the ACE Fund created pursuant to Section 57-1-16. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates

(not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ACE Fund created in Section 57-1-16. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any

resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 6. Section 57-61-25, Mississippi Code of 1972, is amended as follows:

57-61-25. (1) The seller is authorized to borrow, on the credit of the state upon receipt of a resolution from the Mississippi Development Authority requesting the same, monies not exceeding the aggregate sum of * * * Three Hundred Ninety-seven Million Five Hundred Thousand Dollars (\$397,500,000.00), not including monies borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this chapter. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this chapter, general or limited obligation bonds of the state shall be issued, from time to time, to provide monies necessary to carry out the purposes of this chapter for such total amounts, in such form, in such denominations payable in such currencies (either domestic or foreign, or both) and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than thirty (30) years from date thereof.

(3) All bonds and notes issued under authority of this chapter shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this chapter may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenues derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest, as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and secretary of the seller.

(7) The seller is authorized to provide, by resolution, for the issuance of refunding bonds for the purpose of refunding any debt issued under the provisions of this chapter and then outstanding, either by voluntary exchange with the holders of the outstanding debt or to provide funds to redeem and the costs of issuance and retirement of the debt, at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the duties of the issuing officials in respect to the same shall be governed by the provisions of this section, insofar as they may be applicable.

(8) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

(9) The proceeds of bonds issued under this chapter after April 9, 2002, may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 7. Section 57-61-36, Mississippi Code of 1972, is amended as follows:

57-61-36. (1) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Fourteen Million Five Hundred Thousand Dollars (\$14,500,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants to municipalities through a Development Infrastructure Grant Fund to complete infrastructure related to new or expanded industry.

(2) [Repealed]

(3) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize the monies transferred from the Housing Development Revolving Loan Fund and not more than * * * One Hundred Four Million One Hundred Thousand Dollars (\$104,100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants or loans to municipalities through an equipment and public facilities grant and loan fund to aid in infrastructure-related improvements as determined by the Mississippi Development Authority, the purchase of equipment and in the purchase, construction or repair and renovation of public facilities. Any bonds previously issued for the Development Infrastructure Revolving Loan Program which have not been loaned or applied for are eligible to be administered as grants or loans. In making grants and loans under this section, the Mississippi Development Authority shall attempt to provide for an equitable distribution of such grants and loans among each of the congressional districts of this state in order to promote economic development across the entire state.

The requirements of Section 57-61-9 shall not apply to any grant made under this subsection. The Mississippi Development Authority may establish criteria and guidelines to govern grants made pursuant to this subsection.

(4) [Repealed]

(5) (a) The Mississippi Development Authority may establish a Capital Access Program and may contract with any financial institution to participate in the program upon such terms and conditions as the authority shall consider necessary and proper. The Mississippi Development Authority may establish loss reserve accounts at financial

institutions that participate in the program and require payments by the financial institution and the borrower to such loss reserve accounts. All monies in such loss reserve accounts is the property of the Mississippi Development Authority.

(b) Under the Capital Access Program a participating financial institution may make a loan to any borrower the Mississippi Development Authority determines to be qualified under rules and regulations adopted by the authority and be protected against losses from such loans as provided in the program. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit claims for the reimbursement for losses incurred as a result of default on loans by qualified borrowers.

(c) Under the Capital Access Program a participating financial institution may make a loan that is secured by the assignment of the proceeds of a contract between the borrower and a public entity if the Mississippi Development Authority determines the loan to be qualified under the rules and regulations adopted by the authority. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit an application to the authority requesting that a loan secured pursuant to this paragraph be funded under the Capital Access Program.

(d) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority may utilize not more than One Million Five Hundred Fifty Thousand Dollars (\$1,550,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making payments to loan loss reserve accounts established at financial institutions that participate in the Capital Access Program established by the Mississippi Development Authority; however, any portion of the bond proceeds authorized to be utilized by this paragraph that are not utilized for making payments to loss reserve accounts may be utilized by the Mississippi Development Authority to advance funds to financial institutions that participate in the Capital Access Program pursuant to paragraph (c) of this subsection.

(6) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Hundred Thousand Dollars (\$200,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting Warren County, Mississippi, in the continuation and completion of the study for the proposed Kings Point Levee.

(7) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars (\$100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of developing a long-range plan for coordinating the resources of the state institutions of higher learning, the community and junior colleges, the Mississippi Development Authority and other state agencies in order to promote economic development in the state.

(8) Notwithstanding any other provision of this chapter to the contrary, the Mississippi Development Authority shall use not more than One Hundred Fifty Thousand Dollars (\$150,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of providing assistance to municipalities that have received Community Development Block Grant funds for repair, renovation and other improvements to buildings for use as community centers. Assistance provided to a municipality under this subsection shall be used by the municipality to match such Community Development Block Grant funds. The maximum amount of assistance that may be provided to a municipality under this subsection shall not exceed Seventy-five Thousand Dollars (\$75,000.00) in the aggregate.

(9) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Million Dollars (\$2,000,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting in paying the costs of constructing a new spillway and related bridge and dam structures at Lake Mary in Wilkinson County, Mississippi, including construction of a temporary dam and diversion canal, removing existing structures, removing and stockpiling riprap, spillway construction, dam embankment construction, road access, constructing bridges and related structures, design and construction engineering and field testing.

(10) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars (\$100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting the City of Holly Springs, Mississippi, in providing water and sewer and other infrastructure services in the Marshall, Benton and Tippah Counties area.

SECTION 8. Section 57-75-15, Mississippi Code of 1972, is amended as follows:
[Through June 30, 2022, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed * * * Eighty Million Dollars (\$80,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l) and (m) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs

incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the

best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

[From and after July 1, 2022, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed * * * Eighty Million Dollars (\$80,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed Thirty-five Million One Hundred Thousand Dollars (\$35,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed One Hundred Thirty Million Dollars (\$130,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed Eleven Million Dollars (\$11,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list

of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b), (c), (d), (e) and (f) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt); and

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall

nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the

full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj) or Section 57-75-11(vv) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

SECTION 9. Section 65-4-25, Mississippi Code of 1972, is amended as follows:

65-4-25. The Mississippi Development Authority, acting through its executive director, is authorized, at one time or from time to time, to declare by resolution the necessity for issuance of negotiable general obligation bonds of the State of Mississippi to provide funds for the Economic Development Highway Fund established in Section 65-4-15, Mississippi Code of 1972. Upon the adoption of a resolution by the Executive Director of the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, the executive director shall deliver a certified copy of his resolution or resolutions to the State Bond Commission. Upon receipt of the resolution, the State Bond Commission, in its discretion, shall act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The principal amount of bonds issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, shall not exceed * * * Three Hundred Ninety-one Million Five Hundred Thousand Dollars (\$391,500,000.00) in the aggregate. However, an additional amount of bonds may be issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, in an amount not to exceed Seven Million Dollars (\$7,000,000.00), and the proceeds of any such additional bonds issued shall be used to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(vi), Mississippi Code of 1972. An additional amount of bonds may be issued under Sections 65-4-25 through 65-4-45, in

an amount not to exceed One Million Dollars (\$1,000,000.00), the proceeds of which shall be used to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(v).

SECTION 10. Section 25, Chapter 533, Laws of 2010, as amended by Section 4, Chapter 30, Laws of 2010 Second Extraordinary Session, as amended by Section 1, Chapter 301, Laws of 2011, as amended by Section 6, Chapter 480, Laws of 2011, as amended by Section 1, Chapter 1, Laws of 2011 First Extraordinary Session, as amended by Section 8, Chapter 421, Laws of 2019, is amended as follows:

Section 25. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-221. Upon the adoption of a resolution by the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Four Hundred Seventy-eight Million Dollars (\$478,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Industry Incentive Financing Revolving Fund created pursuant to Section 57-1-221. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Industry Incentive Financing Revolving Fund created in Section 57-1-221. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 11. Section 27-7-21, Mississippi Code of 1972, is amended as follows:

27-7-21. (a) Allowance of deductions. In the case of a resident individual, the exemptions provided by this section, as applicable to individuals, shall be allowed as deductions in computing taxable income.

(b) Single individuals. In the case of a single individual, a personal exemption of Five Thousand Two Hundred Fifty Dollars (\$5,250.00) for the 1979 and 1980 calendar years * * *, Six Thousand Dollars (\$6,000.00) for each calendar year thereafter through calendar year 2021, and Thirty-seven Thousand Seven Hundred Dollars (\$37,700.00) for each calendar year thereafter.

(c) Married individuals. In the case of married individuals living together, a joint personal exemption of Eight Thousand Dollars (\$8,000.00) for the 1979 and 1980 calendar years and Nine Thousand Five Hundred Dollars (\$9,500.00) for the 1981 through 1997 calendar years, Ten Thousand Dollars (\$10,000.00) for the calendar year 1998, Eleven Thousand Dollars (\$11,000.00) for the calendar year 1999, * * * Twelve Thousand Dollars (\$12,000.00) for each calendar year thereafter through calendar year 2021, and Seventy-five Thousand Four Hundred Dollars (\$75,400.00) for each calendar year thereafter. A husband and wife living together shall receive but one (1) personal exemption in the amounts provided for in this subsection for each calendar year against their aggregate income.

(d) Head of family individuals. In the case of a head of family individual, a personal exemption of Eight Thousand Dollars (\$8,000.00) for the 1979 and 1980 calendar years * * *, Nine Thousand Five Hundred Dollars (\$9,500.00) for each calendar year thereafter through calendar year 2021, and Thirty-six Thousand Six Hundred Dollars (\$36,600.00) for each calendar year thereafter. The term "head of family" means an individual who is single, or married but not living with his spouse for the entire taxable year, who maintains a household which constitutes the principal place of abode of himself and one or more individuals who are dependents under the provisions of Section 152(a) of the Internal Revenue Code of 1954, as amended. The head of family individual shall be entitled to the additional dependent exemption as provided in subsection (e) of this section only to the extent of dependents in excess of the one (1) dependent needed to qualify as head of family.

(e) Additional exemption for dependents. In the case of any individual having a dependent, other than husband or wife, an additional personal exemption of One Thousand Five Hundred Dollars (\$1,500.00) for each such dependent, except as otherwise provided in subsection (d) of this section. The term "dependent" as used in this subsection shall mean any person or individual who qualifies as a dependent under the provisions of Section 152, Internal Revenue Code of 1954, as amended.

(f) Additional exemption for taxpayer or spouse aged sixty-five (65) or more. In the case of any taxpayer or the spouse of the taxpayer who has attained the age of

sixty-five (65) before the close of his taxable year, an additional exemption of One Thousand Five Hundred Dollars (\$1,500.00).

(g) Additional exemption for blindness of taxpayer or spouse. In the case of any taxpayer or the spouse of the taxpayer who is blind at the close of the taxable year, an additional exemption of One Thousand Five Hundred Dollars (\$1,500.00). For the purpose of this subsection, an individual is blind only if his central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than twenty (20) degrees.

(h) Husband and wife--claiming exemptions. In the case of husband and wife living together and filing combined returns, the personal and additional exemptions authorized and allowed by this section may be taken by either, or divided between them in any manner they may choose. If the husband and wife fail to choose, the commissioner shall divide the exemptions between husband and wife in an equitable manner. In the case of a husband and wife filing separate returns, the personal and additional exemptions authorized and allowed by this section shall be divided equally between the spouses.

(i) Nonresidents. A nonresident individual shall be allowed the same personal and additional exemptions as are authorized for resident individuals in subsection (a) of this section; however, the nonresident individual is entitled only to that proportion of the personal and additional exemptions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

A nonresident individual who is married and whose spouse has income from independent sources must declare the joint income of himself and his spouse from sources within and without Mississippi and claim as a personal exemption that proportion of the authorized personal and additional exemptions which the total net income from Mississippi sources bears to the total net income of both spouses from all sources. If both spouses have income from sources within Mississippi and wish to file separate returns, their combined personal and additional exemptions shall be that proration of the exemption which their combined net income from Mississippi sources is of their total combined net income from all sources. The amount of the personal and additional exemptions so computed may be divided between them in any manner they choose.

In the case of married individuals where one (1) spouse is a resident and the other is a nonresident, the personal exemption of the resident individual shall be prorated on the same basis as if both were nonresidents having net income from within and without the State of Mississippi.

For the purpose of this subsection, the term "net income" means gross income less business expenses incurred in the taxpayer's regular trade or business and computed in accordance with the provisions of the Mississippi Income Tax Law.

(j) Part-year residents. An individual who is a resident of Mississippi for only a part of his taxable year by reason of either moving into the state or moving from the state shall be allowed the same personal and additional exemptions as authorized for resident individuals in subsection (a) of this section; the part-year resident shall prorate his exemption on the same basis as nonresidents having net income from within and without the state.

(k) Estates. In the case of an estate, a specific exemption of Six Hundred Dollars (\$600.00).

(l) Trusts. In the case of a trust which, under its governing instrument, is required to distribute all of its income currently, a specific exemption of Three Hundred Dollars (\$300.00). In the case of all other trusts, a specific exemption of One Hundred Dollars (\$100.00).

(m) Corporations, foundations, joint ventures, associations. In the case of a corporation, foundation, joint venture or association taxable herein, there shall be allowed no specific exemption, except as provided under the Growth and Prosperity Act, Sections 57-113-1 through 57-113-7, and Sections 57-113-21 through 57-113-27.

(n) Status. The status on the last day of the taxable year, except in the case of the head of family as provided in subsection (d) of this section, shall determine the right to the exemptions provided in this section; provided, that a taxpayer shall be entitled to

such exemptions, otherwise allowable, if the husband or wife or dependent has died during the taxable year.

(o) Fiscal-year taxpayers. Individual taxpayers reporting on a fiscal year basis shall prorate their exemptions in a manner established by regulations promulgated by the commissioner.

(p) (i) On or before December 1, 2022, and on or before December 1 of each succeeding year, the Commissioner of Revenue shall calculate the amount of the increases in the personal exemption for single individuals, the personal exemption for married individuals, and the personal exemption for head of family individuals, that will produce a reduction in revenue equal to the tax reduction growth amount calculated as provided in paragraph (ii) of this subsection (p). The commissioner shall increase each of the personal exemptions by the amount calculated in this paragraph (i), rounded down to the nearest One Thousand Dollars (\$1,000.00) increment, and the revised personal exemption amounts calculated by the commissioner shall be effective for the next calendar year. From and after January 1 of the next succeeding year after the date that the Commissioner of Revenue certifies that the reduction in revenue mandated by this paragraph (i) equals or exceeds the remaining revenue produced by the individual income tax, the individual income tax shall stand repealed as provided in Section 27-7-5.

(ii) On or before October 1, 2022, and on or before October 1 of each succeeding year, the Legislative Budget Office shall provide to the Commissioner of Revenue the following amounts:

1. The amount of the actual general fund revenue collected during the most recent full fiscal year, excluding any funds received from a nonrecurring revenue source;

2. The amount of the actual general fund revenue collected during the fiscal year immediately preceding the most recent full fiscal year, excluding any funds received from a nonrecurring revenue source;

3. The inflation factor, which shall be determined by dividing the CPI-U for the most recent full fiscal year by the CPI-U for the fiscal year immediately preceding the most recent full fiscal year. As used in this paragraph (ii), "CPI-U" means the United States Consumer Price Index for All Urban Consumers, South Region as defined and reported by the United States Department of Labor, Bureau of Labor Statistics;

4. The adjusted inflation factor, which is the lesser of 1.015 or the inflation factor determined under subparagraph 3 of this paragraph (ii); and

5. The tax reduction growth amount for the current fiscal year, which shall be determined by:

a. Multiplying the amount of the actual general fund revenue collected during the fiscal year immediately preceding the most recent full fiscal year by the adjusted inflation factor, and

b. Subtracting the amount determined under item a of this subparagraph 5 from the amount of the actual general fund revenue collected during the most recent full fiscal year.

(iii) For the purposes of paragraph (ii)1 of this subsection (p), the amount of the actual general fund revenue collected during Fiscal Year 2022 shall be reduced by the amount of income tax paid during the months of January through June of Fiscal Year 2022 for calendar year 2021 on amounts up to Thirty-seven Thousand Seven Hundred Dollars (\$37,700.00) for single individuals, Seventy-five Thousand Four Hundred Dollars (\$75,400.00) for married individuals, and Thirty-six Thousand Six Hundred Dollars (\$36,600.00) for head of family individuals.

(q) Notwithstanding any other provision of this section, with regard to the personal exemptions authorized under this section, a taxpayer may elect to have the taxpayer's individual income tax liability for any year after calendar year 2021 assessed with the personal exemptions authorized under this section as it existed on January 1, 2021, or with the personal exemptions authorized under this section, as amended by this act.

SECTION 12. Section 27-65-17, Mississippi Code of 1972, is amended as follows:

27-65-17. (1) (a) Except as otherwise provided in this section, upon every person engaging or continuing within this state in the business of selling any tangible personal property whatsoever there is hereby levied, assessed and shall be collected a tax equal to * * * nine and one-half percent (9-1/2%) of the gross proceeds of the retail sales of the business.

(b) Retail sales of farm tractors and parts and labor used to maintain and/or repair such tractors shall be taxed at the rate of one and one-half percent (1-1/2%) when made to farmers for agricultural purposes.

(c) (i) Retail sales of farm implements sold to farmers and used directly in the production of poultry, ratite, domesticated fish as defined in Section 69-7-501, livestock, livestock products, agricultural crops or ornamental plant crops or used for other agricultural purposes, and parts and labor used to maintain and/or repair such implements, shall be taxed at the rate of one and one-half percent (1-1/2%) when used on the farm.

(ii) The one and one-half percent (1-1/2%) rate shall also apply to all equipment used in logging, pulpwood operations or tree farming, and parts and labor used to maintain and/or repair such equipment, which is either:

1. Self-propelled, or

2. Mounted so that it is permanently attached to other equipment which is self-propelled or attached to other equipment drawn by a vehicle which is self-propelled.

In order to be eligible for the rate of tax provided for in this subparagraph (ii), such sales must be made to a professional logger. For the purposes of this subparagraph (ii), a "professional logger" is a person, corporation, limited liability company or other entity, or an agent thereof, who possesses a professional logger's permit issued by the Department of Revenue and who presents the permit to the seller at the time of purchase. The department shall establish an application process for a professional logger's permit to be issued, which shall include a requirement that the applicant submit a copy of documentation verifying that the applicant is certified according to Sustainable Forestry Initiative guidelines. Upon a determination that an applicant is a professional logger, the department shall issue the applicant a numbered professional logger's permit.

(d) Except as otherwise provided in subsection (3) of this section, retail sales of aircraft, automobiles, trucks, truck-tractors, semitrailers and manufactured or mobile homes shall be taxed at the rate of * * * five and one-half percent (5-1/2%).

(e) Sales of manufacturing machinery or manufacturing machine parts when made to a manufacturer or custom processor for plant use only when the machinery and machine parts will be used exclusively and directly within this state in manufacturing a commodity for sale, rental or in processing for a fee shall be taxed at the rate of one and one-half percent (1-1/2%).

(f) Sales of machinery and machine parts when made to a technology intensive enterprise for plant use only when the machinery and machine parts will be used exclusively and directly within this state for industrial purposes, including, but not limited to, manufacturing or research and development activities, shall be taxed at the rate of one and one-half percent (1-1/2%). In order to be considered a technology intensive enterprise for purposes of this paragraph:

(i) The enterprise shall meet minimum criteria established by the Mississippi Development Authority;

(ii) The enterprise shall employ at least ten (10) persons in full-time jobs;

(iii) At least ten percent (10%) of the workforce in the facility operated by the enterprise shall be scientists, engineers or computer specialists;

(iv) The enterprise shall manufacture plastics, chemicals, automobiles, aircraft, computers or electronics; or shall be a research and development facility, a computer design or related facility, or a software publishing facility or other technology intensive facility or enterprise as determined by the Mississippi Development Authority;

(v) The average wage of all workers employed by the enterprise at the facility shall be at least one hundred fifty percent (150%) of the state average annual wage; and

(vi) The enterprise must provide a basic health care plan to all employees at the facility.

(g) Sales of materials for use in track and track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of * * * five and one-half percent (5-1/2%).

(h) Sales of tangible personal property to electric power associations for use in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of * * * three and one-half percent (3-1/2%).

(i) Wholesale sales of beer shall be taxed at the rate of seven percent (7%), and the retailer shall file a return and compute the retail tax on retail sales but may take credit for the amount of the tax paid to the wholesaler on said return covering the subsequent sales of same property, provided adequate invoices and records are maintained to substantiate the credit.

(j) Wholesale sales of food and drink for human consumption to full-service vending machine operators to be sold through vending machines located apart from and not connected with other taxable businesses shall be taxed at the rate of eight percent (8%).

(k) Sales of equipment used or designed for the purpose of assisting disabled persons, such as wheelchair equipment and lifts, that is mounted or attached to or installed on a private carrier of passengers or light carrier of property, as defined in Section 27-51-101, at the time when the private carrier of passengers or light carrier of property is sold shall be taxed at the same rate as the sale of such vehicles under this section.

(l) Sales of the factory-built components of modular homes, panelized homes and pre-cut homes, and panel constructed homes consisting of structural insulated panels, shall be taxed at the rate of * * * five and one-half percent (5-1/2%).

(m) Sales of materials used in the repair, renovation, addition to, expansion and/or improvement of buildings and related facilities used by a dairy producer shall be taxed at the rate of * * * six percent (6%). For the purposes of this paragraph (m), "dairy producer" means any person engaged in the production of milk for commercial use.

(n) From and after July 1, 2021, retail sales of food for human consumption not purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, but which would be exempt under Section 27-65-111(o) from the taxes imposed by this chapter if the food items were purchased with food stamps, shall be taxed as follows:

(i) From and after July 1, 2021, through June 30, 2024, such sales shall be taxed at the rate of four and one-half percent (4-1/2%);

(ii) From and after July 1, 2024, through June 30, 2026, such sales shall be taxed at the rate of four percent (4%); and

(iii) From and after July 1, 2026, such sales shall be taxed at the rate of three and one-half percent (3-1/2%).

(2) From and after January 1, 1995, retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101, shall be taxed an additional two percent (2%).

(3) A manufacturer selling at retail in this state shall be required to make returns of the gross proceeds of such sales and pay the tax imposed in this section.

SECTION 13. Section 27-65-19, Mississippi Code of 1972, is amended as follows:

27-65-19. (1) (a) (i) Except as otherwise provided in this subsection, upon every person selling to consumers, electricity, current, power, potable water, steam, coal, natural gas, liquefied petroleum gas or other fuel, there is hereby levied, assessed and shall be collected a tax equal to * * * nine and one-half percent (9-1/2%) of the gross income of the business. Provided, gross income from sales to consumers of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for residential heating, lighting or other residential noncommercial or nonagricultural use, and sales of potable

water for residential, noncommercial or nonagricultural use shall be excluded from taxable gross income of the business. Provided further, upon every such seller using electricity, current, power, potable water, steam, coal, natural gas, liquefied petroleum gas or other fuel for nonindustrial purposes, there is hereby levied, assessed and shall be collected a tax equal to * * * nine and one-half percent (9-1/2%) of the cost or value of the product or service used.

(ii) Gross income from sales to a church that is exempt from federal income taxation under 26 USCS Section 501(c)(3) of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for heating, lighting or other use, and sales of potable water to such a church shall be excluded from taxable gross income of the business if the electricity, current, power, natural gas, liquefied petroleum gas or potable water is utilized on property that is primarily used for religious or educational purposes.

(b) (i) There is hereby levied, assessed and shall be collected a tax equal to one and one-half percent (1-1/2%) of the gross income of the business from the sale of naturally occurring carbon dioxide and anthropogenic carbon dioxide lawfully injected into the earth for:

1. Use in an enhanced oil recovery project, including, but not limited to, use for cycling, repressuring or lifting of oil; or

2. Permanent sequestration in a geological formation.

(ii) The one and one-half percent (1-1/2%) rate provided for in this subsection shall apply to electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel that is sold to a producer of oil and gas for use directly in enhanced oil recovery using carbon dioxide and/or the permanent sequestration of carbon dioxide in a geological formation.

(c) The one and one-half percent (1-1/2%) rate provided for in this subsection shall not apply to sales of fuel for automobiles, trucks, truck-tractors, buses, farm tractors or airplanes.

(d) (i) Upon every person providing services in this state, there is hereby levied, assessed and shall be collected:

1. A tax equal to * * * nine and one-half percent (9-1/2%) of the gross income received from all charges for intrastate telecommunications services.

2. A tax equal to * * * nine and one-half percent (9-1/2%) of the gross income received from all charges for interstate telecommunications services.

3. A tax equal to * * * nine and one-half percent (9-1/2%) of the gross income received from all charges for international telecommunications services.

4. A tax equal to * * * nine and one-half percent (9-1/2%) of the gross income received from all charges for ancillary services.

5. A tax equal to * * * nine and one-half percent (9-1/2%) of the gross income received from all charges for products delivered electronically, including, but not limited to, software, music, games, reading materials or ring tones.

(ii) A person, upon proof that he has paid a tax in another state on an event described in subparagraph (i) of this paragraph (d), shall be allowed a credit against the tax imposed in this paragraph (d) on interstate telecommunications service charges to the extent that the amount of such tax is properly due and actually paid in such other state and to the extent that the rate of sales tax imposed by and paid in such other state does not exceed the rate of sales tax imposed by this paragraph (d).

(iii) Charges by one (1) telecommunications provider to another telecommunications provider holding a permit issued under Section 27-65-27 for services that are resold by such other telecommunications provider, including, but not limited to, access charges, shall not be subject to the tax levied pursuant to this paragraph (d).

(iv) For purposes of this paragraph (d):

1. "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between points. The term "telecommunications service" includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such service is referred

to as voice over Internet protocol services or is classified by the Federal Communications Commission as enhanced or value added. The term "telecommunications service" shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

b. Installation or maintenance of wiring or equipment on a customer's premises;

c. Tangible personal property;

d. Advertising, including, but not limited to, directory advertising;

e. Billing and collection services provided to third parties;

f. Internet access service;

g. Radio and television audio and video programming services regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 USCS 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

h. Ancillary services; or

i. Digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

2. "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail service.

a. "Conference bridging" means an ancillary service that links two (2) or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging does not include the telecommunications services used to reach the conference bridge.

b. "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

c. "Directory assistance" means an ancillary service of providing telephone number information and/or address information.

d. "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

e. "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

3. "Intrastate" means telecommunications service that originates in one (1) United States state or United States territory or possession, and terminates in the same United States state or United States territory or possession.

4. "Interstate" means a telecommunications service that originates in one (1) United States state or United States territory or possession, and terminates in a different United States state or United States territory or possession.

5. "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively.

(v) For purposes of paragraph (d), the following sourcing rules shall apply:

1. Except for the defined telecommunications services in item 3 of this subparagraph, the sales of telecommunications services sold on a call-by-call basis shall be sourced to:

a. Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction, or
 b. Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. Except for the defined telecommunications services in item 3 of this subparagraph, a sale of telecommunications services sold on a basis other than a call-by-call basis, is sourced to the customer's place of primary use.

3. The sale of the following telecommunications services shall be sourced to each level of taxing jurisdiction as follows:

a. A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the customer's place of primary use as required by the Mobile Telecommunication Sourcing Act.

A. A home service provider shall be responsible for obtaining and maintaining the customer's place of primary use. The home service provider shall be entitled to rely on the applicable residential or business street address supplied by such customer, if the home service provider's reliance is in good faith; and the home service provider shall be held harmless from liability for any additional taxes based on a different determination of the place of primary use for taxes that are customarily passed on to the customer as a separate itemized charge. A home service provider shall be allowed to treat the address used for purposes of the tax levied by this chapter for any customer under a service contract in effect on August 1, 2002, as that customer's place of primary use for the remaining term of such service contract or agreement, excluding any extension or renewal of such service contract or agreement. Month-to-month services provided after the expiration of a contract shall be treated as an extension or renewal of such contract or agreement.

B. If the commissioner determines that the address used by a home service provider as a customer's place of primary use does not meet the definition of the term "place of primary use" as defined in subitem a.A. of this item 3, the commissioner shall give binding notice to the home service provider to change the place of primary use on a prospective basis from the date of notice of determination; however, the customer shall have the opportunity, prior to such notice of determination, to demonstrate that such address satisfies the definition.

C. The department has the right to collect any taxes due directly from the home service provider's customer that has failed to provide an address that meets the definition of the term "place of primary use" which resulted in a failure of tax otherwise due being remitted.

b. A sale of postpaid calling service is sourced to the origination point of the telecommunications signal as first identified by either:

A. The seller's telecommunications system; or

B. Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller.

c. A sale of a prepaid calling service or prepaid wireless calling service shall be subject to the tax imposed by this paragraph if the sale takes place in this state. If the customer physically purchases a prepaid calling service or prepaid wireless calling service at the vendor's place of business, the sale is deemed to take place at the vendor's place of business. If the customer does not physically purchase the service at the vendor's place of business, the sale of a prepaid calling card or prepaid wireless calling card is deemed to take place at the first of the following locations that applies to the sale:

A. The customer's shipping address, if the sale involves a shipment;

B. The customer's billing address;

C. Any other address of the customer that is known by the vendor; or

D. The address of the vendor, or alternatively, in the case of a prepaid wireless calling service, the location associated with the mobile telephone number.

4. A sale of a private communication service is sourced as follows:

a. Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located.

b. Service where all customer termination points are located entirely within one (1) jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located.

c. Service for segments of a channel between two (2) customer channel termination points located in different jurisdictions and which segments of a channel are separately charged is sourced fifty percent (50%) in each level of jurisdiction in which the customer channel termination points are located.

d. Service for segments of a channel located in more than one (1) jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.

5. A sale of ancillary services is sourced to the customer's place of primary use.

(vi) For purposes of subparagraph (v) of this paragraph (d):

1. "Air-to-ground radiotelephone service" means a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft.

2. "Call-by-call basis" means any method of charging for telecommunications services where the price is measured by individual calls.

3. "Communications channel" means a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points.

4. "Customer" means the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunications service. Customer does not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier under an agreement to serve the customer outside the home service provider's licensed service area.

5. "Customer channel termination point" means the location where the customer either inputs or receives the communications.

6. "End user" means the person who utilizes the telecommunications service. In the case of an entity, "end user" means the individual who utilizes the service on behalf of the entity.

7. "Home service provider" has the meaning ascribed to such term in Section 124(5) of Public Law 106-252 (Mobile Telecommunications Sourcing Act).

8. "Mobile telecommunications service" has the meaning ascribed to such term in Section 124(7) of Public Law 106-252 (Mobile Telecommunications Sourcing Act).

9. "Place of primary use" means the street address representative of where the customer's use of the telecommunications service primarily occurs, which must be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, the place of primary use must be within the licensed service area of the home service provider.

10. "Post-paid calling service" means the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid

wireless calling service that would be a prepaid calling service except it is not exclusively a telecommunications service.

11. "Prepaid calling service" means the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

12. "Prepaid wireless calling service" means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary service, which must be paid for in advance that is sold in predetermined units or dollars of which the number declines with use in a known amount.

13. "Private communication service" means a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations and any other associated services that are provided in connection with the use of such channel or channels.

14. "Service address" means:

a. The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid.

b. If the location in subitem a of this item 14 is not known, the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller.

c. If the location in subitems a and b of this item 14 are not known, the location of the customer's place of primary use.

(vii) 1. For purposes of this subparagraph (vii), "bundled transaction" means a transaction that consists of distinct and identifiable properties or services which are sold for a single nonitemized price but which are treated differently for tax purposes.

2. In the case of a bundled transaction that includes telecommunications services, ancillary services, Internet access, or audio or video programming services taxed under this chapter in which the price of the bundled transaction is attributable to properties or services that are taxable and nontaxable, the portion of the price that is attributable to any nontaxable property or service shall be subject to the tax unless the provider can reasonably identify that portion from its books and records kept in the regular course of business.

3. In the case of a bundled transaction that includes telecommunications services, ancillary services, Internet access, audio or video programming services subject to tax under this chapter in which the price is attributable to properties or services that are subject to the tax but the tax revenue from the different properties or services are dedicated to different funds or purposes, the provider shall allocate the price among the properties or services:

a. By reasonably identifying the portion of the price attributable to each of the properties and services from its books and records kept in the regular course of business; or

b. Based on a reasonable allocation methodology approved by the department.

4. This subparagraph (vii) shall not create a right of action for a customer to require that the provider or the department, for purposes of determining the amount of tax applicable to a bundled transaction, allocate the price to the different portions of the transaction in order to minimize the amount of tax charged to the customer. A customer shall not be entitled to rely on the fact that a portion of the price is attributable to properties or services not subject to tax unless the provider elects, after receiving a written request from the customer in the form required by the provider, to

provide verifiable data based upon the provider's books and records that are kept in the regular course of business that reasonably identifies the portion of the price attributable to the properties or services not subject to the tax.

(2) Persons making sales to consumers of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for residential heating, lighting or other residential noncommercial or nonagricultural use or sales of potable water for residential, noncommercial or nonagricultural use shall indicate on each statement rendered to customers that such charges are exempt from sales taxes.

(3) There is hereby levied, assessed and shall be paid on transportation charges on shipments moving between points within this state when paid directly by the consumer, a tax equal to the rate applicable to the sale of the property being transported. Such tax shall be reported and paid directly to the Department of Revenue by the consumer.

SECTION 14. Section 27-65-20, Mississippi Code of 1972, is amended as follows:

27-65-20. Upon every person engaging or continuing within this state in the business of selling machinery, machine parts and/or equipment to an operator or lessee of any structures, facilities and lands acquired and operated or leased pursuant to any of the provisions of Chapter 9, Title 59, Mississippi Code of 1972, which machinery, machine parts and/or equipment is to be located on and used exclusively and directly in the operation of such structures, facilities and lands, there is hereby levied, assessed and shall be collected a tax equal to * * * four percent (4%) of the gross proceeds of such retail sales of the business.

SECTION 15. Section 27-65-22, Mississippi Code of 1972, is amended as follows:

27-65-22. (1) Upon every person engaging or continuing in any amusement business or activity, which shall include all manner and forms of entertainment and amusement, all forms of diversion, sport, recreation or pastime, shows, exhibitions, contests, displays, games or any other and all methods of obtaining admission charges, donations, contributions or monetary charges of any character, from the general public or a limited or selected number thereof, directly or indirectly in return for other than tangible property or specific personal or professional services, whether such amusement is held or conducted in a public or private building, hotel, tent, pavilion, lot or resort, enclosed or in the open, there is hereby levied, assessed and shall be collected a tax equal to * * * nine and one-half percent (9-1/2%) of the gross income received as admission, except as otherwise provided herein. In lieu of the rate set forth above, there is hereby imposed, levied and assessed, to be collected as hereinafter provided, a tax of three percent (3%) of gross revenue derived from sales of admission to publicly owned enclosed coliseums and auditoriums (except admissions to athletic contests between colleges and universities). There is hereby imposed, levied and assessed a tax of * * * nine and one-half percent (9-1/2%) of gross revenue derived from sales of admission to events conducted on property managed by the Mississippi Veterans Memorial Stadium, which tax shall be administered in the manner prescribed in this chapter, subject, however, to the provisions of Sections 55-23-3 through 55-23-11.

(2) The operator of any place of amusement in this state shall collect the tax imposed by this section, in addition to the price charged for admission to any place of amusement, and under all circumstances the person conducting the amusement shall be liable for, and pay the tax imposed based upon the actual charge for such admission. Where permits are obtained for conducting temporary amusements by persons who are not the owners, lessees or custodians of the buildings, lots or places where the amusements are to be conducted, or where such temporary amusement is permitted by the owner, lessee or custodian of any place to be conducted without the procurement of a permit as required by this chapter, the tax imposed by this chapter shall be paid by the owner, lessee or custodian of such place where such temporary amusement is held or conducted, unless paid by the person conducting the amusement, and the applicant for such temporary permit shall furnish with the application therefor, the name and address of the owner, lessee or custodian of the premises upon which such amusement is to be conducted, and such owner, lessee or custodian shall be notified by the commission of the issuance of such permit, and of the joint liability for such tax.

(3) The tax imposed by this section shall not be levied or collected upon:

(a) Any admissions charged at any place of amusement operated by a religious, charitable or educational organization, or by a nonprofit civic club or fraternal organization (i) when the net proceeds of such admissions do not inure to any one or more individuals within such organization and are to be used solely for religious, charitable, educational or civic purposes; or (ii) when the entire net proceeds are used to defray the normal operating expenses of such organization, such as loan payments, maintenance costs, repairs and other operating expenses;

(b) Any admissions charged to hear gospel singing when promoted by a duly constituted local, bona fide nonprofit charitable or religious organization, irrespective of the fact that the performers and promoters are paid out of the proceeds of admissions collected, provided the program is composed entirely of gospel singing and not generally mixed with hillbilly or popular singing;

(c) Any admissions charged at any athletic games or contests between high schools or between grammar schools;

(d) Any admissions or tickets to or for baseball games between teams operated under a professional league franchise;

(e) Any admissions to county, state or community fairs, or any admissions to entertainments presented in community homes or houses which are publicly owned and controlled, and the proceeds of which do not inure to any individual or individuals;

(f) Any admissions or tickets to organized garden pilgrimages and to antebellum and historic houses when sponsored by an organized civic or garden club;

(g) Any admissions to any golf tournament held under the auspices of the Professional Golf Association or United States Golf Association wherein touring professionals compete, if such tournament is sponsored by a nonprofit association incorporated under the laws of the State of Mississippi where no dividends are declared and the proceeds do not inure to any individual or group;

(h) Any admissions to university or community college conference, state, regional or national playoffs or championships;

(i) Any admissions or fees charged by any county or municipally owned and operated swimming pools, golf courses and tennis courts other than sales or rental of tangible personal property;

(j) Any admissions charged for the performance of symphony orchestras, operas, vocal or instrumental artists in which professional or amateur performers are compensated out of the proceeds of such admissions, when sponsored by local music or charity associations, or amateur dramatic performances or professional dramatic productions when sponsored by a children's dramatic association, where no dividends are declared, profits received, nor any salary or compensation paid to any of the members of such associations, or to any person for procuring or producing such performance;

(k) Any admissions or tickets to or for hockey games between teams operated under a professional league franchise;

(l) Any admissions or tickets to or for events sanctioned by the Mississippi Athletic Commission that are held within publicly owned enclosed coliseums and auditoriums;

(m) Guided tours on any navigable waters of this state, which include providing accommodations, guide services and/or related equipment operated by or under the direction of the person providing the tour, for the purposes of outdoor tourism;

(n) Any admissions to events held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds from the grant program authorized under Section 18 of Chapter 530, Laws of 1995; and

(o) (i) Any admissions charged at events, activities or entertainments:

1. Which are open to the public and held in or on parks, lands or buildings which are publicly owned, leased, used and/or controlled by a municipality, or any agency thereof;

2. Which are created and sponsored by the municipality, or an agency thereof; and

3. The proceeds of which do not inure to the benefit of any individual or individuals; however,

(ii) The governing authorities of a municipality may require the tax imposed by this section to be levied and collected at events, activities or entertainments described in subparagraph (i) of this paragraph by:

1. Adopting an ordinance requiring the levy and collection of the tax;

2. Providing the Department of Revenue with a certified copy of the ordinance requiring the tax to be levied and assessed at least thirty (30) days prior to the effective date of the ordinance;

(iii) If the ordinance described in subparagraph (ii) of this paragraph is repealed, the municipality shall provide the Department of Revenue with a certified copy of the repeal of the ordinance at least thirty (30) days prior to the effective date of the repeal.

SECTION 16. Section 27-65-23, Mississippi Code of 1972, is amended as follows:

27-65-23. (1) Upon every person engaging or continuing in any of the following businesses or activities there is hereby levied, assessed and shall be collected a tax equal to * * * nine and one-half percent (9-1/2%) of the gross income of the business, except as otherwise provided:

Air-conditioning installation or repairs;
Automobile, motorcycle, boat or any other vehicle repairing or servicing;
Billiards, pool or domino parlors;
Bowling or tenpin alleys;
Burglar and fire alarm systems or services;
Car washing — automatic, self-service, or manual;
Computer software sales and services;
Cotton compresses or cotton warehouses;
Custom creosoting or treating, custom planing, custom sawing;
Custom meat processing;
Electricians, electrical work, wiring, all repairs or installation of electrical equipment;
Elevator or escalator installing, repairing or servicing;
Film developing or photo finishing;
Foundries, machine or general repairing;
Furniture repairing or upholstering;
Grading, excavating, ditching, dredging or landscaping;
Hotels (as defined in Section 41-49-3), motels, tourist courts or camps, trailer parks;
Insulating services or repairs;
Jewelry or watch repairing;
Laundering, cleaning, pressing or dyeing;
Marina services;
Mattress renovating;
Office and business machine repairing;
Parking garages and lots;
Plumbing or pipe fitting;
Public storage warehouses (There shall be no tax levied on gross income of a public storage warehouse derived from the temporary storage of tangible personal property in this state pending shipping or mailing of the property to another state.);
Refrigerating equipment repairs;
Radio or television installing, repairing, or servicing;
Renting or leasing personal property used within this state;
Services performed in connection with geophysical surveying, exploring, developing, drilling, producing, distributing, or testing of oil, gas, water and other mineral resources;
Shoe repairing;
Storage lockers;
Telephone answering or paging services;

Termite or pest control services;
 Tin and sheet metal shops;
 TV cable systems, subscription TV services, and other similar activities;
 Vulcanizing, repairing or recapping of tires or tubes;
 Welding; and
 Woodworking or wood-turning shops.

(2) Income from services taxed herein performed for electric power associations in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of * * * three and one-half percent (3-1/2%).

(3) Income from services taxed herein performed on materials for use in track or track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of * * * five and one-half percent (5-1/2%).

(4) Income from renting or leasing tangible personal property used within this state shall be taxed at the same rates as sales of the same property.

(5) Persons doing business in this state who rent transportation equipment with a situs within or without the state to common, contract or private commercial carriers are taxed on that part of the income derived from use within this state. If specific accounting is impracticable, a formula may be used with approval of the commissioner.

(6) A lessor may deduct from the tax computed on the rental income from tangible personal property a credit for sales or use tax paid to this state at the time of purchase of the specific personal property being leased or rented until such credit has been exhausted.

(7) Charges for custom processing and repairing services may be excluded from gross taxable income when the property on which the service was performed is delivered to the customer in another state either by common carrier or in the seller's equipment.

(8) When a taxpayer performs unitary services covered by this section, which are performed both in intrastate and interstate commerce, the commissioner is hereby invested with authority to formulate in each particular case and to fix for such taxpayer in each instance formulae of apportionment which will apportion to this state, for taxation, that portion of the services which are performed within the State of Mississippi.

SECTION 17. Section 27-65-25, Mississippi Code of 1972, is amended as follows:

27-65-25. Upon every person engaging or continuing within this state in the business of selling alcoholic beverages, the sales of which are legal under the provisions of Chapter 1 of Title 67, Mississippi Code of 1972, there is hereby levied, assessed and shall be collected a tax equal to * * * nine and one-half percent (9-1/2%) of the gross proceeds of the retail sales of the business. All sales at wholesale to retailers shall be taxed at the same rate as provided in this section for retail sales. A retailer in computing the tax on sales may take credit for the amount of the tax paid to the wholesaler at the rates provided herein and remit the difference to the commissioner, provided adequate records and all invoices are maintained to substantiate the credit claimed.

SECTION 18. Section 27-65-26, Mississippi Code of 1972, is amended as follows:

27-65-26. (1) Upon every person engaging or continuing within this state in the business of selling, renting or leasing specified digital products, there shall be levied, assessed and shall be collected a tax equal to * * * nine and one-half percent (9-1/2%) of the gross income of the business. The sale of a digital code that allows the purchaser to obtain a specified digital product shall be taxed in the same manner as the sale of a specified digital product. The tax is imposed when:

- (a) The sale is to an end user;
 - (b) The seller grants the right of permanent or less than permanent use of the products transferred electronically; or
 - (c) The sale is conditioned or not conditioned upon continued payment.
- (2) Charges by one (1) specified digital products provider to another specified digital products provider holding a permit issued under Section 27-65-27 for services

that are resold by such other specified digital products provider shall not be subject to the tax levied pursuant to this section.

(3) For purposes of this section:

(a) "Specified digital products" means electronically transferred digital audio-visual works, digital audio works and digital books.

(b) "Digital audio-visual works" means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any.

(c) "Digital audio works" means works that result from the fixation of a series of musical, spoken or other sounds, including ringtones. "Ringtones" means digitized sound files that are downloaded onto a device and that may be used to alert the customer with respect to a communication.

(d) "Digital books" means works that are generally recognized in the ordinary and usual sense as "books."

(e) "Electronically transferred" means obtained by the purchaser by means other than tangible storage media.

(f) "End user" means any person other than a person who receives by contract a product transferred electronically for further commercial broadcast, rebroadcast, transmission, retransmission, licensing, relicensing, distribution, redistribution or exhibition of the product, in whole or in part, to another person or persons.

(g) "Permanent use" means for purposes of this section for perpetual or for an indefinite or unspecified length of time.

(h) "Digital code" means a code that permits a purchaser to obtain a specified digital product at a later date.

SECTION 19. Section 27-65-201, Mississippi Code of 1972, is amended as follows:

27-65-201. (1) For the purposes of this section, unless the context otherwise requires, the term "motor vehicle" means a motor vehicle required to be registered or licensed by the county tax collectors pursuant to Section 27-19-43.

(2) Upon every person, firm or corporation purchasing other than at wholesale within this state any motor vehicle required to be registered or licensed with the tax collector of any county in this state from any person, firm or corporation which is not a licensed dealer engaged in selling motor vehicles, there shall be levied and collected a sales tax at the rate of * * * seven and one-half percent (7-1/2%) of the true value of the motor vehicle as calculated by using the most current official motor vehicle assessment schedule supplied by the Department of Revenue.

(3) Upon every person, firm or corporation purchasing other than at wholesale outside the state any motor vehicle required to be registered or licensed with the tax collector of any county in this state from any person, firm or corporation which is not a licensed dealer engaged in selling motor vehicles, for use, storage or other consumption within this state there is levied a use tax at the rate of * * * seven and one-half percent (7-1/2%) of the true value of the motor vehicle as calculated by using the most current official motor vehicle assessment schedule supplied by the Department of Revenue.

(4) Where any motor vehicle is taken in trade as a credit or part payment on the sale of a motor vehicle taxable under this section, the tax levied by this section shall be paid on the net difference, that is, the true value of the motor vehicle sold less the credit for the motor vehicle taken in trade.

(5) The tax levied by this section shall be collected by the tax collector at the time of, and as a prerequisite to, the registration of or licensing of any such motor vehicle. The tax collector shall give to the person registering the vehicle a receipt in a form prescribed and furnished by the Department of Revenue for the amount of tax collected.

(6) County tax collectors shall be liable for the tax they are required to collect, and taxes which are in fact collected, under this section and failure to properly collect or maintain proper records shall not relieve them of liability for payment to the Department of Revenue. Deficiencies in collection or payment shall be assessed against the tax collector, or his successor, in the same manner and subject to the same penalties and provisions for appeal as are deficiencies assessed against taxpayers under Chapter 65, Title 27, Mississippi Code of 1972.

Each tax collector of the several counties shall, on or before the twentieth day of each month, file a report with and pay to the Department of Revenue all funds collected under the provisions of this section, less a commission of three percent (3%) which shall be retained by the tax collector as a commission for collecting such tax, and such commission shall be deposited in the county general fund. The report required to be filed shall cover all collections made during the calendar month next preceding the date on which the report is due and filed.

Any error in the report and remittance to the Department of Revenue may be adjusted on a subsequent report. If the error was in the collection by the tax collector, it shall be adjusted through the tax collector with the taxpayer before credit is allowed by the Department of Revenue.

All information relating to the collection of this tax by tax collectors and such records as the Department of Revenue may require shall be preserved in the tax collector's office for a period of three (3) years for audit by the Department of Revenue.

(7) The tax levied by this section shall not apply to the following:

(a) Transfers of legal ownership of motor vehicles currently registered or licensed in the transferor's name between husband and wife, parent and child, or grandparents and grandchildren, unless the transferor is a licensed dealer of motor vehicles and the transfer of the motor vehicle is made in the regular course of business.

(b) Transfers of legal ownership of motor vehicles pursuant to a will or pursuant to any law providing for the distribution of the property of one dying intestate.

(c) Transfers of legal ownership of motor vehicles ten (10) or more years after the date of the manufacture of such vehicle.

(d) Transfers of legal ownership of motor vehicles between siblings, unless the transferor is a licensed dealer of motor vehicles and the transfer of the motor vehicle is made in the regular course of business.

SECTION 20. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter through August 15, 2021, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before September 15, 2021, and each succeeding month thereafter through August 15, 2024, (i) eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation and (ii) twenty-eight and eight-tenths percent (28-8/10%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. On or before September 15, 2024, and each succeeding month thereafter through August 15, 2026, (i) eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation and (ii) thirty-two and four-tenths percent (32-4/10%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be

allocated for distribution to the municipality and paid to the municipal corporation. On or before September 15, 2026, and each succeeding month thereafter, (i) eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation and (ii) thirty-seven percent (37%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter through August 15, 2021, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before September 15, 2021, and each succeeding month thereafter through August 15, 2024, (i) eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality and (ii) twenty-eight and eight-tenths percent (28-8/10%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before September 15, 2024, and each succeeding month thereafter through August 15, 2026, (i) eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality and (ii) thirty-two and four-tenths percent (32-4/10%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college. On or before September 15, 2026, and

each succeeding month thereafter, (i) eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality and (ii) thirty-seven percent (37%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through August 15, 2021, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before September 15, 2021, and each succeeding month thereafter through August 15, 2024, (i) six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, and (ii) nine and three-tenths percent (9-3/10%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before September 15, 2024, and each succeeding month thereafter through August 15, 2026, (i) six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, and (ii) ten and one-half percent (10-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before September 15, 2026, and each succeeding month thereafter, (i) six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-17(1)(n), 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, and (ii) twelve percent (12%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county borders on the Mississippi Sound and the State of Alabama;
2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;
3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars

(\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, through August 15, 2021 two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by

the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before September 15, 2021, and each succeeding month thereafter through August 15, 2024, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and three and fifty-two one hundredths percent (3.52%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before September 15, 2024, and each succeeding month thereafter through August 15, 2026, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33. On or before September 15, 2026, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and four and one-half percent (4.5%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, through August 15, 2021 nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before September 15, 2021, and each succeeding month thereafter through August 15, 2024, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and fourteen and eleven one-hundredths percent (14.11%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before September 15, 2024, and each succeeding month thereafter through August 15, 2026, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and fifteen and nine tenths percent (15.9%) of the total sales tax

revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33. On or before September 15, 2026, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(1)(n) and (2), and eighteen and one-tenths percent (18.1%) of the total sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1)(n) shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section

69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) (a) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2021, and each succeeding month thereafter through February 15, 2022, (a) the total sales tax revenue collected during the preceding month under the provisions of Sections 27-65-17(1)(a), 27-65-19, 27-65-22, 27-65-23(1), 27-65-25 and 27-65-26, from the amount of the increases to tax rates under such sections as provided in Senate Bill No. 2971, 2021 Regular Session, shall be deposited, without diversion, into the Budget Stabilization Fund created in Section 26 of this act, and (b) the total sales tax revenue collected during the preceding month under the provisions of Sections 27-65-17(1)(d), (g), (h), (l) and (m), 27-65-20, 27-65-23(2) and (3) and 27-65-201, from the amount of the increases to tax rates under such sections as provided in Senate Bill No. 2971, 2021 Regular Session, shall be deposited, without diversion, into the State Treasury to the credit of the General Fund. Notwithstanding any other provision of this section to the contrary, on or before March 15, 2022, and each succeeding month thereafter, the total sales tax revenue collected during the preceding month under the provisions of Sections 27-65-17, 27-65-19, 27-65-20, 27-65-22, 27-65-23, 27-65-25, 27-65-26 and 27-65-201, from the amount of the increases to tax rates under such sections as provided in Senate Bill No. 2971, 2021 Regular Session, shall be deposited, without diversion, into the State Treasury to the credit of the General Fund.

(b) The provisions of this subsection (24) shall supersede and control over any other provisions of this section providing for the distribution of revenue under this section.

(** *25) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(** *26) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 21. Section 27-67-31, Mississippi Code of 1972, is amended as follows:

27-67-31. All administrative provisions of the sales tax law, and amendments thereto, including those which fix damages, penalties and interest for failure to comply with the provisions of said sales tax law, and all other requirements and duties imposed upon taxpayer, shall apply to all persons liable for use taxes under the provisions of this article. The commissioner shall exercise all power and authority and perform all duties with respect to taxpayers under this article as are provided in said sales tax law, except where there is conflict, then the provisions of this article shall control.

The commissioner may require transportation companies to permit the examination of waybills, freight bills, or other documents covering shipments of tangible personal property into this state.

On or before the fifteenth day of each month, the amount received from taxes, damages and interest under the provisions of this article during the preceding month shall be paid and distributed as follows:

(a) On or before July 15, 1994, through July 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited in the School Ad Valorem Tax Reduction Fund created pursuant to Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(b) On or before July 15, 1994, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue

collected during the preceding month under the provisions of this article shall be deposited into the Education Enhancement Fund created pursuant to Section 37-61-33.

(c) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter, the revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(d) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter and after the deposits required by paragraphs (a) and (b) of this section are made, the remaining revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(1) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(e) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1).

(f) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2).

(g) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, Four Hundred Sixteen Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$416,666.67) or one and one-fourth percent (1-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars and Thirty-four Cents (\$833,333.34) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge

Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2022, and each succeeding month thereafter, One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13.

(h) On or before August 15, 2020, and each succeeding month thereafter through July 15, 2022, One Million Dollars (\$1,000,000.00) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. Amounts deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (h) shall be in addition to amounts deposited into the fund under paragraph (g) of this section.

(i) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2021, and each succeeding month thereafter through February 15, 2022, (i) the total use tax revenue collected during the preceding month under the provisions of this article as a result of the increases to tax rates under Sections 27-65-17(1)(a), 27-65-25 and 27-65-26, as provided in Senate Bill No. 2971, 2021 Regular Session, shall be deposited, without diversion, into the Budget Stabilization Fund created in Section 26 of this act, and (ii) the total use tax revenue collected during the preceding month under the provisions of this article as a result of the increases to tax rates under Sections 27-65-17(1)(d), (g), (h), (l) and (m) and 27-65-20, as provided in Senate Bill No. 2971, 2021 Regular Session, shall be deposited, without diversion, into the State Treasury to the credit of the General Fund. Notwithstanding any other provision of this section to the contrary, on or before March 15, 2022, and each succeeding month thereafter, the total use tax revenue collected during the preceding month under the provisions of this article as a result of the increases to tax rates under Sections 27-65-17, 27-65-20, 27-65-25 and 27-65-26, as provided in Senate Bill No. 2971, 2021 Regular Session, shall be deposited, without diversion, into the State Treasury to the credit of the General Fund.

The provisions of this paragraph (i) shall supersede and control over any other provisions of this section providing for the distribution of revenue under this section.

SECTION 22. Section 27-65-241, Mississippi Code of 1972, is amended as follows:

27-65-241. (1) As used in this section, the following terms shall have the meanings ascribed to them in this section unless otherwise clearly indicated by the context in which they are used:

(a) "Hotel" or "motel" means and includes a place of lodging that at any one time will accommodate transient guests on a daily or weekly basis and that is known to the trade as such. Such terms shall not include a place of lodging with ten (10) or less rental units.

(b) "Municipality" means any municipality in the State of Mississippi with a population of one hundred fifty thousand (150,000) or more according to the most recent federal decennial census.

(c) "Restaurant" means and includes all places where prepared food is sold and whose annual gross proceeds of sales or gross income for the preceding calendar year equals or exceeds One Hundred Thousand Dollars (\$100,000.00). The term "restaurant" shall not include any nonprofit organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code. For the purpose of calculating gross proceeds of sales or gross income, the sales or income of all establishments owned, operated or controlled by the same person, persons or corporation shall be aggregated.

(2) (a) Subject to the provisions of this section, the governing authorities of a municipality may impose upon all persons as a privilege for engaging or continuing in business or doing business within such municipality, a special sales tax at the rate of not more than one percent (1%) of the gross proceeds of sales or gross income of the business, as the case may be, derived from any of the activities taxed at the rate of * * * nine and one-half percent (9-1/2%) or more under the Mississippi Sales Tax Law, Section 27-65-1 et seq.

(b) The tax levied under this section shall apply to every person making sales of tangible personal property or services within the municipality but shall not apply to:

- (i) Sales exempted by Sections 27-65-19, 27-65-101, 27-65-103, 27-65-105, 27-65-107, 27-65-109 and 27-65-111 of the Mississippi Sales Tax Law;
- (ii) Gross proceeds of sales or gross income of restaurants derived from the sale of food and beverages;
- (iii) Gross proceeds of sales or gross income of hotels and motels derived from the sale of hotel rooms and motel rooms for lodging purposes;
- (iv) Retail sales of food for human consumption not purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, but which would be exempt under Section 27-65-111(o) from the taxes imposed by this chapter if the food items were purchased with food stamps;
- (v) Gross income of businesses engaging or continuing in the business of TV cable systems, subscription TV services, and other similar activities, including, but not limited to, cable Internet services;
- (vi) Wholesale sales of food and drink for human consumption sold to full service vending machine operators; and
- (vii) Wholesale sales of light wine, light spirit product, beer and alcoholic beverages.

(3) (a) Before any tax authorized under this section may be imposed, the governing authorities of the municipality shall adopt a resolution declaring its intention to levy the tax, setting forth the amount of the tax to be imposed, the purposes for which the revenue collected pursuant to the tax levy may be used and expended, the date upon which the tax shall become effective, the date upon which the tax shall be repealed, and calling for an election to be held on the question. The date of the election shall be set in the resolution. Notice of the election shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the municipality, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the municipality may vote. The ballots used at the election shall have printed thereon a brief description of the sales tax, the amount of the sales tax levy, a description of the purposes for which the tax revenue may be used and expended and the words "FOR THE LOCAL SALES TAX" and "AGAINST THE LOCAL SALES TAX" and the voter shall vote by placing a cross (X) or check mark (✓) opposite his choice on the proposition. When the results of the election have been canvassed by the election commissioners of the municipality and certified by them to the governing authorities, it shall be the duty of such governing authorities to determine and adjudicate whether at least three-fifths (3/5) of the qualified electors who voted in the election voted in favor of the tax. If at least three-fifths (3/5) of the qualified electors who voted in the election voted in favor of the tax, the governing authorities shall adopt a resolution declaring the levy and collection of the tax provided in this section and shall set the first day of the second month following the date of such adoption as the effective date of the tax levy. A certified copy of this resolution, together with the result of the election, shall be furnished to the Department of Revenue not less than thirty (30) days before the effective date of the levy.

(b) A municipality shall not hold more than two (2) elections under this subsection.

(4) The revenue collected pursuant to the tax levy imposed under this section may be expended to pay the cost of road and street repair, reconstruction and resurfacing projects based on traffic patterns, need and usage, and to pay the costs of water, sewer and drainage projects in accordance with a master plan adopted by the department established pursuant to subsection (7).

(5) (a) The special sales tax authorized by this section shall be collected by the Department of Revenue, shall be accounted for separately from the amount of sales tax collected for the state in the municipality and shall be paid to the municipality. The Department of Revenue may retain one percent (1%) of the proceeds of such tax for the purpose of defraying the costs incurred by the department in the collection of the tax.

Payments to the municipality shall be made by the Department of Revenue on or before the fifteenth day of the month following the month in which the tax was collected.

(b) The proceeds of the special sales tax shall be placed into a special municipal fund apart from the municipal general fund and any other funds of the municipality, and shall be expended by the municipality solely for the purposes authorized in subsection (4) of this section. The records reflecting the receipts and expenditures of the revenue from the special sales tax shall be audited annually by an independent certified public accountant. The accountant shall make a report of his findings to the governing authorities of the municipality and file a copy of his report with the Secretary of the Senate and the Clerk of the House of Representatives. The audit shall be made and completed as soon as practical after the close of the fiscal year of the municipality, and expenses of the audit shall be paid from the funds derived by the municipality pursuant to this section.

(c) All provisions of the Mississippi Sales Tax Law applicable to filing of returns, discounts to the taxpayer, remittances to the Department of Revenue, enforced collection, rights of taxpayers, recovery of improper taxes, refunds of overpaid taxes or other provisions of law providing for imposition and collection of the state sales tax shall apply to the special sales tax authorized by this section, except where there is a conflict, in which case the provisions of this section shall control. Any damages, penalties or interest collected for the nonpayment of taxes imposed under this section, or for noncompliance with the provisions of this section, shall be paid to the municipality on the same basis and in the same manner as the tax proceeds. Any overpayment of tax for any reason that has been disbursed to a municipality or any payment of the tax to a municipality in error may be adjusted by the Department of Revenue on any subsequent payment to the municipality pursuant to the provisions of the Mississippi Sales Tax Law. The Department of Revenue may, from time to time, make such rules and regulations not inconsistent with this section as may be deemed necessary to carry out the provisions of this section, and such rules and regulations shall have the full force and effect of law.

(6) If a municipality expands its corporate boundaries, the governing authorities of the municipality may not impose the special sales tax in the annexed area unless the tax is approved at an election conducted, as far as is practicable, in the manner provided in subsection (3) of this section, except that only qualified electors in the annexed area may vote in the election.

(7) (a) Any municipality that levies the special sales tax authorized under this section shall establish a commission as provided for in this section. Expenditures of revenue from the special sales tax authorized by this section shall be in accordance with a master plan adopted by the commission pursuant to this subsection.

(b) The commission shall be composed of ten (10) voting members who shall be known as commissioners appointed as follows:

(i) Four (4) members representing the business community in the municipality appointed by the local chamber of commerce for initial terms of one (1), two (2), four (4) and five (5) years respectively. The members appointed pursuant to this paragraph shall be persons who represent businesses located within the city limits of the municipality.

(ii) Three (3) members shall be appointed at large by the mayor of the municipality, with the advice and consent of the legislative body of the municipality, for initial terms of two (2), three (3) and four (4) years respectively. All appointments made by the mayor pursuant to this paragraph shall be residents of the municipality.

(iii) One (1) member shall be appointed at large by the Governor for an initial term of four (4) years. All appointments made by the Governor pursuant to this paragraph shall be residents of the municipality.

(iv) One (1) member shall be appointed at large by the Lieutenant Governor for an initial term of four (4) years. All appointments made by the Lieutenant Governor pursuant to this paragraph shall be residents of the municipality.

(v) One (1) member shall be appointed at large by the Speaker of the House of Representatives for a term of four (4) years. All appointments made by the Speaker of the House of Representatives pursuant to this paragraph shall be residents of the municipality.

(c) The terms of all appointments made subsequent to the initial appointment shall be made for five (5) years. Any vacancy which may occur shall be filled in the same manner as the original appointment and shall be made for the unexpired term. Each member of the commission shall serve until his successor is appointed and qualified.

(d) The mayor of the municipality shall designate a chairman of the commission from among the membership of the commission. The vice chairman and secretary shall be elected by the commission from among the membership of the commission for a term of two (2) years. The vice chairman and secretary may be reelected, and the chairman may be reappointed.

(e) The commissioners shall serve without compensation.

(f) Any commissioner shall be disqualified and shall be removed from office for either of the following reasons:

- (i) Conviction of a felony in any state court or in federal court; or
- (ii) Failure to attend three (3) consecutive meetings without just

cause.

If a commissioner is removed for any of the above reasons, the vacancy shall be filled in the manner prescribed in this section and shall be made for the unexpired term.

(g) A quorum shall consist of six (6) voting members of the commission. The commission shall adopt such rules and regulations as may govern the time and place for holding meetings, regular and special.

(h) The commission shall, with input from the municipality, establish a master plan for road and street repair, reconstruction and resurfacing projects based on traffic patterns, need and usage, and for water, sewer and drainage projects. Expenditures of the revenue from the tax authorized to be imposed pursuant to this section shall be made at the discretion of the governing authorities of the municipality if the expenditures comply with the master plan. The commission shall monitor the compliance of the municipality with the master plan.

(8) The governing authorities of any municipality that levies the special sales tax authorized under this section are authorized to incur debt, including bonds, notes or other evidences of indebtedness, for the purpose of paying the costs of road and street repair, reconstruction and resurfacing projects based on traffic patterns, need and usage, and to pay the costs of water, sewer and drainage projects in accordance with a master plan adopted by the commission established pursuant to subsection (7) of this section. Any bonds or notes issued to pay such costs may be secured by the proceeds of the special sales tax levied pursuant to this section or may be general obligations of the municipality and shall satisfy the requirements for the issuance of debt provided by Sections 21-33-313 through 21-33-323.

(9) This section shall stand repealed from and after July 1, 2035.

SECTION 23. Section 27-69-3, Mississippi Code of 1972, is amended as follows:
27-69-3. When used in this chapter:

(a) "State" means the State of Mississippi as geographically defined, and any and all waters under the jurisdiction of the State of Mississippi.

(b) "State Auditor" means the Auditor of Public Accounts of the State of Mississippi, or his legally appointed deputy, clerk or agent.

(c) "Commissioner" means the Commissioner of Revenue of the Department of Revenue, and his authorized agents and employees.

(d) "Person" means any individual, company, corporation, partnership, association, joint venture, estate, trust, or any other group, or combination acting as a unit, and the plural as well as the singular, unless the intention to give a more limited meaning is disclosed by the context.

(e) "Consumer" means a person who comes into possession of tobacco for the purpose of consuming it, giving it away, or disposing of it in any way by sale, barter or exchange.

(f) "Tobacco" means any cigarettes, cigars, cheroots, stogies, smoking tobacco (including granulated, plug cut, crimp cut, ready rubbed, and other kinds and forms of tobacco, or substitutes therefor, prepared in such manner as to be suitable for smoking in a pipe or cigarette) and including plug and twist chewing tobacco and snuff, when such "tobacco" is manufactured and prepared for sale or personal consumption, or

any other product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any means; any substances that may be aerosolized or vaporized by any device, including any component, part, or accessory thereof, whether or not any of these contain tobacco or nicotine, including, but not limited to, filters, rolling papers, blunt or hemp wraps, and pipes. The term "tobacco" also means and includes alternative nicotine products and electronic cigarettes as defined in Section 97-32-51. All words used herein shall be given the meaning as defined in the regulations of the Treasury Department of the United States of America.

(g) "First sale" means and includes the first sale, or distribution of such tobacco in intrastate commerce, or the first use or consumption of such tobacco within this state.

(h) "Drop shipment" means and includes any delivery of tobacco received by any person within this state, when payment for such tobacco is made to the shipper, or seller by or through a person other than a consignee.

(i) "Distributor" includes every person, except retailers as defined herein, in the state who manufactures or produces tobacco or who ships, transports, or imports into this state, or in any manner acquires or possesses tobacco, and makes a first sale of the same in the state.

(j) "Wholesaler" includes dealers, whose principal business is that of a wholesale dealer or jobber, who is known to the retail trade as such, and whose place of business is located in Mississippi or in a state which affords reciprocity to wholesalers domiciled in Mississippi, who shall sell any taxable tobacco to retail dealers only for the purpose of resale.

(k) "Retailer" includes every person, other than a wholesale dealer, as defined above, whose principal business is that of selling merchandise at retail, who shall sell, or offer for sale tobacco to the consumer. The sale of tobacco in quantity lots by retailers to other retailers, transient vendors, or other persons, shall not be construed as wholesale and shall not qualify such retailer for a permit as a wholesaler.

(l) "Dealer" includes every person, firm, corporation or association of persons, except retailers as defined herein, who manufacture tobacco for distribution, for sale, for use or for consumption in the State of Mississippi.

The word "dealer" is further defined to mean any person, firm, corporation or association of persons, except retailers as defined herein, who imports tobacco from any state or foreign country for distribution, sale, use, or consumption in the State of Mississippi.

(m) "Distributing agent" includes every person in the state who acts as an agent of any person outside the State of Mississippi, by receiving tobacco in interstate commerce, and storing such tobacco in this state subject to distribution, or delivery upon order from the person outside the state to distributors, wholesalers, retailers and dealers.

(n) "Transient vendor" means and includes every person commonly and generally termed "peddlers" and every person acting for himself, or as an agent, employee, salesman, or in any capacity for another, whether as owner, bailee, or other custodian of tobacco, and going from person to person, dealer to dealer, house to house, or place to place, and selling or offering for sale at retail or wholesale tobacco, and every person who does not keep a regular place of business open at all times in regular hours, and every person who goes from person to person, dealer to dealer, house to house, or place to place, and sells or offers for sale tobacco which he carries with him, and who delivers the same at the time of, or immediately after the sale, or without returning to the place of business operations (a permanent place of business within the state) between the taking of the order and the delivery of the tobacco, or

All persons who go from person to person, house to house, place to place, or dealer to dealer, soliciting orders by exhibiting samples, or taking orders, and thereafter making delivery of tobacco, or filling the order without carrying or sending the order to the permanent place of business, and thereafter making delivery of the tobacco pursuant to the terms of the order, or

All persons who go from person to person, place to place, house to house, or dealer to dealer, carrying samples and selling tobacco from samples, and afterwards

making delivery without taking and sending an order therefor to a permanent place of business for the filling of the order, and delivery of the tobacco, or the exchange of tobacco having become damaged or unsalable, or the purchase by tobacco of advertising space, or

All persons who have in their possession, or under their control, any tobacco offered, or to be offered for sale or to be delivered, unless the sale or delivery thereof is to be made in pursuance of a bona fide order for the tobacco, to be sold or delivered, the order to be evidenced by an invoice or memorandum.

(o) "Contraband tobacco" means all tobacco found in the possession of any person whose permit to engage in dealing in tobacco has been revoked by the commissioner; and any cigarettes found in the possession of any person to which the proper tax stamps have not been affixed; and any cigarettes improperly stamped when found in the possession of any person; and all other tobacco upon which the excise tax has not been paid.

(p) "Sale" means an exchange for money or goods, giving away, or distributing any tobacco as defined in this chapter.

(q) "Forty-eight (48) hours" and "seventy-two (72) hours" means two (2) calendar days and three (3) calendar days, respectively, excluding Sundays and legal holidays.

(r) "Stamp" or "stamping," or the import of such word, when used in this chapter, means any manner of stamp or impression permitted by the commissioner that carries out the purposes of the chapter in clearly indicating upon the packages of cigarettes taxed the due payment of the tax and clearly identifying, by serial number or otherwise, the permittee who affixed the stamp to the particular package.

(s) "Manufacturer's list price" means the full sales price at which tobacco is sold or offered for sale by a manufacturer to the wholesaler or distributor in this state without any deduction for freight, trade discount, cash discounts, special discounts or deals, cash rebates, or any other reduction from the regular selling price. In the event freight charges on shipments to wholesalers or distributors are not paid by the manufacturer, then such freight charges required to be paid by the wholesalers and distributors shall be added to the amount paid to the manufacturer in order to determine "manufacturer's list price." In the case of a wholesaler or distributor whose place of business is located outside this state, the "manufacturer's list price" for tobacco sold in this state by such wholesaler or distributor shall in all cases be considered to be the same as that of a wholesaler or distributor located within this state.

SECTION 24. Section 27-69-13, Mississippi Code of 1972, is amended as follows:

27-69-13. There is hereby imposed, levied and assessed, to be collected and paid as hereinafter provided in this chapter, an excise tax on each person or dealer in cigarettes, cigars, stogies, snuff, chewing tobacco, and smoking tobacco, or substitutes therefor, upon the sale, use, consumption, handling or distribution in the State of Mississippi, as follows:

(a) On cigarettes, the rate of tax shall be * * * Five and nine-tenths Cents (5.9¢) on each cigarette sold with a maximum length of one hundred twenty (120) millimeters; any cigarette in excess of this length shall be taxed as if it were two (2) or more cigarettes. Provided, however, if the federal tax rate on cigarettes in effect on June 1, 1985, is reduced, then the rate as provided herein shall be increased by the amount of the federal tax reduction. Such tax increase shall take effect on the first day of the month following the effective date of such reduction in the federal tax rate.

(b) On cigars, cheroots, stogies, snuff, chewing and smoking tobacco and all other tobacco products except cigarettes, the rate of tax shall be * * * twenty-five percent (25%) of the manufacturer's list price.

No stamp evidencing the tax herein levied on cigarettes shall be of a denomination of less than One Cent (1¢), and whenever the tax computed at the rates herein prescribed on cigarettes shall be a specified amount, plus a fractional part of One Cent (1¢), the package shall be stamped for the next full cent; however, the additional face value of stamps purchased to comply with taxes imposed by this section after June 1, 1985, shall be subject to a four percent (4%) discount or compensation to dealers for

their services rather than the eight percent (8%) discount or compensation allowed by Section 27-69-31.

Every wholesaler shall purchase stamps as provided in this chapter, and affix the same to all packages of cigarettes handled by him as herein provided.

The above tax is levied upon the sale, use, gift, possession or consumption of tobacco within the State of Mississippi, and the impact of the tax levied by this chapter is hereby declared to be on the vendee, user, consumer or possessor of tobacco in this state; and when said tax is paid by any other person, such payment shall be considered as an advance payment and shall thereafter be added to the price of the tobacco and recovered from the ultimate consumer or user.

SECTION 25. Section 27-69-75, Mississippi Code of 1972, is amended as follows:

27-69-75. All taxes levied by this chapter shall be payable to the commissioner in cash, or by personal check, cashier's check, bank exchange, post office money order or express money order, and shall be deposited by the commissioner in the State Treasury on the same day collected. No remittance other than cash shall be a final discharge of liability for the tax herein assessed and levied, unless and until it has been paid in cash to the commissioner.

Except as otherwise provided in this section, all tobacco taxes collected, including tobacco license taxes, shall be deposited into the State Treasury to the credit of the General Fund. On or before September 15, 2021, and each succeeding month thereafter through February 15, 2022, tobacco taxes collected during the preceding month under the provisions of this chapter from the increases to tax rates under Section 27-69-13 and as a result of the amendment to Section 27-69-3, as provided in Senate Bill No. 2971, 2021 Regular Session, shall be deposited, without diversion, into the Budget Stabilization Fund created in Section 26 of this act.

Wholesalers who are entitled to purchase stamps at a discount, as provided by Section 27-69-31, may have consigned to them, without advance payment, such stamps, if and when such wholesaler shall give to the commissioner a good and sufficient bond executed by some surety company authorized to do business in this state, conditioned to secure the payment for the stamps so consigned. The commissioner shall require payment for such stamps not later than thirty (30) days from the date the stamps were consigned.

SECTION 26. There is hereby created in the State Treasury a special fund to be designated as the "Budget Stabilization Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall only be appropriated by the Legislature to further the purposes of Sections 1 through 69 of this act.

SECTION 27. Section 27-70-5, Mississippi Code of 1972, is amended as follows:

27-70-5. (1) (a) In addition to the tax imposed under Section 27-69-13, and except as provided by subsection (2) of this section, there is imposed a tobacco equity tax in the amount of * * * Three and Nine One-Hundredths Cents (3.09¢) per cigarette on all cigarettes subject to the tax imposed under Section 27-69-13.

(b) On July 1 of each year, the tax prescribed by subsection (1) of this section shall increase by the greater of:

(i) Three percent (3%); or

(ii) The percentage increase in the most recent annual revised

Consumer Price Index for all Urban Consumers, as published by the Federal Bureau of Labor Statistics of the United States Department of Labor.

(c) The revenue collected from the tax imposed by this section shall be deposited into the State General Fund.

(d) The cigarettes manufactured by any manufacturer which is a party to the tobacco settlement agreement shall be exempt from the imposition of the tobacco equity tax provided for herein.

(2) The tax imposed by this chapter does not apply to cigarettes that are sold, purchased or otherwise distributed in this state for sale outside of this state. A person

may not transport or cause to be transported from this state such cigarettes for retail sale in another state without first affixing to the cigarettes the stamp required by the state in which the cigarettes are to be sold or by paying any other excise tax on the cigarettes imposed by the state in which the cigarettes are to be sold; however, a person shall not be required to affix a tax stamp of another state or pay the excise tax of another state prior to transporting the cigarettes out of this state if the other state prohibits that action or if the cigarettes are being sold to a wholesaler licensed by that state.

(3) The tax imposed by this chapter is in addition to any other privilege, license, fee, assessment or tax required or imposed by state law, including, but not limited to, the taxes levied by Section 27-69-13.

(4) The tax imposed by this chapter is imposed, levied and assessed on each distributor of cigarettes. The tax shall be due and payable on or before the fifteenth day of the month next succeeding the month in which the stamp is required to be affixed to the cigarettes under the Tobacco Tax Law. The distributor shall make a return showing the number of such cigarettes, the brand family, and the manufacturer. The return shall also include the quantity of cigarettes, by brand family, transported or caused to be transported outside of Mississippi in the preceding month as well as the name and address of the recipient of the cigarettes transported outside of Mississippi.

(5) The distributor is eligible for a credit if cigarettes for which the distributor had previously paid the tax under this chapter were returned to the distributor.

SECTION 28. Section 27-7-5, Mississippi Code of 1972, is amended as follows:

[Until January 1 of the next succeeding year after the date that the Commissioner of Revenue certifies that the reduction in revenue mandated by Section 27-7-21(p)(i) equals or exceeds the remaining revenue produced by the individual income tax, this section shall read as follows:]

27-7-5. (1) There is hereby assessed and levied, to be collected and paid as hereinafter provided, for the calendar year 1983 and fiscal years ending during the calendar year 1983 and all taxable years thereafter, upon the entire net income of every resident individual, corporation, association, trust or estate, in excess of the credits provided, a tax at the following rates:

(a) (i) Through calendar year 2017, on the first Five Thousand Dollars (\$5,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(ii) For calendar year 2018, on the first One Thousand Dollars (\$1,000.00) of taxable income there shall be no tax levied, and on the next Four Thousand Dollars (\$4,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iii) For calendar year 2019, on the first Two Thousand Dollars (\$2,000.00) of taxable income there shall be no tax levied, and on the next Three Thousand Dollars (\$3,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iv) For calendar year 2020, on the first Three Thousand Dollars (\$3,000.00) of taxable income there shall be no tax levied, and on the next Two Thousand Dollars (\$2,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(v) For calendar year 2021, on the first Four Thousand Dollars (\$4,000.00) of taxable income there shall be no tax levied, and on the next One Thousand Dollars (\$1,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(vi) For calendar year 2022 and all taxable years thereafter, there shall be no tax levied on the first Five Thousand Dollars (\$5,000.00) of taxable income;

(b) On taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof, the rate shall be four percent (4%); and

(c) On all taxable income in excess of Ten Thousand Dollars (\$10,000.00), the rate shall be five percent (5%).

(2) An S corporation, as defined in Section 27-8-3(1)(g), shall not be subject to the income tax imposed under this section.

(3) A like tax is hereby imposed to be assessed, collected and paid annually, except as hereinafter provided, at the rate specified in this section and as hereinafter provided, upon and with respect to the entire net income, from all property owned or sold, and from every business, trade or occupation carried on in this state by individuals, corporations, partnerships, trusts or estates, not residents of the State of Mississippi.

(4) In the case of taxpayers having a fiscal year beginning in a calendar year with a rate in effect that is different than the rate in effect for the next calendar year and ending in the next calendar year, the tax due for that taxable year shall be determined by:

(a) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year begins; and

(b) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year ends; and

(c) Applying to the tax computed under paragraph (a) the ratio which the number of months falling within the earlier calendar year bears to the total number of months in the fiscal year; and

(d) Applying to the tax computed under paragraph (b) the ratio which the number of months falling within the later calendar year bears to the total number of months within the fiscal year; and

(e) Adding to the tax determined under paragraph (c) the tax determined under paragraph (d) the sum of which shall be the amount of tax due for the fiscal year.

[From and after January 1 of the next succeeding year after the date that the Commissioner of Revenue certifies that the reduction in revenue mandated by Section 27-7-21(p)(i) equals or exceeds the remaining revenue produced by the individual income tax, the individual income tax shall stand repealed and this section shall read as follows:]

27-7-5. (1) There is hereby assessed and levied, to be collected and paid as hereinafter provided, for the calendar year 1983 and fiscal years ending during the calendar year 1983 and all taxable years thereafter, upon the entire net income of every resident * * * corporation * * * or association, * * * in excess of the credits provided, a tax at the following rates:

(a) (i) Through calendar year 2017, on the first Five Thousand Dollars (\$5,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(ii) For calendar year 2018, on the first One Thousand Dollars (\$1,000.00) of taxable income there shall be no tax levied, and on the next Four Thousand Dollars (\$4,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iii) For calendar year 2019, on the first Two Thousand Dollars (\$2,000.00) of taxable income there shall be no tax levied, and on the next Three Thousand Dollars (\$3,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(iv) For calendar year 2020, on the first Three Thousand Dollars (\$3,000.00) of taxable income there shall be no tax levied, and on the next Two Thousand Dollars (\$2,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(v) For calendar year 2021, on the first Four Thousand Dollars (\$4,000.00) of taxable income there shall be no tax levied, and on the next One Thousand Dollars (\$1,000.00) of taxable income, or any part thereof, the rate shall be three percent (3%);

(vi) For calendar year 2022 and all taxable years thereafter, there shall be no tax levied on the first Five Thousand Dollars (\$5,000.00) of taxable income;

(b) On taxable income in excess of Five Thousand Dollars (\$5,000.00) up to and including Ten Thousand Dollars (\$10,000.00), or any part thereof, the rate shall be four percent (4%); and

(c) On all taxable income in excess of Ten Thousand Dollars (\$10,000.00), the rate shall be five percent (5%).

(2) An S corporation, as defined in Section 27-8-3(1)(g), shall not be subject to the income tax imposed under this section.

(3) A like tax is hereby imposed to be assessed, collected and paid annually, except as hereinafter provided, at the rate specified in this section and as hereinafter provided, upon and with respect to the entire net income, from all property owned or sold, and from every business, trade or occupation carried on in this state by * * * corporations, * * * not residents of the State of Mississippi.

(4) In the case of taxpayers having a fiscal year beginning in a calendar year with a rate in effect that is different than the rate in effect for the next calendar year and ending in the next calendar year, the tax due for that taxable year shall be determined by:

(a) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year begins; and

(b) Computing for the full fiscal year the amount of tax that would be due under the rates in effect for the calendar year in which the fiscal year ends; and

(c) Applying to the tax computed under paragraph (a) the ratio which the number of months falling within the earlier calendar year bears to the total number of months in the fiscal year; and

(d) Applying to the tax computed under paragraph (b) the ratio which the number of months falling within the later calendar year bears to the total number of months within the fiscal year; and

(e) Adding to the tax determined under paragraph (c) the tax determined under paragraph (d) the sum of which shall be the amount of tax due for the fiscal year.

SECTION 29. Section 27-7-3, Mississippi Code of 1972, is brought forward as follows:

27-7-3. When used in this article:

(a) "Taxpayer" includes any individual, partnership, corporation, association, trust or estate, subject to a tax imposed hereunder, or whose income is, in whole or in part, subject to a tax imposed hereunder.

(b) "Domestic," when applied to any corporation or association, including partnerships, means created or organized in the State of Mississippi.

(c) "Foreign," when applied to any corporation or association, including partnerships, means created or organized outside the State of Mississippi.

(d) "Fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person, whether individual or corporate, acting in any fiduciary capacity, for any person, trust, or estate.

(e) "Resident" means a natural person and includes, for the purpose of determining liability for the tax imposed by this article upon or with reference to the income of any taxable year, any person domiciled in the State of Mississippi and any other person who maintains a legal or actual residence within the state.

(f) "Nonresident," when used in connection with this article, shall apply to any natural person whose domicile and place of abode is without the State of Mississippi.

(g) "Foreign country" or "foreign government" means any jurisdiction other than the one embraced within the United States. The words "United States" includes the states, the District of Columbia, and the territorial possessions of the United States.

(h) "State Tax Commission" or "Tax Commission" means the Department of Revenue. "Commission" or "department" also means the Department of Revenue except where such words are specifically given other meanings.

(i) "Commissioner," "Chairman of the Mississippi State Tax Commission," "Chairman of the State Tax Commission," "chairman of the commission" or "chairman" means the Commissioner of Revenue of the Department of Revenue.

(j) "Taxable year" means the calendar year, or fiscal year ending during such calendar year, upon the basis of which the net income is computed hereunder. "Fiscal year" means an accounting period of twelve (12) months, ending on the last day of any month other than December.

(k) "Paid or accrued" means paid or accrued, or paid or incurred, and these terms, "paid or incurred" or "paid or accrued," shall be construed according to the method of accounting or the basis on which the net income is computed. The term "received for the purpose of computation of net income" means received or accrued,

and the term "received or accrued" shall be construed according to the method of accounting or the basis on which the net income is computed.

(l) "Dividend" means any distribution made by a corporation, association, trust or estate, to its shareholders or members, whether in cash, other property, or its own stock.

SECTION 30. Section 27-7-27, Mississippi Code of 1972, is brought forward as follows:

27-7-27. (1) The tax imposed under the income tax laws of the State of Mississippi shall apply to the income of estates of any kind or property held in trust except:

(a) That a trust forming part of a pension plan, stock bonus plan, disability or death benefit plan or profit-sharing plan of an employer for the exclusive benefit of some or all of his or its employees, or their beneficiaries, to which contributions are made by such employer, or employees, or both, for the purpose of distributing to such employees, or their beneficiaries, the earnings and principal of the fund accumulated by the trust in accordance with such plan, shall not be taxable under the income tax laws of the State of Mississippi provided that the trust is irrevocable and no part of the trust corpus or income can be used for purposes other than for the exclusive benefit of employees, or their beneficiaries; but any amount actually distributed or made available to any distributee shall be taxable to him in the year in which so distributed or made available to the extent that it exceeds amounts paid in by him.

(b) That all trusts of real or personal property, or real and personal property combined, created under a retirement plan for which provision has been made under the laws of the United States of America exempting such trust from federal income tax, shall be exempt from income taxation by the State of Mississippi.

(2) Notwithstanding the provisions of subsection (1) of this section, a taxpayer shall include any Mississippi unrelated business taxable income in computing its taxable income under this chapter. As used in this subsection "Mississippi unrelated business taxable income" includes:

(a) "Unrelated business taxable income" as defined under the provisions of the Internal Revenue Code, as amended, and not otherwise inconsistent with other provisions of this chapter, and

(b) Any income attributable to an ownership interest in an S corporation.

(3) A trust required to include the activity of a disregarded entity for federal income tax purposes shall do likewise for the purpose of computing income for this state.

(4) Except as otherwise provided in this section, the gross and net income shall be determined in the same manner as is provided by law for any other taxpayer.

SECTION 31. Section 27-7-22.5, Mississippi Code of 1972, is brought forward as follows:

27-7-22.5. (1) For any manufacturer, distributor, wholesale or retail merchant who pays to a county, municipality, school district, levee district or any other taxing authority of the state or a political subdivision thereof, ad valorem taxes imposed on commodities, raw materials, works-in-process, products, goods, wares and merchandise held for resale, a credit against the income taxes imposed under this chapter shall be allowed for the portion of the ad valorem taxes so paid in the amounts prescribed in subsection (2).

(2) The tax credit allowed by this section shall not exceed the amounts set forth in paragraphs (a) through (g) of this subsection; and may be claimed for each location where such commodities, raw material, works-in-process, products, goods, wares and merchandise are found and upon which the ad valorem taxes have been paid. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credit was earned.

(a) For the 1994 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Two Thousand Dollars (\$2,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(b) For the 1995 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Three Thousand Dollars (\$3,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(c) For the 1996 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Four Thousand Dollars (\$4,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(d) For the 1997 taxable year and each taxable year thereafter through taxable year 2013, the tax credit for each location of the taxpayer shall not exceed the lesser of Five Thousand Dollars (\$5,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(e) For the 2014 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Ten Thousand Dollars (\$10,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(f) For the 2015 taxable year, the tax credit for each location of the taxpayer shall not exceed the lesser of Fifteen Thousand Dollars (\$15,000.00) or the amount of income taxes due the State of Mississippi that are attributable to such location.

(g) For the 2016 taxable year and each taxable year thereafter, the tax credit of the taxpayer shall be the lesser of the amount of the ad valorem taxes described in subsection (1) paid or the amount of income taxes due the State of Mississippi that are attributable to such location.

(3) Any amount of ad valorem taxes paid by a taxpayer that is applied toward the tax credit allowed in this section may not be used as a deduction by the taxpayer for state income tax purposes. In the case of a taxpayer that is a partnership, limited liability company or S corporation, the credit may be applied only to the tax attributable to partnership, limited liability company or S corporation income derived from the taxpayer.

SECTION 32. Section 27-7-22.15, Mississippi Code of 1972, is brought forward as follows:

27-7-22.15. (1) As used in this section, the following words and phrases shall have the meanings ascribed to herein unless the context clearly indicates otherwise:

(a) "Approved reforestation practices" means the following practices for establishing a crop of trees suitable for manufacturing into forest products:

(i) "Pine and hardwood tree planting practices" including the cost of seedlings, planting by hand or machine, and site preparation.

(ii) "Mixed-stand regeneration practices" to establish a mixed-crop of pine and hardwood trees by planting or direct seeding, or both, including the cost of seedlings, seed/acorns, planting, seeding and site preparation.

(iii) "Direct seeding practices" to establish a crop of pine or oak trees by directly applying seed/acorns to the site including the cost of seed/acorns, seeding and site preparation.

(iv) "Post-planting site preparation practices" to reduce or control undesirable competition within the first growing season of an established crop of trees.

Approved reforestation practices shall not include the establishment of orchards, Christmas trees or ornamental trees.

(b) "Eligible tree species" means pine and hardwood commercial tree species suitable for manufacturing into forest products.

(c) "Cost-share assistance" means partial financial payment for approved reforestation practices from the state government as authorized under Sections 49-19-201 through 49-19-227, or the federal government.

(d) "Eligible owner" means a private individual, group or association, but the term shall not mean private corporations which manufacture products or provide public utility services of any type or any subsidiary of such corporations.

(e) "Eligible lands" means nonindustrial private lands owned by a private individual, group or association, but shall not mean lands owned by private corporations

which manufacture products or provide public utility services of any type or any subsidiary of such corporations.

(f) "Reforestation prescription or plan" means a written description of the approved reforestation practices that the eligible owner plans to use and includes a legal description and map of the area to be reforested, a list of the tree seedling or seed species to be used in the reforestation and the site preparation practices that will be utilized.

(2) Subject to the limitations provided in subsection (3) of this section, upon submission to the State Tax Commission of the written verification provided for in subsection (5) of this section and such other documentation as the State Tax Commission may require, any eligible owner who incurs costs for approved reforestation practices for eligible tree species on eligible lands shall be allowed a credit, in an amount equal to the lesser of fifty percent (50%) of the actual costs of the approved reforestation practices or fifty percent (50%) of the average cost of approved practices as established by the Mississippi Forestry Commission under Section 49-19-219, against the taxes imposed pursuant to this chapter for the tax year in which the costs are incurred.

(3) The maximum amount of the credit provided for in subsection (2) of this section that may be utilized in any one (1) taxable year shall not exceed the lesser of Ten Thousand Dollars (\$10,000.00) or the amount of income tax imposed upon the eligible owner for the taxable year reduced by the sum of all other credits allowable to the eligible owner under this chapter, except credit for tax payments made by or on behalf of the eligible owner. Any unused portion of the credit may be carried forward for succeeding tax years. The maximum dollar amount of the credit provided for in subsection (2) of this section that an eligible owner may utilize during his lifetime shall be Seventy-five Thousand Dollars (\$75,000.00) in the aggregate.

(4) If an eligible owner receives any state or federal cost share assistance funds to defray the cost of an approved reforestation practice, the cost of that practice on the same acre or acres within the same tax year is not eligible for the credit provided in this section unless the eligible owner's adjusted gross income is less than the federal earned income credit level.

(5) To be eligible for the tax credit, an eligible owner must have a reforestation prescription or plan prepared for the eligible lands by a graduate forester of a college, school or university accredited by the Society of American Foresters or by a registered forester under the Foresters Registration Law of 1977. The forester must verify in writing that the reforestation practices were completed and that the reforestation prescription or plan was followed.

SECTION 33. Section 27-7-22.21, Mississippi Code of 1972, is brought forward as follows:

27-7-22.21. (1) As used in this section, the following words and phrases shall have the following meanings, unless the context clearly indicates otherwise:

(a) "Eligible land" means nonindustrial private lands in the state that are adjacent to and along a stream which is fully nominated to the Mississippi Scenic Streams Stewardship Program, or nonindustrial private lands in the state which are considered to be priority sites for conservation under the Mississippi Natural Heritage Program.

(b) "Eligible owner" means a private individual, group or association other than a private corporation, or any subsidiary thereof, which manufactures products or provides public utility services of any type.

(c) "Interest in land" means any right in real property, including access thereto or improvements thereon, or water, including, but not limited to, a fee simple easement, a conservation easement, provided such interest complies with the requirements of the United States Internal Revenue Code Section 170(h), partial interest, mineral right, remainder or future interest, or other interest or right in real property.

(d) "Land" or "lands" means real property, with or without improvements thereon, rights-of-way, water and riparian rights, easements, privileges and all other rights or interests of any land or description in, relating to, or connected with real property.

(e) "Allowable transaction costs" mean the costs of the appraisal of the lands or interests in lands, including conservation easements, that are being donated, of the baseline survey of the natural features, animals and plants present on the site, of engineering and surveying fees, of maintenance fees, of monitoring fees and of legal fees, including the costs of document preparation, title review and title insurance.

(f) "Specified conservation purposes" mean the preservation of stream bank habitats and the stability of stream banks, or the protection of land necessary because of high biodiversity significance or high protection urgency due to the presence of exemplary natural communities or species of special concern, including threatened or endangered species.

(2) For the taxable years beginning on or after January 1, 2003, for any income taxpayer who is an eligible owner, a credit against the taxes imposed by this chapter shall be allowed in the amounts provided in this section upon the donation of land or an interest in land for specified conservation purposes.

(3) The credit provided for in this section shall be fifty percent (50%) of the allowable transaction costs involved in the donation for the tax year in which the allowable transaction costs occur. The aggregate amount of the credit provided in this section for allowable transaction costs shall not exceed the lesser of Ten Thousand Dollars (\$10,000.00) or the amount of tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to such taxpayer under this chapter, except credit for tax payments made by or on behalf of the taxpayer. Any unused portion of the credit may be carried forward for ten (10) succeeding tax years. The maximum dollar amount of the credit provided for in this section that an eligible owner may utilize during his lifetime shall be Ten Thousand Dollars (\$10,000.00) in the aggregate.

(4) To be eligible for the credit provided for in this section, an eligible owner must demonstrate that the donation qualifies as a conservation contribution under Section 170(h) of the United States Internal Revenue Code of 1986, by means of being a donation in perpetuity, for conservation purposes and made to a qualified holder or donee. A letter from the donee indicating acceptance and a completed copy of the appropriate United States Internal Revenue Service form shall constitute proof of acceptance. The eligible owner also must submit any other documentation that the State Tax Commission may require.

SECTION 34. Section 27-7-22.22, Mississippi Code of 1972, is brought forward as follows:

27-7-22.22. (1) A credit is allowed against the taxes imposed by this chapter to a taxpayer for allowing land owned by the taxpayer to be used as a natural area preserve, a wildlife refuge or habitat area, a wildlife management area, or for the purpose of providing public outdoor recreational opportunities, as authorized under Section 49-1-29, 49-5-71 or 49-5-155, subject to the following conditions and limitations:

(a) The land may not be under lease to the Mississippi Commission on Wildlife, Fisheries and Parks, and the commission must approve the land as being suitable for the uses described in this section.

(b) The amount of the tax credit allowed by this section shall be Five Dollars and Fifty Cents (\$5.50) per acre of land in each taxable year.

(c) In no event shall the amount of the tax credits allowed by this section for a taxable year exceed the taxpayer's liability for those taxes. Any unused credit amount shall be allowed to be carried forward for five (5) years from the close of the taxable year in which the land was approved for such a use. No such credit shall be allowed the taxpayer against prior years' tax liability.

(2) To claim a credit allowed by this section, the taxpayer shall provide any information required by the Mississippi Commission on Wildlife, Fisheries and Parks or the Mississippi Commissioner of Revenue. Every taxpayer claiming a credit under this section shall maintain and make available for inspection by the Mississippi Commission on Wildlife, Fisheries and Parks or the Mississippi Commissioner of Revenue any records that either entity considers necessary to determine and verify the amount of the credit to which the taxpayer is entitled. The burden of proving eligibility for a credit and the amount of the credit rests upon the taxpayer, and no credit may be allowed to a

taxpayer that fails to maintain adequate records or to make them available for inspection.

(3) Upon approval of the Commission on Wildlife, Fisheries and Parks under subsection (1)(a), a taxpayer seeking to claim any tax credit provided for under this section must submit an application to the Mississippi Commissioner of Revenue for approval of the tax credit. The Mississippi Commissioner of Revenue shall promulgate the rules and forms on which the application is to be submitted. The Mississippi Commissioner of Revenue shall review the application and may approve such application upon determining that it meets the requirements of this section within sixty (60) days after receiving the application.

SECTION 35. Section 27-7-22.31, Mississippi Code of 1972, is brought forward as follows:

27-7-22.31. (1) As used in this section:

(a) "Certified historic structure" means a property located in Mississippi that has been:

- (i) Listed individually on the National Register of Historic Places; or
- (ii) Determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section; or
- (iii) Property designated a Mississippi Landmark by the Department of Archives and History pursuant to Section 39-7-3 et seq.

(b) "Eligible property" means property located in Mississippi and offered or used for residential or business purposes; however, the term "eligible property" shall not include a single-family dwelling unless:

- (i) A certificate evidencing the eligible credit has been issued to the taxpayer by the department prior to July 1, 2016, that applies to such dwelling; or
- (ii) The dwelling is designated as a National Historic Landmark under the National Historic Landmarks Program.

(c) "Structure in a certified historic district" means a structure (and its structural components) located in Mississippi which:

- (i) Is listed in the National Register of Historic Places; or
- (ii) Has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section; or
- (iii) Is located in a registered historic district listed on the National Register of Historic Places or located in a potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section, and is certified by the Secretary of the United States Department of the Interior as being of historic significance to the district; or
- (iv) Is certified by the Mississippi Department of Archives and History as contributing to the historic significance of:

1. A certified historic district listed on the National Register of Historic Places; or

2. A potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the credit authorized by this section; or

3. A local district that has been certified by the United States Department of the Interior.

(d) "Department" means the Department of Archives and History.

(2) Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or a structure in a certified historic district, shall be entitled to a credit against the taxes imposed pursuant to this chapter in an amount equal to twenty-five percent (25%) of the total costs and expenses of rehabilitation incurred after January 1, 2006, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder:

(a) If the costs and expenses associated with rehabilitation exceed:

(i) Five Thousand Dollars (\$5,000.00) in the case of an owner-occupied dwelling; or
(ii) Fifty percent (50%) of the total basis in the property in the case of all other properties; and

(b) The rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior as determined by the department.

(3) Any taxpayer eligible for the credit authorized by this section may claim the credit in phases if:

(a) There is a written set of architectural plans and specifications for all phases of the rehabilitation (written plans outlining and describing all phases of the rehabilitation shall be accepted as written plans and specifications);

(b) The written set of architectural plans and specifications are completed before the physical work on the rehabilitation begins; and

(c) It can reasonably be expected that all phases of the rehabilitation will be completed.

(4) (a) (i) If the amount of the tax credit established by this section exceeds the total state income tax liability for the year in which the rehabilitated property is placed in service, the amount that exceeds the total state income tax liability may be carried forward for the ten (10) succeeding tax years.

(ii) The taxpayer may elect to claim a refund in the amount of seventy-five percent (75%) of the excess credit in lieu of the ten-year carryforward. The election must be made in the year in which the rehabilitated property is placed in service. Refunds will be paid in equal installments over a two-year period and shall be made from current collections.

(iii) Refund requests shall be submitted to the Department of Revenue on forms prescribed by the department. Refunds shall be made from current tax collections.

(b) Not-for-profit entities, including, but not limited to, nonprofit corporations organized under Section 79-11-101 et seq. shall be ineligible for the credit authorized by this section. Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners on a pro rata basis or pursuant to an executed agreement among the partners, members or owners documenting an alternative distribution method. Partners, members or other owners of a pass-through entity are not eligible to elect a refund of excess credit in lieu of a carryforward of the credit. However, a partnership or limited liability company taxed as a partnership may elect to claim a refund of excess credit at the entity level on a form prescribed by the Department of Revenue. Additionally, excess tax credits that are attributable to rehabilitated property that was placed in service by a pass-through entity prior to January 1, 2011, and that have previously been allocated to and are held by another pass-through entity prior to January 1, 2011, may be refunded to such other pass-through entity.

(5) (a) To claim the credit authorized pursuant to this section, the taxpayer shall apply to the department which shall determine the amount of eligible rehabilitation costs and expenses and whether the rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior. The department shall issue a certificate evidencing the eligible credit if the taxpayer is found to be eligible for the tax credit. The taxpayer shall attach the certificate to all income tax returns on which the credit is claimed. The department shall not issue certificates evidencing the eligible credit which, when combined with certificates of eligible credits issued prior to July 1, 2016, will result in credits being awarded in excess of Twelve Million Dollars (\$12,000,000.00) in any one (1) state fiscal year.

(b) The aggregate amount of tax credits that may be awarded under this section shall not exceed One Hundred Eighty Million Dollars (\$180,000,000.00). A taxpayer who was issued a certificate evidencing the eligible credit by the department prior to July 1, 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized under this section prior to July 1, 2020:

(i) May be awarded the credit so long as the award does not cause the aggregate amount of tax credits awarded to exceed the amount authorized in this paragraph; and

(ii) Shall be given priority for tax credits awarded after July 1, 2020.

(6) (a) The credit received by a taxpayer pursuant to this section is subject to recapture if:

(i) The property is one that has been determined eligible for the National Register of Historic Places but is not listed on the National Register of Historic Places within thirty (30) months of claiming the credit authorized by this section;

(ii) The potential district in which the property is located is not listed on the National Register of Historic Places within thirty (30) months of claiming the credit authorized by this section; or

(iii) The rehabilitation of the property for which the credit was granted is abandoned.

(b) The taxpayer shall notify the department and the Department of Revenue if any of the situations that subject the credit to recapture occur.

(7) (a) The board of trustees of the department shall establish fees to be charged for the services performed by the department under this section and shall publish the fee schedule. The fees contained in the schedule shall be in amounts reasonably calculated to recover the costs incurred by the department for the administration of this section. Any taxpayer desiring to participate in the tax credits authorized by this section shall pay the appropriate fee as contained in the fee schedule to the department, which shall be used by the department, without appropriation, to offset the administrative costs of the department associated with its duties under this section.

(b) There is hereby created within the State Treasury a special fund into which shall be deposited all the fees collected by the department pursuant to this section. Money deposited into the fund shall not lapse at the end of any fiscal year and investment earnings on the proceeds in such special fund shall be deposited into such fund. Money from the fund shall be disbursed upon warrants issued by the State Fiscal Officer upon requisitions signed by the executive director of the department to assist the department in carrying out its duties under this section.

(8) This section shall only apply to taxpayers:

(a) Who have been issued a certificate evidencing the eligible credit before December 31, 2030; or

(b) Who, before December 31, 2030, have received a determination in writing from the Mississippi Department of Archives and History, in accordance with the department's Historic Preservation Certificate Application, Part 2, that the rehabilitation is consistent with the historic character of the property and that the property meets the United States Secretary of the Interior's Standards for Rehabilitation, or will meet the standards if certain specified conditions are met, and, who are issued a certificate evidencing the eligible credit on or after December 31, 2030.

SECTION 36. Section 27-7-22.32, Mississippi Code of 1972, is brought forward as follows:

[Through December 31, 2023, this section shall read as follows:]

27-7-22.32. (1) (a) There shall be allowed as a credit against the tax imposed by this chapter the amount of the qualified adoption expenses paid or incurred, not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), for each dependent child legally adopted by a taxpayer under the laws of this state during calendar year 2006 or during any calendar year thereafter through calendar year 2017, and not to exceed Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (a) may not claim a credit under paragraph (b) of this subsection for the adoption of the same child.

(b) There shall be allowed as a credit against the tax imposed by this chapter the amount of Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state through the Mississippi Department of Child Protection Services during calendar year 2018 or during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (b) may not claim a credit under paragraph (a) of this subsection for the adoption of the same child.

(2) The tax credit under this section may be claimed for the taxable year in which the adoption becomes final under the laws of this state. Any tax credit claimed under

this section but not used in any taxable year may be carried forward for the five (5) succeeding tax years. A tax credit is allowed under this section for any child for which an exemption is claimed during the same taxable year under Section 27-7-21(e). For the purposes of this section, the term "qualified adoption expenses" means and has the same definition as that term has in 26 USCS 36C.

[From and after January 1, 2024, this section shall read as follows:]

27-7-22.32. There shall be allowed as a credit against the tax imposed by this chapter the amount of the qualified adoption expenses paid or incurred, not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), for each dependent child legally adopted by a taxpayer under the laws of this state during calendar year 2006 or during any calendar year thereafter. The tax credit under this section may be claimed for the taxable year in which the adoption becomes final under the laws of this state. Any tax credit claimed under this section but not used in any taxable year may be carried forward for the three (3) succeeding tax years. A tax credit is allowed under this section for any child for which an exemption is claimed during the same taxable year under Section 27-7-21(e). For the purposes of this section, the term "qualified adoption expenses" means and has the same definition as that term has in 26 USCS 36C.

SECTION 37. Section 27-7-22.33, Mississippi Code of 1972, is brought forward as follows:

27-7-22.33. (1) A taxpayer shall be allowed a credit against the income taxes imposed under this chapter in an amount equal to twenty-five percent (25%) of the premium costs paid during the taxable year for a qualified long-term care insurance policy as defined in Section 7702B of the Internal Revenue Code that offers coverage to either the individual, the individual's spouse, the individual's parent or parent-in-law, or the individual's dependent as defined in Section 152 of the Internal Revenue Code.

(2) No taxpayer shall be entitled to the credit with respect to the same expended amounts for qualified long-term care insurance which are claimed by another taxpayer.

(3) The credit allowed by this section shall not exceed Five Hundred Dollars (\$500.00) or the taxpayer's income tax liability, whichever is less, for each qualified long-term care insurance policy. Any unused tax credit shall not be allowed to be carried forward to apply to the taxpayer's succeeding year's tax liability.

(4) No credit shall be allowed under this section with respect to any premium for qualified long-term care insurance either deducted or subtracted by the taxpayer in arriving at his net taxable income under this section or with respect to any premiums for qualified long-term care insurance which were excluded from his net taxable income.

SECTION 38. Section 27-7-22.37, Mississippi Code of 1972, is brought forward as follows:

27-7-22.37. (1) There shall be allowed as a credit against the tax imposed by Section 27-7-5 the amount of the qualified prekindergarten program support contributions paid to approved providers, lead partners or collaboratives, not to exceed One Million Dollars (\$1,000,000.00), by any individual, corporation or other entity having taxable income under the laws of this state during calendar year 2013 or during any calendar year thereafter. In order to qualify for a tax credit, such contributions may support the local match requirement of approved providers, lead partners or collaboratives as is necessary to match state-appropriated funds, and any such providers, lead partners or collaboratives shall be approved by the State Department of Education.

(2) Any unused portion of the credit may be carried forward for three (3) tax years.

(3) Any prekindergarten program support contribution shall be verified by submission to the Mississippi Department of Revenue of a copy of the receipt provided to the donor taxpayer by the prekindergarten program recipient or such other written verification as may be required by the Department of Revenue.

(4) The maximum amount of donations accepted by the Department of Revenue in calendar year 2014 shall not exceed Eight Million Dollars (\$8,000,000.00), in calendar year 2015 shall not exceed Fifteen Million Dollars (\$15,000,000.00), and in calendar year 2016 and calendar years thereafter shall not exceed Thirty-two Million Dollars (\$32,000,000.00), or what is appropriated by the Legislature to fund Chapter 493, Laws of 2013 each year.

(5) The Mississippi Department of Revenue shall promulgate rules necessary to effectuate the purposes of Chapter 493, Laws of 2013. Such rules shall include a means of informing the public of the existence of the prekindergarten support program and the application process for provider, lead partner and collaborative candidates.

SECTION 39. Section 27-7-22.39, Mississippi Code of 1972, is brought forward as follows:

27-7-22.39. (1) As used in this section:

(a) "Low-income residents" means persons whose household income is less than one hundred fifty percent (150%) of the federal poverty level.

(b) "Qualifying charitable organization" means a charitable organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code or is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901. The organization must spend at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits or low-income residents of this state and their households or to children who have a chronic illness or physical, intellectual, developmental or emotional disability who are residents of this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. Taxpayers choosing to make donations through an umbrella charitable organization that collects donations on behalf of member charities shall designate that the donation be directed to a member charitable organization that would qualify under this section on a stand-alone basis. Qualifying charitable organization does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(c) "Qualifying foster care charitable organization" means a qualifying charitable organization that each operating year provides services to at least one hundred (100) qualified individuals in this state and spends at least fifty percent (50%) of its budget on services to qualified individuals in this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying foster care charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. For the purposes of this paragraph, "qualified individual" means a child in a foster care placement program established by the Department of Child Protection Services, a child placed under the Safe Families for Children model, or a child at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(d) "Services" means:

(i) Cash assistance, medical care, child care, food, clothing, shelter, and job-placement services or any other assistance that is reasonably necessary to meet immediate basic needs and that is provided and used in this state;

(ii) Job-training or education services or funding for parents, foster parents or guardians; or

(iii) Job-training or education services or funding provided as part of a foster care independent living program.

(2) Except as provided in subsections (3) and (4) of this section, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by the taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization, not to exceed:

(a) The lesser of Four Hundred Dollars (\$400.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

(b) The lesser of Eight Hundred Dollars (\$800.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(3) A separate credit is allowed against the taxes imposed by this chapter for voluntary cash contributions during the taxable year to a qualifying foster care charitable organization. A contribution to a qualifying foster care charitable organization does not qualify for, and shall not be included in, any credit amount under subsection (2) of this section. If the voluntary cash contribution by the taxpayer is to a qualifying foster care charitable organization, the credit shall not exceed:

(a) The lesser of Five Hundred Dollars (\$500.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

(b) The lesser of One Thousand Dollars (\$1,000.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(4) Subsections (2) and (3) of this section provide separate credits against taxes imposed by this chapter depending on the recipients of the contributions. A taxpayer, including a married couple filing a joint return, in the same taxable year, may either or both:

(a) Contribute to a qualifying charitable organization, other than a qualifying foster care charitable organization, and claim a credit under subsection (2) of this section.

(b) Contribute to a qualifying foster care charitable organization and claim a credit under subsection (3) of this section.

(5) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(6) If the allowable tax credit exceeds the taxes otherwise due under this chapter on the claimant's income, or if there are no taxes due under this chapter, the taxpayer may carry forward the amount of the claim not used to offset the taxes under this chapter for not more than five (5) consecutive taxable years' income tax liability.

(7) The credit allowed by this section is in lieu of a deduction pursuant to Section 170 of the Internal Revenue Code and taken for state tax purposes.

(8) Taxpayers taking a credit authorized by this section shall provide the name of the qualifying charitable organization and the amount of the contribution to the department on forms provided by the department.

(9) A qualifying charitable organization shall provide the department with a written certification that it meets all criteria to be considered a qualifying charitable organization. The organization shall also notify the department of any changes that may affect the qualifications under this section.

(10) The charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code or verification that the organization is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901.

(b) Financial data indicating the organization's budget for the organization's prior operating year and the amount of that budget spent on services to residents of this state who either:

(i) Receive temporary assistance for needy families benefits;

(ii) Are low-income residents of this state;

(iii) Are children who have a chronic illness or physical, intellectual, developmental or emotional disability; or

(iv) Are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(c) A statement that the organization plans to continue spending at least fifty percent (50%) of its budget on services to residents of this state who receive

temporary assistance for needy families benefits, who are low-income residents of this state, who are children who have a chronic illness or physical, intellectual, developmental or emotional disability or who are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements for a qualifying charitable organization or qualifying foster care charitable organization except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi shall submit a statement that it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and that one hundred percent (100%) of the voluntary cash contributions it receives from Mississippi taxpayers will be spent on services to qualified individuals in Mississippi.

(d) In the case of a foster care charitable organization, a statement that each operating year it provides services to at least one hundred (100) qualified individuals in this state.

(e) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions.

(f) Any other information that the department requires to administer this section.

(11) The department shall review each written certification and determine whether the organization meets all the criteria to be considered a qualifying charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of the qualifying charitable organizations.

(12) The aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed Three Million Dollars (\$3,000,000.00). However, for calendar year 2021, and for each calendar year thereafter, the aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed One Million Dollars (\$1,000,000.00). In addition, any tax credits not awarded under this section before June 1, 2020, may be allocated during calendar year 2020 under Section 27-7-22.41 for contributions by taxpayers to eligible charitable organizations described in Section

27-7-22.41(1)(b)(ii) as provided under such section, notwithstanding any limitation on the percentage of tax credits that may be allocated for such contributions.

(13) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(14) This section shall be repealed from and after January 1, 2025.

SECTION 40. Section 27-7-22.41, Mississippi Code of 1972, is brought forward as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract or agreement with the Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,
2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or
3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as a job training, workforce development or educational services charitable organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,
2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or
3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization

and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than five percent (5%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 41. Section 27-7-207, Mississippi Code of 1972, is brought forward as follows:

27-7-207. (1) Subject to the limitations provided for in this section, through calendar year 2023 a taxpayer shall be allowed a credit against the tax imposed by Chapter 7, Title 27, in an amount equal to twenty-five percent (25%) of a qualified contribution to an endowed fund at a qualified community foundation, subject to the following:

(a) The minimum amount of a qualified contribution shall be One Thousand Dollars (\$1,000.00).

(b) The maximum amount of a qualified contribution shall be Two Hundred Thousand Dollars (\$200,000.00).

(c) The total qualified contributions from any qualified taxpayer eligible for the tax credit authorized under this section shall be Two Hundred Thousand Dollars (\$200,000.00) per year.

(2) Except as otherwise provided in this subsection, the aggregate amount of tax credits authorized under this article shall not exceed Five Hundred Thousand Dollars (\$500,000.00) in any one (1) calendar year. The credits shall be awarded on a first-come, first-served basis. If the tax credits authorized for use in any calendar year are not utilized, the amount not utilized may be awarded or carried forward in up to five (5) subsequent calendar years from the year in which such credits are made available.

(3) If the amount allowable as a credit exceeds the tax imposed by Chapter 7, Title 27, the amount of such excess may be carried forward for not more than five (5) subsequent taxable years.

(4) From and after January 1, 2024, no additional credits shall be authorized under this section; however, any tax credits authorized prior to January 1, 2024, and not used, may be carried forward for not more than five (5) taxable years subsequent to calendar year 2023.

SECTION 42. Section 27-7-312, Mississippi Code of 1972, is brought forward as follows:

27-7-312. (1) Of the revenue collected under the provisions of this article from the new direct jobs of a qualified business or industry as defined in Section 57-62-5 of the Mississippi Advantage Jobs Act, an amount equal to the estimated amount of the quarterly incentive payment for which such qualified business or industry is eligible shall be deposited into the Mississippi Advantage Jobs Incentive Payment Fund created pursuant to Section 57-62-1 et seq., on or before the twentieth day of the month following the close of each calendar quarter.

(2) Of the revenue collected under the provisions of this article from the qualified jobs of a qualified business or industry as defined in Section 57-99-1, an amount equal to the estimated amount of the quarterly incentive payment for which such qualified business or industry is eligible shall be deposited into the MMEIA Withholding Rebate Fund created pursuant to Section 57-99-5, on or before the twentieth day of the month following the close of each calendar quarter.

(3) Of the revenue collected under the provisions of this article from the qualified jobs of a qualified business or industry as defined in Section 57-100-1, an amount equal to the estimated amount of the quarterly incentive payment for which such qualified business or industry is eligible shall be deposited into the Existing Industry Withholding Rebate Fund created pursuant to Section 57-100-5, on or before the twentieth day of the month following the close of each calendar quarter.

(4) Of the revenue collected under the provisions of this article from the qualified jobs of a qualified business or industry as defined in Section 57-99-21, an amount equal to the estimated amount of the quarterly incentive payment for which such qualified business or industry is eligible shall be deposited into the MMEIA Rebate Fund created pursuant to Section 57-99-25, on or before the twentieth day of the month following the close of each calendar quarter.

SECTION 43. Section 57-62-5, Mississippi Code of 1972, is brought forward as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published

average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business;

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment;

(c) "Full-time job" means a job of at least thirty-five (35) hours per week;

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry;

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry;

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs;

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits;

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry; and

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than one hundred (100) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(ii) Is a manufacturing or distribution enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, invests not less than Twenty Million Dollars

(\$20,000,000.00) in land, buildings and equipment, and creates not less than fifty (50) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than twenty (20) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than ten (10) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21). An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business; or

(iv) Is a research and development or a technology intensive enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than ten (10) new direct jobs.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry.

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry.

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs.

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits.

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs;

(ii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs; or

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which is a manufacturer that:

1. Provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

2. Has a minimum of five thousand (5,000) existing employees as of the last day of the previous calendar year; and

3. MDA determines will create not less than three thousand (3,000) new direct jobs within forty-eight (48) months of the date the MDA determines that the applicant is qualified to receive incentive payments.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(e) "MDA" means the Mississippi Development Authority.

SECTION 44. Section 57-62-9, Mississippi Code of 1972, is brought forward as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-9. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed the amount of money previously paid into the fund by the employer. A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual

wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) In order to qualify to receive such payments, the establishment applying shall be required to:

(a) Be engaged in a qualified business or industry;

(b) Provide an average salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for this requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must create and maintain a minimum of ten (10) full-time jobs in counties that have an average unemployment rate over the previous twelve-month period which is at least one hundred fifty percent (150%) of the most recently published state unemployment rate, as determined by the Mississippi Department of Employment Security or in Tier Three counties as determined under Section 57-73-21. In all other counties, the business or industry must create and maintain a minimum of twenty-five (25) full-time jobs. The criteria for this requirement shall be based on the designation of the county at the time of the application. The threshold established upon the application will remain constant for the duration of the project. The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) The MDA shall determine if the applicant is qualified to receive incentive payments. If the applicant is determined to be qualified by the MDA, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for a period not to exceed ten (10) years and to estimate the amount of gross payroll for the period. If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report

to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed:

(i) Ninety percent (90%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

(ii) Eighty percent (80%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) but less than one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser; or

(iii) Seventy percent (70%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of less than one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit

analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event more than four percent (4%) of the total annual salary paid for new direct jobs during such period, excluding benefits which are not subject to Mississippi income taxes.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(c) A qualified business or industry as defined in Section 57-62-5(a)(iii) may elect the date upon which the ten-year period will begin and may elect to begin receiving incentive payments as early as the second quarter after that date. Incentive payments will be calculated on all jobs above the existing number of jobs as of the date the MDA determines that the applicant is qualified to receive incentive payments. In the event that the qualified business or industry falls below the number of existing jobs at the time of determination that the applicant is qualified to receive the incentive payment, the incentive payment shall cease until the qualified business or industry once again exceeds that number. If after forty-eight (48) months, the qualified business or industry has failed to create at least three thousand (3,000) new direct jobs, incentive payments shall cease and the qualified business or industry shall not be qualified to receive further incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) Except as otherwise provided for a qualified business or industry as defined in Section 57-62-5(a)(iii), the business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period

under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct an analysis to estimate the amount of gross payroll for the appropriate additional period. Incentive payments, cumulatively, shall not exceed ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event more than four percent (4%) of the total annual salary paid for new direct jobs during the additional period, excluding benefits which are not subject to Mississippi income taxes. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the minimum job and salary requirements. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

SECTION 45. Section 57-62-11, Mississippi Code of 1972, is brought forward as follows:

57-62-11. (1) There is created in the State Treasury a special fund to be known as the Mississippi Advantage Jobs Incentive Payment Fund, into which shall be deposited withholding tax revenue required to be deposited into such fund pursuant to Section 27-7-312. The money in the fund shall be used for the purpose of making the incentive payments authorized under this chapter.

(2) The Mississippi Advantage Jobs Incentive Payment Fund shall be administered by the Department of Revenue, and monies in the fund, less three percent (3%) to be retained by the Department of Revenue to pay the reasonable and necessary expenses of the Department of Revenue in administering its duties under this chapter, shall be expended pursuant to the approved application. Amounts in the fund at the end of any fiscal year that are not necessary to make future incentive payments shall be paid into the General Fund.

(3) The liability of the State of Mississippi to make the incentive payments authorized under this chapter shall be limited to the balance contained in the fund.

SECTION 46. Section 57-62-13, Mississippi Code of 1972, is brought forward as follows:

57-62-13. (1) As soon as practicable after the end of a calendar quarter for which a qualified business or industry has qualified to receive an incentive payment, the qualified business or industry shall file a claim for the payment with the Department of Revenue and shall specify the actual number of new direct jobs created and maintained

by the business or industry for the calendar quarter and the gross payroll thereof. The Department of Revenue shall verify the actual number of new direct jobs created and maintained by the business or industry and compliance with the average annual wage requirements for such business or industry under this chapter. If the qualified business or industry files a claim for an incentive payment during an additional incentive period provided under Section 57-62-9(2), the Department of Revenue shall verify the actual number of new direct jobs created and maintained by the business or industry and compliance with the average annual wage requirements for such business or industry under this chapter. If the Department of Revenue is not able to provide such verification utilizing all available resources, the Department of Revenue may request such additional information from the business or industry as may be necessary.

(2) (a) Except as otherwise provided in this chapter, the business or industry must meet the salary and job requirements of this chapter for four (4) consecutive calendar quarters prior to payment of the first incentive payment. Except as otherwise provided in Section 57-62-9, if the business or industry does not maintain the salary or job requirements of this chapter at any other time during the ten-year period after the date the first payment was made, the incentive payments shall not be made and shall not be resumed until such time as the actual verified number of new direct jobs created and maintained by the business or industry equals or exceeds the requirements of this chapter for one (1) calendar quarter.

(b) If the business or industry is qualified to receive incentive payments for an additional period provided under Section 57-62-9(2), the business or industry must meet the wage and job requirements of Section 57-62-9(2), for four (4) consecutive calendar quarters prior to payment of the first incentive payment. If the business or industry does not maintain the wage or job requirements of Section 57-62-9(2), at any other time during the appropriate additional period after the date the first payment was made, the incentive payments shall not be made and shall not be resumed until such time as the actual verified number of new direct jobs created and maintained by the business or industry equals or exceeds the amounts specified in Section 57-62-9(2), for one (1) calendar quarter.

(3) An establishment that has qualified pursuant to this chapter may receive payments only in accordance with the provision under which it initially applied and was approved. If an establishment that is receiving incentive payments expands, it may apply for additional incentive payments based on the new gross payroll for new direct jobs anticipated from the expansion only, pursuant to this chapter.

(4) As soon as practicable after verification of the qualified business or industry meeting the requirements of this chapter and all rules and regulations, the Department of Finance and Administration, upon requisition of the Department of Revenue, shall issue a warrant drawn on the Mississippi Advantage Jobs Incentive Payment Fund to the establishment in the amount of the incentive payment as determined pursuant to subsection (1) of this section for the calendar quarter.

SECTION 47. Section 57-89-3, Mississippi Code of 1972, is brought forward as follows:

57-89-3. As used in this chapter, the following terms shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Base investment" means the actual investment made and expended in Mississippi by a motion picture production company in connection with the production of a state-certified production in the state. The term "base investment" includes amounts expended in Mississippi by a motion picture production company as per diem and housing allowances in connection with the production of a state-certified production in the state. The term "base investment" shall not include payroll. However, in the case of a motion picture production company, or its owner, principal, member, production partner, independent contractor director or producer, or subsidiary company that (i) is designated and pre-qualified by the Mississippi Development Authority as Mississippi-based or a Mississippi resident; (ii) has filed income taxes in the State of Mississippi during each of the previous three (3) years; and (iii) has engaged in activities related to the production of at least two (2) motion pictures in Mississippi during the past ten (10) years, base investment may include payroll and fringes paid for any employee who is not a resident and whose wages are subject to the Mississippi Income Tax

Withholding Law of 1968, if so requested by the motion picture production company. A motion picture production company must submit such a request to the Mississippi Development Authority at the time the company submits an application for approval as a state-certified production. In addition, if base investment includes payroll and fringes, and the payroll and fringes paid for an employee exceeds Five Million Dollars (\$5,000,000.00), then only the first Five Million Dollars (\$5,000,000.00) of such payroll and fringes may be included in base investment.

(b) "Employee" means an individual directly involved in the physical production and/or post-production of a motion picture produced in the state and who is employed by a:

(i) Motion picture production company that is directly involved in the physical production and/or post-production of a motion picture in the state;

(ii) Personal service corporation retained by a motion picture production company to provide persons used directly in the physical production and/or post-production of a motion picture in the state; or

(iii) Payroll service or loan-out company that is retained by a motion picture production company to provide employees who work directly in the physical production and/or post-production of a motion picture in the state.

(c) "Fringes" means costs paid by a motion picture production company on or after September 1, 2013, for employee benefits that are not subject to state income tax. Fringes may include, but are not limited to, payments by an employer for unemployment insurance, Federal Insurance Contribution Act (FICA), workers' compensation insurance, pension and welfare benefits and health insurance premiums.

(d) "Motion picture" means a nationally distributed feature-length film, video, DVD, television program or series, commercial, or computer or video game made in Mississippi, in whole or in part, for theatrical or DVD release or television viewing or as a television pilot or viewing through streaming video or internet delivery, or for playing on a video game console, personal computer or handheld device. The term "motion picture" shall not include the production of television coverage of news and athletic events, or a film, video, DVD, television program, series, or commercial that contains any material or performance defined in Section 97-29-103.

(e) "Motion picture production company" means a company engaged in the business of producing nationally distributed motion pictures, videos, DVDs, television programs or series, commercials, or computer or video games intended for a theatrical release, for television viewing or for playing on a video game console, personal computer or handheld device. The term "motion picture production company" includes a company engaged in the business of making such productions through the use of animation, interactive media, preproduction and post-production 3D applications, video game cinematics, virtual production, visual effects, and motion capture within the fields of feature film, television, commercials and games. The term "motion picture production company" shall not mean or include any company owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on a loan made by the state or a loan guaranteed by the state, or any company or person who has ever declared bankruptcy under which an obligation of the company or person to pay or repay public funds or monies was discharged as a part of such bankruptcy.

(f) "Payroll" means salary, wages or other compensation including related benefits paid to employees upon which Mississippi income tax is due and has been withheld.

(g) "Resident" or "resident of Mississippi" means a natural person, and for the purpose of determining eligibility for the rebate provided by Section 57-89-7, any person domiciled in the State of Mississippi and any other person who maintains a permanent place of abode within the state and spends in the aggregate more than six (6) months of each year within the state.

(h) "State" means the State of Mississippi.

(i) "State-certified production" means a motion picture approved by the Mississippi Development Authority produced by a motion picture production company in the state. An application for approval as a state-certified production must be submitted to the Mississippi Development Authority before production of the project begins.

SECTION 48. Section 57-89-7, Mississippi Code of 1972, is brought forward as follows:

57-89-7. (1) (a) A motion picture production company that expends at least Fifty Thousand Dollars (\$50,000.00) in base investment, payroll and/or fringes, in the state shall be entitled to a rebate of a portion of the base investment made by the motion picture production company. Subject to the provisions of this section, the amount of the rebate shall be equal to twenty-five percent (25%) of the base investment made by the motion picture production company.

(b) In addition to the rebates authorized under paragraphs (a), (c) and (d) of this subsection, a motion picture production company may receive a rebate equal to twenty-five percent (25%) of payroll and fringes paid for any employee who is not a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968. However, if the payroll and fringes paid for an employee exceeds Five Million Dollars (\$5,000,000.00), then the rebate is authorized only for the first Five Million Dollars (\$5,000,000.00) of such payroll and fringes.

(c) In addition to the rebates authorized under paragraphs (a), (b) and (d) of this subsection, a motion picture production company may receive a rebate equal to thirty percent (30%) of payroll and fringes paid for any employee who is a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968. However, if the payroll and fringes paid for an employee exceeds Five Million Dollars (\$5,000,000.00), then the rebate is authorized only for the first Five Million Dollars (\$5,000,000.00) of such payroll and fringes.

(d) In addition to the rebates authorized in paragraphs (a), (b) and (c) of this subsection, a motion picture production company may receive an additional rebate equal to five percent (5%) of the payroll and fringes paid for any employee who is an honorably discharged veteran of the United States Armed Forces and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968.

(e) If a motion picture has physical production activities and/or post-production activities both inside and outside the state, then the motion picture production company shall be required to provide an itemized accounting for each employee regarding such activities inside and outside the state for the purposes of proration of eligible payroll based on the percentage of activities performed in the state.

(f) The total amount of rebates authorized for a motion picture project shall not exceed Ten Million Dollars (\$10,000,000.00) in the aggregate.

(g) The total amount of rebates authorized in any fiscal year shall not exceed Twenty Million Dollars (\$20,000,000.00) in the aggregate.

(2) A motion picture production company desiring a rebate under this section must submit a rebate request to the Department of Revenue upon completion of the project. The request must include a detailed accounting of the base investment made by the motion picture production company and any other information required by the Department of Revenue. Rebates made by the Department of Revenue under this section shall be made from current income tax collections. The Department of Revenue shall not approve any application for a rebate under subsection (1)(b) of this section after July 1, 2017.

(3) The Department of Revenue shall have all powers necessary to implement and administer the provisions of this section, and the Department of Revenue shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(4) The State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

SECTION 49. Section 57-99-1, Mississippi Code of 1972, is brought forward as follows:

57-99-1. As used in Sections 57-99-1 through 57-99-9, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any company and affiliates thereof, pursuant to rules and regulations of the MDA, which is:

(i) A project that has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxi) and creates at least one thousand five hundred (1,500) jobs within sixty (60) months of the beginning of the project;

(ii) A project that has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxii) and creates at least five hundred (500) jobs within seventy-two (72) months of the beginning of the project;

(iii) A project:

1. That has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxviii);

2. Creates at least twenty-five (25) jobs within sixty (60) months of the beginning of the project; and

3. In which the average annual wages and taxable benefits of the jobs created by such project are at least one hundred ten percent (110%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located, as determined by the Mississippi Department of Employment Security, whichever is the lesser; or

(iv) A project:

1. That has been certified by the MMEIA as a project defined in Section 57-75-5(f)(xxix);

2. That creates at least twenty-five (25) jobs within sixty (60) months following the date required by the MMEIA and prescribed by written agreement between the MMEIA and the enterprise establishing the project described in item 1 of this subparagraph (iv); and

3. In which the average annual wages of the jobs created by such project are at least one hundred ten percent (110%) of the most recently published average annual wage of the state, as determined by the Mississippi Department of Employment Security.

(b) "Qualified job" means full-time employment in this state within the project site of a qualified business or industry that has qualified to receive an incentive payment pursuant to Sections 57-99-1 through 57-99-9, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of Sections 57-99-1 through 57-99-9. "Qualified job" also shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment such as employees who are leased to and managed by the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment; provided, however, that in order for a qualified business or industry to receive incentive payments for such employees, the actual employer of the employees must agree to such payments being made to the qualified business or industry.

(c) "Full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Rebate amount" means the amount of Mississippi income taxes withheld from employees in qualified jobs that is available for rebate to the qualified business or industry, provided that:

(i) Except as otherwise provided in this paragraph (d), the rebate amount shall be three and one-half percent (3-1/2%) of the wages and taxable benefits for qualified jobs; and

(ii) In no event shall incentive payments exceed the actual Mississippi income taxes withheld from employees in qualified jobs that are available for rebate to the qualified business or industry.

(e) "MDA" means the Mississippi Development Authority.

(f) "MMEIA" means the Mississippi Major Economic Impact Authority.

SECTION 50. Section 57-99-3, Mississippi Code of 1972, is brought forward as follows:

57-99-3. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in Sections 57-99-1 through 57-99-9 may receive quarterly incentive payments for a period not to exceed twenty-five (25) years

from the Department of Revenue pursuant to the provisions of Sections 57-99-1 through 57-99-9 in an amount which shall be equal to the lesser of three and one-half percent (3-1/2%) of the wages and taxable benefits for qualified jobs or the actual amount of Mississippi income tax withheld by the employer for the qualified jobs. A qualified business or industry may elect the date upon which the incentive rebate period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments; however, in the case of a qualified business or industry described in Section 57-99-1(a)(ii), such date may not be later than seventy-two (72) months after the date the business or industry applied for incentive payments, or for a qualified business or industry described in Section 57-99-1(a)(iv), such date may not be later than the date that is sixty (60) months after the earlier of:

(a) The date the qualified business or industry applied for incentive payments; or

(b) The start of commercial production as defined in a definitive agreement between such qualified business or industry and the MDA.

(2) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(3) In order to qualify to receive such payments, the establishment applying shall be required to:

(a) Be engaged in a qualified business or industry; and

(b) The business or industry must create and maintain the minimum number of qualified jobs as set forth in Section 57-99-1. Establishments that are approved as a qualified business or industry under Sections 57-99-1 through 57-99-9 may not receive incentive payments under Section 57-62-1 et seq.

(4) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of Sections 57-99-1 through 57-99-9. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility.

SECTION 51. Section 57-99-5, Mississippi Code of 1972, is brought forward as follows:

57-99-5. (1) There is created in the State Treasury a special fund to be known as the "MMEIA Withholding Rebate Fund," into which shall be deposited withholding tax revenue required to be deposited into such fund pursuant to Section 27-7-312. The money in the fund shall be used for the purpose of making the incentive payments authorized under Sections 57-99-1 through 57-99-9.

(2) The liability of the State of Mississippi to make the incentive payments authorized under Sections 57-99-1 through 57-99-9 shall be limited to the balance contained in the fund.

SECTION 52. Section 57-99-7, Mississippi Code of 1972, is brought forward as follows:

57-99-7. (1) As soon as practicable after the end of a calendar quarter for which a qualified business or industry has qualified to receive an incentive payment, the qualified business or industry shall file a claim for the payment with the State Tax Commission and shall specify the actual number of qualified jobs created and maintained by the business or industry for the calendar quarter and the wages and taxable benefits thereof. The State Tax Commission shall verify the actual number of qualified jobs created and maintained by the business or industry. If the State Tax Commission is not able to provide such verification utilizing all available resources, the State Tax Commission may request such additional information from the business or industry as may be necessary.

(2) (a) The business or industry must meet the job requirements of Sections 57-99-1 through 57-99-9 for four (4) consecutive calendar quarters prior to payment of the first incentive payment. If the business or industry does not maintain the job requirements of Sections 57-99-1 through 57-99-9 at any other time during the

twenty-five-year period after the date the first payment was made, the incentive payments shall not be made and shall not be resumed until such time as the actual verified number of qualified jobs created and maintained by the business or industry equals or exceeds the requirements of Sections 57-99-1 through 57-99-9 for one (1) calendar quarter.

(3) An establishment that has qualified pursuant to Sections 57-99-1 through 57-99-9 may receive payments only in accordance with the provision under which it initially applied and was approved. If an establishment that is receiving incentive payments expands, it may apply for additional incentive payments based on the wages and taxable benefits for qualified jobs anticipated from the expansion only, pursuant to Sections 57-99-1 through 57-99-9.

(4) As soon as practicable after verification of the qualified business or industry meeting the requirements of Sections 57-99-1 through 57-99-9 and all rules and regulations, the Department of Finance and Administration, upon requisition of the State Tax Commission, shall issue a warrant drawn on the MMEIA Withholding Rebate Fund to the establishment in the amount of the rebate as determined pursuant to subsection (1) of this section for the calendar quarter.

SECTION 53. Section 57-99-21, Mississippi Code of 1972, is brought forward as follows:

57-99-21. As used in Sections 57-99-21 through 57-99-29, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any enterprise which is a project that has been certified by the Mississippi Major Economic Impact Authority (MMEIA) as a project defined in Section 57-75-5(f)(xxiv).

(b) "Qualified job" means full-time employment at the location of the manufacturing plant in this state of a qualified business or industry that has qualified to receive an incentive payment pursuant to Sections 57-99-21 through 57-99-29, which employment existed in this state at the location of the manufacturing plant on July 1, 2009.

(c) "Full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Rebate amount" means the amount of Mississippi income taxes withheld from employees in qualified jobs that is available for rebate to the qualified business or industry, provided that:

(i) Except as otherwise provided in this paragraph (d), the rebate amount shall be one percent (1%) of the wages and taxable benefits for qualified jobs;

(ii) In no event shall incentive payments exceed the actual Mississippi income taxes withheld from employees in qualified jobs that are available for rebate to the qualified business or industry; and

(iii) In no event shall the aggregate amount of incentive payments authorized under Sections 57-99-21 through 57-99-29 exceed Six Million Dollars (\$6,000,000.00).

(e) "MDA" means the Mississippi Development Authority.

SECTION 54. Section 57-99-23, Mississippi Code of 1972, is brought forward as follows:

57-99-23. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in Sections 57-99-21 through 57-99-29 may receive quarterly incentive payments for a period not to exceed ten (10) years from the State Tax Commission pursuant to the provisions of Sections 57-99-21 through 57-99-29 in an amount which shall be equal to the lesser of one percent (1%) of the wages and taxable benefits for qualified jobs or the actual amount of Mississippi income tax withheld by the employer for the qualified jobs.

(2) In order to receive incentive payments, an establishment shall apply to the MDA by not later than July 1, 2010. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(3) In order to qualify to receive such payments, the establishment applying shall be required to:

- (a) Be engaged in a qualified business or industry; and
- (b) The business or industry must maintain a minimum of one thousand two hundred (1,200) qualified jobs.

(4) Upon approval of such an application, the MDA shall notify the State Tax Commission and shall provide it with a copy of the approved application. The State Tax Commission may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of Sections 57-99-21 through 57-99-29. The qualified business or industry shall report to the State Tax Commission periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the State Tax Commission to verify such eligibility.

SECTION 55. Section 57-99-25, Mississippi Code of 1972, is brought forward as follows:

57-99-25. (1) There is created in the State Treasury a special fund to be known as the "MMEIA Rebate Fund" into which shall be deposited withholding tax revenue required to be deposited into such fund pursuant to Section 27-7-312. The money in the fund shall be used for the purpose of making the incentive payments authorized under Sections 57-99-21 through 57-99-29.

(2) The liability of the State of Mississippi to make the incentive payments authorized under Sections 57-99-21 through 57-99-29 shall be limited to the balance contained in the fund.

SECTION 56. Section 57-99-27, Mississippi Code of 1972, is brought forward as follows:

57-99-27. (1) As soon as practicable after the end of a calendar quarter for which a qualified business or industry has qualified to receive an incentive payment, the qualified business or industry shall file a claim for the payment with the State Tax Commission and shall specify the actual number of qualified jobs created and maintained by the business or industry for the calendar quarter and the wages and taxable benefits thereof. The State Tax Commission shall verify the actual number of qualified jobs maintained by the business or industry. If the State Tax Commission is not able to provide such verification utilizing all available resources, the State Tax Commission may request such additional information from the business or industry as may be necessary.

(2) If the business or industry does not maintain the job requirements of Sections 57-99-21 through 57-99-29 at any other time during the ten-year period after the date the first payment was made, the incentive payments shall not be made and shall not be resumed until such time as the actual verified number of qualified jobs created and maintained by the business or industry equals or exceeds the requirements of Sections 57-99-21 through 57-99-29 for one (1) calendar quarter.

(3) An establishment that has qualified pursuant to Sections 57-99-21 through 57-99-29 may receive payments only in accordance with the provision under which it initially applied and was approved.

(4) As soon as practicable after verification of the qualified business or industry meeting the requirements of Sections 57-99-21 through 57-99-29 and all rules and regulations, the Department of Finance and Administration, upon requisition of the State Tax Commission, shall issue a warrant drawn on the MMEIA Withholding Rebate Fund to the establishment in the amount of the rebate as determined pursuant to subsection (1) of this section for the calendar quarter.

SECTION 57. Section 37-148-3, Mississippi Code of 1972, is brought forward as follows:

37-148-3. As used in this act, the following words and phrases have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "College" means the state institutions of higher learning in Mississippi which are accredited by the Southern Association of Colleges and Schools.

(b) "Investor" means a natural person, partnership, limited liability company, association, corporation, business trust or other business entity, not formed for the specific purpose of acquiring the rebate offered, which is subject to Mississippi income tax or franchise tax.

(c) "Qualified research" means the systematic investigative process that is undertaken for the purpose of discovering information. The term "qualified research" does not include research conducted outside the State of Mississippi or research to the extent funded by any grant, contract or otherwise by another person or governmental entity.

(d) "Research agreement" means a written contract, grant or cooperative agreement entered into between a person and a college or research corporation for the performance of qualified research; however, all qualified research costs generating a rebate must be spent by the college or research corporation on qualified research undertaken according to a research agreement.

(e) "Research corporation" means any research corporation formed under Section 37-147-15 if the corporation is wholly owned by a college and all income and profits of the corporation inure to the benefit of the college.

(f) "Qualified research costs" means costs paid or incurred by an investor to a college or research corporation for qualified research undertaken according to a research agreement.

(g) "State" means the State of Mississippi or a governmental entity of the State of Mississippi.

(h) "IHL" means the Board of Trustees of State Institutions of Higher Learning in Mississippi.

(i) "SMART Business" means Strengthening Mississippi Academic Research Through Business.

SECTION 58. Section 37-148-5, Mississippi Code of 1972, is brought forward as follows:

37-148-5. (1) (a) Subject to the provisions of this chapter, an investor incurring qualified research costs subject to a research agreement is eligible for a rebate equal to twenty-five percent (25%) of the investor's qualified research costs.

(b) An investor incurring research costs may not claim a rebate pursuant to this chapter greater than One Million Dollars (\$1,000,000.00) in any fiscal year.

(c) The total amount of rebates issued under this chapter by the state in any fiscal year may not exceed Five Million Dollars (\$5,000,000.00).

(2) Investors desiring to apply for the rebate authorized by this chapter shall submit an application to IHL which must contain, at a minimum, the following:

(a) A description of the qualified research to be conducted by the college or research corporation;

(b) A proposed budget;

(c) An estimated date for completion of the qualified research; and

(d) Such additional information as may be requested by IHL.

(3) IHL shall review each application to determine if the investor has satisfied all of the requirements of this section.

(4) Within sixty (60) days of receiving an application, IHL shall issue or refuse to issue a SMART Business certificate. The SMART Business certificate must include the amount of the rebate the investor is eligible to claim, subject to subsection (1) of this section. IHL must notify the Department of Revenue when a SMART Business certificate is issued.

(5) To claim a rebate, the investor must submit a rebate allocation claim to the Department of Revenue. The rebate allocation claim must include, at a minimum, the SMART Business certificate issued by IHL and proof of payment to the college or research corporation for qualified research conducted according to the research agreement.

(6) The Department of Revenue may request an audit from the investor submitting a rebate allocation claim, at the investor's expense, to verify the investor has satisfied the requirements of this chapter.

(7) The Department of Revenue shall issue rebates available under this section from current income tax collections.

(8) Rebates must be allocated to investors by the Department of Revenue in the order that SMART Business certificates are issued by IHL.

SECTION 59. Section 57-105-1, Mississippi Code of 1972, is brought forward as follows:

57-105-1. (1) As used in this section:

(a) "Adjusted purchase price" means the investment in the qualified community development entity for the qualified equity investment, substantially all of the proceeds of which are used to make qualified low-income community investments in Mississippi.

For the purposes of calculating the amount of qualified low-income community investments held by a qualified community development entity, an investment will be considered held by a qualified community development entity even if the investment has been sold or repaid; provided that the qualified community development entity reinvests an amount equal to the capital returned to or recovered by the qualified community development entity from the original investment, exclusive of any profits realized, in another qualified low-income community investment in Mississippi, including any federal Indian reservation located within the geographical boundary of Mississippi within twelve (12) months of the receipt of such capital. A qualified community development entity will not be required to reinvest capital returned from the qualified low-income community investments after the sixth anniversary of the issuance of the qualified equity investment, the proceeds of which were used to make the qualified low-income community investment, and the qualified low-income community investment will be considered held by the qualified community development entity through the seventh anniversary of the qualified equity investment's issuance.

(b) "Applicable percentage" means:

(i) For any equity investment issued prior to July 1, 2008, four percent (4%) for each of the second through seventh credit allowance dates for purposes of the taxes imposed by Section 27-7-5 and one and one-third percent (1-1/3%) for each of the second through seventh credit allowance dates for purposes of the taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123.

(ii) For any equity investment issued from and after July 1, 2008, eight percent (8%) for each of the first through third credit allowance dates for purposes of the taxes imposed by Section 27-7-5 or the taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123.

(c) "Credit allowance date" means, with respect to any qualified equity investment:

(i) The later of:

1. The date upon which the qualified equity investment is initially made; or

2. The date upon which the Mississippi Development Authority issues a certificate under subsection (4) of this section; and

(ii) 1. For equity investments issued prior to July 1, 2008, each of the subsequent six (6) anniversary dates of the date upon which the investment is initially made; or

2. For equity investments issued from and after July 1, 2008, each of the subsequent two (2) anniversary dates of the date determined as provided for in subparagraph (i) of this paragraph.

(d) "Qualified community development entity" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended, if the entity has entered into an Allocation Agreement with the Community Development Financial Institutions Fund of the United States Department of the Treasury with respect to credits authorized by Section 45D of the Internal Revenue Code of 1986, as amended.

(e) "Qualified active low-income community business" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended.

(f) "Qualified equity investment" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended. The investment does not have to be designated as a qualified equity investment by the Community Development Financial Institutions Fund of the United States Treasury to be considered a qualified equity investment under this section but otherwise must meet the definition under the Internal Revenue Code. In addition to meeting the definition in Section 45D of the Internal Revenue Code such investment must also:

(i) Have been acquired after January 1, 2007, at its original issuance solely in exchange for cash; and

(ii) Have been allocated by the Mississippi Development Authority.

For the purposes of this section, such investment shall be deemed a qualified equity investment on the later of the date such qualified equity investment is made or the date on which the Mississippi Development Authority issues a certificate under subsection (4) of this section allocating credits based on such investment.

(g) "Qualified low-income community investment" shall have the meaning ascribed to such term in Section 45D of the Internal Revenue Code of 1986, as amended; provided, however, that the maximum amount of qualified low-income community investments issued for a single qualified active low-income community business, on an aggregate basis with all of its affiliates, that may be included for purposes of allocating any credits under this section shall not exceed Ten Million Dollars (\$10,000,000.00), in the aggregate, whether issued by one (1) or several qualified community development entities.

(2) A taxpayer that holds a qualified equity investment on the credit allowance date shall be entitled to a credit applicable against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 during the taxable year that includes the credit allowance date. The amount of the credit shall be equal to the applicable percentage of the adjusted purchase price paid to the qualified community development entity for the qualified equity investment. The amount of the credit that may be utilized in any one (1) tax year shall be limited to an amount not greater than the total tax liability of the taxpayer for the taxes imposed by the above-referenced sections. The credit shall not be refundable or transferable. Any unused portion of the credit may be carried forward for seven (7) taxable years beyond the credit allowance date on which the credit was earned. The maximum aggregate amount of qualified equity investments that may be allocated by the Mississippi Development Authority may not exceed an amount that would result in taxpayers claiming in any one (1) state fiscal year credits in excess of Fifteen Million Dollars (\$15,000,000.00), exclusive of credits that might be carried forward from previous taxable years; however, a maximum of one-third (1/3) of this amount may be allocated as credits for taxes imposed by Sections 27-15-103, 27-15-109 and 27-15-123. Any taxpayer claiming a credit under this section against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123 shall not be required to pay any additional tax under Section 27-15-123 as a result of claiming such credit. The Mississippi Development Authority shall allocate credits within this limit as provided for in subsection (4) of this section.

(3) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document. Such allocation shall be made each taxable year of such pass-through entity which contains a credit allowance date.

(4) The qualified community development entity shall apply for credits with the Mississippi Development Authority on forms prescribed by the Mississippi Development Authority. The qualified community development entity must pay an application fee of One Thousand Dollars (\$1,000.00) to the Mississippi Development Authority at the time the application is submitted. In the application the qualified community development entity shall certify to the Mississippi Development Authority the dollar amount of the qualified equity investments made or to be made in this state, including in any federal Indian reservation located within the state's geographical boundary, during the first twelve-month period following the initial credit allowance date. The Mississippi Development Authority shall allocate credits based on the dollar amount of qualified equity investments as certified in the application. Once the Mississippi Development Authority has allocated credits to a qualified community development entity, if the corresponding qualified equity investment has not been issued as of the date of such allocation, then the corresponding qualified equity investment must be issued not later than one hundred twenty (120) days from the date of such allocation. If the qualified equity investment is not issued within such time period, the allocation shall be cancelled

and returned to the Mississippi Development Authority for reallocation. Upon final documentation of the qualified low-income community investments, if the actual dollar amount of the investments is lower than the amount estimated, the Mississippi Development Authority shall adjust the tax credit allowed under this section. The Department of Revenue may recapture all of the credit allowed under this section if:

(a) Any amount of federal tax credits available with respect to a qualified equity investment that is eligible for a tax credit under this section is recaptured under Section 45D of the Internal Revenue Code of 1986, as amended; or

(b) The qualified community development entity redeems or makes any principal repayment with respect to a qualified equity investment prior to the seventh anniversary of the issuance of the qualified equity investment; or

(c) The qualified community development entity fails to maintain at least eighty-five percent (85%) of the proceeds of the qualified equity investment in qualified low-income community investments in Mississippi at any time prior to the seventh anniversary of the issuance of the qualified equity investment.

Any credits that are subject to recapture under this subsection shall be recaptured from the taxpayer that actually claimed the credit.

The Mississippi Development Authority shall not allocate any credits under this section after July 1, 2021.

(5) Each qualified community development entity that receives qualified equity investments to make qualified low-income community investments in Mississippi must annually report to the Mississippi Development Authority the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment.

(6) The Mississippi Development Authority shall file an annual report on all qualified low-income community investments with the Governor, the Clerk of the House of Representatives, the Secretary of the Senate and the Secretary of State describing the North American Industry Classification System Code, the county, the dollars invested, the number of jobs assisted and the number of jobs assisted with wages over one hundred percent (100%) of the federal poverty level for a family of four (4) of each qualified low-income community investment. The annual report will be posted on the Mississippi Development Authority's internet website.

(7) (a) The purpose of this subsection is to authorize the creation and establishment of public benefit corporations for financing arrangements regarding public property and facilities.

(b) As used in this subsection:

(i) "New Markets Tax Credit transaction" means any financing transaction which utilizes either this section or Section 45D of the Internal Revenue Code of 1986, as amended.

(ii) "Public benefit corporation" means a nonprofit corporation formed or designated by a public entity to carry out the purposes of this subsection.

(iii) "Public entity or public entities" includes utility districts, regional solid waste authorities, regional utility authorities, community hospitals, regional airport authorities, municipal airport authorities, community and junior colleges, educational building corporations established by or on behalf of the state institutions of higher learning, school districts, planning and development districts, county economic development districts, urban renewal agencies, any other regional or local economic development authority, agency or governmental entity, and any other regional or local industrial development authority, agency or governmental entity.

(iv) "Public property or facilities" means any property or facilities owned or leased by a public entity or public benefit corporation.

(c) Notwithstanding any other provision of law to the contrary, public entities are authorized pursuant to this subsection to create one or more public benefit corporations or designate an existing corporation as a public benefit corporation for the purpose of entering into financing agreements and engaging in New Markets Tax Credit transactions, which shall include, without limitation, arrangements to plan, acquire, renovate, construct, lease, sublease, manage, operate and/or improve new or existing

public property or facilities located within the boundaries or service area of the public entity. Any financing arrangement authorized under this subsection shall further any purpose of the public entity and may include a term of up to fifty (50) years.

(d) Notwithstanding any other provision of law to the contrary and in order to facilitate the acquisition, renovation, construction, leasing, subleasing, management, operating and/or improvement of new or existing public property or facilities to further any purpose of a public entity, public entities are authorized to enter into financing arrangements in order to transfer public property or facilities to and/or from public benefit corporations, including, without limitation, sales, sale-leasebacks, leases and lease-leasebacks, provided such transfer is related to any New Markets Tax Credit transaction furthering any purpose of the public entity. Any such transfer under this paragraph (d) and the public property or facilities transferred in connection therewith shall be exempted from any limitation or requirements with respect to leasing, acquiring, and/or constructing public property or facilities.

(e) With respect to a New Markets Tax Credit transaction, public entities and public benefit corporations are authorized to enter into financing arrangements with any governmental, nonprofit or for-profit entity in order to leverage funds not otherwise available to public entities for the acquisition, construction and/or renovation of properties transferred to such public benefit corporations. The use of any funds loaned by or contributed by a public benefit corporation or borrowed by or otherwise made available to a public benefit corporation in such financing arrangement shall be dedicated solely to (i) the development of new properties or facilities and/or the renovation of existing properties or facilities or operation of properties or facilities, and/or (ii) the payment of costs and expenditures related to any such financing arrangements, including, but not limited to, funding any reserves required in connection therewith, the repayment of any indebtedness incurred in connection therewith, and the payment of fees and expenses incurred in connection with the closing, administration, accounting and/or compliance with respect to the New Markets Tax Credit transaction.

(f) A public benefit corporation created pursuant to this subsection shall not be a political subdivision of the state but shall be a nonprofit corporation organized and governed under the provisions of the laws of this state and shall be a special purpose corporation established to facilitate New Markets Tax Credit transactions consistent with the requirements of this section.

(g) Neither this subsection nor anything herein contained is or shall be construed as a restriction or limitation upon any powers which the public entity or public benefit corporation might otherwise have under any laws of this state, and this subsection is cumulative to any such powers. This subsection does and shall be construed to provide a complete additional and alternative method for the doing of the things authorized thereby and shall be regarded as supplemental and additional to powers conferred by other laws.

(8) The Mississippi Development Authority shall promulgate rules and regulations to implement the provisions of this section.

SECTION 60. Section 27-25-503, Mississippi Code of 1972, is brought forward as follows:

27-25-503. (1) (a) Except as otherwise provided in this section, there is levied, to be collected as provided in this article, annual privilege taxes upon every person engaging or continuing within this state in the business of producing, or severing oil from the soil or water for sale, transport, storage, profit or for commercial use. The amount of the tax shall be measured by the value of the oil produced, and shall be levied and assessed at the rate of six percent (6%) of the value of the oil at the point of production.

(b) The tax shall be levied and assessed at the rate of three percent (3%) of the value of the oil at the point of production on oil produced by an enhanced oil recovery method in which carbon dioxide is used; provided, that such carbon dioxide is transported by pipeline to the oil well site and on oil produced by any other enhanced oil recovery method approved and permitted by the State Oil and Gas Board on or after April 1, 1994, pursuant to Section 53-3-101 et seq.

(c) (i) The tax shall be levied and assessed at the rate of one and three-tenths percent (1.3%) of the value of the oil at the point of production on oil produced from a horizontally drilled well or from any horizontally drilled recompletion

well from which production commences from and after July 1, 2013, for a period of thirty (30) months beginning on the date of first sale of production or until payout of the well cost is achieved, whichever first occurs. Thereafter, the tax shall be levied and assessed as provided for in paragraph (a) of this subsection.

(ii) Payout of a horizontally drilled well or horizontally drilled recompletion well shall be deemed to have occurred the first day of the next month after gross revenues, less royalties and severance taxes, equal to the cost to drill and complete the well.

(iii) Each operator must apply by letter to the State Oil and Gas Board for the reduced rate provided in this paragraph (c), and shall provide the board with the status of payout on a semiannual basis of any horizontally drilled well or horizontally drilled recompletion well by signed affidavit executed by a company representative.

(iv) This paragraph (c) shall be repealed from and after July 1, 2023; however, any horizontally drilled well or horizontally drilled recompletion well from which production commences before July 1, 2023, shall be taxed as provided for in this paragraph (c) notwithstanding that the repeal of this paragraph (c) has become effective.

(2) The tax is levied upon the entire production in this state regardless of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the state, and the tax shall accrue at the time the oil is severed from the soil, or water, and in its natural, unrefined or unmanufactured state.

(3) (a) Oil produced from a discovery well for which drilling or re-entry commenced on or after April 1, 1994, but before July 1, 1999, shall be exempt from the taxes levied under this section for a period of five (5) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such oil does not exceed Twenty-five Dollars (\$25.00) per barrel. The exemption for oil produced from a discovery well as described in this paragraph (a) shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be exempt for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective. Oil produced from development wells or replacement wells drilled in connection with discovery wells for which drilling commenced on or after January 1, 1994, but before July 1, 1999, shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of three (3) years. The reduced rate of assessment of oil produced from development wells or replacement wells as described in this paragraph (a) shall be repealed from and after January 1, 2003, provided that any such production for which drilling commenced before January 1, 2003, shall be assessed at the reduced rate for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(b) Oil produced from a discovery well for which drilling or re-entry commenced on or after July 1, 1999, shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of five (5) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such oil does not exceed Twenty Dollars (\$20.00) per barrel. The reduced rate of assessment of oil produced from a discovery well as described in this paragraph (b) shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective. Oil produced from development wells or replacement wells drilled in connection with discovery wells for which drilling commenced on or after July 1, 1999, shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of three (3) years. The reduced rate of assessment of oil produced from development wells or replacement wells as described in this paragraph (b) shall be repealed from and after January 1, 2003, provided that any such production for which drilling commenced before July 1, 2003, shall be assessed at the reduced rate for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(4) (a) Oil produced from a development well for which drilling commenced on or after April 1, 1994, but before July 1, 1999, and for which three-dimensional seismic was

utilized in connection with the drilling of such well shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of five (5) years, provided that the average monthly sales price of such oil does not exceed Twenty-five Dollars (\$25.00) per barrel. The reduced rate of assessment of oil produced from a development well as described in this paragraph (a) and for which three-dimensional seismic was utilized shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective.

(b) Oil produced from a development well for which drilling commenced on or after July 1, 1999, and for which three-dimensional seismic was utilized in connection with the drilling of such well shall be assessed at the rate of three percent (3%) of the value of the oil at the point of production for a period of five (5) years, provided that the average monthly sales price of such oil does not exceed Twenty Dollars (\$20.00) per barrel. The reduced rate of assessment of oil produced from a development well as described in this paragraph (b) and for which three-dimensional seismic was utilized shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective.

(5) (a) Oil produced before July 1, 1999, from a two-year inactive well as defined in Section 27-25-501 shall be exempt from the taxes levied under this section for a period of three (3) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such oil does not exceed Twenty-five Dollars (\$25.00) per barrel. The exemption for oil produced from an inactive well shall be repealed from and after July 1, 2003, provided that any such production which began before July 1, 2003, shall be exempt for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(b) Oil produced on or after July 1, 1999, from a two-year inactive well as defined in Section 27-25-501 shall be exempt from the taxes levied under this section for a period of three (3) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such oil does not exceed Twenty Dollars (\$20.00) per barrel. The exemption for oil produced from an inactive well shall be repealed from and after July 1, 2003, provided that any such production which began before July 1, 2003, shall be exempt for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(6) [Repealed]

(7) The State Oil and Gas Board shall have the exclusive authority to determine the qualification of wells defined in paragraphs (n) through (t) of Section 27-25-501.

SECTION 61. Section 27-25-505, Mississippi Code of 1972, is brought forward as follows:

[With regard to any county which is exempt from the provisions of Section 19-2-3, this section shall read as follows:]

27-25-505. (1) All taxes levied in this article and collected by the Department of Revenue shall be paid into the State Treasury on the same day collected.

(2) Except as otherwise provided in this section, the commissioner shall apportion all the tax collections made pursuant to this article to the state and to the county in which the oil was produced, in accordance with the following schedule and so certify such apportionment to the State Treasurer at the end of each month:

On the first Six Hundred Thousand Dollars (\$600,000.00) or any part thereof, sixty-six and two-thirds percent (66-2/3%) to the state and thirty-three and one-third percent (33-1/3%) to the county.

Above and exceeding Six Hundred Thousand Dollars (\$600,000.00), or any part thereof, ninety percent (90%) to the state and ten percent (10%) to the county through June 30, 1989; eighty-five percent (85%) to the state and fifteen percent (15%) to the county from July 1, 1989, through June 30, 1990; eighty percent (80%) to the state and twenty percent (20%) to the county from July 1, 1990, through June 30, 2015; seventy-nine percent (79%) to the state and twenty-one percent (21%) to the county from July 1, 2015, through June 30, 2016; seventy-eight percent (78%) to the state and

twenty-two percent (22%) to the county from July 1, 2016, through June 30, 2017; seventy-seven percent (77%) to the state and twenty-three percent (23%) to the county from July 1, 2017, through June 30, 2018; seventy-six percent (76%) to the state and twenty-four percent (24%) to the county from July 1, 2018, through June 30, 2019; and seventy-four percent (74%) to the state and twenty-six percent (26%) to the county for each fiscal year thereafter.

(3) The state's share of all oil severance taxes collected pursuant to this article shall be deposited as provided for in Section 27-25-506.

(4) The commissioner shall apportion all the tax collections made pursuant to Section 27-25-503(1)(c) to the county in which the oil was produced.

(5) The State Treasurer shall remit the county's share of taxes collected pursuant to this article on or before the twentieth day of the month next succeeding the month in which the collections were made, for division among the municipalities and taxing districts of the county. He shall accompany his remittance with a report to the county receiving the funds prepared by the commissioner showing from whom the tax was collected. Upon receipt of the funds, the board of supervisors of the county shall allocate the funds to the municipalities and to the various maintenance and bond and interest funds of the county, school districts, supervisors districts and road districts, as provided in this subsection.

(6) Except as provided in subsection (8) of this section, when there are any oil producing properties within the corporate limits of any municipality, then the municipality shall participate in the division of the tax returned to the county in which the municipality is located, in the proportion which the tax on production of oil from any properties located within the municipal corporate limits bears to the tax on the total production of oil in the county. In no event, however, shall the amount allocated to municipalities exceed one-third (1/3) of the tax produced in the municipality and returned to the county. Any amount received by any municipality as a result of the allocation provided for in this subsection shall be used only for such purposes as are authorized by law.

(7) Except as provided in subsection (8) of this section, the balance remaining of any amount of tax returned to the county after the allocation to municipalities shall be divided among the various maintenance and bond interest funds of the county, school districts, supervisors districts and road districts, in the discretion of the board of supervisors, and the board shall make the division in consideration of the needs of the various taxing districts. The funds so allocated shall be used only for purposes as are authorized by law.

(8) Any amount above and exceeding Six Hundred Thousand Dollars (\$600,000.00) that is remitted to the county that is more than twenty percent (20%) of the taxes above and exceeding Six Hundred Thousand Dollars (\$600,000.00) collected on oil produced in the county, shall be utilized by the county for infrastructure repairs.

[With regard to any county which is required to operate on a countywide system of road administration as described in Section 19-2-3, this section shall read as follows:]

27-25-505. (1) All taxes levied in this article and collected by the Department of Revenue shall be paid into the State Treasury on the same day collected.

(2) Except as otherwise provided in this section, the commissioner shall apportion all the tax collections made pursuant to this article to the state and to the county in which the oil was produced, in accordance with the following schedule and so certify such apportionment to the State Treasurer at the end of each month:

On the first Six Hundred Thousand Dollars (\$600,000.00) or any part thereof, sixty-six and two-thirds percent (66-2/3%) to the state and thirty-three and one-third percent (33-1/3%) to the county.

Above and exceeding Six Hundred Thousand Dollars (\$600,000.00), or any part thereof, ninety percent (90%) to the state and ten percent (10%) to the county through June 30, 1989; eighty-five percent (85%) to the state and fifteen percent (15%) to the county from July 1, 1989, through June 30, 1990; eighty percent (80%) to the state and twenty percent (20%) to the county from July 1, 1990, through June 30, 2015; seventy-nine percent (79%) to the state and twenty-one percent (21%) to the county from July 1, 2015, through June 30, 2016; seventy-eight percent (78%) to the state and twenty-two percent (22%) to the county from July 1, 2016, through June 30, 2017; seventy-seven percent (77%) to the state and twenty-three percent (23%) to the county

from July 1, 2017, through June 30, 2018; seventy-six percent (76%) to the state and twenty-four percent (24%) to the county from July 1, 2018, through June 30, 2019; and seventy-four percent (74%) to the state and twenty-six percent (26%) to the county for each fiscal year thereafter.

(3) The state's share of all oil severance taxes collected pursuant to this article shall be deposited as provided for in Section 27-25-506.

(4) The commissioner shall apportion all the tax collections made pursuant to the tax levied in Section 27-25-503(1)(c) to the county in which the oil was produced.

(5) The State Treasurer shall remit the county's share of the taxes collected pursuant to this article on or before the twentieth day of the month next succeeding the month in which the collections were made, for division among the municipalities and taxing districts of the county. He shall accompany his remittance with a report to the county receiving the funds prepared by the commissioner showing from whom the tax was collected. Upon receipt of the funds, the board of supervisors of the county shall allocate the funds to the municipalities and to the various maintenance and bond and interest funds of the county and school districts, as provided in this subsection.

(6) Except as provided in subsection (8) of this section, when there are any oil producing properties within the corporate limits of any municipality, then the municipality shall participate in the division of the tax returned to the county in which the municipality is located, in the proportion which the tax on production of oil from any properties located within the municipal corporate limits bears to the tax on the total production of oil in the county. In no event, however, shall the amount allocated to municipalities exceed one-third (1/3) of the tax produced in the municipality and returned to the county. Any amount received by any municipality as a result of the allocation provided in this subsection shall be used only for such purposes as are authorized by law.

(7) Except as provided in subsection (8) of this section, the balance remaining of any amount of tax returned to the county after the allocation to municipalities shall be divided among the various maintenance and bond interest funds of the county and school districts, in the discretion of the board of supervisors, and the board shall make the division in consideration of the needs of the various taxing districts. The funds so allocated shall be used only for purposes as are authorized by law.

(8) Any amount above and exceeding Six Hundred Thousand Dollars (\$600,000.00) that is remitted to the county that is more than twenty percent (20%) of the taxes above and exceeding Six Hundred Thousand Dollars (\$600,000.00) collected on oil produced in the county, shall be utilized by the county for infrastructure repairs.

SECTION 62. Section 27-25-703, Mississippi Code of 1972, is brought forward as follows:

27-25-703. (1) (a) Except as otherwise provided in this section, there is hereby levied, to be collected as provided in this article, annual privilege taxes upon every person engaging or continuing within this state in the business of producing, or severing gas from below the soil or water for sale, transport, storage, profit or for commercial use. The amount of the tax shall be measured by the value of the gas produced and shall be levied and assessed at a rate of six percent (6%) of the value of the gas at the point of production, except as otherwise provided in subsection (4) of this section.

(b) (i) The tax shall be levied and assessed at the rate of one and three-tenths percent (1.3%) of the value of the gas at the point of production on gas produced from a horizontally drilled well or from any horizontally drilled recompletion well from which production commences from and after July 1, 2013, for a period of thirty (30) months beginning on the date of first sale of production or until payout of the well cost is achieved, whichever first occurs. Thereafter, the tax shall be levied and assessed as provided for in paragraph (a) of this subsection.

(ii) Payout of a horizontally drilled well or horizontally drilled recompletion well shall be deemed to have occurred the first day of the next month after gross revenues, less royalties and severance taxes, equal to the cost to drill and complete the well.

(iii) Each operator must apply by letter to the State Oil and Gas Board for the reduced rate provided in this paragraph (b), and shall provide the board with the status of payout on a semiannual basis of any horizontally drilled well or

horizontally drilled recompletion well by signed affidavit executed by a company representative.

(iv) This paragraph (b) shall be repealed from and after July 1, 2023; however, any horizontally drilled well or horizontally drilled recompletion well from which production commences before July 1, 2023, shall be taxed as provided for in this paragraph (b) notwithstanding that the repeal of this paragraph (b) has become effective.

(2) The tax is levied upon the entire production in this state, regardless of the place of sale or to whom sold or by whom used, or the fact that the delivery may be made to points outside the state, but not levied upon that gas, lawfully injected into the earth for cycling, repressuring, lifting or enhancing the recovery of oil, nor upon gas lawfully vented or flared in connection with the production of oil, nor upon gas condensed into liquids on which the oil severance tax of six percent (6%) is paid; however, if any gas so injected into the earth is sold for such purposes, then the gas so sold shall not be excluded in computing the tax. The tax shall accrue at the time the gas is produced or severed from the soil or water, and in its natural, unrefined or unmanufactured state.

(3) Natural gas and condensate produced from any wells for which drilling is commenced after March 15, 1987, and before July 1, 1990, shall be exempt from the tax levied under this section for a period of two (2) years beginning on the date of first sale of production from such wells.

(4) (a) Any well which begins commercial production of occluded natural gas from coal seams on or after March 20, 1990, and before July 1, 1993, shall be taxed at the rate of three and one-half percent (3-1/2%) of the gross value of the occluded natural gas from coal seams at the point of production for a period of five (5) years after such well begins production.

(b) Any well which begins commercial production of occluded natural gas from coal seams on or after July 1, 2004, and before July 1, 2007, shall be taxed at the rate of three percent (3%) of the gross value of the occluded natural gas from coal seams at the point of production for a period of five (5) years beginning on the date of the first sale of production from such well.

(5) (a) Natural gas produced from discovery wells for which drilling or re-entry commenced on or after April 1, 1994, but before July 1, 1999, shall be exempt from the tax levied under this section for a period of five (5) years beginning on the earlier of one (1) year from completion of the well or the date of first sale from such well, provided that the average monthly sales price of such gas does not exceed Three Dollars and Fifty Cents (\$3.50) per one thousand (1,000) cubic feet. The exemption for natural gas produced from discovery wells as described in this paragraph (a) shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be exempt for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective. Natural gas produced from development wells or replacement wells drilled in connection with discovery wells for which drilling commenced on or after January 1, 1994, shall be assessed at a rate of three percent (3%) of the value thereof at the point of production for a period of three (3) years. The reduced rate of assessment of natural gas produced from development wells or replacement wells as described in this paragraph (a) shall be repealed from and after January 1, 2003, provided that any such production for which drilling commenced before January 1, 2003, shall be assessed at the reduced rate for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(b) Natural gas produced from discovery wells for which drilling or re-entry commenced on or after July 1, 1999, shall be assessed at a rate of three percent (3%) of the value thereof at the point of production for a period of five (5) years beginning on the earlier of one (1) year from completion of the well or the date of first sale from such well, provided that the average monthly sales price of such gas does not exceed Two Dollars and Fifty Cents (\$2.50) per one thousand (1,000) cubic feet. The reduced rate of assessment of natural gas produced from discovery wells as described in this paragraph (b) shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be

assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective. Natural gas produced from development wells or replacement wells drilled in connection with discovery wells for which drilling commenced on or after July 1, 1999, shall be assessed at a rate of three percent (3%) of the value thereof at the point of production for a period of three (3) years. The reduced rate of assessment of natural gas produced from development wells or replacement wells as described in this paragraph (b) shall be repealed from and after January 1, 2003, provided that any such production for which drilling commenced before January 1, 2003, shall be assessed at the reduced rate for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(6) (a) Gas produced from a development well for which drilling commenced on or after April 1, 1994, but before July 1, 1999, and for which three-dimensional seismic was utilized in connection with the drilling of such well, shall be assessed at a rate of three percent (3%) of the value of the gas at the point of production for a period of five (5) years, provided that the average monthly sales price of such gas does not exceed Three Dollars and Fifty Cents (\$3.50) per one thousand (1,000) cubic feet. The reduced rate of assessment of gas produced from a development well as described in this subsection and for which three-dimensional seismic was utilized shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective.

(b) Gas produced from a development well for which drilling commenced on or after July 1, 1999, and for which three-dimensional seismic was utilized in connection with the drilling of such well, shall be assessed at a rate of three percent (3%) of the value of the gas at the point of production for a period of five (5) years, provided that the average monthly sales price of such gas does not exceed Two Dollars and Fifty Cents (\$2.50) per one thousand (1,000) cubic feet. The reduced rate of assessment of gas produced from a development well as described in this paragraph (b) and for which three-dimensional seismic was utilized shall be repealed from and after July 1, 2003, provided that any such production for which a permit was granted by the board before July 1, 2003, shall be assessed at the reduced rate for an entire period of five (5) years, notwithstanding that the repeal of this provision has become effective.

(7) (a) Natural gas produced before July 1, 1999, from a two-year inactive well as defined in Section 27-25-701 shall be exempt from the taxes levied under this section for a period of three (3) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such gas does not exceed Three Dollars and Fifty Cents (\$3.50) per one thousand (1,000) cubic feet. The exemption for natural gas produced from an inactive well as described in this subsection shall be repealed from and after July 1, 2003, provided that any such production which began before July 1, 2003, shall be exempt for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(b) Natural gas produced on or after July 1, 1999, from a two-year inactive well as defined in Section 27-25-701 shall be exempt from the taxes levied under this section for a period of three (3) years beginning on the date of first sale of production from such well, provided that the average monthly sales price of such gas does not exceed Two Dollars and Fifty Cents (\$2.50) per one thousand (1,000) cubic feet. The exemption for natural gas produced from an inactive well as described in this paragraph (b) shall be repealed from and after July 1, 2003, provided that any such production which began before July 1, 2003, shall be exempt for an entire period of three (3) years, notwithstanding that the repeal of this provision has become effective.

(8) The State Oil and Gas Board shall have the exclusive authority to determine the qualification of wells defined in paragraphs (n) through (t) of Section 27-25-701.

SECTION 63. Section 27-25-705, Mississippi Code of 1972, is brought forward as follows:

[With regard to any county which is exempt from the provisions of Section 19-2-3, this section shall read as follows:]

27-25-705. (1) All taxes levied in this article and collected by the department shall be paid into the State Treasury on the same day in which the taxes are collected.

(2) Except as otherwise provided in this section, the commissioner shall apportion all the tax collections made pursuant to this article to the state and to the county in which the gas was produced, in the proportion of sixty-six and two-thirds percent (66-2/3%) to the state and thirty-three and one-third percent (33-1/3%) to the county.

(3) The commissioner shall apportion all the tax collections made pursuant to Section 27-25-703(1)(b) to the county in which the gas is produced.

(4) When the producer of gas subject to the tax levied in this article increases the price of the gas sold and such increase is subject to approval by a federal regulatory board or commission, and when the producer of the gas so requests, the State Treasurer is hereby authorized to hold the severance tax collected on the price increase in escrow until such time as the price increase or a portion thereof is finally granted or approved. The severance tax thus held in escrow shall be deposited by the State Treasurer to an account in a state depository to be invested in an interest-bearing account in the manner provided by law. When the price increase in question or a portion thereof is granted or approved, the commissioner shall compute the correct severance tax due on the increase and certify the amount of tax thus computed. This amount and interest earned from the depository shall be distributed to the General Fund and to the county or counties proportionately as provided in this subsection. The balance, if any, of the tax and interest held in escrow on the price increase shall be returned to the taxpayer.

(5) The state's share of all gas severance taxes collected pursuant to this section shall be deposited as provided for in Section 27-25-506.

(6) The commissioner shall certify at the end of each month the apportionment to each county to the State Treasurer, who shall remit the county's share of the funds on or before the twentieth day of the month next succeeding the month in which the collections were made for division among the municipalities and taxing districts of the county. The commissioner shall submit a report to the State Treasurer for distribution to each county receiving the funds showing from whom the tax and interest, if any, were collected. Upon receipt of the funds, the board of supervisors of the county shall allocate the funds to the municipalities and to the various maintenance and bond and interest funds of the county, school districts, supervisors districts and road districts, as provided in this subsection.

When there are any gas producing properties within the corporate limits of any municipality, then the municipality shall participate in the division of the tax and interest, if any, returned to the county in which the municipality is located in the proportion which the tax on production of gas from properties located within the municipal corporate limits bears to the tax on total production of gas in the county. In no event, however, shall the amount allocated to the municipalities exceed one-third (1/3) of the tax and interest produced in the municipality and returned to the county. Any amount received by any municipality as a result of the allocation provided for in this subsection shall be used for such purposes as are authorized by law.

The balance remaining of any funds returned to the county after the allocation to municipalities shall be divided among the various maintenance and bond and interest funds of the county, school districts, supervisors districts and road districts, in the discretion of the board of supervisors, and the board shall make the division in consideration of the needs of the various taxing districts. The funds so allocated shall be used only for such purposes as are authorized by law.

[With regard to any county which is required to operate on a countywide system of road administration as described in Section 19-2-3, this section shall read as follows:]

27-25-705. (1) All taxes herein levied in this article and collected by the department shall be paid into the State Treasury on the same day in which the taxes are collected.

(2) Except as otherwise provided in this section, the commissioner shall apportion all the tax collections made pursuant to this article to the state and to the county in which the gas was produced, in the proportion of sixty-six and two-thirds percent (66-2/3%) to the state and thirty-three and one-third percent (33-1/3%) to the county.

(3) The commissioner shall apportion all the tax collections made pursuant to Section 27-25-703(1)(b) to the county in which the gas is produced.

(4) When the producer of gas subject to the tax levied in this article increases the price of the gas sold and the increase is subject to approval by a federal regulatory board or commission, and when the producer of the gas so requests, the State Treasurer is hereby authorized to hold the severance tax collected on the price increase in escrow until such time as the price increase or a portion thereof is finally granted or approved. The severance tax thus held in escrow shall be deposited by the State Treasurer to an account in a state depository to be invested in an interest-bearing account in the manner provided by law. When the price increase in question or a portion thereof is granted or approved, the commissioner shall compute the correct severance tax due on the increase and certify the amount of tax thus computed. This amount and interest earned from the depository shall be distributed to the General Fund and to the county or counties proportionately as provided in this subsection. The balance, if any, of the tax and interest held in escrow on the price increase shall be returned to the taxpayer.

(5) The state's share of all gas severance taxes collected pursuant to this section shall be deposited as provided for in Section 27-25-506.

(6) The commissioner shall certify at the end of each month the apportionment to each county to the State Treasurer, who shall remit the county's share of the funds on or before the twentieth day of the month next succeeding the month in which the collections were made for division among the municipalities and taxing districts of the county. The commissioner shall submit a report to the State Treasurer for distribution to each county receiving the funds showing from whom the tax and interest, if any, were collected. Upon receipt of the funds, the board of supervisors of the county shall allocate the funds to the municipalities and to the various maintenance and bond and interest funds of the county and school districts, as provided in this subsection.

When there are any gas producing properties within the corporate limits of any municipality, then the municipality shall participate in the division of the tax and interest, if any, returned to the county in which the municipality is located in the proportion which the tax on production of gas from properties located within the municipal corporate limits bears to the tax on total production of gas in the county. In no event, however, shall the amount allocated to the municipalities exceed one-third (1/3) of the tax and interest produced in the municipality and returned to the county. Any amount received by any municipality as a result of the allocation provided for in this subsection shall be used for such purposes as are authorized by law.

The balance remaining of any funds returned to the county after the allocation to municipalities shall be divided among the various maintenance and bond and interest funds of the county and school districts, in the discretion of the board of supervisors, and the board shall make the division in consideration of the needs of the various taxing districts. The funds so allocated shall be used only for such purposes as are authorized by law.

SECTION 64. Section 27-65-101, Mississippi Code of 1972, is brought forward as follows:

27-65-101. (1) The exemptions from the provisions of this chapter which are of an industrial nature or which are more properly classified as industrial exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by the provisions of the Constitution of the United States or the State of Mississippi. No industrial exemption as now provided by any other section except Section 57-3-33 shall be valid as against the tax herein levied. Any subsequent industrial exemption from the tax levied hereunder shall be provided by amendment to this section. No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21.

The tax levied by this chapter shall not apply to the following:

(a) Sales of boxes, crates, cartons, cans, bottles and other packaging materials to manufacturers and wholesalers for use as containers or shipping materials to accompany goods sold by said manufacturers or wholesalers where possession thereof will pass to the customer at the time of sale of the goods contained therein and

sales to anyone of containers or shipping materials for use in ships engaged in international commerce.

(b) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) to a manufacturer for use directly in manufacturing or processing a product for sale or rental or repairing or reconditioning vessels or barges of fifty (50) tons load displacement and over. For the purposes of this exemption, electricity used directly in the electrolysis process in the production of sodium chlorate shall be considered a raw material. This exemption shall not apply to any property used as fuel except to the extent that such fuel comprises by-products which have no market value.

(c) The gross proceeds of sales of dry docks, offshore drilling equipment for use in oil or natural gas exploration or production, vessels or barges of fifty (50) tons load displacement and over, when the vessels or barges are sold by the manufacturer or builder thereof. In addition to other types of equipment, offshore drilling equipment for use in oil or natural gas exploration or production shall include aircraft used predominately to transport passengers or property to or from offshore oil or natural gas exploration or production platforms or vessels, and engines, accessories and spare parts for such aircraft.

(d) Sales to commercial fishermen of commercial fishing boats of over five (5) tons load displacement and not more than fifty (50) tons load displacement as registered with the United States Coast Guard and licensed by the Mississippi Commission on Marine Resources.

(e) The gross income from repairs to vessels and barges engaged in foreign trade or interstate transportation.

(f) Sales of petroleum products to vessels or barges for consumption in marine international commerce or interstate transportation businesses.

(g) Sales and rentals of rail rolling stock (and component parts thereof) for ultimate use in interstate commerce and gross income from services with respect to manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof).

(h) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) used or consumed directly in manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof). This exemption shall not apply to any property used as fuel.

(i) Sales of machinery or tools or repair parts therefor or replacements thereof, fuel or supplies used directly in manufacturing, converting or repairing ships, vessels or barges of three thousand (3,000) tons load displacement and over, but not to include office and plant supplies or other equipment not directly used on the ship, vessel or barge being built, converted or repaired. For purposes of this exemption, "ships, vessels or barges" shall not include floating structures described in Section 27-65-18.

(j) Sales of tangible personal property to persons operating ships in international commerce for use or consumption on board such ships. This exemption shall be limited to cases in which procedures satisfactory to the commissioner, ensuring against use in this state other than on such ships, are established.

(k) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-51-5, which are located in a county or portion thereof designated as an enterprise zone pursuant to Sections 57-51-1 through 57-51-15.

(l) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-54-5.

(m) Income from storage and handling of perishable goods by a public storage warehouse.

(n) The value of natural gas lawfully injected into the earth for cycling, repressuring or lifting of oil, or lawfully vented or flared in connection with the production

of oil; however, if any gas so injected into the earth is sold for such purposes, then the gas so sold shall not be exempt.

(o) The gross collections from self-service commercial laundering, drying, cleaning and pressing equipment.

(p) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified companies, certified as such by the Mississippi Development Authority under Section 57-53-1.

(q) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Three areas (as such term is defined in Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph (q).

(r) (i) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi and creating a minimum of twenty (20) jobs at the new headquarters in this state. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (i).

(ii) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company expanding or making additions after January 1, 2013, to its national or regional headquarters within the State of Mississippi and creating a minimum of twenty (20) new jobs at the headquarters as a result of the expansion or additions. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (ii).

(s) The gross proceeds from the sale of semitrailers, trailers, boats, travel trailers, motorcycles, all-terrain cycles and rotary-wing aircraft if exported from this state within forty-eight (48) hours and registered and first used in another state.

(t) Gross income from the storage and handling of natural gas in underground salt domes and in other underground reservoirs, caverns, structures and formations suitable for such storage.

(u) Sales of machinery and equipment to nonprofit organizations if the organization:

(i) Is tax exempt pursuant to Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

(ii) Assists in the implementation of the contingency plan or area contingency plan, and which is created in response to the requirements of Title IV, Subtitle B of the Oil Pollution Act of 1990, Public Law 101-380; and

(iii) Engages primarily in programs to contain, clean up and otherwise mitigate spills of oil or other substances occurring in the United States coastal and tidal waters.

For purposes of this exemption, "machinery and equipment" means any ocean-going vessels, barges, booms, skimmers and other capital equipment used primarily in the operations of nonprofit organizations referred to herein.

(v) Sales or leases of materials and equipment to approved business enterprises as provided under the Growth and Prosperity Act.

(w) From and after July 1, 2001, sales of pollution control equipment to manufacturers or custom processors for industrial use. For the purposes of this exemption, "pollution control equipment" means equipment, devices, machinery or systems used or acquired to prevent, control, monitor or reduce air, water or groundwater pollution, or solid or hazardous waste as required by federal or state law or regulation.

(x) Sales or leases to a manufacturer of motor vehicles or powertrain components operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacture of motor vehicles or motor vehicle parts or used to provide climate control for manufacturing areas.

(y) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi), Section 57-75-5(f)(xxii) or Section 57-75-5(f)(xxviii) and any other sales or leases required to establish or operate such project.

(z) Sales of component materials and equipment to a business enterprise as provided under Section 57-64-33.

(aa) The gross income from the stripping and painting of commercial aircraft engaged in foreign or interstate transportation business.

(bb) [Repealed]

(cc) Sales or leases to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacturing/production operations of the project or used to provide climate control for manufacturing/production areas.

(dd) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) and any other sales or leases required to establish or operate such project.

(ee) Sales of parts used in the repair and servicing of aircraft not registered in Mississippi engaged exclusively in the business of foreign or interstate transportation to businesses engaged in aircraft repair and maintenance.

(ff) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), meeting minimum criteria established by the Mississippi Development Authority.

(gg) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the facility or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), as certified by the Department of Revenue. For purposes of this paragraph, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(hh) Sales of component materials used in the replacement, reconstruction or repair of a building or facility that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises or companies that were eligible for the exemptions authorized in paragraph (q), (r), (ff) or (gg) of this subsection during initial construction of the building that was destroyed or damaged, which enterprises or companies are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph.

(ii) Sales of software or software services transmitted by the Internet to a destination outside the State of Mississippi where the first use of such software or software services by the purchaser occurs outside the State of Mississippi.

(jj) Gross income of public storage warehouses derived from the temporary storage of raw materials that are to be used in an eligible facility as defined in Section 27-7-22.35.

(kk) Sales of component building materials and equipment for initial construction of facilities or expansion of facilities as authorized under Sections 57-113-1 through 57-113-7 and Sections 57-113-21 through 57-113-27.

(ll) Sales and leases of machinery and equipment acquired in the initial construction to establish facilities as authorized in Sections 57-113-1 through 57-113-7.

(mm) Sales and leases of replacement hardware, software or other necessary technology to operate a data center as authorized under Sections 57-113-21 through 57-113-27.

(nn) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of the construction of the facility, to be used in the facility, to permanent business enterprises operating a facility producing renewable crude oil from biomass harvested or produced, in whole or in part, in Mississippi, which businesses meet minimum criteria established by the Mississippi Development Authority. As used in this paragraph, the term "biomass" shall have the meaning ascribed to such term in Section 57-113-1.

(oo) Sales of supplies, equipment and other personal property to an organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and is the host organization coordinating a professional golf tournament played or to be played in this state and the supplies, equipment or other personal property will be used for purposes related to the golf tournament and related activities.

(pp) Sales of materials used in the construction of a health care industry facility, as defined in Section 57-117-3, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-117-3. This paragraph shall be repealed from and after July 1, 2022.

(qq) Sales or leases to a manufacturer of automotive parts operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxviii) of machinery and equipment; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal, nitrogen and natural gas used directly in the manufacture of automotive parts or used to provide climate control for manufacturing areas.

(rr) Gross collections derived from guided tours on any navigable waters of this state, which include providing accommodations, guide services and/or related equipment operated by or under the direction of the person providing the tour, for the purposes of outdoor tourism. The exemption provided in this paragraph (rr) does not apply to the sale of tangible personal property by a person providing such tours.

(ss) Retail sales of truck-tractors and semitrailers used in interstate commerce and registered under the International Registration Plan (IRP) or any similar

reciprocity agreement or compact relating to the proportional registration of commercial vehicles entered into as provided for in Section 27-19-143.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales or leases to an enterprise and its affiliates operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxix) of:

(i) All personal property and fixtures, including without limitation, sales or leases to the enterprise and its affiliates of:

1. Manufacturing machinery and equipment;
2. Special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes;
3. Component building materials, machinery and equipment used in the construction of buildings, and any other additions or improvements to the project site for the project;

4. Nonmanufacturing furniture, fixtures and equipment (inclusive of all communications, computer, server, software and other hardware equipment); and

5. Fuel, supplies (other than nonmanufacturing consumable supplies and water), electricity, nitrogen gas and natural gas used directly in the manufacturing/production operations of such project or used to provide climate control for manufacturing/production areas of such project;

(ii) All replacements of, repair parts for or services to repair items described in subparagraph (i)1, 2 and 3 of this paragraph; and

(iii) All services taxable pursuant to Section 27-65-23 required to establish, support, operate, repair and/or maintain such project.

(vv) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxx) of:

(i) Purchases required to establish and operate the project, including, but not limited to, sales of component building materials, machinery and equipment required to establish the project facility and any additions or improvements thereon; and

(ii) Machinery, special tools (such as dies, molds, and jigs) or repair parts thereof, or replacements and lease thereof, repair services thereon, fuel, supplies and electricity, coal and natural gas used in the manufacturing process and purchased by the enterprise owning or operating the project for the benefit of the project.

(ww) Sales of component materials used in the construction of a building, or any expansion or improvement thereon, sales of machinery and/or equipment to be used therein, and sales of processing machinery and equipment which is permanently attached to the ground or to a permanent foundation which is not by its nature intended to be housed in a building structure, no later than three (3) months after initial startup, expansion or improvement of a permanent enterprise solely engaged in the conversion of natural sand into proppants used in oil and gas exploration and development with at least ninety-five percent (95%) of such proppants used in the production of oil and/or gas from horizontally drilled wells and/or horizontally drilled recompletion wells as defined in Sections 27-25-501 and 27-25-701.

(2) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

(3) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses meet minimum criteria established by the Mississippi Development Authority, shall be exempt from one-half (1/2) of the taxes imposed on such transaction under this chapter.

(4) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. For purposes of this subsection, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(5) (a) For purposes of this subsection:

(i) "Telecommunications enterprises" shall have the meaning ascribed to such term in Section 57-73-21;

(ii) "Tier One areas" mean counties designated as Tier One areas pursuant to Section 57-73-21;

(iii) "Tier Two areas" mean counties designated as Tier Two areas pursuant to Section 57-73-21;

(iv) "Tier Three areas" mean counties designated as Tier Three areas pursuant to Section 57-73-21; and

(v) "Equipment used in the deployment of broadband technologies" means any equipment capable of being used for or in connection with the transmission of information at a rate, prior to taking into account the effects of any signal degradation, that is not less than three hundred eighty-four (384) kilobits per second in at least one (1) direction, including, but not limited to, asynchronous transfer mode switches, digital subscriber line access multiplexers, routers, servers, multiplexers, fiber optics and related equipment.

(b) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier One areas and used in the deployment of broadband technologies shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

(c) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier Two and Tier Three areas and used in the deployment of broadband technologies shall be exempt from the taxes imposed on such transactions under this chapter.

(6) Sales of component materials used in the replacement, reconstruction or repair of a building that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises that were eligible for the partial exemptions provided for in subsections (2), (3) and (4) of this section during initial construction of the building that was destroyed or damaged, which enterprises are certified by the Department of Revenue as being eligible for the partial exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

SECTION 65. Section 27-65-103, Mississippi Code of 1972, is brought forward as follows:

27-65-103. The exemptions from the provisions of this chapter which are of an agricultural nature or which are more properly classified as agricultural exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by provisions of the Constitution of the United States or the State of Mississippi. No agricultural exemption as now provided by any other section shall be valid as against the tax herein levied. Any subsequent agricultural exemption from the tax levied hereunder shall be provided by amendment to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

The tax levied by this chapter shall not apply to the following:

- (a) The gross proceeds of sales of lint cotton, seed cotton, baled cotton, whether compressed or not, and cottonseed and soybeans in their original condition. Retail sales of seeds, livestock feed, poultry feed, fish feed and fertilizers. Sales of defoliants, insecticides, fungicides, herbicides and baby chicks used in growing agricultural products for market. Bagging and ties for baling cotton, hay-baling wire and twine, boxes, bags and cans used in growing or preparing agricultural products for market when possession thereof will pass to the customer at the time of sale of the product contained therein. Sales of ice to commercial fishermen purchased for use in the preservation of seafood or to producers for use in the refrigeration of vegetables for market.
- (b) The sales by producers of livestock, poultry, fish, honey bees or other products of farm, grove, apiary or garden when such products are sold in the original state or condition of preparation for sale before such products are subjected to any other process within a class of business or sold by a producer through an established store, as defined in the Privilege Tax Law. However, except as otherwise provided in this paragraph (b), this exemption shall not apply to ornamental plants which bear no fruit of commercial value. The exemption provided in this paragraph (b) shall apply to Christmas trees, hay, straw, fresh cut flowers and similar products when (i) grown in Mississippi and (ii) cut, severed or otherwise removed from the farm, grove, garden or other place of production and first sold from such place of production in the original state or condition of preparation for sale. All sales by agricultural cooperative associations organized under Article 9, Chapter 7, Title 69, or under Chapter 17 or 19, Title 79, Mississippi Code of 1972, of agricultural products produced by members for market before such products are subjected to any manufacturing process.
- (c) The gross proceeds of retail sales of mules, horses, honey bees and other livestock.
- (d) Income from grading, excavating, ditching, dredging or landscaping activities performed for a farmer on a farm for agricultural or soil erosion purposes.
- (e) The gross proceeds of sales of all antibiotics, hormones and hormone preparations, drugs, medicines and other medications including serums and vaccines, vitamins, minerals or other nutrients for use in the production and growing of fish, livestock, honey bees and poultry by whomever sold. Such exemption shall be in addition to the exemption provided in this section for feed for fish, livestock, honey bees and poultry.
- (f) Sales of food products and honey that are grown, made or processed in Mississippi and sold from farmers' markets that have been certified by the Mississippi Department of Agriculture and Commerce.

SECTION 66. Section 27-65-105, Mississippi Code of 1972, is brought forward as follows:

27-65-105. The exemption from the provisions of this chapter which are of a governmental nature or which are more properly classified as governmental exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by provisions of the Constitutions of the United States or the State of Mississippi. No governmental exemption as now provided by any other section shall be valid as against the tax herein levied. Any subsequent governmental exemption from the tax levied hereunder shall be provided by amendment to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972, except as provided by paragraph (f) of this section.

The tax levied by this chapter shall not apply to the following:

(a) Sales of property, labor, services or products taxable under Sections 27-65-17, 27-65-19, 27-65-23 and 27-19-26, when sold to and billed directly to and payment therefor is made directly by the United States government, the State of Mississippi and its departments, institutions, counties and municipalities or departments or school districts of said counties and municipalities.

The exemption from the tax imposed under this chapter shall not apply to sales of tangible personal property or specified digital products, labor or services to contractors purchasing in the performance of contracts with the United States, the State of Mississippi, counties and municipalities.

(b) Sales to schools, when such schools are supported wholly or in part by funds provided by the State of Mississippi, provided that this exemption does not apply to sales of property which is not to be used in the ordinary operation of the school, or which is to be resold to the students or the public.

(c) Amounts received from the sale of school textbooks to students.

(d) Sales to the Mississippi Band of Choctaw Indians, but not to Indians individually.

(e) Sales of firefighting equipment to governmental fire departments or volunteer fire departments for their use.

(f) Sales of any gas from any project, as defined in the Municipal Gas Authority of Mississippi Law, to any municipality shall not be subject to sales, use or other tax.

(g) Sales of home medical equipment and home medical supplies listed as eligible for payment under Title XVIII of the Social Security Act or under the state plan for medical assistance under Title XIX of the Social Security Act, prosthetics, orthotics, hearing aids, hearing devices, prescription eyeglasses, oxygen and oxygen equipment, when ordered or prescribed by a licensed physician for medical purposes of a patient, and when payment for such equipment or supplies, or both, is made, in part or in whole, under the provisions of the Medicare or Medicaid program, then the entire sale shall be exempt from the taxes imposed by this chapter. Payment does not have to be made, in whole or in part, by any particular person to be eligible for this exemption. Purchases of home medical equipment and supplies by a provider of home health services or a provider of hospice services are eligible for this exemption if the purchases otherwise meet the requirements of this paragraph.

(h) Sales to regional educational service agencies established under Section 37-7-345.

(i) Sales of buses and other motor vehicles, and parts and labor used to maintain and/or repair such buses and motor vehicles, to an entity that (a) has entered into a contract with a school board under Section 37-41-31 for the purpose of transporting students to and from schools and (b) uses or will use the buses and other motor vehicles for such transportation purposes. This paragraph (i) shall apply to contracts entered into or renewed on or after July 1, 2010.

(j) Parking at events held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds for the grant program authorized under Section 18, Chapter 530, Laws of 1995.

(k) Sales of tangible personal property, labor, services or products to schools and school districts under a program that is administered by or coordinated with an agency, commission, department or other instrumentality of the United States government when payment for the tangible personal property, labor, services or products is made by or through a nonprofit organization or other entity established by or for the benefit of the agency, commission, department or other instrumentality of the United States government administering or coordinating such program.

SECTION 67. Section 27-65-107, Mississippi Code of 1972, is brought forward as follows:

27-65-107. The exemptions from the provisions of this chapter which relate to utilities or which are more properly classified as utility exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by provisions of the Constitutions of the United States or the State of Mississippi. No utility exemption as now provided by any other section shall be valid as against the tax herein levied. Any subsequent utility exemption from the tax levied hereunder shall be provided by amendment to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

The tax levied by this chapter shall not apply to the following:

(a) Sales and rentals of locomotives, rail rolling stock and materials for their repair, locomotive water, when made to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission.

(b) Rentals of manufacturing machinery to a manufacturer or custom processor where such manufacturer or custom processor is engaged in, and such machinery is used in, the manufacture of containers made from timber or wood for sale. The tax, likewise, shall not apply to replacement or repair parts of such machinery used in such manufacture.

(c) Sales of tangible personal property and services to nonprofit water associations or corporations in which no part of the net earnings inures to the benefit of any private shareholder, group or individual. Only sales of property or services which are ordinary and necessary to the operation of such organizations are exempt from tax.

(d) Wholesale sales of tangible personal property for resale under Section 27-65-19.

(e) From and after July 1, 2003, sales of fuel used to produce electric power by a company primarily engaged in the business of producing, generating or distributing electric power for sale.

(f) Sales of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel to a manufacturer, custom processor, data center meeting the criteria provided for in Section 57-113-21, technology intensive enterprise meeting the criteria provided for in Section 27-65-17(1)(f), or public service company for industrial purposes, which shall include that used to generate electricity, to operate an electrical distribution or transmission system, to operate pipeline compressor or pumping stations, or to operate railroad locomotives.

(g) Sales of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel to a producer or processor for use directly in the production of poultry or poultry products, the production of livestock and livestock products, the production of domesticated fish and domesticated fish products, the production of marine aquaculture products, the production of plants or food by commercial horticulturists, the processing of milk and milk products, the processing of poultry and livestock feed, and the irrigation of farm crops.

(h) Sales of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel to a commercial fisherman, shrimper or oysterman.

(i) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(j) Sales of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel to a permanent enterprise that is eligible for the exemption authorized in Section 27-65-101(1)(ww) upon completion of the expansion upon which such exemption is based; however, in order to be eligible for the exemption authorized by this paragraph, the expansion must:

(i) Create at least eighty-five (85) full-time jobs in this state with an average annual wage of at least Sixty Thousand Dollars (\$60,000.00); and

(ii) Have at least Eighty Million Dollars (\$80,000,000.00) in new investment at the existing facility.

SECTION 68. Section 27-65-111, Mississippi Code of 1972, is brought forward as follows:

27-65-111. The exemptions from the provisions of this chapter which are not industrial, agricultural or governmental, or which do not relate to utilities or taxes, or which are not properly classified as one (1) of the exemption classifications of this

chapter, shall be confined to persons or property exempted by this section or by the Constitution of the United States or the State of Mississippi. No exemptions as now provided by any other section, except the classified exemption sections of this chapter set forth herein, shall be valid as against the tax herein levied. Any subsequent exemption from the tax levied hereunder, except as indicated above, shall be provided by amendments to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21, Mississippi Code of 1972.

The tax levied by this chapter shall not apply to the following:

(a) Sales of tangible personal property and services to hospitals or infirmaries owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are subject to and governed by Sections 41-7-123 through 41-7-127.

Only sales of tangible personal property or services which are ordinary and necessary to the operation of such hospitals and infirmaries are exempted from tax.

(b) Sales of daily or weekly newspapers, and periodicals or publications of scientific, literary or educational organizations exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1954, as it exists as of March 31, 1975, and subscription sales of all magazines.

(c) Sales of coffins, caskets and other materials used in the preparation of human bodies for burial.

(d) Sales of tangible personal property for immediate export to a foreign country.

(e) Sales of tangible personal property to an orphanage, old men's or ladies' home, supported wholly or in part by a religious denomination, fraternal nonprofit organization or other nonprofit organization.

(f) Sales of tangible personal property, labor or services taxable under Sections 27-65-17, 27-65-19 and 27-65-23, to a YMCA, YWCA, a Boys' or Girls' Club owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual.

(g) Sales to elementary and secondary grade schools, junior and senior colleges owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are exempt from state income taxation, provided that this exemption does not apply to sales of property or services which are not to be used in the ordinary operation of the school, or which are to be resold to the students or the public.

(h) The gross proceeds of retail sales and the use or consumption in this state of drugs and medicines:

(i) Prescribed for the treatment of a human being by a person authorized to prescribe the medicines, and dispensed or prescription filled by a registered pharmacist in accordance with law; or

(ii) Furnished by a licensed physician, surgeon, dentist or podiatrist to his own patient for treatment of the patient; or

(iii) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, surgeon, dentist or podiatrist; or

(iv) Sold to a licensed physician, surgeon, podiatrist, dentist or hospital for the treatment of a human being; or

(v) Sold to this state or any political subdivision or municipal corporation thereof, for use in the treatment of a human being or furnished for the treatment of a human being by a medical facility or clinic maintained by this state or any political subdivision or municipal corporation thereof.

"Medicines," as used in this paragraph (h), shall mean and include any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease and which is commonly recognized as a substance or preparation intended for such use; provided that "medicines" do not include any auditory, prosthetic, ophthalmic or ocular device or appliance, any dentures or parts thereof or any artificial limbs or their replacement parts, articles which are in the nature of splints, bandages, pads, compresses, supports, dressings, instruments, apparatus, contrivances, appliances, devices or other

mechanical, electronic, optical or physical equipment or article or the component parts and accessories thereof, or any alcoholic beverage or any other drug or medicine not commonly referred to as a prescription drug.

Notwithstanding the preceding sentence of this paragraph (h), "medicines" as used in this paragraph (h), shall mean and include sutures, whether or not permanently implanted, bone screws, bone pins, pacemakers and other articles permanently implanted in the human body to assist the functioning of any natural organ, artery, vein or limb and which remain or dissolve in the body.

"Hospital," as used in this paragraph (h), shall have the meaning ascribed to it in Section 41-9-3, Mississippi Code of 1972.

Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on prescription within the meaning of this paragraph (h).

(i) Retail sales of automobiles, trucks and truck-tractors if exported from this state within forty-eight (48) hours and registered and first used in another state.

(j) Sales of tangible personal property or services to the Salvation Army and the Muscular Dystrophy Association, Inc.

(k) From July 1, 1985, through December 31, 1992, retail sales of "alcohol blended fuel" as such term is defined in Section 75-55-5. The gasoline-alcohol blend or the straight alcohol eligible for this exemption shall not contain alcohol distilled outside the State of Mississippi.

(l) Sales of tangible personal property or services to the Institute for Technology Development.

(m) The gross proceeds of retail sales of food and drink for human consumption made through vending machines serviced by full line vendors from and not connected with other taxable businesses.

(n) The gross proceeds of sales of motor fuel.

(o) Retail sales of food for human consumption purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, from and after October 1, 1987, or from and after the expiration of any waiver granted pursuant to federal law, the effect of which waiver is to permit the collection by the state of tax on such retail sales of food for human consumption purchased with food stamps.

(p) Sales of cookies for human consumption by the Girl Scouts of America no part of the net earnings from which sales inures to the benefit of any private group or individual.

(q) Gifts or sales of tangible personal property or services to public or private nonprofit museums of art.

(r) Sales of tangible personal property or services to alumni associations of state-supported colleges or universities.

(s) Sales of tangible personal property or services to National Association of Junior Auxiliaries, Inc., and chapters of the National Association of Junior Auxiliaries, Inc.

(t) Sales of tangible personal property or services to domestic violence shelters which qualify for state funding under Sections 93-21-101 through 93-21-113.

(u) Sales of tangible personal property or services to the National Multiple Sclerosis Society, Mississippi Chapter.

(v) Retail sales of food for human consumption purchased with food instruments issued the Mississippi Band of Choctaw Indians under the Women, Infants and Children Program (WIC) funded by the United States Department of Agriculture.

(w) Sales of tangible personal property or services to a private company, as defined in Section 57-61-5, which is making such purchases with proceeds of bonds issued under Section 57-61-1 et seq., the Mississippi Business Investment Act.

(x) The gross collections from the operation of self-service, coin-operated car washing equipment and sales of the service of washing motor vehicles with portable high-pressure washing equipment on the premises of the customer.

(y) Sales of tangible personal property or services to the Mississippi Technology Alliance.

(z) Sales of tangible personal property to nonprofit organizations that provide foster care, adoption services and temporary housing for unwed mothers and

their children if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(aa) Sales of tangible personal property to nonprofit organizations that provide residential rehabilitation for persons with alcohol and drug dependencies if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(bb) (i) Retail sales of an article of clothing or footwear designed to be worn on or about the human body and retail sales of school supplies if the sales price of the article of clothing or footwear or school supply is less than One Hundred Dollars (\$100.00) and the sale takes place during a period beginning at 12:01 a.m. on the last Friday in July and ending at 12:00 midnight the following Saturday. This paragraph (bb) shall not apply to:

1. Accessories including jewelry, handbags, luggage, umbrellas, wallets, watches, briefcases, garment bags and similar items carried on or about the human body, without regard to whether worn on the body in a manner characteristic of clothing;

2. The rental of clothing or footwear; and

3. Skis, swim fins, roller blades, skates and similar items worn on the foot.

(ii) For purposes of this paragraph (bb), "school supplies" means items that are commonly used by a student in a course of study. The following is an all-inclusive list:

1. Backpacks;
2. Binder pockets;
3. Binders;
4. Blackboard chalk;
5. Book bags;
6. Calculators;
7. Cellophane tape;
8. Clays and glazes;
9. Compasses;
10. Composition books;
11. Crayons;
12. Dictionaries and thesauruses;
13. Dividers;
14. Erasers;
15. Folders: expandable, pocket, plastic and manila;
16. Glue, paste and paste sticks;
17. Highlighters;
18. Index card boxes;
19. Index cards;
20. Legal pads;
21. Lunch boxes;
22. Markers;
23. Notebooks;
24. Paintbrushes for artwork;
25. Paints: acrylic, tempera and oil;
26. Paper: loose-leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board and construction paper;
27. Pencil boxes and other school supply boxes;
28. Pencil sharpeners;
29. Pencils;
30. Pens;
31. Protractors;
32. Reference books;
33. Reference maps and globes;
34. Rulers;
35. Scissors;

36. Sheet music;
37. Sketch and drawing pads;
38. Textbooks;
39. Watercolors;
40. Workbooks; and
41. Writing tablets.

(iii) From and after January 1, 2010, the governing authorities of a municipality, for retail sales occurring within the corporate limits of the municipality, may suspend the application of the exemption provided for in this paragraph (bb) by adoption of a resolution to that effect stating the date upon which the suspension shall take effect. A certified copy of the resolution shall be furnished to the Department of Revenue at least ninety (90) days prior to the date upon which the municipality desires such suspension to take effect.

(cc) The gross proceeds of sales of tangible personal property made for the sole purpose of raising funds for a school or an organization affiliated with a school.

As used in this paragraph (cc), "school" means any public or private school that teaches courses of instruction to students in any grade from kindergarten through Grade 12.

(dd) Sales of durable medical equipment and home medical supplies when ordered or prescribed by a licensed physician for medical purposes of a patient. As used in this paragraph (dd), "durable medical equipment" and "home medical supplies" mean equipment, including repair and replacement parts for the equipment or supplies listed under Title XVIII of the Social Security Act or under the state plan for medical assistance under Title XIX of the Social Security Act, prosthetics, orthotics, hearing aids, hearing devices, prescription eyeglasses, oxygen and oxygen equipment. Payment does not have to be made, in whole or in part, by any particular person to be eligible for this exemption. Purchases of home medical equipment and supplies by a provider of home health services or a provider of hospice services are eligible for this exemption if the purchases otherwise meet the requirements of this paragraph.

(ee) Sales of tangible personal property or services to Mississippi Blood Services.

(ff) (i) Subject to the provisions of this paragraph (ff), retail sales of firearms, ammunition and hunting supplies if sold during the annual Mississippi Second Amendment Weekend holiday beginning at 12:01 a.m. on the last Friday in August and ending at 12:00 midnight the following Sunday. For the purposes of this paragraph (ff), "hunting supplies" means tangible personal property used for hunting, including, and limited to, archery equipment, firearm and archery cases, firearm and archery accessories, hearing protection, holsters, belts and slings. Hunting supplies does not include animals used for hunting.

(ii) This paragraph (ff) shall apply only if one or more of the following occur:

1. Title to and/or possession of an eligible item is transferred from a seller to a purchaser; and/or

2. A purchaser orders and pays for an eligible item and the seller accepts the order for immediate shipment, even if delivery is made after the time period provided in subparagraph (i) of this paragraph (ff), provided that the purchaser has not requested or caused the delay in shipment.

(gg) Sales of nonperishable food items to charitable organizations that are exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and operate a food bank or food pantry or food lines.

(hh) Sales of tangible personal property or services to the United Way of the Pine Belt Region, Inc.

(ii) Sales of tangible personal property or services to the Mississippi Children's Museum or any subsidiary or affiliate thereof operating a satellite or branch museum within this state.

(jj) Sales of tangible personal property or services to the Jackson Zoological Park.

(kk) Sales of tangible personal property or services to the Hattiesburg Zoo.

(ll) Gross proceeds from sales of food, merchandise or other concessions at an event held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds for the grant program authorized under Section 18, Chapter 530, Laws of 1995.

(mm) Sales of tangible personal property and services to the Diabetes Foundation of Mississippi and the Mississippi Chapter of the Juvenile Diabetes Research Foundation.

(nn) Sales of potting soil, mulch, or other soil amendments used in growing ornamental plants which bear no fruit of commercial value when sold to commercial plant nurseries that operate exclusively at wholesale and where no retail sales can be made.

(oo) Sales of tangible personal property or services to the University of Mississippi Medical Center Research Development Foundation.

(pp) Sales of tangible personal property or services to Keep Mississippi Beautiful, Inc., and all affiliates of Keep Mississippi Beautiful, Inc.

(qq) Sales of tangible personal property or services to the Friends of Children's Hospital.

(rr) Sales of tangible personal property or services to the Pinecrest Weekend Snackpacks for Kids located in Corinth, Mississippi.

(ss) Sales of hearing aids when ordered or prescribed by a licensed physician, audiologist or hearing aid specialist for the medical purposes of a patient.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales of tangible personal property or services to the Junior League of Jackson.

(vv) Sales of tangible personal property or services to the Mississippi's Toughest Kids Foundation for use in the construction, furnishing and equipping of buildings and related facilities and infrastructure at Camp Kamassa in Copiah County, Mississippi. This paragraph (vv) shall stand repealed on July 1, 2022.

(ww) Sales of tangible personal property or services to MS Gulf Coast Buddy Sports, Inc.

(xx) Sales of tangible personal property or services to Biloxi Lions, Inc.

(yy) Sales of tangible personal property or services to Lions Sight Foundation of Mississippi, Inc.

(zz) Sales of tangible personal property and services to the Goldring/Woldenberg Institute of Southern Jewish Life (ISJL).

SECTION 69. Sections 11 through 69 of this act shall be known and may be cited as the "Mississippi Tax Freedom Act of 2021."

SECTION 70. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING AND COMMUNITY AND JUNIOR COLLEGES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000.00 TO PROVIDE FUNDS FOR THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$20,000,000.00 FOR THE ACE FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN

INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$77,000,000.00 TO \$80,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR PROJECTS DESIGNED TO ENHANCE FACILITIES THAT ARE AT RISK FOR CLOSURE PURSUANT TO THE DEFENSE BASE REALIGNMENT AND CLOSURE ACT OF 1990 OR OTHER APPLICABLE FEDERAL LAW; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$7,000,000.00 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AUTHORIZE AN ADDITIONAL \$1,000,000.00 IN BONDS TO BE USED TO PROVIDE FUNDING FOR A HIGH ECONOMIC BENEFIT PROJECT AS DEFINED IN SECTION 65-4-5(1)(C)(V); TO AMEND SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 8, CHAPTER 421, LAWS OF 2019, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO CREATE THE MISSISSIPPI TAX FREEDOM ACT OF 2021; TO AMEND SECTION 27-7-21, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE PERSONAL EXEMPTIONS UNDER THE STATE INCOME TAX LAW FOR SINGLE INDIVIDUALS, MARRIED INDIVIDUALS AND HEAD OF FAMILY INDIVIDUALS AND TO PROVIDE FOR THE ANNUAL ADJUSTMENT OF THE AMOUNTS OF SUCH PERSONAL EXEMPTIONS; TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON THE SALE OF TANGIBLE PERSONAL PROPERTY; TO INCREASE THE SALES TAX RATE ON RETAIL SALES OF AIRCRAFT, AUTOMOBILES, TRUCKS, TRUCK-TRACTORS, SEMITRAILERS AND MANUFACTURED AND MOBILE HOMES; TO INCREASE THE SALES TAX RATE ON SALES OF MATERIALS FOR USE IN TRACK AND TRACK STRUCTURES TO A RAILROAD WHOSE RATES ARE FIXED BY THE INTERSTATE COMMERCE COMMISSION OR THE MISSISSIPPI PUBLIC SERVICE COMMISSION; TO INCREASE THE SALES TAX RATE ON SALES OF TANGIBLE PERSONAL PROPERTY TO ELECTRIC POWER ASSOCIATIONS FOR USE IN THE ORDINARY AND NECESSARY OPERATION OF THEIR GENERATING OR DISTRIBUTION SYSTEMS; TO INCREASE THE SALES TAX RATE ON SALES OF THE FACTORY-BUILT COMPONENTS OF MODULAR HOMES, PANELIZED HOMES AND PRECUT HOMES, AND PANEL CONSTRUCTED HOMES CONSISTING OF STRUCTURAL INSULATED PANELS; TO INCREASE THE SALES TAX RATE ON SALES OF MATERIALS USED IN THE REPAIR, RENOVATION, ADDITION TO, EXPANSION OR IMPROVEMENT OF BUILDINGS AND RELATED FACILITIES USED BY DAIRY PRODUCERS; TO REDUCE THE SALES TAX RATE ON RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-65-19, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON SALES OF UTILITIES AND TELECOMMUNICATIONS SERVICES; TO AMEND SECTION 27-65-20, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON SALES OF MACHINERY, MACHINE PARTS AND EQUIPMENT TO AN OPERATOR OR LESSEE OF COUNTY PORT AUTHORITY OR COUNTY DEVELOPMENT COMMISSION STRUCTURES, FACILITIES AND LANDS; TO AMEND SECTION 27-65-22, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON AMUSEMENT AND ENTERTAINMENT ADMISSIONS; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON VARIOUS SERVICES; TO AMEND SECTION 27-65-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON RETAIL SALES OF ALCOHOLIC BEVERAGES; TO AMEND SECTION 27-65-26, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON THE SALE, RENTING OR LEASING OF SPECIFIED DIGITAL PRODUCTS; TO AMEND SECTION 27-65-201, MISSISSIPPI CODE OF 1972, TO INCREASE THE SALES TAX RATE ON CASUAL SALES OF MOTOR VEHICLES; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE

SALES REVENUE COLLECTED FROM INCREASES TO SALES TAX RATES UNDER THIS ACT SHALL BE DEPOSITED, WITHOUT DIVERSION, INTO THE STATE TREASURY TO THE CREDIT OF THE GENERAL FUND, EXCEPT THAT A PORTION OF SUCH REVENUE SHALL BE TEMPORARILY DEPOSITED INTO A SPECIAL FUND CREATED IN THE STATE TREASURY AS THE "BUDGET STABILIZATION FUND"; TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE COLLECTED FROM RETAIL SALES OF FOOD FOR HUMAN CONSUMPTION NOT PURCHASED WITH FOOD STAMPS BUT WHICH WOULD BE EXEMPT FROM SALES TAX IF PURCHASED WITH FOOD STAMPS; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE USE TAX REVENUE COLLECTED AS A RESULT OF THE INCREASES TO SALES TAX RATES UNDER THIS ACT SHALL BE DEPOSITED, WITHOUT DIVERSION, INTO THE STATE TREASURY TO THE CREDIT OF THE GENERAL FUND, EXCEPT THAT A PORTION OF SUCH REVENUE SHALL BE TEMPORARILY DEPOSITED INTO A SPECIAL FUND CREATED IN THE STATE TREASURY AS THE "BUDGET STABILIZATION FUND"; TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES CERTAIN MUNICIPALITIES TO LEVY A MUNICIPAL SPECIAL SALES TAX, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTIONS 27-69-3, 27-69-13 AND 27-69-75, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TOBACCO" UNDER THE TOBACCO TAX LAW; TO INCREASE THE RATE OF THE TOBACCO TAX ON CIGARETTES AND OTHER TOBACCO; TO PROVIDE THAT TOBACCO TAXES COLLECTED FROM THE INCREASES TO TOBACCO TAX RATES UNDER THIS ACT SHALL BE TEMPORARILY DEPOSITED INTO A SPECIAL FUND CREATED IN THE STATE TREASURY AS THE "BUDGET STABILIZATION FUND"; TO CREATE THE "BUDGET STABILIZATION FUND" AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE FUND SHALL ONLY BE APPROPRIATED BY THE LEGISLATURE TO FURTHER THE PURPOSES OF THIS ACT; TO AMEND SECTION 27-70-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE RATE OF THE TOBACCO EQUITY TAX; TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FROM AND AFTER JANUARY 1 OF THE NEXT SUCCEEDING YEAR AFTER THE DATE THAT THE COMMISSIONER OF REVENUE CERTIFIES THAT THE REDUCTION IN REVENUE MANDATED BY SECTION 27-7-21, MISSISSIPPI CODE OF 1972, EQUALS OR EXCEEDS THE REMAINING REVENUE PRODUCED BY THE INDIVIDUAL INCOME TAX, THE INDIVIDUAL INCOME TAX SHALL BE REPEALED; TO BRING FORWARD SECTION 27-7-3, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS UNDER THE STATE INCOME TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE INCOME TAXATION OF ESTATES AND TRUSTS; TO BRING FORWARD SECTIONS 27-7-22.5, 27-7-22.15, 27-7-22.21, 27-7-22.22, 27-7-22.31, 27-7-22.32, 27-7-22.33, 27-7-22.37, 27-7-22.39, 27-7-22.41 AND 27-7-207, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR VARIOUS INCOME TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-7-312, 57-62-5, 57-62-9, 57-62-11 AND 57-62-13, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 57-89-3 AND 57-89-7, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MISSISSIPPI MOTION PICTURE INCENTIVE ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 57-99-1, 57-99-3, 57-99-5, 57-99-7, 57-99-21, 57-99-23, 57-99-25 AND 57-99-27, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI MAJOR ECONOMIC IMPACT WITHHOLDING REBATE INCENTIVE PROGRAM, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 37-148-3 AND 37-148-5, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH BUSINESS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 57-105-1, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES INCOME TAX AND INSURANCE PREMIUM TAX CREDITS FOR TAXPAYERS HOLDING CERTAIN QUALIFIED EQUITY

INVESTMENTS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-25-503 AND 27-25-505, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STATE OIL SEVERANCE TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-25-703 AND 27-25-705, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE STATE GAS SEVERANCE TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 27-65-101, 27-65-103, 27-65-105, 27-65-107 AND 27-65-111, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE VARIOUS SALES TAX EXEMPTIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of William "Big L." Lyndon Rushing of Woolmarket, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Lloyd M. Burton of Gulfport, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Joyce Caracci of Jackson, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Roger Stokes of Liberty, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of John "Johnny" Martin Rodriguez of Natchez, MS.

Senator Blackwell moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 22, 2021.

The motion prevailed, and at 9:35 AM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2031: City of Louisville; extend the hotel and motel tax repeal date to July 1, 2025.

S. B. No. 2776: Noxubee County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements.

S. B. No. 2881: City of Brookhaven; extend repeal date on the tax upon room rentals of hotels, motels and bed-and-breakfast establishments.

S. B. No. 2882: Lowndes County; increase amount that may be contributed to the United Way for fiscal years 2021-2023, and extend repealer.

S. B. No. 2974: City of Byram; extend repeal date on hotel and motel tax.

S. B. No. 3032: City of Pascagoula; extend the repeal date on tourism tax authorized to be levied on prepared food sold at restaurants.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 504: Commission on School Accreditation; clarify membership composition.

H. B. No. 852: Teachers' and teacher's assistants' salaries; provide increase to minimum salary.

H. B. No. 953: Homeowners' associations; regulate managing agents of and require financial reviews by.

H. B. No. 1047: Nationally certified licensed school employees; delete caps on nurses and speech pathologists and add athletic trainers for salary supplements.

H. B. No. 1123: Early Learning Collaborative Act of 2013; revise funding and specify teaching standards.

H. B. No. 1365: Appropriation; Athletic Commission.

H. B. No. 1366: Appropriation; Barber Examiners, Board of.

H. B. No. 1367: Appropriation; Cosmetology, Board of.

H. B. No. 1368: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

H. B. No. 1369: Appropriation; Medical Licensure, Board of.

H. B. No. 1370: Appropriation; Nursing, Board of.

H. B. No. 1371: Appropriation; Nursing Home Administrators, Board of.

H. B. No. 1372: Appropriation; Optometry, Board of.

H. B. No. 1373: Appropriation; Physical Therapy Board.

H. B. No. 1374: Appropriation; Psychology, Board of.

H. B. No. 1375: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

H. B. No. 1376: Appropriation; Auctioneers Commission.

H. B. No. 1377: Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board.

H. B. No. 1405: Appropriation; Pat Harrison Waterway District.

H. B. No. 1406: Appropriation; Pearl River Valley Water Supply District.

H. B. No. 1407: Appropriation; Port Authority, State.

H. B. No. 1409: Appropriation; Yellow Creek State Inland Port Authority.

H. B. No. 1411: Appropriation; Veterans' Home Purchase Board.

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2799: Mississippi Medicaid Program; make technical amendments to reimbursements and administration.

Senators Blackwell, Wiggins, Bryan.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of William "Big L." Lyndon Rushing, Lloyd M. Burton, Joyce Caracci, Roger Stokes and John "Johnny" Martin Rodriguez.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, MARCH 19, 2021

S. R. No. 46: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE UNIVERSITY OF MISSISSIPPI WOMENS RIFLE TEAM AND HEAD COACH MARSHA BEASLEY FOR THEIR OUTSTANDING 2021 SEASON AND FOR EARNING A SHARE OF THE REGULAR SEASON TITLE.

By Senator(s) Boyd, Michel, Parks, Sparks, McCaughn, Hopson, Whaley

SEVENTY-SEVENTH DAY, MONDAY, MARCH 22, 2021

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Fillingane. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Harkins.

Senator Jackson R. (11th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2822: Mississippi Flexible Tax Incentive Act; create.
Senators Harkins, Parker, Fillingane.

S. B. No. 2850: Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership.
Senators Harkins, Parks, Whaley.

S. B. No. 2872: Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area.
Senators Harkins, Kirby, Carter.

S. B. No. 2895: Ad valorem tax; provide assessment rate for transformative renewable energy project property designated by the county board.
Senators Harkins, Suber, Horhn.

S. B. No. 2971: Bonds; authorize issuance for state institutions of higher learning.
Senators Harkins, Johnson, Kirby.

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2904: Appropriation; IHL - General support.
Senators Hopson, Parks, DeBar.

S. B. No. 2905: Appropriation; IHL - Subsidiary programs.
Senators Hopson, Parks, DeBar.

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.
Senators Hopson, Parks, Simmons (13th).

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.
Senators Hopson, Parks, Simmons (13th).

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.
Senators Hopson, Parks, Williams.

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.
Senators Hopson, Parks, Williams.

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.
Senators Hopson, Parks, Williams.

S. B. No. 2911: Appropriation; IHL - Student Financial Aid.
Senators Hopson, Parks, DeBar.

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center.
Senators Hopson, Parks, Blackwell.

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses.
Senators Hopson, Frazier, McLendon.

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.
Senators Hopson, Frazier, DeLano.

S. B. No. 2915: Appropriation; Corrections, Department of.
Senators Hopson, Wiggins, Tate.

S. B. No. 2916: Appropriation; Public Safety, Department of.
Senators Hopson, Wiggins, Jackson (11th).

S. B. No. 2917: Appropriation; Emergency Management Agency.
Senators Hopson, DeLano, Seymour.

S. B. No. 2918: Appropriation; Military Department.
Senators Hopson, DeLano, Witherspoon.

S. B. No. 2919: Appropriation; Veterans Affairs Board.
Senators Hopson, DeLano, Moran.

S. B. No. 2920: Appropriation; Ethics Commission.
Senators Hopson, Norwood, Branning.

S. B. No. 2921: Appropriation; Judicial Performance Commission.
Senators Hopson, Norwood, Branning.

S. B. No. 2922: Appropriation; Employment Security, Department of.
Senators Hopson, Michel, Wiggins.

S. B. No. 2923: Appropriation; Revenue, Department of.

Senators Hopson, Michel, McCaughn.

S. B. No. 2924: Appropriation; Tax Appeals Board.
Senators Hopson, Michel, Seymour.

S. B. No. 2925: Appropriation; Workers' Compensation Commission.
Senators Hopson, Michel, Wiggins.

S. B. No. 2926: Appropriation; Mental Health, Department of.
Senators Hopson, Hill, Michel.

S. B. No. 2927: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.
Senators Hopson, Branning, Witherspoon.

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority.
Senators Hopson, Branning, Butler.

S. B. No. 2937: Appropriation; Gaming Commission.
Senators Hopson, Turner-Ford, Chism.

S. B. No. 2942: Appropriation; Agriculture and Commerce, Department of.
Senators Hopson, Jackson (32nd), Simmons (13th).

S. B. No. 2943: Appropriation; Egg Marketing Board.
Senators Hopson, Jackson (32nd), Simmons (13th).

S. B. No. 2944: Appropriation; Animal Health, Board of.
Senators Hopson, Jackson (32nd), Suber.

S. B. No. 2945: Appropriation; Fair and Coliseum Commission - Livestock shows.
Senators Hopson, Jackson (32nd), Suber.

S. B. No. 2946: Appropriation; Audit, Department of.
Senators Hopson, Polk, Blackwell.

S. B. No. 2947: Appropriation; Banking and Consumer Finance, Department of.
Senators Hopson, Polk, Witherspoon.

S. B. No. 2948: Appropriation; Finance and Administration, Department of.
Senators Hopson, Polk, Blackwell.

S. B. No. 2949: Appropriation; Governor's Office and Mansion.
Senators Hopson, Polk, Frazier.

S. B. No. 2950: Appropriation; Information Technology Services, Department of.
Senators Hopson, Polk, Williams.

S. B. No. 2951: Appropriation; Development Authority, Mississippi.
Senators Hopson, Polk, Wiggins.

S. B. No. 2952: Appropriation; Personnel Board.
Senators Hopson, Polk, Frazier.

S. B. No. 2953: Appropriation; Secretary of State.
Senators Hopson, Polk, Williams.

S. B. No. 2954: Appropriation; Treasurer's Office.

Senators Hopson, Polk, Blackwell.

S. B. No. 2955: Appropriation; Debt Service-Gen. Obli.
Senators Hopson, Polk, Blackwell.

S. B. No. 2956: Appropriations; additional appropriations for various state agencies.
Senators Hopson, Polk, DeBar.

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.
Senators Hopson, Michel, Tate.

S. B. No. 2474: Department of Health; allow charges between agencies for services provided under the medical marijuana program.
Senators Hopson, Blackwell, Hill.

S. B. No. 2725: State Budget; bring forward certain provisions and transfer funds.
Senators Hopson, Polk, Wiggins.

S. B. No. 2834: Mississippi Historic Site Preservation Fund Grant Program; establish within Department of Archives and History.
Senators Hopson, Polk, McLendon.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2031: AN ACT TO AMEND CHAPTER 907, LOCAL AND PRIVATE LAWS OF 2013, AS REENACTED AND AMENDED BY CHAPTER 926, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF LOUISVILLE, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FOR HOTELS OR MOTELS IN THE CITY AND TO ESTABLISH A TOURISM AND ECONOMIC ADVISORY BOARD; AND FOR RELATED PURPOSES.

S. B. No. 2751: AN ACT TO AMEND SECTIONS 73-67-15, 73-67-17, 73-67-19, 73-67-21 AND 73-67-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE BOARD OF MASSAGE THERAPY SHALL ESTABLISH REQUIREMENTS FOR THE REGISTRATION OF MASSAGE SERVICES ESTABLISHMENTS; TO REQUIRE THE BOARD TO SHARE DOCUMENTS WITH STATE AND FEDERAL AGENCIES; TO PROVIDE THE HOURS OF TRAINING REQUIREMENTS FOR MASSAGE THERAPY PRACTICE; TO AMEND SECTION 73-67-39, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON SECTIONS 73-67-1 THROUGH 73-67-37; AND FOR RELATED PURPOSES.

S. B. No. 2882: AN ACT TO AMEND CHAPTER 918, LOCAL AND PRIVATE LAWS OF 2017, AS AMENDED BY CHAPTER 946, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE, FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW AUTHORIZING CONTRIBUTIONS BY THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO THE UNITED WAY OF LOWNDES COUNTY; TO INCREASE THE MAXIMUM ANNUAL AMOUNT OF SUCH CONTRIBUTIONS FROM \$130,000.00 to \$150,000.00 FOR FISCAL YEARS 2021, 2022 AND 2023; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2420: AN ACT TO AMEND SECTION 73-54-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS TO ISSUE A TEMPORARY LICENSE TO OUT-OF-STATE LICENSEES TO PRACTICE IN A NONPROFIT HEALTH CARE/COUNSELING FACILITY; AND FOR RELATED PURPOSES.

S. B. No. 2750: AN ACT TO AMEND SECTION 73-21-73, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "WRITTEN GUIDELINE OR PROTOCOL" IN THE PHARMACY PRACTICE ACT TO PROVIDE THAT A PHARMACIST TO WHOM A PRACTITIONER WHO HAS DELEGATED THE AUTHORITY TO CONDUCT SPECIFIC PRESCRIBING FUNCTIONS MUST HAVE A SPECIFIC PROTOCOL AGREEMENT BETWEEN THE PRACTITIONER AND THE PHARMACIST THAT IS SIGNED AND FILED; TO DELETE THE REQUIREMENT TO HAVE A PROTOCOL AGREEMENT ON EACH PATIENT; AND FOR RELATED PURPOSES.

S. B. No. 2776: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF NOXUBEE COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR CIVIL CASES FILED AND MISDEMEANOR CONVICTIONS AND/OR NONADJUDICATIONS OBTAINED IN ITS JUSTICE COURT, TO BE PLACED IN A SPECIAL COUNTY FUND DESIGNATED THE "NOXUBEE COUNTY CAPITAL IMPROVEMENTS FUND" AND USED TO FUND CAPITAL IMPROVEMENTS; AND FOR RELATED PURPOSES.

S. B. No. 2881: AN ACT TO AMEND CHAPTER 925, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 914, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF BROOKHAVEN, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FROM HOTELS, MOTELS AND BED-AND-BREAKFAST ESTABLISHMENTS WITHIN THE CITY; AND FOR RELATED PURPOSES.

S. B. No. 2974: AN ACT TO AMEND CHAPTER 942, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 941, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF BYRAM, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FOR HOTELS OR MOTELS WITHIN THE CITY; AND FOR RELATED PURPOSES.

S. B. No. 3032: AN ACT TO AMEND CHAPTER 923, LOCAL AND PRIVATE LAWS OF 2013, AS LAST AMENDED BY CHAPTER 943, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF PASCAGOULA, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS DERIVED FROM THE SALE OF PREPARED FOODS BY RESTAURANTS IN THE CITY AND PROVIDES THAT THE CITY MAY UTILIZE THE REVENUE FROM THE TAX TO IMPLEMENT A COMPREHENSIVE PARKS AND RECREATION MASTER PLAN ADOPTED BY THE CITY; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 504: AN ACT TO AMEND SECTION 37-17-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THE COMPOSITION OF THE COMMISSION ON SCHOOL ACCREDITATION TO REFLECT THE FOUR CONGRESSIONAL DISTRICTS AND APPOINTMENT OF THREE MEMBERS FROM THE STATE AT LARGE; AND FOR RELATED PURPOSES.

H. B. No. 852: AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MINIMUM TEACHER SALARY SCALE BY INCREASING THE MINIMUM SALARY; TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM ANNUAL SALARY FOR TEACHER ASSISTANTS; AND FOR RELATED PURPOSES.

H. B. No. 953: AN ACT TO REGULATE MANAGING AGENTS OF HOMEOWNERS ASSOCIATIONS REGARDING THEIR DEPOSIT AND MANAGEMENT OF ASSOCIATION FUNDS; TO PROVIDE CERTAIN DEFINITIONS FOR THE ACT; TO REQUIRE TRANSFERS OF FUNDS ABOVE A CERTAIN AMOUNT TO BE AUTHORIZED BY PRIOR WRITTEN BOARD APPROVAL; TO PROHIBIT THE MANAGING AGENT FROM COMMINGLING THE FUNDS OF THE ASSOCIATION WITH THE MANAGING AGENTS OWN MONEY OR WITH THE MONEY OF OTHERS THAT THE MANAGING AGENT RECEIVES OR ACCEPTS; TO PROVIDE THAT CURRENTLY COMMINGLED FUNDS SHALL BE SEPARATED BY A CERTAIN DATE; TO REQUIRE THE MANAGING AGENT TO PROVIDE TO THE HOMEOWNERS ASSOCIATION CERTAIN FINANCIAL INFORMATION RELATING TO THE FUNDS OF THE ASSOCIATION BEFORE EVERY REGULAR MEETING AND UPON REQUEST OF THE ASSOCIATION; TO PROVIDE THE BOARD OF A HOMEOWNERS ASSOCIATION TO CONDUCT CERTAIN PERIODIC FINANCIAL REVIEWS; TO AUTHORIZE SPECIAL OR REGULARLY SCHEDULED MEETINGS TO BE HELD BY ELECTRONIC TRANSMISSION OR BY OTHER MEANS OF REMOTE COMMUNICATION; TO REQUIRE HOMEOWNERS ASSOCIATIONS TO MAINTAIN FIDELITY BOND COVERAGE FOR ITS DIRECTORS AND OFFICERS; TO PROVIDE THAT IF THE ASSOCIATION USES A MANAGING AGENT OR MANAGEMENT COMPANY, THE ASSOCIATION'S FIDELITY BOND COVERAGE SHALL ADDITIONALLY INCLUDE DISHONEST ACTS BY THAT PERSON OR ENTITY AND ITS EMPLOYEES; TO PROVIDE THAT THE BOND REQUIREMENT SHALL NOT APPLY IF A MAJORITY OF THE MEMBERS OF THE ASSOCIATION VOTE NOT TO HAVE IT; AND FOR RELATED PURPOSES.

H. B. No. 1047: AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO DELETE THE CAP ON THE NUMBER OF NATIONAL BOARD-CERTIFIED NURSES AND SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS EMPLOYED BY SCHOOL DISTRICTS WHO ARE ALLOWED TO RECEIVE THE SALARY SUPPLEMENT FOR NATIONAL BOARD CERTIFICATION; TO REQUIRE THE PAYMENT OF AN ANNUAL SALARY SUPPLEMENT TO STATE-LICENSED ATHLETIC TRAINERS EMPLOYED BY A SCHOOL DISTRICT WHO HAVE ACQUIRED NATIONAL BOARD CERTIFICATION; AND FOR RELATED PURPOSES.

H. B. No. 1123: AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO PRESCRIBE STANDARDS AND BENCHMARKS UNDER THE EARLY LEARNING COLLABORATIVE ACT; TO AUTHORIZE TECHNICAL TEACHER AND TEACHER ASSISTANT SUPPORT SERVICES; TO REQUIRE INDIVIDUALIZED

PROFESSIONAL DEVELOPMENT PLANS AND APPROVED CURRICULUM; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE THE GOVERNOR AND THE LEGISLATURE WITH AN EVALUATION OF PROGRAM EFFECTIVENESS; TO REQUIRE THE PEER COMMITTEE TO REVIEW THE DEPARTMENT OF EDUCATION'S EVALUATIONS AND ANNUAL REPORTS AND SUBMIT A SUMMARY OF ITS FINDINGS TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

H. B. No. 1346: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GUNTOWN, MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED VEHICLES AND GOLF CARTS ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE AND PROOF OF INSURANCE; TO REQUIRE LOW-SPEED VEHICLES AND GOLF CARTS TO BE REGISTERED WITH THE CITY; TO AUTHORIZE THE CITY TO CHARGE A REGISTRATION FEE; AND FOR RELATED PURPOSES.

H. B. No. 1365: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1366: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2022.

H. B. No. 1367: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2022.

H. B. No. 1368: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1369: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2022.

H. B. No. 1370: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2022.

H. B. No. 1371: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2022.

H. B. No. 1372: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2022.

H. B. No. 1373: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2022.

H. B. No. 1374: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2022.

H. B. No. 1375: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2022.

H. B. No. 1376: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1377: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION AND MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2022.

H. B. No. 1405: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2022.

H. B. No. 1406: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1407: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2022.

H. B. No. 1409: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2022.

H. B. No. 1411: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

MESSAGE FROM THE GOVERNOR
March 22, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2373: Motor fuel sales; provide immunity for damages caused by the use of incompatible fuel upon certain conditions. (March 22, 2021, 11:04 AM)

S. B. No. 2606: Mississippi Native Spirit Law; create. (March 22, 2021, 11:05 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

Senator Kirby moved that the rules be suspended for the consideration en bloc of H. C. R. No. 32, H. C. R. No. 35, H. C. R. No. 36, H. C. R. No. 37, H. C. R. No. 38, H. C. R. No. 40, H. C. R. No. 41, H. C. R. No. 42, H. C. R. No. 43 and S. C. R. No. 534 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

H. C. R. No. 32: Sarcoidosis Awareness Month in Mississippi; designate April 2021 as.

H. C. R. No. 35: Steve Hale; commend distinguished public service career including as a State Senator.

H. C. R. No. 36: Kidney Disease Awareness Month; recognize March 2021 as.

H. C. R. No. 37: Franklin Academy; congratulate upon observance of the Bicentennial Celebration as first public school in Mississippi.

H. C. R. No. 38: Robert Daniel "Dan" Camp; commend life, legacy and contributions of upon his passing.

H. C. R. No. 40: Governor William Winter; commend life and legacy upon his passing.

H. C. R. No. 41: Taiwan; recognize the friendship and encourage further economic ties with the State of Mississippi.

H. C. R. No. 42: Mississippi Electric Power Associations; commend for their tireless efforts to restore power after the winter storm in February 2021.

H. C. R. No. 43: "Mississippi Mosquito and West Nile Virus Awareness Week"; designate April 12-17, 2021, as.

S. C. R. No. 534: Declare September 2021 as "Prostate Cancer Awareness Month".

YEAS AND NAYS on consideration en bloc of H. C. R. No. 32, H. C. R. No. 35, H. C. R. No. 36, H. C. R. No. 37, H. C. R. No. 38, H. C. R. No. 40, H. C. R. No. 41, H. C. R. No. 42, H. C. R. No. 43 and S. C. R. No. 534. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Unanimous consent was granted to add Senators Barnett, Branning, Caughman, England, Jackson R. (11th) and McCaughn as co-authors of **S. C. R. No. 534**.

Senator Kirby moved that the rules be suspended for the immediate consideration of calendar item 6, **H. C. R. No. 39**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

H. C. R. No. 39: Gulf of Mexico continental shelf leasing and infrastructure development; urge and support continuation of.

YEAS AND NAYS On H. C. R. No. 39. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Blount. Total--1.

Senator Kirby moved that the rules be suspended for the immediate consideration of calendar item 11, **S. C. R. No. 533**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

S. C. R. No. 533: Recommend that the United States Forest Service reconsider certain restrictive action on National Forest Lands in Mississippi.

YEAS AND NAYS On S. C. R. No. 533. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Blount. Total--1.

Unanimous consent was granted to add Senator Moran as co-author of **S. C. R. No. 533.**

Senator Kirby called up the following entitled resolution:

S. C. R. No. 536: State Taxation Study Committee; establish.

YEAS AND NAYS On S. C. R. No. 536. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Fillingane. Total--1.

Unanimous consent was granted to add Senators Barnett, DeBar, England, Jackson R. (11th), Michel, Moran, Seymour and Thompson as co-authors of **S. C. R. No. 536.**

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 537, S. R. No. 27, S. R. No. 28, S. R. No. 29, S. R. No. 30, S. R. No. 31, S. R. No. 32, S. R. No. 33, S. R. No. 34, S. R. No. 35, S. R. No. 36, S. R. No. 37, S. R. No. 38, S. R. No. 39, S. R. No. 40, S. R. No. 41, S. R. No. 42 and S. R. No. 43 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. C. R. No. 537: Declare that March 21, 2021, is "World Down Syndrome Day in Mississippi."

S. R. No. 27: Recognize Biloxi native and Nashville Predators Mathieu Olivier for first NHL goal by player born in Mississippi.

S. R. No. 28: Commend JSU Lady Tigers Basketball Team for 2019-2020 SWAC Championship.

S. R. No. 29: Recognize Biloxi Elementary School and D'Iberville Elementary School for National Blue Ribbon School Award.

S. R. No. 30: Commemorate Centennial Anniversary of Howell-Grantham American Legion Post 53.

S. R. No. 31: Congratulate Jackson Academy "Lady Raiders" Girls Basketball Team and Coach Jan Sojourner for MAIS Class 5A Championship.

S. R. No. 32: Commend Lanier High School "Bulldogs" Boys Basketball Team for winning the 2021 Class 4A State Championship.

S. R. No. 33: Commend Willy Showah as "Instructor of the Year" at the Jackson County Campus of Mississippi Gulf Coast Community College.

S. R. No. 34: Commend James Pittman as "Instructor of the Year" at the Perkinston Campus of Mississippi Gulf Coast Community College.

S. R. No. 35: Commend Kristi Matthews as "Instructor of the Year" at the Bryant Center of Mississippi Gulf Coast Community College.

S. R. No. 36: Commend Coahoma County High School "Red Panthers" Boys Basketball Team for Class 2A State Championship.

S. R. No. 37: Commend Manchester Academy "Lady Mavericks" Girls Basketball Team for first State Championship.

S. R. No. 38: Commend Amanda Sharrow as "Instructor of the Year" at the Harrison County Campus of Mississippi Gulf Coast Community College.

S. R. No. 39: Commemorate 100th Anniversary of Troop 8, Boy Scouts of America at First Baptist Church of Jackson, Mississippi.

S. R. No. 40: Commend JSU "Tigers" Men's Basketball Team for winning the Co-SWAC 2021 Regular Season Championship.

S. R. No. 41: Congratulate JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for consecutive SWAC Regular Season Championship.

S. R. No. 42: Commend Leake Academy "Lady Rebels" Girls Basketball Team for winning 2021 MAIS Overall Championship.

S. R. No. 43: Honor the legacy of Marine Corporal Vonzia J. Rigsby of Jasper County, the oldest living Montford Point Marine, on his 100th birthday.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 537, S. R. No. 27, S. R. No. 28, S. R. No. 29, S. R. No. 30, S. R. No. 31, S. R. No. 32, S. R. No. 33, S. R. No. 34, S. R. No. 35, S. R. No. 36, S. R. No. 37, S. R. No. 38, S. R. No. 39, S. R. No. 40, S. R. No. 41, S. R. No. 42 and S. R. No. 43. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Unanimous consent was granted to add Senators Barnett, Caughman, Jackson R. (11th) and McCaughn as co-authors of **S. C. R. No. 537**.

Unanimous consent was granted to add Senators Barnett, Blount, Jackson R. (11th), Seymour and Thompson as co-authors of **S. R. No. 27**.

Unanimous consent was granted to add Senators Barnett, Caughman and Jackson R. (11th) as co-authors of **S. R. No. 28**.

Unanimous consent was granted to add Senator Seymour as co-author of **S. R. No. 29**.

Unanimous consent was granted to add Senators Barnett, Jackson R. (11th) and Seymour as co-authors of **S. R. No. 30**.

Unanimous consent was granted to add Senator Caughman as co-author of **S. R. No. 31**.

Unanimous consent was granted to add Senators Barnett and Jackson R. (11th) as co-authors of **S. R. No. 32**.

Unanimous consent was granted to add Senators Barnett, Branning and Jackson R. (11th) as co-authors of **S. R. No. 33**.

Unanimous consent was granted to add Senators Barnett, Branning and Jackson R. (11th) as co-authors of **S. R. No. 34**.

Unanimous consent was granted to add Senators Barnett, Branning and Jackson R. (11th) as co-authors of **S. R. No. 35**.

Unanimous consent was granted to add Senators Barnett and Jackson R. (11th) as co-authors of **S. R. No. 36**.

Unanimous consent was granted to add Senators Barnett, Hopson and Jackson R. (11th) as co-authors of **S. R. No. 37**.

Unanimous consent was granted to add Senators Barnett, Branning, Jackson R. (11th) and Thompson as co-authors of **S. R. No. 38**.

Unanimous consent was granted to add Senators Barnett, Jackson R. (11th) and McCaughn as co-authors of **S. R. No. 39**.

Unanimous consent was granted to add Senators Barnett, Caughman and Jackson R. (11th) as co-authors of **S. R. No. 40**.

Unanimous consent was granted to add Senators Barnett and Jackson R. (11th) as co-authors of **S. R. No. 41**.

Unanimous consent was granted to add Senators Barnett and Jackson R. (11th) as co-authors of **S. R. No. 42**.

Unanimous consent was granted to add Senators Branning, Caughman, DeBar, Jackson R. (11th) and McCaughn as co-authors of **S. R. No. 43**.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Andrew Taylor DeLong of Madison, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of MyLoc Vu of San Diego, CA.

Senators Frazier, Norwood, Horhn, Blount and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Curtis Starling Jordan Whitley of Jackson, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Dr. Rick Maxwell, III of Natchez, MS.

Senators Polk and Johnson moved that when the Senate adjourns, it adjourn in memory of Edward Anthony Petro, Jr. of Hattiesburg, MS.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 1420: Ad valorem tax; exempt property of certain not-for-profit corporations used to provide swimming lessons and training.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2024: Depositories; revise bid process for selection by counties and municipalities.

Representatives Byrd, Taylor, Smith

S. B. No. 2035: Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

Representatives Kinkade, Barnett, Bounds

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

Representatives Read, Oliver, White

S. B. No. 2107: Firearms; prohibit local governments and state agencies from restricting possession.

Representatives Bain, Barnett, Owen

S. B. No. 2121: Intimate visual material; criminalize disclosure of.

Representatives Bain, Owen, Ford (73rd)

S. B. No. 2223: Arrest warrants; authorize issuance for sex offenses against children upon oral testimony.

Representatives Bain, Sanford, Newman

S. B. No. 2261: Perpetual cemetery law; revise notice and maintenance provisions for counties and municipalities.

Representatives Rushing, Tullos, Byrd

S. B. No. 2279: Parole and earned release; criminalize absconding.

Representatives Bain, Horan, Bomgar

S. B. No. 2434: Capitol police; transfer to Department of Public Safety.

Representatives Bain, Newman, Ford (73rd)

S. B. No. 2474: Department of Health; allow charges between agencies for services provided under the medical marijuana program.

Representatives Read,Mims,Bounds

S. B. No. 2569: Urine; create the crime of selling or tampering with urine.

Representatives Bain,Ford (73rd),Yates

S. B. No. 2573: Department of Public Safety; implement uniform reporting standards for jail census data & create & maintain a centralized database.

Representatives Bain,Sanford,Creekmore IV

S. B. No. 2621: Task Force; establish to study domestic law matters.

Representatives Cockerham,Tullos,Blackmon

S. B. No. 2624: MS Real Estate Commission; require to establish pilot program using administrative hearing officers.

Representatives Cockerham,Lamar,Watson

S. B. No. 2631: Health insurance; revise mandated coverage for telemedicine services.

Representatives Zuber,Ford (54th),Guice

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2638: Electronic documents; provide recording procedure for counties without electronic-recording capability.

Representatives Cockerham,Aguirre,Reynolds

S. B. No. 2725: State Budget; bring forward certain provisions and transfer funds.

Representatives Read,Cockerham,Oliver

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact.

Representatives Horan,Goodin,Faulkner

S. B. No. 2798: Broadband services; provide for the participation of rate-regulated electric utilities in the expansion of.

Representatives Bounds,Anderson (122nd),Gibbs (36th)

S. B. No. 2799: Mississippi Medicaid Program; make technical amendments to reimbursements and administration.

Representatives Hood,White,Mims

S. B. No. 2834: Mississippi Historic Site Preservation Fund Grant Program; establish within Department of Archives and History.

Representatives Read, Oliver, Bennett

S. B. No. 2904: Appropriation; IHL - General support.

Representatives Read, Beckett, Bounds

S. B. No. 2905: Appropriation; IHL - Subsidiary programs.

Representatives Read, Beckett, Bounds

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

Representatives Read, Beckett, Bounds

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

Representatives Read, Beckett, Bounds

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

Representatives Read, Beckett, Bounds

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

Representatives Read, Beckett, Bounds

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

Representatives Read, Beckett, Bounds

S. B. No. 2911: Appropriation; IHL - Student Financial Aid.

Representatives Read, Beckett, Bounds

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center.

Representatives Read, Beckett, Bounds

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses.

Representatives Read,Barton,Bennett

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

Representatives Read,Barton,Bennett

S. B. No. 2915: Appropriation; Corrections, Department of.

Representatives Read,Cockerham,Turner

S. B. No. 2916: Appropriation; Public Safety, Department of.

Representatives Read,Cockerham,Hines

S. B. No. 2917: Appropriation; Emergency Management Agency.

Representatives Read,Bennett,Eure

S. B. No. 2918: Appropriation; Military Department.

Representatives Read,Huddleston,Barton

S. B. No. 2919: Appropriation; Veterans Affairs Board.

Representatives Read,Huddleston,Barton

S. B. No. 2920: Appropriation; Ethics Commission.

Representatives Read,Cockerham,Boyd

S. B. No. 2921: Appropriation; Judicial Performance Commission.

Representatives Read,White,Cockerham

S. B. No. 2922: Appropriation; Employment Security, Department of.

Representatives Read,Oliver,Beckett

S. B. No. 2923: Appropriation; Revenue, Department of.

Representatives Read,Bounds,Beckett

S. B. No. 2924: Appropriation; Tax Appeals Board.

Representatives Read,Bounds,Beckett

S. B. No. 2925: Appropriation; Workers' Compensation Commission.

Representatives Read,Bounds,Beckett

S. B. No. 2926: Appropriation; Mental Health, Department of.

Representatives Read,Mims,Bounds

S. B. No. 2927: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

Representatives Read, Busby, Eubanks

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

Representatives Read, Ladner, Arnold

S. B. No. 2937: Appropriation; Gaming Commission.

Representatives Read, Eure, Bennett

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2942: Appropriation; Agriculture and Commerce, Department of.

Representatives Read, Pigott, Mangold

S. B. No. 2943: Appropriation; Egg Marketing Board.

Representatives Read, Pigott, Mangold

S. B. No. 2944: Appropriation; Animal Health, Board of.

Representatives Read, Pigott, Mangold

S. B. No. 2945: Appropriation; Fair and Coliseum Commission - Livestock shows.

Representatives Read, Pigott, Mangold

S. B. No. 2946: Appropriation; Audit, Department of.

Representatives Read, White, Beckett

S. B. No. 2947: Appropriation; Banking and Consumer Finance, Department of.

Representatives Read, Oliver, Turner

S. B. No. 2948: Appropriation; Finance and Administration, Department of.

Representatives Read, Barton, Oliver

S. B. No. 2949: Appropriation; Governor's Office and Mansion.

Representatives Read, White, Bennett

S. B. No. 2950: Appropriation; Information Technology Services, Department of.

Representatives Read,Bounds,Beckett

S. B. No. 2951: Appropriation; Development Authority, Mississippi.

Representatives Read,Bennett,Eure

S. B. No. 2952: Appropriation; Personnel Board.

Representatives Read,Beckett,Bounds

S. B. No. 2953: Appropriation; Secretary of State.

Representatives Read,Bennett,Eure

S. B. No. 2954: Appropriation; Treasurer's Office.

Representatives Read,White,Beckett

S. B. No. 2955: Appropriation; Debt Service-Gen. Obli.

Representatives Read,White,Beckett

S. B. No. 2956: Appropriations; additional appropriations for various state agencies.

Representatives Read,Cockerham,Barton

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 82: Community or junior colleges; authorize to administer construction contracts of \$1,000,000.00 or less, and exempt certain oversight.

Representatives Huddleston,Scoggin,Bounds

H. B. No. 87: MDHS fraud investigators; provide they shall be law enforcement officers.

Representatives Bain,Sanford,Miles

H. B. No. 95: Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks.

Representatives Mims,McGee,Currie

H. B. No. 104: Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county.

Representatives Byrd,Smith,Anderson (122nd)

H. B. No. 109: Budget process; update various sections relating to.

Representatives Read, Cockerham, Oliver

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.

Representatives Bain, Steverson, Barnett

H. B. No. 136: Individual bond; require for public officers and employees handling or having the custody of public funds.

Representatives Boyd, Criswell, Robinson

H. B. No. 196: "Dignity for Incarcerated Women Act"; create.

Representatives Bain, Jackson, Williams-Barnes

H. B. No. 287: Drug Intervention Courts; standardize references.

Representatives Bain, Owen, Bell (21st)

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

Representatives Bain, Miles, McLean

H. B. No. 359: Municipally-owned utilities; may use accounting system accommodation for uncollectible customer indebtedness.

Representatives Rushing, Crudup, Stamps

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures.

Representatives Kinkade, Bounds, Barnett

H. B. No. 424: Memorial highway; designate segment of MS Highway 44 in Marion County as the "T.L. Wallace Memorial Highway."

Representatives Busby, Arnold, Crudup

H. B. No. 525: Corrections omnibus bill; enact.

Representatives Horan, Goodin, Faulkner

H. B. No. 550: Intermediate driver's license; delete all references to.

Representatives Busby, Massengill, Yates

H. B. No. 594: Coastal Wetlands Protection Act; revise definitions to include "ordinary high water mark".

Representatives Ladner, Felsher, Eure

H. B. No. 631: Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours.

Representatives Cockerham, Bell (21st), Clark

H. B. No. 634: Firearms restriction; limit those by cities, counties and state agencies.

Representatives Bain, Barnett, Owen

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

Representatives Horan, Shanks, Felsner

H. B. No. 796: Habitual offender; revise penalties for.

Representatives Bain, Horan, Roberson

H. B. No. 887: Memorial highway; designate a segment of United States Highway 82 in Webster County as "Corporal William Justin Cooper Memorial Highway."

Representatives Busby, Mangold, Reynolds

H. B. No. 1008: Medicaid; make technical amendments to services, manage care and assessment provisions.

Representatives Hood, White, Mims

H. B. No. 1077: Open account; revise definition and require account creditor to send demand to current address of account debtor through certain means.

Representatives Turner, Aguirre, Yancey

H. B. No. 1205: Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services.

Representatives Zuber, Ford (54th), Turner

H. B. No. 1245: MDOT; require maintenance of rights-of-way of state highways inside municipal limits with 10,000 or less population.

Representatives Busby, Byrd, Faulkner

H. B. No. 1290: Attorney General; allow salaries of assistants to exceed statutory limitation under certain circumstances.

Representatives Read, Oliver, White

H. B. No. 1301: Career and technical education; revise curriculum, instructor license requirements and certain assessments.

Representatives Bell (21st), White, Barton

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate

in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1312: State Board of Cosmetology; extend repealer on.

Representatives Boyd, Young, Tubb

H. B. No. 1378: Appropriation; District attorneys and staff.

Representatives Read, White, Cockerham

H. B. No. 1379: Appropriation; Insurance, Department of.

Representatives Read, White, Busby

H. B. No. 1380: Appropriation; Fire Academy.

Representatives Read, White, Busby

H. B. No. 1381: Appropriation; Legislative expenses.

Representatives Read, White, Bennett

H. B. No. 1382: Appropriation; Capital Post-Conviction Counsel, Office of.

Representatives Read, White, Beckett

H. B. No. 1383: Appropriation; State Public Defender, Office of.

Representatives Read, White, Cockerham

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services.

Representatives Read, White, Beckett

H. B. No. 1385: Appropriation; Attorney General.

Representatives Read, White, Watson

H. B. No. 1386: Appropriation; Archives and History, Department of.

Representatives Read, Bennett, Ladner

H. B. No. 1387: Appropriation; Education, Department of.

Representatives Read, Bennett, Barton

H. B. No. 1388: Appropriation; Educational Television, Authority for.

Representatives Read, Bennett, Ladner

H. B. No. 1389: Appropriation; Arts Commission.

Representatives Read, Bennett, Ladner

H. B. No. 1390: Appropriation; Library Commission.

Representatives Read, Bennett, Ladner

H. B. No. 1391: Appropriation; reappropriation, DFA - Bureau of Building; FY21.

Representatives Read,Barton,Oliver

H. B. No. 1392: Appropriation; Environmental Quality, Department of.

Representatives Read,Bounds,Beckett

H. B. No. 1393: Appropriation; Wildlife, Fisheries and Parks, Department of.

Representatives Read,Bounds,Beckett

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 1394: Appropriation; Grand Gulf Military Monument Commission.

Representatives Read,Bounds,Beckett

H. B. No. 1395: Appropriation; Oil and Gas Board.

Representatives Read,Bounds,Beckett

H. B. No. 1396: Appropriation; Public Service Commission.

Representatives Read,Bounds,Beckett

H. B. No. 1397: Appropriation; Public Utilities Staff.

Representatives Read,Bounds,Beckett

H. B. No. 1398: Appropriation; Human Services, Department of.

Representatives Read,Mims,Beckett

H. B. No. 1399: Appropriation; Rehabilitation Services, Department of.

Representatives Read,Mims,Bounds

H. B. No. 1400: Appropriation; Medicaid, Division of.

Representatives Read,Hood,Mims

H. B. No. 1401: Appropriation; Health, Department of.

Representatives Read,Mims,White

H. B. No. 1402: Appropriation; Foresters, Board of Registration for.

Representatives Read,Pigott,Mangold

H. B. No. 1403: Appropriation; Forestry Commission.

Representatives Read,Pigott,Mangold

H. B. No. 1404: Appropriation; Soil and Water Conservation Commission.

Representatives Read,Pigott,Mangold

H. B. No. 1408: Appropriation; Tombigbee River Valley Water Management District.

Representatives Read,Ladner,Arnold

H. B. No. 1410: Appropriation; Public Employees' Retirement System.

Representatives Read,Huddleston,Oliver

H. B. No. 1412: Appropriation; Marine Resources, Department of.

Representatives Read,Eure,Ladner

H. B. No. 1413: Appropriation; Transportation, Department of.

Representatives Read,Busby,Mangold

H. B. No. 1414: Appropriation; additional for various state agencies for Fiscal Year 2021.

Representatives Read,Cockerham,Barton

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 109: Budget process; update various sections relating to.
Senators Hopson, Polk, Wiggins.

H. B. No. 1290: Attorney General; allow salaries of assistants to exceed statutory limitation under certain circumstances.
Senators Hopson, Polk, McCaughn.

H. B. No. 1378: Appropriation; District attorneys and staff.
Senators Hopson, Norwood, Wiggins.

H. B. No. 1379: Appropriation; Insurance, Department of.
Senators Hopson, Michel, Wiggins.

H. B. No. 1380: Appropriation; Fire Academy.
Senators Hopson, Michel, McCaughn.

H. B. No. 1381: Appropriation; Legislative expenses.
Senators Hopson, Polk, DeBar.

H. B. No. 1382: Appropriation; Capital Post-Conviction Counsel, Office of.
Senators Hopson, Norwood, Branning.

H. B. No. 1383: Appropriation; State Public Defender, Office of.
Senators Hopson, Norwood, Seymour.

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges
services.
Senators Hopson, Norwood, Branning.

H. B. No. 1385: Appropriation; Attorney General.
Senators Hopson, Norwood, Wiggins.

H. B. No. 1386: Appropriation; Archives and History, Department of.
Senators Hopson, Moran, Jackson (11th).

H. B. No. 1387: Appropriation; Education, Department of.
Senators Hopson, DeBar, Norwood.

H. B. No. 1388: Appropriation; Educational Television, Authority for.
Senators Hopson, DeBar, McCaughn.

H. B. No. 1389: Appropriation; Arts Commission.
Senators Hopson, Moran, Jackson (11th).

H. B. No. 1390: Appropriation; Library Commission.
Senators Hopson, DeBar, Jackson (11th).

H. B. No. 1391: Appropriation; reappropriation, DFA - Bureau of Building; FY21.
Senators Hopson, Polk, Frazier.

H. B. No. 1392: Appropriation; Environmental Quality, Department of.
Senators Hopson, Jackson (32nd), Suber.

H. B. No. 1393: Appropriation; Wildlife, Fisheries and Parks, Department of.
Senators Hopson, Jackson (32nd), Hill.

H. B. No. 1394: Appropriation; Grand Gulf Military Monument Commission.
Senators Hopson, Moran, Tate.

H. B. No. 1395: Appropriation; Oil and Gas Board.
Senators Hopson, Jackson (32nd), Hill.

H. B. No. 1396: Appropriation; Public Service Commission.
Senators Hopson, Turner-Ford, DeLano.

H. B. No. 1397: Appropriation; Public Utilities Staff.
Senators Hopson, Turner-Ford, DeLano.

H. B. No. 1398: Appropriation; Human Services, Department of.
Senators Hopson, Blackwell, Wiggins.

H. B. No. 1399: Appropriation; Rehabilitation Services, Department of.
Senators Hopson, Blackwell, Butler.

H. B. No. 1400: Appropriation; Medicaid, Division of.
Senators Hopson, Blackwell, Butler.

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H. B. No. 1401: Appropriation; Health, Department of.
Senators Hopson, Hill, Moran.

H. B. No. 1403: Appropriation; Forestry Commission.
Senators Hopson, Jackson (32nd), Suber.

H. B. No. 1404: Appropriation; Soil and Water Conservation Commission.
Senators Hopson, Jackson (32nd), Simmons (13th).

H. B. No. 1408: Appropriation; Tombigbee River Valley Water Management District.
Senators Hopson, Branning, Butler.

H. B. No. 1410: Appropriation; Public Employees' Retirement System.
Senators Hopson, Polk, Frazier.

H. B. No. 1412: Appropriation; Marine Resources, Department of.
Senators Hopson, Moran, Polk.

H. B. No. 1413: Appropriation; Transportation, Department of.
Senators Hopson, Branning, Polk.

H. B. No. 1414: Appropriation; additional for various state agencies for Fiscal Year 2021.
Senators Hopson, Polk, DeBar.

Senator Blackwell moved that the Senate adjourn until 10:00 AM, Tuesday, March 23, 2021.

The motion prevailed, and at 5:02 PM, the Senate stood adjourned in memory of Andrew Taylor DeLong, MyLoc Vu, Curtis Starling Jordan Whitley, Dr. Rick Maxwell, III and Edward Anthony Petro, Jr.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR MONDAY, MARCH 22, 2021

SEVENTY-EIGHTH DAY, TUESDAY, MARCH 23, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Fillingane. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Jordan.

Senator McLendon led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 29: David Charles Johnson, Flowood, Mississippi, Executive Director of the Mississippi Department of Information Technology Services, term effective November 1, 2020. Do Advise and Consent.

S. N. No. 24: Thomas Allen (Tom) Wicker, Tupelo, Mississippi, Information Technology Services Authority, five year term effective immediately and ending June 30, 2025. Do Advise and Consent.

S. N. No. 23: Donald Geaty (Don) Brown, Vicksburg, Mississippi, Mississippi State Personnel Board to serve the state at large, five year term effective immediately and ending June 30, 2025. Do Advise and Consent.

S. N. No. 47: Scott Roach Shoemaker, Jackson, Mississippi, Mississippi State Personnel Board, term effective immediately and ending June 30, 2023, representing the First Supreme Court District, vice Greg Moore. Do Advise and Consent.

S. N. No. 61: Col. Nick Paul Ardillo, Jr., Columbus, Mississippi, Mississippi State Personnel Board to represent the Third Supreme Court District, five year term beginning July 1, 2021 and ending June 30, 2026. Do Advise and Consent.

POLK, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1497: Jackson County; direct contributions to Management and Operations for the Mary C. O'Keefe Cultural Center of Arts and Education. Local and Private.

H. B. No. 1498: Holmes County; authorize contributions to P.E.A.R.L.S. Mentoring for Girls, Inc. Local and Private.

H. B. No. 1499: Holmes County; authorize contributions to Fannie Lou Hamer Cancer Foundation. Local and Private.

H. B. No. 1500: Holmes County; authorize transfer of funds/property from defunct county economic development authority to county economic development district. Local and Private.

H. B. No. 1502: MS Coast Transportation Authority; authorize to bear the full cost of processing electronic payments. Local and Private.

H. B. No. 1504: City of Forest; authorize a tax on hotels/motels and restaurants to promote tourism, parks and recreation. Local and Private; Finance.

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Betsy Stanfield Penn Smith of Brookhaven, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Mrs. Hazel Ferrell of Natchez, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 24, 2021.

The motion prevailed, and at 10:15 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1420: AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXATION CERTAIN PROPERTY THAT IS OWNED, OPERATED AND MANAGED BY A NOT-FOR-PROFIT CORPORATION QUALIFIED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, AND USED TO PROVIDE, FREE OF CHARGE, A PRACTICE FACILITY FOR A PUBLIC SCHOOL DISTRICT SWIM TEAM AND A FACILITY FOR ANOTHER NOT-FOR-PROFIT ORGANIZATION AS DEFINED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE TO CONDUCT WATER SAFETY AND LIFEGUARD TRAINING PROGRAMS; TO EXCLUDE FROM THE APPLICATION OF THE SECTION REAL OR PERSONAL PROPERTY OWNED BY A COUNTRY CLUB, A TENNIS CLUB WITH A POOL, OR ANY CLUB REQUIRING STOCK OWNERSHIP FOR MEMBERSHIP; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 3075: Town of Sardis; extend repeal date on hotel, motel and restaurant tax.

S. B. No. 3076: Jackson County and the City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, Inc.

S. B. No. 3079: City of Greenwood; extend the repeal date on the tourism tax and the Greenwood Tourism Commission.

S. B. No. 3083: City of Vicksburg; extend repealers on authority to contribute to various organizations.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1468: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. RONALD BRENT SELF OF TIPPAAH COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1469: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ANGELA PORTER-WILLIAMS OF AMITE COUNTY, MISSISSIPPI.

H. B. No. 1471: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. CASSIDY EDWARD JORDAN OF COVINGTON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1472: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. RANDY BECKHAM OF SIMPSON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1475: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LATONYA WOODSON OF WARREN COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1476: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. BUREN WAYNE WHITT OF CHICKASAW, COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1477: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO ANTHONY LEROY WALLACE OF HARRISON COUNTY, MISSISSIPPI.

H. B. No. 1478: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO JANICE O'NEAL OF WARREN COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1509: AN ACT TO AMEND CHAPTER 1019, LOCAL AND PRIVATE LAWS OF 1996, AS LAST AMENDED BY CHAPTER 950, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE TO JULY 1, 2025, ON THE PROVISIONS OF LAW THAT CREATE THE HANCOCK COUNTY TOURISM DEVELOPMENT BUREAU AND PRESCRIBE ITS POWERS AND DUTIES AND LEVIES A HOTEL AND MOTEL TAX ON THE GROSS PROCEEDS OF SALES DERIVED FROM ROOM RENTALS AND AUTHORIZES SUCH TAX TO BE UTILIZED FOR TOURISM-RELATED ACTIVITIES BY THE BUREAU; AND FOR RELATED PURPOSES.

H. B. No. 1511: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. CHESTER ALLEN BUTLER OF TIPPAAH COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1513: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. JAY WESLEY JACKSON OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1515: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MS. DEBRA DENISE THOMAS OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1516: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. GERALD O. LAIRD OF JEFFERSON DAVIS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1517: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MS. DEBORAH LEDBETTER OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1518: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MS. ANNIE GRANT OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1519: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. KENNETH PRITCHARD OF RANKIN COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1520: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. J.W. JACKSON OF PANOLA COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1523: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. NORMAN IVEY OF RANKIN COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1524: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. WILLIAM BARBER OF JACKSON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1525: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. CHARLES HARRIS OF HARRISON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1526: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. ANTONIO SIMPSON OF TUNICA COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1527: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. RAY FERRELL OF HARRISON COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 1529: AN ACT TO AMEND CHAPTER 927, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 919, LOCAL AND PRIVATE LAWS OF 2017 TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE TOWN OF COMO, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF FOOD AND BEVERAGES AT RESTAURANTS WITHIN THE TOWN; AND FOR RELATED PURPOSES.

H. B. No. 1530: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF HATTIESBURG, MISSISSIPPI, TO WAIVE LIENS, UNDER CERTAIN CIRCUMSTANCES, THAT ARE IMPOSED ON REAL PROPERTY FOR COSTS AND/OR PENALTIES ASSOCIATED WITH THE CITY'S CLEANING OF REAL PROPERTY THAT HAS BEEN DEEMED A MENACE; TO PROVIDE THAT AN APPLICATION FOR THE WAIVER BE SUBMITTED FOR CONSIDERATION OF SUCH WAIVER; TO PROHIBIT THE PROPERTY OWNER WHO CAUSED THE PROPERTY TO BE DEEMED A MENACE BY THE CITY FROM SUBMITTING SUCH APPLICATION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEES ON
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 3085: City of Meridian; authorize occupancy assessment for the benefit of the Meridian-Lauderdale Sports Commission and complex. Title Sufficient. Committee Substitute. Do Pass.

S. B. No. 3091: Lee County; authorize 3/4% sales tax and bond issuance for a specific project by county board. Title Sufficient. Do Pass.

MCMAHAN, Chairman
HARKINS, Chairman

REPORT OF COMMITTEE ON ENERGY

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 76: Owen Bowdre (Hammer) Emerson, Hernando, Mississippi, State Oil and Gas Board to represent the Third Supreme Court District, six year term effective immediately and ending May 7, 2026. Do Advise and Consent.

CARTER, Chairman

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2117: Juvenile offenders; provide alternative sentencing and parole options.

Representatives Bain, Horan, Sanford

S. B. No. 2435: Alcoholic beverages; revise various provisions relating to distilleries.

Representatives Lamar, Zuber, Powell

S. B. No. 2437: Distinctive motor vehicle license tags; authorize for Wildlife Mississippi.

Representatives Lamar, Zuber, Aguirre

S. B. No. 2806: Department of Revenue; bring forward code sections relating to ABC Division and authority to contract for services.

Representatives Lamar, Steverson, Horan

S. B. No. 2807: Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized.

Representatives Lamar, Zuber, Powell

S. B. No. 2822: Mississippi Flexible Tax Incentive Act; create.

Representatives Lamar, Steverson, Massengill

S. B. No. 2830: New Markets Tax Credit; extend MDA's ability to allocate by one year.

Representatives Lamar, Steverson, Massengill

S. B. No. 2831: Historic structure income tax credit; cap per taxpayer and authorize sale or transfer.

Representatives Lamar, Steverson, Massengill

S. B. No. 2832: Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026.

Representatives Lamar, Steverson, Massengill

S. B. No. 2839: SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate.

Representatives Lamar, Steverson, Massengill

S. B. No. 2843: Tax; phase out June 25 deadline for taxpayers with average liability of at least \$50,000 to remit 75% of June liability.

Representatives Lamar,Steverson,Massengill

S. B. No. 2850: Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership.

Representatives Lamar,Steverson,Massengill

S. B. No. 2868: Qualified resort areas; include certain municipalities.

Representatives Lamar,Zuber,Powell

S. B. No. 2872: Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area.

Representatives Lamar,Zuber,Powell

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit.

Representatives Lamar,Steverson,Massengill

S. B. No. 2895: Ad valorem tax; provide assessment rate for transformative renewable energy project property designated by the county board.

Representatives Lamar,Steverson,Lancaster

S. B. No. 2971: Bonds; authorize issuance for state institutions of higher learning.

Representatives Lamar,Steverson,Massengill

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state.

Representatives Bennett,McCarty,Ladner

S. B. No. 2313: Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness.

Representatives Huddleston,Scoggin,Bounds

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 374: Distinctive motor vehicle license tag; authorize issuance to supporters of Mississippi Theatre Association, Inc.

Representatives Lamar,Zuber,Aguirre

H. B. No. 425: Ad valorem tax; revise certain provisions regarding when an application for change of property assessment may be made.

Representatives Lamar,Steverson,Morgan

H. B. No. 520: Use tax; revise certain provisions regarding funds distributed to municipalities/counties for road improvements.

Representatives Lamar,Steverson,Massengill

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Representatives Lamar,Zuber,Powell

H. B. No. 997: Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits.

Representatives Lamar,Zuber,Powell

H. B. No. 1091: Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law.

Representatives Lamar,Zuber,Powell

H. B. No. 1095: Department of Revenue; authorize to compromise and settle certain tax liabilities.

Representatives Lamar,Steverson,Massengill

H. B. No. 1135: Alcoholic beverages; create delivery service permit.

Representatives Lamar,Zuber,Powell

H. B. No. 1139: Income, sales and use taxes; remove requirement that certain taxpayers pay June tax liability on or before June 25.

Representatives Lamar,Steverson,Massengill

H. B. No. 1197: Dual-phase design-build method of construction contracting; revise certain provisions of.

Representatives Lamar,Steverson,Massengill

H. B. No. 1231: Mississippi Outdoor Stewardship Trust Fund; create.

Representatives Kinkade,Lamar,Bounds

H. B. No. 1296: Historic property income tax credit; revise certain provisions regarding.

Representatives Lamar,Steverson,Massengill

H. B. No. 1356: Income tax and sales tax; revise deduction for depreciation, exempt sales of certain aircraft.

Representatives Lamar,Steverson,Massengill

H. B. No. 1446: Income tax; allow deduction for Back to Business Mississippi Grant Program eligible expenses.

Representatives Lamar,Steverson,Massengill

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 754: Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan.

Representatives Bennett,McCarty,Deweese

H. B. No. 761: State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes.

Representatives Carpenter,Newman,Stamps

H. B. No. 1179: William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create.

Representatives Bennett,McCarty,Felsher

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1509: Hancock County; extend the date of repeal on the Hancock County Tourism Development Bureau and hotel/motel tax. Local and Private.

H. B. No. 1529: Town of Como; extend repealer on authority to impose tourism tax on hotels, motels and restaurants. Local and Private.

H. B. No. 1530: City of Hattiesburg; authorize waiver of lien, under certain circumstances, for costs associated with cleaning menaced property. Local and Private.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 424: Memorial highway; designate segment of MS Highway 44 in Marion County as the "T.L. Wallace Memorial Highway."
Senators Branning, Whaley, DeLano.

H. B. No. 887: Memorial highway; designate a segment of United States Highway 82 in Webster County as "Corporal William Justin Cooper Memorial Highway."
Senators Branning, Whaley, DeLano.

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1436: AN ACT TO AMEND CHAPTER 834, LOCAL AND PRIVATE LAWS OF 1988, AS AMENDED BY CHAPTER 808, LOCAL AND PRIVATE LAWS OF 1990, AS AMENDED BY CHAPTER 942, LOCAL AND PRIVATE LAWS OF 1997, TO AUTHORIZE THE COMMISSIONERS OF THE CALEDONIA NATURAL GAS DISTRICT TO ENTER INTO A CERTAIN AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT BANK; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1436: Caledonia Natural Gas District; authorize to enter into agreement with Mississippi Development Bank. Local and Private.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 1509: Hancock County; extend the date of repeal on the Hancock County Tourism Development Bureau and hotel/motel tax. Title Sufficient. Do Pass.

H. B. No. 1529: Town of Como; extend repealer on authority to impose tourism tax on hotels, motels and restaurants. Title Sufficient. Do Pass.

H. B. No. 1497: Jackson County; direct contributions to Management and Operations for the Mary C. O'Keefe Cultural Center of Arts and Education. Title Sufficient. Do Pass.

H. B. No. 1498: Holmes County; authorize contributions to P.E.A.R.L.S. Mentoring for Girls, Inc. Title Sufficient. Do Pass.

H. B. No. 1499: Holmes County; authorize contributions to Fannie Lou Hamer Cancer Foundation. Title Sufficient. Do Pass.

H. B. No. 1500: Holmes County; authorize transfer of funds/property from defunct county economic development authority to county economic development district. Title Sufficient. Do Pass.

H. B. No. 1502: MS Coast Transportation Authority; authorize to bear the full cost of processing electronic payments. Title Sufficient. Do Pass As Amended.

MCMAHAN, Chairman

REPORT OF COMMITTEE ON ENVIRONMENT PROT, CONS AND WATER RES

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 13: Christopher Glenn (Chris) Wells, P.E., Pearl, Mississippi, Mississippi Department of Environmental Quality as the Executive Director, term effective October 20, 2020 and the appointee shall serve at the pleasure of the Governor. Do Advise and Consent.

S. N. No. 36: Chatham Hurst (Chat) Phillips, II, Yazoo City, Mississippi, Mississippi Commission on Environmental Quality to represent the state at large, seven year term effective immediately and ending June 30, 2027. Do Advise and Consent.

MCDANIEL, Chairman

REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 59: Cammack A. (Cam) Roberds, Sr., Ocean Springs, Mississippi, Mississippi Advisory Commission on Marine Resources as the Recreational Sports Fisherman representative, term effective immediately and ending June 30, 2024. Do Advise and Consent.

MORAN, Chairman

MESSAGE FROM THE GOVERNOR
March 23, 2021

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Rhoshunda G. Kelly, Madison, Mississippi, Mississippi Department of Banking and Consumer Finance as the Commissioner of Banking and Consumer Finance,

term effective immediately for the unexpired portion of a four year term expiring June 30, 2024.

George Martin Hopper, Ph.D., Starkville, Mississippi, Mississippi Forestry Commission to represent the state at large, term effective immediately for the unexpired portion of a six year term ending March 19, 2023, vice Sen. Giles Ward.

Dayton Allen Greenhaw, Columbus, Mississippi, Mississippi Forestry Commission to represent the First Congressional District, term effective immediately for the unexpired portion of a six year term ending June 30, 2024.

Carolyn Renee Grice Willis, Carrollton, Mississippi, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, 2023.

Anthony Chester White, Brandon, Mississippi, Mississippi State Board of Massage Therapy as the consumer at large, term effective immediately for the unexpired portion of a four year term ending June 30, 2023.

Betty Lou Stuart Jones, Meridian, Mississippi, State Parole Board, term effective immediately to serve at the will and pleasure of the Governor.

Nehemiah Flowers, Jr., Brandon, Mississippi, State Parole Board, term effective immediately to serve at the will and pleasure of the Governor.

Steven Wayne (Steve) Pickett, Raymond, Mississippi, State Parole Board to serve as Chairman, term effective immediately to serve at the will and pleasure of the Governor.

Michelle Yvette Taylor Owens, MD, Jackson, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026.

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Rhoshunda G. Kelly, Mississippi Department of Banking and Consumer Finance as the Commissioner of Banking and Consumer Finance, term effective immediately for the unexpired portion of a four year term expiring June 30, 2024, Business and Financial Institutions.

George Martin Hopper, Ph.D., Mississippi Forestry Commission to represent the state at large, term effective immediately for the unexpired portion of a six year term ending March 19, 2023, Forestry.

Dayton Allen Greenhaw, Mississippi Forestry Commission to represent the First Congressional District, term effective immediately for the unexpired portion of a six year term ending June 30, 2024, Forestry.

Carolyn Renee Grice Willis, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, 2023, Education.

Anthony Chester White, Mississippi State Board of Massage Therapy as the consumer at large, term effective immediately for the unexpired portion of a four year term ending June 30, 2023, Public Health and Welfare.

Betty Lou Stuart Jones, State Parole Board, term effective immediately to serve at the will and pleasure of the Governor, Corrections.

Nehemiah Flowers, Jr., State Parole Board, term effective immediately to serve at the will and pleasure of the Governor, Corrections.

Steven Wayne (Steve) Pickett, State Parole Board to serve as Chairman, term effective immediately to serve at the will and pleasure of the Governor, Corrections.

Michelle Yvette Taylor Owens, MD, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026, Public Health and Welfare.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2602: Nonadmitted insurer policy fee; divert certain amount to fund fire trucks and fire apparatus/protection grants.

Representatives Zuber,Ford (54th),Busby

S. B. No. 2623: Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act.

Representatives Zuber,Ford (54th),Newman

S. B. No. 2816: Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors.

Representatives Boyd,Criswell,Hopkins

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature.

Representatives Boyd,Turner,Hobgood-Wilkes

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 330: Uninsured motorist coverage law; revise to prohibit insurance policy from paying certain losses if another insurance policy must pay for such.

Representatives Zuber, Ford (54th), Deweese

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 754: Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan.

Senators DeBar, Boyd, Johnson.

H. B. No. 1179: William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create.

Senators DeBar, Blount, McMahan.

H. B. No. 1301: Career and technical education; revise curriculum, instructor license requirements and certain assessments.

Senators DeBar, Polk, Johnson.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Stamps as a conferee, the Speaker has named a new conferee on the following:

H. B. No. 761: State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes.

Representatives Carpenter and Newman remain as conferees and the Speaker has named Representative Oliver to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2649: Energy efficiency contracts; extend repeal date on use of.

Senators Carter, Parks, Harkins.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2649: Energy efficiency contracts; extend repeal date on use of.

Representatives Powell, Hale, Bell (65th)

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 87: MDHS fraud investigators; provide they shall be law enforcement officers.

Senators Wiggins, Barrett, Kirby.

H. B. No. 95: Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks.

Senators Bryan, Parks, Frazier.

H. B. No. 104: Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county.

Senators Hill, Whaley, McCaughn.

H. B. No. 196: "Dignity for Incarcerated Women Act"; create.

Senators Barnett, Parker, Chassaniol.

H. B. No. 287: Drug Intervention Courts; standardize references.

Senators Fillingane, Sparks, Suber.

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

Senators Wiggins, Parker, Branning.

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures.

Senators Whaley, Michel, Suber.

H. B. No. 525: Corrections omnibus bill; enact.

Senators Barnett, Sparks, Wiggins.

H. B. No. 550: Intermediate driver's license; delete all references to.

Senators Wiggins, DeBar, Simmons (12th).

H. B. No. 594: Coastal Wetlands Protection Act; revise definitions to include "ordinary high water mark".

Senators Moran, Thompson, England.

H. B. No. 631: Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours.

Senators Fillingane, England, McCaughn.

H. B. No. 634: Firearms restriction; limit those by cities, counties and state agencies.

Senators Fillingane, DeBar, Hill.

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

Senators Barnett, Wiggins, Simmons (12th).

H. B. No. 761: State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes.

Senators Seymour, DeBar, Polk.

H. B. No. 796: Habitual offender; revise penalties for.
Senators Fillingane, Sparks, Wiggins.

H. B. No. 1008: Medicaid; make technical amendments to services, manage care and assessment provisions.
Senators Blackwell, Wiggins, Bryan.

H. B. No. 1077: Open account; revise definition and require account creditor to send demand to current address of account debtor through certain means.
Senators Wiggins, McCaughn, Barrett.

H. B. No. 1205: Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services.
Senators Michel, Boyd, Kirby.

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1468: Suffrage; restore to Ronald Brent Self of Tippah County.
Judiciary, Division B.

H. B. No. 1469: Suffrage; restore to Angela Porter-Williams of Amite County.
Judiciary, Division B.

H. B. No. 1471: Suffrage; restore to Cassidy Edward Jordan of Covington County.
Judiciary, Division B.

H. B. No. 1472: Suffrage; restore to Randy Beckham of Simpson County.
Judiciary, Division B.

H. B. No. 1475: Suffrage; restore to LaTonya Woodson of Warren County.
Judiciary, Division B.

H. B. No. 1476: Suffrage; restore to Buren Wayne Whitt of Chickasaw County.
Judiciary, Division B.

H. B. No. 1477: Suffrage; restore to Anthony Leroy Wallace of Harrison County.
Judiciary, Division B.

H. B. No. 1478: Suffrage; restore to Janice O'Neal of Warren County. Judiciary,
Division B.

H. B. No. 1511: Suffrage; restore to Chester Allen Butler of Tippah County.
Judiciary, Division B.

H. B. No. 1513: Suffrage; restore to Jay Wesley Jackson of Hinds County.
Judiciary, Division B.

H. B. No. 1515: Suffrage; restore to Debra Denise Thomas of Hinds County.
Judiciary, Division B.

H. B. No. 1516: Suffrage; restore to Gerald O. Laird of Jefferson Davis County.
Judiciary, Division B.

H. B. No. 1517: Suffrage; restore to Deborah Ledbetter of Hinds County. Judiciary, Division B.

H. B. No. 1518: Suffrage; restore to Annie Grant of Hinds County. Judiciary, Division B.

H. B. No. 1519: Suffrage; restore to Kenny Pritchard of Rankin County. Judiciary, Division B.

H. B. No. 1520: Suffrage; restore to J.W. Jackson of Panola County. Judiciary, Division B.

H. B. No. 1523: Suffrage; restore to Norman Ivey of Rankin County. Judiciary, Division B.

H. B. No. 1524: Suffrage; restore to William Barber of Jackson County. Judiciary, Division B.

H. B. No. 1525: Suffrage; restore to Charles Harris of Harrison County. Judiciary, Division B.

H. B. No. 1526: Suffrage; restore to Antonio Simpson of Tunica County. Judiciary, Division B.

H. B. No. 1527: Suffrage; restore to Ray Ferrell of Harrison County. Judiciary, Division B.

MESSAGE FROM THE LT. GOVERNOR
March 23, 2021

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Hue Townsend, Jr., Belzoni, Mississippi, Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 29, 2020 and ending June 30, 2022.

Larry Mullins, Starkville, Mississippi, Mississippi Home Corporation as a resident of the Third Supreme Court District, term effective January 11, 2021 and ending June 30, 2026.

Sue Stedman, Natchez, Mississippi, Mississippi Home Corporation as a resident of the Second Supreme Court District, term effective December 29, 2020 and ending June 30, 2024.

Delbert Hosemann
LT. GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Hue Townsend, Jr., Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 29, 2020 and ending June 30, 2022, Finance.

Larry Mullins, Mississippi Home Corporation as a resident of the Third Supreme Court District, term effective January 11, 2021 and ending June 30, 2026, Finance.

Sue Stedman, Mississippi Home Corporation as a resident of the Second Supreme Court District, term effective December 29, 2020 and ending June 30, 2024, Finance.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.
Senators Bryan, Blackwell, Harkins.

H. B. No. 1402: Appropriation; Foresters, Board of Registration for.
Senators Hopson, Turner-Ford, Seymour.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Betsy Stanfield Penn Smith and Mrs. Hazel Ferrell.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, MARCH 23, 2021

S. B. No. 3092: Local and Private; Energy

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF NEW ALBANY, MISSISSIPPI, TO LEASE EXCESS UNUSED OPTICAL FIBER ON THE CITY'S ELECTRIC DELIVERY SYSTEM TO AN INTERNET SERVICE PROVIDER FOR THE PROVISION OF BROADBAND SERVICE TO CERTAIN COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Whaley, Chism

SEVENTY-NINTH DAY, WEDNESDAY, MARCH 24, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Absent--Fillingane, Hill. Total--2.

The Secretary announced a quorum present.

The invocation was delivered by Senator Williams, written by Rev. Jake Adams-Wilson, Co-Pastor, Decatur United Methodist Church, Decatur, MS.

Senator Seymour led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 32: A CONCURRENT RESOLUTION DESIGNATING APRIL 2021 AS SARCOIDOSIS AWARENESS MONTH IN MISSISSIPPI.

H. C. R. No. 35: A CONCURRENT RESOLUTION COMMENDING FORMER STATE SENATOR STEVE HALE FOR HIS DISTINGUISHED PUBLIC SERVICE CAREER THAT INCLUDED SERVICE AS A STATE SENATOR, EXECUTIVE DIRECTOR OF MISSISSIPPI DEVELOPMENT AUTHORITY, MAYOR OF SENATOBIA AND SENATOBIA ALDERMAN.

H. C. R. No. 36: A CONCURRENT RESOLUTION RECOGNIZING MARCH 2021 AS "KIDNEY DISEASE AWARENESS MONTH" AND MARCH 11, 2021, AS "WORLD KIDNEY DAY" IN MISSISSIPPI.

H. C. R. No. 37: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE DILIGENCE OF THE FACULTY, STAFF AND STUDENTS OF FRANKLIN ACADEMY ON THE OCCASION OF THE SCHOOL'S HISTORIC 200TH YEAR ANNIVERSARY.

H. C. R. No. 38: A CONCURRENT RESOLUTION COMMENDING THE LIFE, LEGACY AND CONTRIBUTIONS OF MR. ROBERT DANIEL "DAN" CAMP AND EXPRESSING SINCEREST SYMPATHY TO HIS FAMILY, COMMUNITY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 39: A CONCURRENT RESOLUTION SUPPORTING THE CONTINUATION OF THE OUTER CONTINENTAL SHELF LEASING AND INFRASTRUCTURE DEVELOPMENT IN THE GULF OF MEXICO.

H. C. R. No. 40: A CONCURRENT RESOLUTION MOURNING THE LOSS AND HONORING THE LIFE, LEGACY AND SERVICE OF WILLIAM FORREST WINTER,

FORMER GOVERNOR OF THE STATE OF MISSISSIPPI, AND EXPRESSING GREAT SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

H. C. R. No. 41: A CONCURRENT RESOLUTION RECOGNIZING THE OUTSTANDING FRIENDSHIP AND ENCOURAGING FURTHER ECONOMIC TIES BETWEEN THE STATE OF MISSISSIPPI AND THE REPUBLIC OF CHINA (TAIWAN).

H. C. R. No. 42: A CONCURRENT RESOLUTION COMMENDING EACH MISSISSIPPI ELECTRIC POWER ASSOCIATION, INCLUDING ALCORN COUNTY EPA, CENTRAL EPA, COAHOMA EPA, COAST EPA, DELTA EPA, DIXIE EPA, EAST MISSISSIPPI EPA, 4-COUNTY EPA, MAGNOLIA ELECTRIC POWER, MONROE COUNTY EPA, NATCHEZ TRACE EPA, NORTH EAST MISSISSIPPI EPA, NORTHCENTRAL ELECTRIC, PEARL RIVER VALLEY EPA, PONTOTOC EPA, PRENTISS COUNTY EPA, SINGING RIVER ELECTRIC, SOUTHERN PINE ELECTRIC, SOUTHWEST ELECTRIC, TALLAHATCHIE VALLEY EPA, TIPPAH EPA, TISHOMINGO COUNTY EPA, TOMBIGBEE EPA, TWIN COUNTY EPA AND YAZOO VALLEY EPA, FOR THEIR TIRELESS EFFORTS IN ENSURING THAT POWER WAS RESTORED AFTER THE WINTER STORM IN FEBRUARY 2021.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. C. R. No. 43: A CONCURRENT RESOLUTION DESIGNATING APRIL 12-17, 2021, AS "MISSISSIPPI MOSQUITO AND WEST NILE VIRUS AWARENESS WEEK" TO PROMOTE AWARENESS OF THE IMPORTANCE OF EFFECTIVELY MANAGING MOSQUITOES AND THE PREVENTION OF WEST NILE VIRUS.

Tammy Witherspoon, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1494: Walnut Grove; authorize Walnut Grove Correctional Authority to contract with the state to operate correctional facility. Local and Private.

Senator McMahan called up the following entitled bill:

H. B. No. 1335: Lincoln County; include food sold at county's civic center as retail merchandise when processing electronic payments for such merchandise.

YEAS AND NAYS On H. B. No. 1335. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks,

Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1418: Oakland/Yalobusha Natural Gas District; authorize expansion of natural gas distribution system.

YEAS AND NAYS On H. B. No. 1418. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1434: Tallahatchie County; authorize contributions to Mid-State Opportunity, Inc.

YEAS AND NAYS On H. B. No. 1434. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1438: City of Petal; authorize a tax on hotels, motels, bars and restaurants to promote tourism, parks and recreation.

YEAS AND NAYS On H. B. No. 1438. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1480: Marshall County; expand boundaries of Marshall Utility Services Sewer District.

YEAS AND NAYS On H. B. No. 1480. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1481: Town of Shannon; authorize expansion of its gas distribution system.

YEAS AND NAYS On H. B. No. 1481. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1482: City of Indianola; extend repeal date on tourism commission and hotel, motel and restaurant tax.

YEAS AND NAYS On H. B. No. 1482. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.
Nays--McDaniel, Sojourner. Total--2.
Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1483: City of Senatobia; extend repeal date on hotel/motel tourism tax.

YEAS AND NAYS On H. B. No. 1483. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.
Nays--McDaniel, Sojourner. Total--2.
Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1487: City of Vicksburg; authorize to execute certain agreement to make contributions to Vicksburg Warren Economic Development Foundation.

YEAS AND NAYS On H. B. No. 1487. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.
Nays--None.
Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1490: Coahoma County; authorize contributions to Tri-County Workforce Alliance.

YEAS AND NAYS On H. B. No. 1490. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1491: Coahoma County; authorize contributions to the Family and Youth Opportunities, Inc.

YEAS AND NAYS On H. B. No. 1491. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1493: Jackson County; revise duties of civil service commission for sheriff's department relating to certain personnel matters.

YEAS AND NAYS On H. B. No. 1493. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1495: Tallahatchie County; authorize leasing of certain water well to City of Charleston.

YEAS AND NAYS On H. B. No. 1495. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

S. B. No. 3072: Lafayette County; change governing law for county trust fund investments from PERS to MS Uniform Prudent Investor Act.

YEAS AND NAYS On S. B. No. 3072. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

S. B. No. 3086: Lauderdale County; extend repeal date on the Lauderdale County Tourism Commission.

YEAS AND NAYS On S. B. No. 3086. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks,

Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

S. B. No. 3087: Warren County; authorize contributions to various organizations.

YEAS AND NAYS On S. B. No. 3087. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

S. B. No. 3090: Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax.

YEAS AND NAYS On S. B. No. 3090. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

S. B. No. 3078: Tunica County; authorize occupancy assessment for the benefit of the Convention Center Complex.

On motion of Senator Jackson R. (11th), the Committee Substitute was adopted for consideration.

Senator Jackson R. (11th) offered the following AMENDMENT NO. 1.

AMEND on line 306 by changing "2025" to "2031"

Amendment No. 1 to S. B. No. 3078 was adopted.

YEAS AND NAYS On S. B. No. 3078. On motion of Senator Jackson R. (11th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--Blackwell, McDaniel, Sojourner. Total--3.

Absent and those not voting--Fillingane, Hill. Total--2.

Unanimous consent was granted to add Senator Simmons D. T. (12th) as co-author of **S. B. No. 3078**.

Senator McMahan called up the following entitled bill:

S. B. No. 3085: City of Meridian; authorize occupancy assessment for the benefit of the Meridian-Lauderdale Sports Commission and complex.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

Senator Tate offered the following AMENDMENT NO. 1.

AMEND by deleting Section 3 and insert in lieu thereof the following:

SECTION 3. Before any tax authorized under this act may be imposed, the governing authorities shall adopt a resolution declaring their intention to levy the tax, setting forth the amount of the tax to be imposed, a description of the project for which the tax revenue collected may be used and expended, and the date upon which the tax shall become effective, and calling for an election to be held on the question. The date of the election shall be fixed in the resolution. Notice of such intention and the election shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the city, with the first publication of the notice to be made not less than forty-five (45) days before the date fixed in the resolution for the election and the last publication to be made not more than fourteen (14) days before the election. At the election, all qualified electors of the city may vote, and the ballots used in the election shall have printed thereon a brief statement of the amount and purposes of the proposed tax levy and the words "FOR THE SPECIAL HOTEL TAX" and, on a separate line, "AGAINST THE SPECIAL HOTEL TAX," and the voters shall vote by placing a cross (X) or check (✓) opposite their choice on the proposition. When the results of the election shall have been canvassed and certified, the city may levy the tax if sixty percent (60%) of the qualified electors who voted on the issue in the election voted in favor of the tax. At least thirty (30) days before the effective date of the tax provided in this section, the governing authorities shall furnish to the Department of Revenue a certified copy of the resolution evidencing the tax.

AMEND by deleting Section 14 in its entirety and inserting in lieu thereof the following:

SECTION 14. The tax imposed by this act shall stand repealed on the first day of the month immediately succeeding the date the payment of the principal of, redemption premium, if any, and interest of the bonds issued under this act have been paid in full, or twenty (20) years from the effective date of the tax authorized in this act, whichever is the earlier date.

FURTHER, AMEND the title on lines 12 and 13 by deleting "REGULAR CITY" and inserting in lieu thereof "SPECIAL"

Amendment No. 1 to S. B. No. 3085 was adopted.

YEAS AND NAYS On S. B. No. 3085. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McLendon, McMahan, Michel, Moran, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--45.

Nays--Blackwell, McDaniel, Sojourner. Total--3.

Absent and those not voting--Fillingane, Hill. Total--2.

Voting Present--McCaughn, Parker. Total--2.

On motion of Senator Tate, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3085.

Senator McMahan called up the following entitled bill:

H. B. No. 1509: Hancock County; extend the date of repeal on the Hancock County Tourism Development Bureau and hotel/motel tax.

YEAS AND NAYS On H. B. No. 1509. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1529: Town of Como; extend repealer on authority to impose tourism tax on hotels, motels and restaurants.

YEAS AND NAYS On H. B. No. 1529. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.
Nays--McDaniel, Sojourner. Total--2.
Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1497: Jackson County; direct contributions to Management and Operations for the Mary C. O'Keefe Cultural Center of Arts and Education.

YEAS AND NAYS On H. B. No. 1497. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.
Nays--None.
Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1502: MS Coast Transportation Authority; authorize to bear the full cost of processing electronic payments.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

AMEND by inserting on line 30 after the period the following:

However, in no event shall the authority cease to accept payment by means of United States legal tender.

Committee Amendment No. 1 to H. B. No. 1502 was adopted.

YEAS AND NAYS On H. B. No. 1502. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator Seymour called up the following House Amendment to **S. B. No. 2294** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on lines 49 and 50 by striking "or equivalent document" and inserting in lieu thereof the following:

", Military Retiree Identification Card, United States Department of Veterans Affairs Medical Identification Card, United States Department of Veterans Affairs Veterans Identification Card or National Guard Form NGB 22"

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that a motion to reconsider has been entered in the House on the following:

S. B. No. 3075: Town of Sardis; extend repeal date on hotel, motel and restaurant tax.

The HOUSE REQUESTS RETURN OF SAME.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create.

Representatives Busby, Massengill, Crudup

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2929: AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2022.

S. B. No. 2930: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2022.

S. B. No. 2931: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2022.

S. B. No. 2932: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2022.

S. B. No. 2933: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2022.

S. B. No. 2934: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2022.

S. B. No. 2935: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY EXAMINERS FOR FISCAL YEAR 2022.

S. B. No. 2936: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2022.

S. B. No. 2938: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2022.

S. B. No. 2939: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2022.

S. B. No. 2940: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY FOR FISCAL YEAR 2022.

S. B. No. 2941: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

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Senator Blackwell moved that the Senate stand in recess until 2:30 PM.

The motion prevailed, and at 10:50 AM, the Senate stood in recess.

The Senate resumed business at 2:30 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 1350: City of Ripley; extend repeal date on hotel/motel and restaurant tax. Title Sufficient. Do Pass.

H. B. No. 1433: Yalobusha County; authorize to loan funds to Oakland Yalobusha Natural Gas District to help pay off certain district debt. Title Sufficient. Do Pass.

H. B. No. 1436: Caledonia Natural Gas District; authorize to enter into agreement with Mississippi Development Bank. Title Sufficient. Do Pass.

H. B. No. 1437: Town of Byhalia; authorize transfer of certain funds for infrastructure improvements. Title Sufficient. Do Pass.

H. B. No. 1453: City of Booneville; extend date of repeal on city's hotel, motel and restaurant tax. Title Sufficient. Do Pass.

H. B. No. 1466: Oxford Municipal Reserve and Trust Fund; make technical correction concerning certain internal reference within. Title Sufficient. Do Pass.

H. B. No. 1494: Walnut Grove; authorize Walnut Grove Correctional Authority to contract with the state to operate correctional facility. Title Sufficient. Do Pass As Amended.

MCMAHAN, Chairman

REPORT OF COMMITTEES ON
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

H. B. No. 1504: City of Forest; authorize a tax on hotels/motels and restaurants to promote tourism, parks and recreation. Title Sufficient. Do Pass As Amended.

H. B. No. 1465: Town of Mize; authorize a tax on restaurants to promote tourism, parks and recreation. Title Sufficient. Do Pass.

MCMAHAN, Chairman

HARKINS, Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 45: Gary Mack Grubbs, Hattiesburg, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective immediately and runs concurrently with Governor's term of office. Do Advise and Consent.

S. N. No. 57: Phillip W. (Phil) Moore, Ridgeland, Mississippi, Mississippi Motor Vehicle Commission to represent the Third Congressional District, term effective immediately and ending June 30, 2027. Do Advise and Consent.

S. N. No. 53: Larry Wayne Clark, Amory, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective immediately and runs concurrently with the Governor's term of office. Do Advise and Consent.

BRANNING, Chairman

MESSAGE FROM THE GOVERNOR
March 24, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2746: Hudson's Law; require healthcare providers to provide information to parents who receive a postnatal diagnosis of a chromosomal disorder. (March 18, 2021, 10:07 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE GOVERNOR
March 24, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2392: County port and harbor commission; provide for holdover of appointees. (March 24, 2021, 11:01 AM)

S. B. No. 2419: State Medical Examiner fees; extend repealer on. (March 24, 2021, 11:03 AM)

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S. B. No. 2759: Temporary Assistance for Needy Families; increase the monthly amount. (March 24, 2021, 11:05 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

Senator Blackwell moved that the Senate stand in recess until 3:00 PM.

The motion prevailed, and at 2:34 PM, the Senate stood in recess.

The Senate resumed business at 3:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 64: Franklin Keith Davis, DVM, Hattiesburg, Mississippi, Mississippi Board of Veterinary Medicine, five year term beginning May 23, 2021 and ending May 22, 2026, representing the Second Supreme Court District. Do Advise and Consent.

S. N. No. 65: Thomas Kevin (Kevin) Smith, DVM, Carriere, Mississippi, Mississippi Board of Veterinary Medicine, term effective immediately and ending May 22, 2025, representing the Second Supreme Court District. Do Advise and Consent.

S. N. No. 66: Stuart G. Denman, Jr., DVM, Charleston, Mississippi, Mississippi Board of Veterinary Medicine, term effective immediately and ending April 22, 2024, representing the Third Supreme Court District. Do Advise and Consent.

S. N. No. 78: Betsy Anne Lum Lipscomb, DVM, Port Gibson, Mississippi, Mississippi Board of Animal Health as the beef cattle breeder and producer representative, four year term effective immediately and ending January 18, 2024. Do Advise and Consent.

YOUNGER, Chairman

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 25, **S. B. No. 3091**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 3091: Lee County; authorize 3/4% sales tax and bond issuance for a specific project by county board.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND on lines 53 and 54 by deleting the following:

the date fixed in the resolution for

Amendment No. 1 to S. B. No. 3091 was adopted.

YEAS AND NAYS On S. B. No. 3091. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote, a three-fifths vote being required:

Yeas--Barrett, Blackwell, Branning, Caughman, Chassaniol, DeBar, DeLano, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Seymour, Tate, Thomas, Williams, Younger. Total--23.

Nays--Barnett, Blount, Bryan, Chism, England, Harkins, Hopson, McDaniel, Parks, Polk, Sojourner, Sparks, Thompson, Whaley, Wiggins. Total--15.

Absent and those not voting--Blackmon, Boyd, Butler, Fillingane, Hill, Horhn, Simmons D. T. (12th), Simmons S. (13th), Witherspoon. Total--9.

Voting Present--Carter, Frazier, Kirby, Suber, Turner-Ford. Total--5.

On motion of Senator McMahan, unanimous consent of the Senate was requested to release immediately to the House S. B. No. 3091. There was an objection to the foregoing request for unanimous consent by Senator Sparks.

Senator Boyd requested that the following explanation be placed in the journal.

EXPLANATION

I was not in the Senate Chamber at the time of the vote on S. B. No. 3091. I was in a meeting discussing H. B. No. 1205: Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services.

Senator Nicole Boyd
District 9

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 29, **H. B. No. 1498**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1498: Holmes County; authorize contributions to P.E.A.R.L.S. Mentoring for Girls, Inc.

YEAS AND NAYS On H. B. No. 1498. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber,

Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 30, **H. B. No. 1499**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1499: Holmes County; authorize contributions to Fannie Lou Hamer Cancer Foundation.

YEAS AND NAYS On H. B. No. 1499. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1494**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1494: Walnut Grove; authorize Walnut Grove Correctional Authority to contract with the state to operate correctional facility.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 991, Local and Private Laws of 1998, as amended by Chapter 915, Local and Private Laws of 2013, as amended by Chapter 913, Local and Private Laws of 2019, is amended as follows:

Section 1. As used in this act, unless the context otherwise requires:

(a) "American Correctional Association Standards" means standards promulgated by the American Correctional Association as in effect from time to time.

(b) "Authority" means the Walnut Grove Correctional Authority.

(c) "Board of commissioners" means the board of commissioners of the authority.

(d) "Governing authorities" means the governing authorities of the city.

(e) "City" means Walnut Grove, Mississippi.

(f) "Equipment" means any personal property which the authority determines is necessary or helpful for the operation of a facility.

(g) "Facility" means a jail, prison or other incarceration facility located in the city which is constructed, acquired or operated pursuant to this act.

(h) "Management contract" means a contract between the authority and a private contractor for the operation and management of a facility by a private contractor.

(i) "Private contractor" means a person or legal entity which leases or subleases a facility from the authority or has entered into a management contract with the authority pursuant to this act.

(j) "State" means the State of Mississippi.

Section 2. (1) There is created in the city a public body corporate and politic to be known as the "Walnut Grove Correctional Authority." The authority shall not transact any business or exercise any powers under this act until the governing authorities adopts a resolution finding that it is in the public interest to have the authority exercise the powers set forth in this act. The resolution shall designate the manner in which funds of the authority in excess of amounts needed to pay the authority's operating expenses and debt service will be applied, provided that none of the excess funds of the authority may inure to the benefit of any private person.

(2) Alternatively, the governing authorities may by resolution designate a nonprofit corporation incorporated under the general laws of the state to exercise the powers of the authority set forth in this act, in which event the governing authorities may take all actions necessary for the nonprofit corporation to be treated as acting on behalf of the city under the Internal Revenue Code. The nonprofit corporation shall have, in addition to the powers and authority generally exercisable by nonprofit corporations in the state, all powers and authority granted to the authority under this act and shall be deemed to be a charitable society, for purposes of Section 27-31-1, Mississippi Code of 1972. All provisions of this act applicable to obligations, agreements, contracts and property of, and purchases by, contracting with and leasing or conveyance of property to an authority shall be applicable to obligations, agreements, contracts and property of, and purchases by, contracting with and leasing or conveyance of property to the nonprofit corporation.

Section 3. Nothing in this act shall authorize payment of tax revenues or other public funds of the city to the authority.

Section 4. The authority shall exist until dissolved pursuant to a resolution adopted by the governing authorities. Upon dissolution of the authority, title to all property owned by the authority shall vest in the city. Dissolution of the authority shall not adversely affect the rights of any holders of obligations issued by the authority, including, but not limited to, any bonds, notes or other evidences of indebtedness issued by the authority or the rights of any parties to contracts with the authority, including, but not limited to, leases, lease purchase agreements and management contracts entered into before the date of dissolution of the authority. A dissolution shall not be effective at any time that any bonds, notes or other evidence of indebtedness of the authority, including, but not limited to, lease-purchase agreements, shall be outstanding, except to the extent permitted in the documents executed in connection with the initial issuance of the bonds, notes or other indebtedness.

Section 5. (1) All powers of the authority shall be exercised by its board of commissioners to be composed of five (5) members, one (1) appointed by the governing authorities of the City of Walnut Grove from each ward and one (1) appointed by the governing authorities from the municipality at large.

(2) The initial members of the board shall serve for terms of office as follows:

(a) Two (2) members appointed by the governing authorities of the City of Walnut Grove shall serve for a term of four (4) years.

(b) Two (2) members appointed by the governing authorities of the City of Walnut Grove shall serve for a term of three (3) years.

(c) One (1) member appointed by the governing authorities of the City of Walnut Grove shall serve for a term of two (2) years.

The term of each initial appointee shall begin on the first day of the next month after the date that all initial appointees have been appointed.

After the expiration of the initial terms, all subsequent appointments shall be made for terms of five (5) years from the expiration date of the previous term. Any vacancy that may occur shall be filled in the same manner as the original appointment and shall be made for the unexpired term.

(3) The members of the board of commissioners shall elect annually from among themselves the officers of president, vice president, secretary and treasurer. The board of commissioners shall adopt bylaws, rules and regulations as may be necessary to govern the time, place and manner for holding subsequent meetings of the board of commissioners and for the conduct of its business consistent with the provisions of this act. All meetings of the board of commissioners shall be conducted in accordance with Section 25-41-1 et seq., Mississippi Code of 1972. Any action taken by the board of commissioners shall be official at the time the action is taken. Actions may be taken by the board of commissioners at any regular, special or recessed meeting.

(4) The members of the board of commissioners may receive per diem compensation for attending meetings of the board of commissioners in the amount provided for in Section 37-6-13, Mississippi Code of 1972, and shall meet at least once quarterly at a time and place determined by the board of commissioners. The board of commissioners shall keep minutes of its proceedings as necessary to carry out its responsibilities. A quorum of the board of commissioners shall consist of three (3) members.

(5) A board member may be removed, upon recommendation by a vote of three (3) members of the board of commissioners and approval by the governing authorities of the city.

(6) The authority may employ an executive director, technical experts and other agents and employees, permanent and temporary, as it may require, and may determine their qualifications, duties and compensation.

Section 6. The authority shall have all the powers necessary or convenient to effectuate and carry out the provisions of this act, including the following powers in addition to others granted in this act:

(a) To have perpetual succession as a body politic and corporate exercising essential public functions until dissolved pursuant to Section 4 of this act;

(b) To sue and be sued in its own name;

- (c) To have an official seal and alter it at will;
- (d) To adopt, appeal and amend bylaws, rules and regulations consistent with this act, to regulate its affairs and conduct its business;
- (e) To maintain one or more offices at a place or places within the city as it may designate;
- (f) To make and execute contracts and all other instruments necessary or convenient for the performance of its duties and the exercise of its powers under this act;
- (g) To employ architects, engineers, contractors, developers, attorneys, inspectors, accountants, financial advisors and any other advisors, consultants and agents as may be necessary, in its judgment, to carry out its powers under this act, and to fix their compensation;
- (h) To procure insurance against any loss in connection with its property and other assets, in amounts and from insurers as it may deem advisable, and to pay premiums on any such insurance;
- (i) To construct, purchase, receive, lease, lease-purchase, or otherwise acquire, own, hold, improve or use a facility or any item of equipment, and to enter into agreements relating thereto, including, but not limited to, sale and issuance of certificates of participation, which may extend for a period of time, notwithstanding any provision or rule of law to the contrary, and provide for the consideration and other terms and conditions that are acceptable to the authority and are not in conflict with the provisions of this act, without regard to any general laws of the state regulating public purchases and acquisitions or restricting the time periods of agreements;
- (j) To lease a facility or any item of equipment to a private contractor for rentals and upon the terms and conditions that are acceptable to the authority and are not in conflict with the provisions of this act, without regard to any general laws of the state regulating the disposition or conveyance of an interest in public property;
- (k) To operate and manage a facility in accordance with the provisions of this act and to take all actions necessary in connection therewith, or alternatively to contract with a private contractor to operate and manage a facility in accordance with the provisions of this act; to contract with the State of Mississippi to operate and manage a facility in accordance with the provisions of this act; or to lease to the State of Mississippi the real property comprising the facility as defined under this act, upon such terms as determined by and satisfactory to the state;
- (l) To borrow money and issue its obligations therefor for the purpose of carrying out its powers under this act, at rates of interest and upon terms and conditions that are acceptable to the authority and are not in conflict with the provisions of this act, without regard to any general laws of the state regulating the borrowing of money or issuance of obligations by public bodies, provided that any obligations issued by the authority shall be payable solely out of revenues received by the authority in connection with the operation or lease of a facility and shall never constitute a debt or obligation of the city or the state;
- (m) In connection with borrowing money and issuance of obligations as set forth in the preceding paragraphs (i) and (l), in Section 13 of this act, and elsewhere in this act, to pledge or assign its property, assets and revenues, enter into trust indentures, deeds of trust, mortgages and security agreements, contract for bond insurance and other credit enhancement devices, and to take any other action and enter into any other agreements as the authority deems necessary or appropriate, all on terms and conditions that are acceptable to the authority and are not in conflict with the provisions of this act, without regard to any provision or rule of law which would otherwise be applicable thereto;

(n) To contract with the United States or the State of Mississippi, or any political subdivision of the State of Mississippi, to provide for housing, care and control in a facility of offenders who are in the custody of the jurisdiction, who have been classified to any custody level, who do not have histories of escape, and who are sentenced to terms of incarceration for conviction of a felony, or who are sentenced to terms of incarceration for a misdemeanor, provided that the incarceration in the facility for a misdemeanor is consistent with American Correctional Association Standards relating to the incarceration of offenders convicted of more serious offenses, to enter into agreements relating thereto which may extend for time periods that are acceptable to the parties, notwithstanding any provision or rule of law to the contrary, and to exercise all powers necessary or desirable in connection with the operation of a prison or other type of correctional facility, including, but not limited to, the power to incarcerate offenders described above; and

(o) To contract with the Department of Corrections or other appropriate state, federal or local entity for the inspection, monitoring or provision of any assistance necessary or desirable to maintain suitable, safe and secure correctional facilities.

Section 7. (1) A facility shall be designed, constructed, operated and maintained in accordance with American Correctional Association Standards. The facility shall meet the percentage of standards required for accreditation by the American Correctional Association, except where a contract with a private contractor requires compliance with a higher percentage of nonmandatory standards.

(2) The facility shall comply with all constitutional standards of the United States and the state and with all court orders applicable to the facility.

(3) The Department of Corrections shall place a compliance officer at the facility. The authority or private contractor shall provide an on-site work area for the compliance officer and shall permit access to all areas of the facility and to the offenders and staff at all times. The authority or private contractor shall reimburse the Department of Corrections for all costs incurred for the compliance officer.

Section 8. (1) A person shall not be employed as a corrections officer at the facility unless the person has been trained in the use of force and firearms in accordance with American Correctional Association Standards. If a person is employed as a corrections officer by a private contractor that is operating a facility pursuant to a management contract, the private contractor shall cause the required training to be provided at its own expense.

(2) A corrections officer employed at the facility shall not use force or firearms except while on the grounds of a facility or while transporting offenders of a facility and then only under the circumstances set forth in subsections (3) and (4) of this section.

(3) A corrections officer shall not use force except such nondeadly force as is reasonably necessary in the following situations:

(a) To prevent the commission of a felony or misdemeanor, including escape;

(b) To defend himself or others against physical assault;

(c) To prevent serious damage to property;

(d) To enforce facility regulations and orders; and

(e) To prevent or quell a riot.

- (4) A corrections officer shall not use firearms or other

deadly force except as a last resort when reasonably necessary to prevent the commission of a violent felony, to prevent the escape of a convicted felon from custody, or to defend the officer or any other person from imminent danger of death or serious bodily injury.

(5) A private contractor shall have the same standing, authority, rights and responsibilities as the authority in any agreement, formal or informal, with local law enforcement agencies concerning the latter's obligations in the event of a riot, escape or other emergency situation involving the facility. To the extent provided in any management contract, a private contractor may exercise the powers granted to the authority under this act.

Section 9. Any offense which would be a crime if committed within a correctional institution operated by the state shall be a crime if committed in the facility.

Section 10. (1) Neither the state nor the city shall assume jurisdiction or custody of any federal offenders or offenders from other states who are incarcerated in the facility. The offenders shall remain subject to the jurisdiction of the United States or another state, as applicable. Neither the state nor the city shall be liable for loss or injury resulting from the acts of the offenders, nor shall the state or the city be liable for any injuries to the offenders. The authority or private contractor shall reimburse the Department of Corrections for any expenses incurred in quelling a prison riot.

(2) Neither the state nor the city shall be liable for any actions taken by the authority or a private contractor in connection with the facility, nor shall they be liable for any debt incurred or obligations issued by the authority.

Section 11. (1) The facility shall at all times be operated and managed by a private contractor pursuant to a management contract unless the board of commissioners determines that the operation and management by a private contractor is not feasible or desirable. * * * In the event the board of commissioners determines not to contract with a private contractor, it may contract with the State of Mississippi to operate and manage a facility in accordance with the provisions of this act or to lease to the State of Mississippi the real property comprising the facility as defined under this act, upon such terms as approved by the board of commissioners.

(2) A management contract may authorize a private contractor to contract on behalf of the authority for the incarceration of offenders in the facility as set forth in Section 6(1)(n) of this act and shall grant the private contractor any other powers that are necessary or convenient for the operation and management of the facility and are consistent with the provisions of this act, including, but not limited to, the power to employ personnel who are needed for the operation and management of a facility and to provide or cause to be provided the training in the use of force and firearms required by Section 8(1) of this act.

(3) A management contract shall provide that any sovereign immunity of the state, any sovereign immunity of the county, any sovereign immunity of the city or any sovereign immunity of the authority shall not extend to the private contractor. Neither the private contractor nor any insurer of the private contractor may plead the defense of sovereign immunity in any action arising out of or related to the performance of the management contract.

(4) A management contract shall provide that the private contractor shall be responsible for the reimbursement of all costs and expenses incurred by the state, the city or the authority in connection with legal actions brought in the state by or on behalf of any offender incarcerated in the facility, including, but not limited to, court costs, sheriff's fees, witness fees, district attorney expenses, expenses of the Office of the Attorney General,

indigent or public defender fees and expenses, judicial expenses, court reporter expenses and damage awards. The contract shall provide for the reimbursement of all costs and expenses incurred by the Department of Corrections for maintaining a compliance officer at the facility and for all costs and expenses incurred by the Department of Corrections for aiding in quelling a prison riot.

(5) A management contract shall provide that the private contractor shall indemnify and hold harmless the authority, the city and the state, and any officers, members, employees or agents of the foregoing, for any claim or liability for damage or injury to any person or property related to or arising from the operation and management of a facility, including, but not limited to, liability for loss or injury resulting from the acts of offenders incarcerated at the facility and liability for any injuries to the offenders.

(6) A management contract may contain any other provisions the authority deems necessary or appropriate, including, but not limited to, provisions that may be necessary to cause the management contract to comply with promulgations of the Internal Revenue Service applicable to the contract.

Section 12. Neither the state, the city nor the authority, nor any members, officers, employees or agents of the foregoing, shall be liable for a private contractor's actions or failure to act while operating and managing a facility pursuant to a management contract.

Section 13. (1) The authority or the private contractor shall permit the Investigative Task Force of the Department of Corrections to have full access to all areas of the facility and to the offenders and staff. The investigators may exercise any and all police powers provided under Section 47-5-54, Mississippi Code of 1972.

(2) The authority or private contractor shall provide for the issuance of an immediate warrant through the National Crime Information Center for any offender who escapes.

(3) The authority or private contractor shall return any offender released from the facility to the state from which the offender was sent.

Section 14. (1) The authority may enter into lease agreements with a person or legal entity pursuant to which the authority may agree to lease the facility or equipment for use by the authority for a primary term not to exceed thirty (30) years. All lease agreements may contain terms and conditions as the board of commissioners of the authority shall determine to be appropriate and in the public interest, including, but not limited to, any provision which a master lease-purchase agreement may contain pursuant to Section 31-7-10(5), Mississippi Code of 1972, may provide for the payment of lease payments which include an interest component computed at a rate or rates as shall be approved by the board of commissioners, may include an annual allocation dependency clause, may contain an option granting to the authority the right to purchase the leased property upon the expiration of the primary term, or upon an earlier date that may be agreed upon by the parties, at a price as set forth in or computed in accordance with the lease agreement and may provide that all or any obligations thereunder are payable from specified revenues pledged as security therefor.

(2) The authority may lease publicly owned real property to a person or legal entity for the purpose of enabling the person or legal entity to construct a facility on the property and to lease the facility to the authority. A ground lease shall not be for a primary term in excess of twice the primary term of the lease with respect to the facility to be constructed on the real property. Any public body in the state may lease, sell or otherwise convey property to the authority without consideration or for consideration as the governing body of the public body shall determine to be appropriate under the circumstances, and to enter into agreements with the authority relating thereto, which agreements may extend over any period of time, notwithstanding any provision or rule of law to the contrary.

(3) This section shall be full and complete authority for the authorization, execution and delivery of lease agreements authorized under this act, and none of the restrictions, requirements, conditions and limitations of the general law of the state applicable to acquisition, construction and drawing of buildings or facilities shall apply to lease agreements under this section, and all powers necessary to carry out the provisions of this section are conferred upon the authority.

Section 15. All obligations, including, but not limited to, bonds, notes, lease-purchase agreements and other evidence of indebtedness issued by the authority pursuant to this act and all interest payable thereunder or with respect thereto, all leases, trust indentures, deeds of trust, mortgages, security agreements and other contracts or agreements entered into pursuant to this act, and all purchases required to construct the facility or to acquire equipment shall be exempt from all taxation in the state, including, but not limited to, sales taxes and the contractor's tax imposed by Section 27-65-21, Mississippi Code of 1972. As provided by general law applicable to political subdivisions of the state, a facility and the revenues derived from its operation shall be exempt from all taxation in the state, including, but not limited to, all ad valorem taxes levied by the state or any political subdivision thereof.

Section 16. This act shall be full and complete authority of the exercise of all powers and authority granted in this act and any requirements or restrictions of law which would otherwise be applicable to acts of the authority shall not be applicable except as expressly provided in this act. Debt of the authority shall not be considered to be debt of the city or any other political subdivision of the state for purposes of any provision or rule of law restricting the amount of indebtedness of the city or any other political subdivision or for any other purpose under the laws of the state.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 991, LOCAL AND PRIVATE LAWS OF 1998, AS AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2013, AS AMENDED BY CHAPTER 913, LOCAL AND PRIVATE LAWS OF 2019, TO AUTHORIZE THE WALNUT GROVE CORRECTIONAL AUTHORITY TO CONTRACT WITH THE STATE OF MISSISSIPPI FOR THE OPERATION OF THE WALNUT GROVE CORRECTIONAL FACILITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1494 was adopted.

YEAS AND NAYS On H. B. No. 1494. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--Turner-Ford. Total--1.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1466**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1466: Oxford Municipal Reserve and Trust Fund; make technical correction concerning certain internal reference within.

YEAS AND NAYS On H. B. No. 1466. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1437**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1437: Town of Byhalia; authorize transfer of certain funds for infrastructure improvements.

YEAS AND NAYS On H. B. No. 1437. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1436**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1436: Caledonia Natural Gas District; authorize to enter into agreement with Mississippi Development Bank.

YEAS AND NAYS On H. B. No. 1436. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1433**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1433: Yalobusha County; authorize to loan funds to Oakland Yalobusha Natural Gas District to help pay off certain district debt.

YEAS AND NAYS On H. B. No. 1433. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1504**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1504: City of Forest; authorize a tax on hotels/motels and restaurants to promote tourism, parks and recreation.

Senator Mccaughn offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 72 by changing "twenty-one (21)" to "forty-five (45)"

AMEND on line 74 by changing "seven (7)" to "fourteen (14)"

Committee Amendment No. 1 to H. B. No. 1504 was adopted.

YEAS AND NAYS On H. B. No. 1504. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.
Nays--McDaniel, Sojourner. Total--2.
Absent and those not voting--Fillingane, Hill. Total--2.

Senator McMahan moved that the rules be suspended for the immediate consideration of **H. B. No. 1465**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1465: Town of Mize; authorize a tax on restaurants to promote tourism, parks and recreation.

YEAS AND NAYS On H. B. No. 1465. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.
Nays--McDaniel, Sojourner. Total--2.
Absent and those not voting--Fillingane, Hill. Total--2.

On motion of Senator McMahan, unanimous consent of the Senate was requested to release immediately to the House H. B. No. 1494. There was an objection to the foregoing request for unanimous consent by Senator Turner-Ford.

H. B. No. 1494: Walnut Grove; authorize Walnut Grove Correctional Authority to contract with the state to operate correctional facility.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of J. Ken Bramlett, Sr. of Brandon, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Ransom Roland, Jr. of Glen, MS.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Mary Trammel of Corinth, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Cameron Scott Boggan of Hickory, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Glenn Etheridge of Natchez, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 25, 2021.

The motion prevailed, and at 3:56 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON CORRECTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 85: Betty Lou Stuart Jones, Meridian, Mississippi, State Parole Board, term effective immediately to serve at the will and pleasure of the Governor. Do Advise and Consent.

S. N. No. 86: Nehemiah Flowers, Jr., Brandon, Mississippi, State Parole Board, term effective immediately to serve at the will and pleasure of the Governor. Do Advise and Consent.

S. N. No. 87: Steven Wayne (Steve) Pickett, Raymond, Mississippi, State Parole Board to serve as Chairman, term effective immediately to serve at the will and pleasure of the Governor. Do Advise and Consent.

BARNETT, Chairman

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2598: Department of Public Safety; revise licensing.

Representatives Busby, Massengill, Yates

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to.

Representatives Horan, Cockerham, Felsher

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to.

Representatives Horan, Cockerham, Felsher

H. B. No. 1174: Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness.

Representatives Horan, Bain, Currie

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 82: Community or junior colleges; authorize to administer construction contracts of \$1,000,000.00 or less, and exempt certain oversight.
Senators Harkins, Barnett, Kirby.

H. B. No. 136: Individual bond; require for public officers and employees handling or having the custody of public funds.
Senators Harkins, Sparks, Blount.

H. B. No. 374: Distinctive motor vehicle license tag; authorize issuance to supporters of Mississippi Theatre Association, Inc.
Senators Harkins, Horhn, Whaley.

H. B. No. 425: Ad valorem tax; revise certain provisions regarding when an application for change of property assessment may be made.
Senators Harkins, Johnson, Younger.

H. B. No. 520: Use tax; revise certain provisions regarding funds distributed to municipalities/counties for road improvements.
Senators Harkins, Sparks, Simmons (12th).

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.
Senators Harkins, Chassaniol, Carter.

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to.
Senators Barnett, Wiggins, Simmons (12th).

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to.
Senators Barnett, Jackson (32nd), DeBar.

H. B. No. 997: Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits.
Senators Harkins, Kirby, Johnson.

H. B. No. 1091: Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law.
Senators Harkins, Boyd, Horhn.

H. B. No. 1095: Department of Revenue; authorize to compromise and settle certain tax liabilities.
Senators Harkins, Johnson, Blount.

H. B. No. 1135: Alcoholic beverages; create delivery service permit.
Senators Harkins, Carter, Thompson.

H. B. No. 1139: Income, sales and use taxes; remove requirement that certain taxpayers pay June tax liability on or before June 25.
Senators Harkins, Bryan, Hopson.

H. B. No. 1174: Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness.
Senators Barnett, Wiggins, Blackwell.

H. B. No. 1197: Dual-phase design-build method of construction contracting; revise certain provisions of.
Senators Harkins, Thompson, Caughman.

H. B. No. 1245: MDOT; require maintenance of rights-of-way of state highways inside municipal limits with 10,000 or less population.
Senators Simmons (12th), Barrett, McCaughn.

H. B. No. 1296: Historic property income tax credit; revise certain provisions regarding.
Senators Harkins, Johnson, Chassaniol.

H. B. No. 1356: Income tax and sales tax; revise deduction for depreciation, exempt sales of certain aircraft.
Senators Harkins, Kirby, Boyd.

H. B. No. 1446: Income tax; allow deduction for Back to Business Mississippi Grant Program eligible expenses.
Senators Harkins, Johnson, England.

MESSAGE FROM THE GOVERNOR
March 24, 2021

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

David Bradley Hall, Meridian, Mississippi, State Board of Registration for Foresters to represent the South Central Forestry Commission District, unexpired balance of the five year term ending June 30, 2025.

Tate Reeves
GOVERNOR

SENATE JOURNAL
WEDNESDAY, MARCH 24, 2021

The executive nomination in the foregoing message was referred to committee as follows:

David Bradley Hall, State Board of Registration for Foresters to represent the South Central Forestry Commission District, unexpired balance of the five year term ending June 30, 2025, Forestry.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of J. Ken Bramlett, Sr., Ransom Roland, Jr., Mary Trammel, Cameron Scott Boggan and Glenn Etheridge.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, MARCH 24, 2021

EIGHTIETH DAY, THURSDAY, MARCH 25, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Fillingane. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Blackwell, written by Dr. Walker Wright, Pastor, White Stone Baptist Church, Memphis, TN.

Senator Thomas led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 3076: AN ACT TO AMEND CHAPTER 904, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 907, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEALER FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, TO JOIN WITH THE GOVERNING AUTHORITIES OF THE CITY OF PASCAGOULA, MISSISSIPPI, TO CREATE THE LAPOINTE-KREBS FOUNDATION, INC., FOR THE PRESERVATION, MAINTENANCE, UPKEEP AND OPERATION OF THE LAPOINTE-KREBS HOUSE; AND FOR RELATED PURPOSES.

S. B. No. 3079: AN ACT TO AMEND CHAPTER 813, LOCAL AND PRIVATE LAWS OF 1989, AS LAST AMENDED BY CHAPTER 956, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW THAT ESTABLISHES THE GREENWOOD TOURISM COMMISSION AND AUTHORIZES THE CITY OF GREENWOOD TO IMPOSE A TAX ON HOTELS, MOTELS AND RESTAURANTS; AND FOR RELATED PURPOSES.

S. B. No. 3083: AN ACT TO AMEND CHAPTER 917, LOCAL AND PRIVATE LAWS OF 2016, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE AMERICAN LEGION AUXILIARY GIRLS STATE PROGRAM; TO AMEND CHAPTER 908, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE TO THE STOREHOUSE COMMUNITY FOOD PANTRY; TO AMEND CHAPTER 937, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE TO THE READ BY THIRD GRADE, A TUTORIAL PROGRAM FOR AT-RISK STUDENTS; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

Senator McMahan called up the following entitled bill:

H. B. No. 1500: Holmes County; authorize transfer of funds/property from defunct county economic development authority to county economic development district.

YEAS AND NAYS On H. B. No. 1500. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McMahan called up the following entitled bill:

H. B. No. 1350: City of Ripley; extend repeal date on hotel/motel and restaurant tax.

YEAS AND NAYS On H. B. No. 1350. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Hill, McDaniel. Total--2.

Senator McMahan called up the following entitled bill:

H. B. No. 1453: City of Booneville; extend date of repeal on city's hotel, motel and restaurant tax.

YEAS AND NAYS On H. B. No. 1453. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Sojourner. Total--1.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Hill, McDaniel. Total--2.

Senator Polk called up the following House Amendment to **S. B. No. 2827** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-13.2, Mississippi Code of 1972, is amended as follows:

31-7-13.2 (1) When used in this section, "construction manager at risk" means a method of project delivery in which a construction manager guarantees a maximum price for the construction of a project and in which the governing authority or board, before using this method of project delivery, shall include a detailed explanation of why using the construction manager at risk method of project delivery for a particular project satisfies the public need better than that traditional design-bid-build method based on the following criteria:

(a) The use of construction manager at risk for the project provides a savings in time or cost over traditional methods; and

(b) The size and type of the project is suitable for use of the construction management at risk method of project delivery.

(2) When the construction manager at risk method of project delivery is used:

(a) There may be a separate contract for design services and a separate contract for construction services;

(b) The contract for construction services may be entered into at the same time as a contract for the design services or later;

(c) Design and construction of the project may be in sequential or concurrent phases; and

(d) Finance, maintenance, operation, reconstruction or other related services may be included for a guaranteed maximum price.

(3) When procuring design professional services under a construction manager at risk project delivery method, the agency or governing authority shall procure the services of a design professional pursuant to qualifications-based selection procedures.

(4) Before the substantial completion of the design documents, the agency or governing authority may elect to hire a construction manager.

(5) When procuring construction management services, the agency or governing authority shall follow the qualifications-based selection procedures as outlined in subsection (10) of this section or the competitive sealed proposal procedures as outlined in Section 31-17-13.

(6) The agency or governing authority may require the architect or engineer and the construction manager, by contract, to cooperate in the design, planning and scheduling, and construction process. The contract shall not make the primary designer or construction manager a subcontractor or joint-venture partner to the other or limit the primary designer's or construction manager's independent obligations to the agency or governing authority.

(7) Notwithstanding anything to the contrary in this chapter:

(a) Each project for construction under a construction manager at risk contract shall be a specific, single project with a minimum construction cost of Twenty-five Million Dollars (\$25,000,000.00).

(b) Each project under a construction manager at risk contract shall be a specific, single project. For the purposes of this paragraph, "specific, single project" means a project that is constructed at a single location, at a common location or for a common purpose.

(8) Agencies shall retain an independent architectural or engineering firm to provide guidance and administration of the professional engineering or professional architecture aspects of the project throughout the development of the scope, design, and construction of the project.

(9) The state shall, on an annual basis, compile and make public all proceedings, records, contracts and other public records relating to procurement transactions authorized under this section.

(10) For purposes of this section, the "qualifications-based selection procedure" shall include:

(a) Publicly announcing all requirements for construction management at risk, architectural, engineering, and land surveying services, to procure these services on the basis of demonstrated competence and qualifications, and to negotiate contracts at fair and reasonable prices after the most qualified firm has been selected.

(b) Agencies or governing authorities shall establish procedures to prequalify firms seeking to provide construction management at risk, architectural, engineering, and land surveying services or may use prequalification lists from other state agencies or governing authorities to meet the requirements of this section.

(c) Whenever a project requiring construction management at risk, architectural, engineering, or land surveying services is proposed for an agency or governing authority, the agency or governing authority shall provide advance notice published in a professional services bulletin or advertised within the official state newspaper setting forth the projects and services to be procured for not less than fourteen (14) days. The professional services bulletin shall be mailed to each firm that has requested the information or is prequalified under Section 31-7-13. The professional services bulletin shall include a description of each project and shall state the time and place for interested firms to submit a letter of interest and, if required by the public notice, a statement of qualifications.

(d) The agency or governing authority shall evaluate the firms submitting letters of interest and other prequalified firms, taking into account qualifications. The agency or governing authority may consider, but shall not be limited to, considering:

(i) Ability of professional personnel;

(ii) Past record and experience;

(iii) Performance data on file;

(iv) Willingness to meet time requirements;

(v) Location;

(vi) Workload of the firm; and

(vii) Any other qualifications-based factors as the agency or governing authority may determine in writing are applicable.

The agency or governing authority may conduct discussions with and require public presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project and ability to furnish the required services.

(e) The agency or governing authority shall establish a committee to select firms to provide construction management at risk, architectural, engineering, and land surveying services. A selection committee may include at least one (1) public member nominated by a statewide association of the profession affected. The public member may not be employed or associated with any firm holding a contract with the agency or governing authority nor may the public member's firm be considered for a contract with that agency or governing authority while serving as a public member of the committee. In no case shall the agency or governing authority, before selecting a firm for negotiation under paragraph (f) of this subsection (10), seek formal or informal submission of verbal or written estimates of costs or proposals in terms of dollars, hours required, percentage of construction cost, or any other measure of compensation.

(f) On the basis of evaluations, discussions, and any presentations, the agency or governing authority shall select no less than three (3) firms that it determines to be qualified to provide services for the project and rank them in order of qualifications to provide services regarding the specific project. The agency or governing authority shall then contact the firm ranked most preferred to negotiate a contract at a fair and reasonable compensation. If fewer than three (3) firms submit letters of interest and the agency or governing authority determines that one (1) or both of those firms are so qualified, the agency or governing authority may proceed to negotiate a contract under paragraph (g) of this subsection (10).

(g) The agency or governing authority shall prepare a written description of the scope of the proposed services to be used as a basis for negotiations and shall negotiate a contract with the highest qualified firm at compensation that the agency or governing authority determines in writing to be fair and reasonable. In making this decision, the agency or governing authority shall take into account the estimated value, scope, complexity, and professional nature of the services to be rendered. In no case may the agency or governing authority establish a maximum overhead rate or other payment formula designed to eliminate firms from contention or restrict competition or negotiation of fees. If the agency or governing authority is unable to negotiate a satisfactory contract with the firm that is most preferred, negotiations with that firm shall be terminated. The agency or governing authority shall then begin negotiations with the firm that is next preferred. If the agency or governing authority is unable to negotiate a satisfactory contract with that firm, negotiations with that firm shall be terminated. The agency or governing authority shall then begin negotiations with the firm that is next preferred. If the agency or governing authority is unable to negotiate a satisfactory contract with any of the selected firms, the agency or governing authority shall reevaluate the construction management at risk, architectural, engineering, or land surveying services requested, including the estimated value, scope, complexity, and fee requirements. The agency or governing authority shall then compile a second list of not less than three (3) qualified firms and proceed in accordance with the provisions of this section. A firm negotiating a contract with an agency or governing authority shall negotiate subcontracts for architectural, engineering, and land surveying services at compensation that the firm determines in writing to be fair and reasonable based upon a written description of the scope of the proposed services.

(11) (a) The construction manager selected by the agency or governing authority to provide construction management at risk services shall solicit bids for construction on the project pursuant to Section 31-7-13. The construction manager shall be entitled to enter into contracts for construction with the lowest and best bidders, as determined in consultation with the agency or governing authority. Before soliciting bids or entering into any such contract, the construction manager, in consultation with the agency or governing authority, may prequalify any contractors or vendors seeking to submit a bid on the

project, taking into account defined qualifications which may include, but not be limited to, the following:

- (i) Past experience and performance record on projects of similar size and scope;
- (ii) Current financial status and ability to provide acceptable payment and performance bonds and meet defined insurance requirements;
- (iii) Current workload and backlog of committed work for the period scheduled for the project under consideration;
- (iv) Safety record to include prior citations and fines if applicable;
- (v) History of legal disputes or performance defaults;
- (vi) Identification and experience of project personnel and required manpower;
- (vii) Plan for and ability to meet the applicable project schedule; and
- (viii) Any other qualification-based factors as the agency, governing authority or construction manager may determine are applicable.

(b) The construction manager, in consultation with the agency or governing authority, shall publish the defined qualifications that shall be considered in the prequalification process at least two (2) weeks in advance of any prequalification of contractors or vendors seeking to submit a bid on the project. Publication shall be in a regular newspaper published in the county or municipality in which the agency or governing authority is located. The agency or governing authority shall also post the defined prequalification requirements on its website.

(c) The failure of a bidder to provide information in a timely and complete manner in response to any prequalification process may result in the disqualification of such bidder in the discretion of the agency, governing authority, and construction manager.

(d) Except as otherwise provided in Section 25-61-9, confidential and proprietary information furnished by a bidder pursuant to this section shall not be disclosed outside of the agency, governing authority, or construction manager without the prior written consent of the bidder. The bidder shall identify and label any information considered to be confidential and proprietary at the time of submission of the same to the agency, governing authority, or construction manager.

(** *12) The provisions of this section shall not affect any procurement by the Mississippi Transportation Commission.

SECTION 2. Section 25-61-9, Mississippi Code of 1972, is brought forward as follows:

25-61-9. (1) Records furnished to public bodies by third parties which contain trade secrets or confidential commercial or financial information shall not be subject to inspection, examination, copying or reproduction under this chapter until notice to third parties has been given, but the records shall be released no later than twenty-one (21) days from the date the third parties are given notice by the public body unless the third parties have filed in chancery court a petition seeking a protective order on or before the expiration of the twenty-one-day time period. Any party seeking the protective order shall give notice to the party requesting the information in accordance with the Mississippi Rules of Civil Procedure.

(2) If any public record which is held to be exempt from disclosure pursuant to this chapter contains material which is not exempt pursuant to this chapter, the public body shall separate the exempt material and make the nonexempt material available for examination or copying, or both, as provided for in this chapter.

(3) Trade secrets and confidential commercial and financial information of a proprietary nature developed by a college, university or public hospital under contract with a firm, business, partnership, association, corporation, individual or other like entity shall not be subject to inspection, examination, copying or reproduction under this chapter.

(4) Misappropriation of a trade secret shall be governed by the provisions of the Mississippi Uniform Trade Secrets Act, Sections 75-26-1 through 75-26-19.

(5) A waste minimization plan and any updates developed by generators and facility operators under the Mississippi Comprehensive Multimedia Waste Minimization Act of 1990 shall be retained at the facility and shall not be subject to inspection, examination, copying or reproduction under this chapter.

(6) Data processing software obtained by an agency under a licensing agreement that prohibits its disclosure and which software is a trade secret, as defined in Section 75-26-3, and data processing software produced by a public body which is sensitive must not be subject to inspection, copying or reproduction under this chapter.

As used in this subsection, "sensitive" means only those portions of data processing software, including the specifications and documentation, used to:

(a) Collect, process, store, and retrieve information which is exempt under this chapter.

(b) Control and direct access authorizations and security measures for automated systems.

(c) Collect, process, store, and retrieve information, disclosure of which would require a significant intrusion into the business of the public body.

(7) For all procurement contracts awarded by state agencies, the provisions of the contract which contain the commodities purchased or the personal or professional services provided, the unit prices contained within the procurement contracts, the overall price to be paid, and the term of the contract shall not be deemed to be a trade secret or confidential commercial or financial information under this section, and shall be available for examination, copying or reproduction as provided for in this chapter. Any party seeking a protective order for a procurement contract awarded by state agencies shall give notice to and provide the reasons for the protective order to the party requesting the information in accordance with the Mississippi Rules of Civil Procedure. The notice and reasons for the protective order must be posted on the Mississippi procurement portal for a minimum of seven (7) days before filing the petition seeking the protective order in chancery court. Any party seeking a protective order in violation of this subsection may be barred by a state agency from submitting bids, proposals or qualifications for procurement for a period not to exceed five (5) years.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 31-7-13.2, MISSISSIPPI CODE OF 1972, TO REVISE THE CONSTRUCTION MANAGEMENT AT RISK METHOD OF PROJECT

DELIVERY; TO PROVIDE THAT FOR THE PURPOSES OF A QUALIFICATIONS-BASED SELECTION PROCEDURE, A CONTRACT FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES SHALL BE TREATED THE SAME AS A CONTRACT FOR ARCHITECTURAL, ENGINEERING AND LAND SURVEYING SERVICES; TO PROVIDE THAT THE CONSTRUCTION MANAGER SELECTED BY AN AGENCY OR GOVERNING AUTHORITY TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES SHALL SOLICIT BIDS FOR CONSTRUCTION ON THE PROJECT AS PROVIDED IN THE PUBLIC PURCHASING LAW; TO PROVIDE THAT THE CONSTRUCTION MANAGER MAY PREQUALIFY VENDORS AND CONTRACTORS WITH CERTAIN QUALIFICATIONS BEFORE SOLICITING ANY BIDS OR ENTERING INTO ANY CONTRACTS; TO PROVIDE THAT A BIDDER'S CONFIDENTIAL AND PROPRIETARY INFORMATION SHALL NOT BE DISCLOSED TO ANYONE OUTSIDE OF THE AGENCY, GOVERNING AUTHORITY OR CONSTRUCTION MANAGER WITHOUT THE BIDDER'S PRIOR WRITTEN CONSENT; TO BRING FORWARD SECTION 25-61-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2827** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 196** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 196: "Dignity for Incarcerated Women Act"; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Title. Sections 1 through 9 of this act may be cited as the "Dignity for Incarcerated Women Act."

SECTION 2. Legislative findings and purpose. The Legislature of the State of Mississippi finds that:

(a) The number of incarcerated women in the State of Mississippi has increased by a third (1/3) since 2001 and at one point in 2008 the rate had grown by forty-four percent (44%);

(b) Nationally, the number of children under age eighteen (18) with a mother in prison more than doubled since 1991;

(c) Children who grow up with parents in prison are six (6) to seven (7) times more likely to become incarcerated themselves;

(d) Prisoners who maintain close contact with their family members while incarcerated have better post-release outcomes and lower recidivism rates;

(e) Children of inmates who are able to visit their imprisoned parents have increased cognitive skills, improved academic self-esteem, greater self-control and change schools much less often;

(f) To mitigate the collateral impact on families and children, the Department of Corrections should consider the location of family;

(g) Nationally, approximately two thousand (2,000) women give birth while incarcerated each year;

(h) Prenatal care significantly improves outcomes for pregnant women and infants;

(i) Participation in post-delivery mother-infant residency or nursery programs is associated with lower recidivism rates, reduced risk of babies entering foster care, and improved odds that mothers and their babies will remain together after the mother's period of incarceration;

(j) Use of restrictive housing and restraints on incarcerated pregnant women may be extremely dangerous to the health of mothers, fetuses and infants; and

(k) Nationally, eighty-six percent (86%) of women in prison were victims of sexual assault prior to entering the prison system.

SECTION 3. Definitions. (a) "Restraints" means any physical or mechanical device used to restrict or control the movement of a prisoner's body, limbs, or both.

(b) "Body cavity searches" means invasive searches on inmates, conducted by facility employees in search of contraband.

(c) "Flight risk" means an inmate who has shown the desire to escape the facility.

(d) "Restrictive housing" means any type of detention that involves:

(i) Removal from the general inmate population, whether voluntary or involuntary; and

(ii) Inability to leave a room or cell for the vast majority of the day.

(e) "Postpartum recovery" means the eight-week period, or longer as determined by the healthcare professional responsible for the health and safety of the prisoner.

(f) "Menstrual hygiene products" means products that women use during their menstrual cycle. This includes tampons, sanitary napkins and menstrual cups.

(g) "Indigent" means an inmate who has less than an average of Sixteen Dollars (\$16.00) in her prison account.

(h) "Correctional facility employee" refers to anyone who is employed by the facility or the Department of Corrections.

(i) "State of undress" refers to a state where a female is partially or fully naked, either in the shower, toilet areas, a medical examination room or having a body cavity search conducted.

SECTION 4. Care for incarcerated women related to pregnancy and childbirth. (1) Upon notification and/or diagnosis of an inmate's pregnancy, and for the duration of the pregnancy, and for thirty (30) days following the inmate's delivery, the Department of Corrections and/or a correctional facility employee shall not apply the following restraints on the pregnant inmate unless a correctional facility employee has a reasonable belief that the inmate will harm herself, the fetus, or any other person, or pose a substantial flight risk:

(a) Leg restraints.

(b) Handcuffs or other wrist restraints, except to restrain the inmate's wrists in front of her.

(c) No restraints connected to other inmates.

(2) No restraints shall be used on any pregnant inmate while in labor or during delivery unless a correctional facility employee has a reasonable belief that the inmate will harm herself, the fetus, or any other person, or pose a substantial flight risk. In such case, the correctional facility employee ordering use of restraints on any female inmate while in labor or during delivery shall submit a written report to the warden of the facility within seventy-two (72) hours following the use of restraints, containing the justification for restraining the female inmate during labor and delivery.

(3) No facility employee of the Department of Corrections, other than a certified healthcare professional, shall conduct invasive body cavity searches of pregnant inmates unless the correctional facility employee has a reasonable belief that the female inmate is concealing contraband. In such case, the correctional facility employee shall submit a written report to the warden of the facility within seventy-two (72) hours following the invasive search, containing the justification for the invasive search and what contraband, if any was recovered.

(4) The Department of Corrections shall ensure that pregnant inmates be provided sufficient food and dietary supplements as ordered by a physician, physician staff member, or a facility nutritionist to meet general accepted prenatal nutritional guidelines for pregnant women.

(5) The Department of Corrections shall not place any pregnant inmate, or any female inmate who has given birth within the previous thirty (30) days, in restrictive housing unless a correctional facility employee has a reasonable belief that the inmate will harm herself, the fetus or any other person, or pose a substantial flight risk. In such case, the correctional facility employee authorizing the placement of the inmate in restrictive housing shall submit a written report to the warden of the facility within seventy-two (72) hours following the transfer, containing the justification for confining the female inmate in restrictive housing.

(6) The Department of Corrections shall not assign any pregnant inmate to any bed that is elevated more than three (3) feet from the floor of the facility.

(7) The warden of the facility shall compile a monthly summary of all written reports received pursuant to Section (4) subsections (2), (3) and (5) of this act and under Section 5 (1) of this act. The warden shall submit the summary to the Commissioner of the Department of Corrections each month.

SECTION 5. Inmate postpartum recovery. (1) No restraints shall be used on any female inmate who has given birth within the last thirty (30) days and is in postpartum recovery, unless the Department of Corrections has a reasonable belief that the female inmate will harm herself, her newborn, or any other person, or pose a substantial flight risk. In such case, the facility employee ordering use of restraints on any inmate while in postpartum recovery shall submit a written report to the warden of the facility within seventy-two (72) hours following the use of restraints, containing the justification for restraining the female inmate during postpartum recovery.

(2) Following the delivery of a newborn, by an inmate, the Department of Corrections shall permit the newborn to remain with the mother for seventy-two (72) hours unless the medical provider has a reasonable belief that remaining with the mother poses a health or safety risk to the newborn.

(3) During that time, the Department of Corrections shall make available the necessary nutritional and hygiene products, including diapers, to care for the newborn.

(4) If the female inmate qualifies as indigent, such products shall be provided without cost to the inmate.

SECTION 6. Family considerations in inmate placement and visitation. (1) To the greatest extent practicable, after accounting for security and capacity factors, the Department of Corrections shall place inmates who are parents of minor children within two hundred fifty (250) miles of their permanent address of record.

(2) The Department of Corrections shall promulgate regulations authorizing visitation of inmates who are parents of minor children with low or minimum security classifications by minor dependents, with the minimum following requirements:

(a) Opportunities for dependent children under the age of eighteen (18) to visit their incarcerated parent at least twice per week unless a correctional facility employee has a reasonable belief that the dependent child:

(i) May be harmed during visitation; or

(ii) Poses a security risk due to a gang affiliation, prior conviction or past violation of facility contraband policy.

(b) Eliminating restrictions on the number of dependent children under the age of eighteen (18) that may be permitted visitation privileges.

(c) Authorizing contact visits for inmates who are parents of minor children.

SECTION 7. Inspections by employees of the Department of Corrections. (1) To the greatest extent practicable, and consistent with safety and order, the Commissioner of the Department of Corrections shall issue regulations that limit inspections by male correctional officers where a female inmate is in a state of undress.

Nothing in this section shall limit the ability of a male correctional officer from conducting inspections where a female may be in a state of undress if no female correctional officers are available.

(2) In such case that a male correctional officer deems it is appropriate to conduct an inspection or search while the female inmate is in a clear state of undress in an area such as the shower, the medical examination room, toilet areas or where a female inmate is having a body cavity search, the male correctional officer shall submit a written report to the warden of the facility within seventy-two (72) hours following the inspection or search, containing the justification for a male correctional officer to inspect the female inmate while in a state of undress.

SECTION 8. Access to feminine hygiene products. The Department of Corrections shall ensure that sufficient personal hygiene products are available at each facility for all incarcerated women.

SECTION 9. Training and technical assistance. (1) The Department of Corrections shall develop and provide to all correctional facility employees and correctional officers who have contact with pregnant inmates training related to the physical and mental health of pregnant inmates and fetuses, including the following:

- (a) General care of pregnant women;
 - (b) The impact of restraints on pregnant inmates and fetuses;
 - (c) The impact of being placed in restrictive housing on pregnant inmates;
- and
- (d) The impact of invasive searches on pregnant inmates.

(2) The Department of Corrections shall develop and provide educational programming for pregnant inmates related to:

- (a) Prenatal care;
- (b) Pregnancy-specific hygiene;
- (c) Parenting skills;
- (d) The impact of alcohol and drugs on the fetus; and
- (e) General health of child.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "DIGNITY FOR INCARCERATED WOMEN ACT"; TO DEFINE CERTAIN TERMS AS USED UNDER THE ACT; TO PROVIDE THAT WHEN AN INCARCERATED INMATE IS GIVING BIRTH, THE USE OF RESTRAINTS SHALL BE LIMITED; TO REQUIRE CERTAIN CARE AND TREATMENT FOR WOMEN

RELATED TO PREGNANCY AND CHILDBIRTH; TO REQUIRE CERTAIN CARE DURING INMATE POSTPARTUM RECOVERY; TO URGE THE DEPARTMENT OF CORRECTIONS TO PLACE MOTHERS WHO ARE PARENTS OF A MINOR CHILD WITHIN A CERTAIN DISTANCE FROM THE MOTHER'S PERMANENT ADDRESS; TO PROVIDE CERTAIN STANDARDS WHERE A FEMALE IS IN THE STATE OF UNDRESS; TO PROVIDE THAT INCARCERATED WOMEN SHALL HAVE ACCESS TO FEMININE HYGIENE PRODUCTS AND TO PROVIDE SUCH PRODUCTS AT NO COST IF AN INMATE IS DETERMINED TO BE INDIGENT; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO DEVELOP AND PROVIDE TO ITS CORRECTION STAFF TRAINING RELATED TO THE PHYSICAL AND MENTAL HEALTH OF PREGNANT INMATES IF SUCH STAFF HAVE CONTACT WITH PREGNANT INMATES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Nick Bain

Lataisha Jackson

Sonya Williams-Barnes

CONFEREES FOR THE SENATE

Juan Barnett

David Parker

Lydia Graves Chassaniol

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 196** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator DeBar called up the following entitled nomination:

S. N. No. 69: Donald Everett (Don) Hinton, Jr., Hattiesburg, Mississippi, Mississippi Charter School Authorizer Board to represent the Second Supreme Court District, unexpired balance of the three year term ending August 31, 2023.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 69 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator DeBar moved that the rules be suspended for the consideration en bloc of S. N. No. 71 and S. N. No. 72 and the motion prevailed.

Senator DeBar called up the following entitled nominations:

S. N. No. 71: Jean Cook, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning immediately and ending August 31, 2021.

S. N. No. 72: Jean Cook, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning September 1, 2021 and ending August 31, 2024.

YEAS AND NAYS on consideration en bloc of S. N. No. 71 and S. N. No. 72. On motion of Senator DeBar, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator DeBar called up the following entitled nomination:

S. N. No. 70: Mark Charles Baker, Sr., Brandon, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired balance of the three year term ending August 31, 2023.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 70 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McDaniel called up the following entitled nomination:

S. N. No. 13: Christopher Glenn (Chris) Wells, P.E., Pearl, Mississippi, Mississippi Department of Environmental Quality as the Executive Director, term effective October 20, 2020 and the appointee shall serve at the pleasure of the Governor.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 13 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McDaniel called up the following entitled nomination:

S. N. No. 36: Chatham Hurst (Chat) Phillips, II, Yazoo City, Mississippi, Mississippi Commission on Environmental Quality to represent the state at large, seven year term effective immediately and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 36 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Moran called up the following entitled nomination:

S. N. No. 59: Cammack A. (Cam) Roberds, Sr., Ocean Springs, Mississippi, Mississippi Advisory Commission on Marine Resources as the Recreational Sports Fisherman representative, term effective immediately and ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 59 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Blackwell entered a motion to reconsider the vote whereby H. B. No. 1335, H. B. No. 1418, H. B. No. 1434, H. B. No. 1438, H. B. No. 1481, H. B. No. 1482, H. B. No. 1483, H. B. No. 1487, H. B. No. 1490, H. B. No. 1491, H. B. No. 1493, H. B. No. 1495, H. B. No. 1509, H. B. No. 1529, H. B. No. 1497, H. B. No. 1498,

H. B. No. 1499, H. B. No. 1500, H. B. No. 1466, H. B. No. 1437, H. B. No. 1436, H. B. No. 1433 and H. B. No. 1465 passed the Senate.

H. B. No. 1335: Lincoln County; include food sold at county's civic center as retail merchandise when processing electronic payments for such merchandise.

H. B. No. 1418: Oakland/Yalobusha Natural Gas District; authorize expansion of natural gas distribution system.

H. B. No. 1434: Tallahatchie County; authorize contributions to Mid-State Opportunity, Inc.

H. B. No. 1438: City of Petal; authorize a tax on hotels, motels, bars and restaurants to promote tourism, parks and recreation.

H. B. No. 1481: Town of Shannon; authorize expansion of its gas distribution system.

H. B. No. 1482: City of Indianola; extend repeal date on tourism commission and hotel, motel and restaurant tax.

H. B. No. 1483: City of Senatobia; extend repeal date on hotel/motel tourism tax.

H. B. No. 1487: City of Vicksburg; authorize to execute certain agreement to make contributions to Vicksburg Warren Economic Development Foundation.

H. B. No. 1490: Coahoma County; authorize contributions to Tri-County Workforce Alliance.

H. B. No. 1491: Coahoma County; authorize contributions to the Family and Youth Opportunities, Inc.

H. B. No. 1493: Jackson County; revise duties of civil service commission for sheriff's department relating to certain personnel matters.

H. B. No. 1495: Tallahatchie County; authorize leasing of certain water well to City of Charleston.

H. B. No. 1509: Hancock County; extend the date of repeal on the Hancock County Tourism Development Bureau and hotel/motel tax.

H. B. No. 1529: Town of Como; extend repealer on authority to impose tourism tax on hotels, motels and restaurants.

H. B. No. 1497: Jackson County; direct contributions to Management and Operations for the Mary C. O'Keefe Cultural Center of Arts and Education.

H. B. No. 1498: Holmes County; authorize contributions to P.E.A.R.L.S. Mentoring for Girls, Inc.

H. B. No. 1499: Holmes County; authorize contributions to Fannie Lou Hamer Cancer Foundation.

H. B. No. 1500: Holmes County; authorize transfer of funds/property from defunct county economic development authority to county economic development district.

H. B. No. 1466: Oxford Municipal Reserve and Trust Fund; make technical correction concerning certain internal reference within.

H. B. No. 1437: Town of Byhalia; authorize transfer of certain funds for infrastructure improvements.

H. B. No. 1436: Caledonia Natural Gas District; authorize to enter into agreement with Mississippi Development Bank.

H. B. No. 1433: Yalobusha County; authorize to loan funds to Oakland Yalobusha Natural Gas District to help pay off certain district debt.

H. B. No. 1465: Town of Mize; authorize a tax on restaurants to promote tourism, parks and recreation.

Senator Blackwell entered a motion to reconsider the vote whereby **H. B. No. 1502**, **H. B. No. 1494** and **H. B. No. 1504** passed the Senate as amended.

H. B. No. 1502: MS Coast Transportation Authority; authorize to bear the full cost of processing electronic payments.

H. B. No. 1494: Walnut Grove; authorize Walnut Grove Correctional Authority to contract with the state to operate correctional facility.

H. B. No. 1504: City of Forest; authorize a tax on hotels/motels and restaurants to promote tourism, parks and recreation.

Senator Sparks entered a motion to reconsider the vote whereby **S. B. No. 3091** passed the Senate.

S. B. No. 3091: Lee County; authorize 3/4% sales tax and bond issuance for a specific project by county board.

Senator McMahan entered a motion to reconsider the vote whereby **H. B. No. 1350** and **H. B. No. 1453** passed the Senate.

H. B. No. 1350: City of Ripley; extend repeal date on hotel/motel and restaurant tax.

H. B. No. 1453: City of Booneville; extend date of repeal on city's hotel, motel and restaurant tax.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ms. Jo Ward Haynes of Brandon, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Donald Scott Carley of Columbus, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Friday, March 26, 2021.

The motion prevailed, and at 10:34 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 73: Brig. Gen. George Edward Irvin, Sr., Jackson, Mississippi, State Veterans Affairs Board to represent the Second Congressional District, unexpired portion of a five year term beginning immediately and ending May 31, 2025. Do Advise and Consent.

SEYMOUR, Chairman

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

H. B. No. 108: Wireless Communication Commission; remove ITS control over.

Representatives Bounds, Mims, Beckett

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person.

Senators Seymour, DeBar, Chassaniol.

MESSAGE FROM THE GOVERNOR
March 25, 2021

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Charles William (Bill) Cook, Jr., Oxford, Mississippi, Information Technology Services Authority, term effective immediately for the unexpired balance of a five year term ending June 30, 2022, vice Alan Lange.

Michael Scott Parker, Raymond, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, term effective immediately for the unexpired balance of a four year term ending June 30, 2024.

Tate Reeves
GOVERNOR

The executive nominations in the foregoing message were referred to committees as follows:

Charles William (Bill) Cook, Jr., Information Technology Services Authority, term effective immediately for the unexpired balance of a five year term ending June 30, 2022, Accountability, Efficiency, Transparency.

Michael Scott Parker, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, term effective immediately for the unexpired balance of a four year term ending June 30, 2024, Public Health and Welfare.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person.

Representatives Carpenter, Goodin, Huddleston

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 77: John Scott Coopwood, Cleveland, Mississippi, Commission on Wildlife, Fisheries and Parks, five year term effective immediately and ending June 30, 2025, representing the Second Congressional District as it existed in 1991. Do Advise and Consent.

WHALEY, Chairman

REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 75: Russell (Russ) Latino, III, Madison, Mississippi, Mississippi Authority for Educational Television to represent the state at large, unexpired portion of a four year term beginning immediately and ending June 30, 2024. Do Advise and Consent.

S. N. No. 83: Carolyn Renee Grice Willis, Carrollton, Mississippi, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, 2023. Do Advise and Consent.

DEBAR, Chairman

REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 79: Russell Hanna, Louisville, Mississippi, Appeals Board of the Mississippi Transportation Commission, term beginning immediately upon confirmation by the Senate and ending June 30, 2023. Do Advise and Consent.

BRANNING, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1480: AN ACT TO AMEND CHAPTER 947, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 950, LOCAL AND PRIVATE LAWS OF 2012, AS AMENDED BY CHAPTER 920, LOCAL AND PRIVATE LAWS OF 2013, TO EXPAND THE BOUNDARIES OF THE MARSHALL UTILITY SERVICES SEWER DISTRICT; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 330: Uninsured motorist coverage law; revise to prohibit insurance policy from paying certain losses if another insurance policy must pay for such.
Senators Polk, Branning, Turner-Ford.

H. B. No. 359: Municipally-owned utilities; may use accounting system accommodation for uncollectible customer indebtedness.
Senators Polk, Blount, Thompson.

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1312: State Board of Cosmetology; extend repealer on.
Senators Bryan, Wiggins, Parks.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Ms. Jo Ward Haynes and Donald Scott Carley.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR THURSDAY, MARCH 25, 2021

S. C. R. No. 539: Rules

A CONCURRENT RESOLUTION URGING THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO PROTECT AMERICAN CONSUMERS WITH RESPONSIBLE KRATOM REGULATION.

By Senator(s) McDaniel, Sojourner

EIGHTY-FIRST DAY, FRIDAY, MARCH 26, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Absent--Barnett, Fillingane, Sojourner. Total--3.

The Secretary announced a quorum present.

Leave of absence was granted to Senator Barnett.

The invocation was delivered by Senator Parker.

Senator Jordan led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator McMahan called up the following entitled bill:

H. B. No. 1479: City of McComb; extend date of repeal on hotel/motel tourism tax.

YEAS AND NAYS On H. B. No. 1479. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Voting Present--Hill. Total--1.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1494** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1494: Walnut Grove; authorize Walnut Grove Correctional Authority to contract with the state to operate correctional facility.

The foregoing motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **S. B. No. 3091** passed the Senate and moved that the motion to reconsider be tabled:

S. B. No. 3091: Lee County; authorize 3/4% sales tax and bond issuance for a specific project by county board.

The foregoing motion prevailed.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 87** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 87: MDHS fraud investigators; provide they shall be law enforcement officers.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-1-23, Mississippi Code of 1972, is amended as follows:

43-1-23. (1) There is created within the State Department of Human Services a separate administrative unit to be known as the "Fraud Investigation Unit." The Fraud Investigation Unit shall be headed by a director appointed by the Executive Director of the department. The Director of the Fraud Investigation Unit, and each investigator within the unit shall be a * * * law enforcement officer, part-time law enforcement officer, or law enforcement trainee as defined in Section 45-6-3(c) through (e), Mississippi Code of 1972, and knowledgeable in the programs administered by the department. The Fraud Investigation Unit shall be responsible for:

(a) Conducting investigations for the purpose of aiding the department in the prevention of, detection of and verification of the perpetration of fraud or abuse of any program by any client, any vendor of services with whom the department has contracted, with any nonfederal entity in which the department has entered into an agreement with, or any employee of the department, and for the aiding of the department in the recoupment of any funds owed to the department as a result of fraud or abuse;

(b) The notification and forwarding of any information relevant to possible criminal violations to the appropriate prosecuting authority and assisting in the prosecution of any case referred to a prosecutor, if requested; and

(c) Such other duties as prescribed in regulations of the department, which shall include, but not be limited to, reporting any suspected criminal violations discovered in the course of an investigation by the Fraud Investigation Unit involving statutes not within the programmatic purview of the Department of Human Services such as human trafficking, domestic violence, child abuse or other crimes against persons to the Director of the Mississippi Bureau of Investigation. Additionally, investigators of the Fraud Investigation Unit shall cooperate in any investigation arising from a report to the Mississippi Bureau of Investigation and in any task force which currently exists or which may be created in the future by the Mississippi Bureau of Investigation.

(2) The Fraud Investigation Unit is authorized to employ such other investigative, technical, secretarial and support staff as may be necessary.

(3) The Fraud Investigation Unit shall not have state-wide police power except as otherwise provided herein or in the event the unit is granted and accepts additional authority as a contract agent of the Mississippi Bureau of Investigation pursuant to Section 45-1-6, Mississippi Code of 1972. In order to carry out the responsibilities of the Fraud Investigation Unit, the investigators may request and receive assistance from all state and local agencies, boards, commissions, and bureaus, including, without limitation, the * * * Department of Revenue, the Department of Public Safety, and all public and private agencies maintaining data banks, criminal or other records that would enable the investigators to make verification of fraud or abuse in violation of state or federal statutes. All records and information shall be confidential and shall be available only to the Fraud Investigation Unit, district or county attorneys, the Attorney General, and courts having jurisdiction in criminal proceedings.

(4) The department is authorized to enter into contracts with other agencies administering aid or benefits or services under any state or federally funded assistance program which need the assistance of the department's Fraud Investigation Unit.

(5) To accomplish the objectives and to carry out the duties prescribed in this section, the executive director, or his designee, in addition to the powers conferred by this

section, may issue subpoenas with the approval of, and returnable to, a judge of the circuit, county or chancery court, in termtime or in vacation, to examine the records, documents or other evidence of persons, firms, corporations or any other entities insofar as such records, documents or other evidence relate to dealings material to an investigation.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-1-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE DIRECTOR AND INVESTIGATORS OF THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES FRAUD INVESTIGATION UNIT HAVE LAW ENFORCEMENT AUTHORITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
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Nick Bain	Brice Wiggins
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Noah Sanford	Jason Barrett
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Tom Miles	Dean Kirby
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 87** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Voting Present--Horn, Turner-Ford. Total--2.

Senator Bryan offered the following report of the Conference Committee on **H. B. No. 95** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 95: Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-17-11, Mississippi Code of 1972, is amended as follows:

73-17-11. (1) From and after July 1, 2011, in order to be eligible to be licensed as a nursing home administrator, an individual must submit evidence satisfactory to the board that he or she:

- (a) Is at least twenty-one (21) years of age;
- (b) Is of good moral character, including evidence of a criminal background check within the last six (6) months, under Section 43-11-13 and Section G.407.3 of the Minimum Standards for Institutions for the Aged or Infirm;
- (c) Is in good health;
- (d) Has satisfied at least one (1) of the following requirements for education and experience:
 - (i) Has sixty-four (64) hours of college work from an accredited institution and has worked in a supervisory capacity in a Mississippi-licensed nursing home for a minimum of two (2) years immediately before making application for the Administrator-in-Training Program established by board rule;
 - (ii) Has an associate degree from an accredited institution and has worked in a supervisory capacity in a Mississippi-licensed nursing home for a minimum of two (2) years immediately before making application for the Administrator-in-Training Program established by board rule;
 - (iii) Has a bachelor's degree in any other field of study from an accredited institution before making application for the Administrator-in-Training Program established by board rule; or
 - (iv) Has a bachelor's degree in health care administration or a health care related field or business from an accredited institution before making application for the Administrator-in-Training Program established by board rule;
- (e) Has (i) completed a nursing home Administrator-in-Training Program and successfully completed the National Association of Long-Term Care Administrator Board (NAB) examination, or (ii) completed an Administrator-in-Training Program in Long-Term Care Administration from an academic institution during which time the institution held National Association of Long-Term Care Administrator Board (NAB) Program Approval through the academic approval process, to the satisfaction of the board;
- (f) Has successfully passed the National Association of Long-Term Care Administrator Board (NAB) examination and the Mississippi State Board of Nursing Home Administrators examination to test his or her proficiency and basic knowledge in the area

of nursing home administration. The board may establish the frequency of the offering of those examinations and the contents thereof; and

(g) Has met all of the requirements established by federal law.

(2) The board is authorized to conduct a criminal history records check on applicants for licensure. In order to determine the applicant's suitability for licensing, the applicant shall be fingerprinted. The board shall submit the fingerprints to the Department of Public Safety for a check of the state criminal records and forward to the Federal Bureau of Investigation for a check of the national criminal records. The Department of Public Safety shall disseminate the results of the state check and the national check to the board for a suitability determination. The applicant shall not be charged any of the costs of requesting and obtaining the state and national criminal history records information on the applicant.

(** *3) Reciprocity shall be extended to individuals holding licenses as nursing home administrators in other states, upon proper application and a finding on the part of the board that:

(a) The applicant possesses the basic qualifications listed in this chapter and in the rules and regulations adopted under federal law;

(b) The applicant has met all of the requirements established by federal law; and

(c) The standards for licensure in the other states are at least the substantial equivalent of those in this state, including education and experience, and the applicant has passed both the National Association of Long-Term Care Administrator Board (NAB) and the state exams.

The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

(** *4) The board may prescribe appropriate fees for the taking of those examinations and for the issuance of licenses. Those fees shall be not more than the cost of the examinations and ** * Five Hundred Fifty Dollars (\$550.00) for the issuance of a license. However, the fee for an initial license may be prorated in proportion to the period of time from the date of issuance and the date of biennial license renewal prescribed in subsection (** *5). All licenses issued under this chapter shall be for a maximum period of two (2) years.

(** *5) Except as provided in Section 33-1-39, the board may renew licenses biennially upon the payment of a fee to be established by the board, which shall be not more than ** * Five Hundred Fifty Dollars (\$550.00), plus any administrative costs for late payment.

(** *6) Any person who is not licensed under this chapter on July 1, 2011, who makes application with the board on or before June 30, 2012, may qualify for a license under this chapter provided that on or before January 31, 2014, he or she demonstrates to the satisfaction of the board that he or she (a) meets the eligibility requirements for a nursing home administrator's license prescribed in this section as those requirements existed on June 30, 2011; (b) has successfully completed the Administrator-in-Training Program requirements existing on June 30, 2011; and (c) has paid all required fees for licensure.

(** *7) Current licensure by the Department of Mental Health under Section 41-4-7(r) as a mental health/intellectual disability program administrator shall exempt the licensee from the requirement of licensure as a nursing home administrator if the licensee is employed in the state mental health system as Administrator of Intermediate Care

Facility or Facilities for Persons with Intellectual Disabilities (ICF/ID) no larger than sixteen (16) beds.

(**8) *** Any member of the Legislature who serves on the Public Health and/or Medicaid Committee who is a licensed nursing home administrator shall be exempt from continuing education requirements for license renewal.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-17-11, MISSISSIPPI CODE OF 1972, TO INCREASE MAXIMUM AMOUNT OF THE FEE THAT THE STATE BOARD OF NURSING HOME ADMINISTRATORS MAY CHARGE FOR INITIAL LICENSES AND BIENNIAL RENEWAL OF LICENSES; TO DELETE THE DATE OF THE REPEALER ON THE LICENSURE REQUIREMENTS FOR NURSING HOME ADMINISTRATORS; TO AUTHORIZE THE STATE BOARD OF NURSING HOME ADMINISTRATORS TO CONDUCT CRIMINAL HISTORY RECORD CHECKS ON APPLICANTS FOR LICENSURE; TO EXEMPT FROM CONTINUING EDUCATION REQUIREMENTS FOR LICENSE RENEWAL MEMBERS OF THE LEGISLATURE WHO SERVE ON THE PUBLIC HEALTH AND/OR MEDICAID COMMITTEE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Sam C. Mims, V

Missy McGee

Becky Currie

CONFEREES FOR THE SENATE

Hob Bryan

Rita Potts Parks

Hillman Terome Frazier

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 95** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Voting Present--Hill, Seymour. Total--2.

Senator Branning offered the following report of the Conference Committee on **H. B. No. 424** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 424: Memorial highway; designate segment of MS Highway 44 in Marion County as the "T.L. Wallace Memorial Highway."

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The segment of Mississippi Highway 44 located in Marion County, Mississippi, beginning at its intersection with Mississippi Highway 13 and extending westerly to the Pearl River Bridge is designated and shall be known as the "T.L. Wallace Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 2. (1) The segment of Mississippi Highway 603 located in Hancock County, Mississippi, beginning at its intersection with Mississippi Highway 43 and extending northerly to its intersection with Rocky-Hill Dedeaux Road is designated and shall be known as the "Lieutenant Deputy Michael Anthony Boutte, Sr., Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 3. (1) The segment of Mississippi Highway 63 located in Jackson County, Mississippi, beginning at a point one-half (1/2) mile south of its intersection with Polktown Road and extending northerly to a point one-half (1/2) mile north of its intersection with Polktown Road is designated and shall be known as the "Deputy U.S. Marshal Josie Lamar Wells Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 4. (1) The bridge on Mississippi Highway 609 located in Jackson County, Mississippi, known as the Old Fort Bayou Bridge, is designated and shall be known as the "Mark M. Seymour, Sr., Memorial Bridge."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the bridge described in subsection (1) of this section.

SECTION 5. (1) The segment of Mississippi Highway 35 located in Smith County, Mississippi, beginning fifteen hundredths (.15) of a mile north of its intersection with Cottonwood Drive and extending southerly to a point one-half (1/2) mile south of its intersection with Cottonwood Drive, is designated and shall be known as the "Senator Billy H. Thames Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DESIGNATE A SEGMENT OF HIGHWAY 44 LOCATED IN MARION COUNTY, MISSISSIPPI, AS THE "T.L. WALLACE MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 603 LOCATED IN HANCOCK COUNTY, MISSISSIPPI, AS THE "LIEUTENANT DEPUTY MICHAEL ANTHONY BOUTTE, SR., MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 63 LOCATED IN JACKSON COUNTY, MISSISSIPPI, AS THE "DEPUTY U.S. MARSHAL JOSIE LAMAR WELLS MEMORIAL HIGHWAY"; TO DESIGNATE A BRIDGE ON MISSISSIPPI HIGHWAY 609 IN JACKSON COUNTY, MISSISSIPPI, AS THE "MARK M. SEYMOUR, SR., MEMORIAL BRIDGE"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 35 IN SMITH COUNTY, MISSISSIPPI, AS THE "SENATOR BILLY H. THAMES MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Charles Busby

William Tracy Arnold

Ronnie C. Crudup

CONFEREES FOR THE SENATE

Jenifer B. Branning

Neil S. Whaley

Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 424** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Seymour. Total--1.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 550** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 550: Intermediate driver's license; delete all references to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-33-43, Mississippi Code of 1972, is amended as follows:

45-33-43. At the time a person surrenders a driver's license from another jurisdiction or makes an application for a driver's license, temporary driving permit, * * * commercial driver's license or identification card issued under Section 45-35-3, the department shall provide the applicant with written information on the registration requirements of this chapter and shall require written acknowledgment by the applicant of receipt of the notification.

SECTION 2. Section 63-1-5, Mississippi Code of 1972, is amended as follows:

63-1-5. (1) (a) No person shall drive or operate a motor vehicle or an autocycle as defined in Section 63-3-103 upon the highways of the State of Mississippi without first securing an operator's license to drive on the highways of the state, unless specifically exempted by Section 63-1-7.

(b) The types of operator's licenses are:

(i) Class R;

(ii) Class D;

(iii) Class A, B or C commercial license governed by Article 5 of this chapter; and

* * *

(* * *iv) Interlock-restricted license as prescribed in Section 63-11-31.

(2) (a) Every person who makes application for an original license or a renewal license to operate any single vehicle with a gross weight rating of less than twenty-six thousand one (26,001) pounds or any vehicle towing a vehicle with a gross vehicle weight rating not in excess of ten thousand (10,000) pounds other than vehicles included in Class C, vehicles which require a special endorsement, or to operate a vehicle as a common carrier by motor vehicle, taxicab, passenger coach, dray, contract carrier or private commercial carrier as defined in Section 27-19-3, other than those vehicles for which a

Class A, B or C license is required under Article 5 of this chapter, may, in lieu of the Class R regular driver's license, apply for and obtain a Class D driver's license. The fee for the issuance of a Class D driver's license shall be as set forth in Section 63-1-43 and the Class D license shall be valid for the term prescribed in Section 63-1-47. Except as required under Article 5 of this chapter, no driver of a pickup truck shall be required to have a Class D or a commercial license regardless of the purpose for which the pickup truck is used.

(b) Persons operating vehicles listed in paragraph (a) of this subsection for private purposes or in emergencies need not obtain a Class D license.

(3) An interlock-restricted license allows a person to drive only a motor vehicle equipped with an ignition-interlock device.

(4) A person who violates this section is guilty of a misdemeanor and, upon conviction, may be punished by imprisonment for not less than two (2) days nor more than six (6) months, by a fine of not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00), or both.

SECTION 3. Section 63-1-9, Mississippi Code of 1972, is amended as follows:

63-1-9. (1) No driver's license * * * or regular learner's permit shall be issued pursuant to this article:

(a) To any person under the age of eighteen (18) years except as provided in this article.

(b) To any person whose license to operate a motor vehicle on the highways of Mississippi has been previously revoked or suspended by this state or any other state or territory of the United States or the District of Columbia, if the revocation or suspension period has not expired.

(c) To any person who is an habitual drunkard or who is addicted to the use of other narcotic drugs.

(d) To any person who would not be able by reason of physical or mental disability to operate a motor vehicle on the highways with safety. However, persons who have one (1) arm or leg, or have arms or legs deformed, and are driving a car provided with mechanical devices whereby the person is able to drive in a safe manner over the highways, if otherwise qualified, shall receive an operator's license the same as other persons. Moreover, deafness shall not be a bar to obtaining a license.

(e) To any person as an operator who has previously been adjudged to be afflicted with and suffering from any mental disability and who has not at time of application been restored to mental competency.

(f) To any unmarried person under the age of eighteen (18) years who does not at the time of application present a diploma or other certificate of high school graduation or a general educational development certificate issued to the person in this state or any other state; or on whose behalf documentation has not been received by the Department of Public Safety from that person or a school official verifying that the person:

(i) Is enrolled and making satisfactory progress in a course leading to a general educational development certificate;

(ii) Is enrolled in school in this state or any other state;

(iii) Is enrolled in a "nonpublic school," as such term is defined in Section 37-13-91(2)(i); or

(iv) Is unable to attend any school program due to circumstances deemed acceptable as set out in Section 63-1-10.

(g) To any person under the age of eighteen (18) years who has been convicted under Section 63-11-30.

(2) All permits and licenses issued on or before July 31, 2009, shall be valid according to the terms upon which issued. From and after August 1, 2009:

(a) A regular learner's permit may be issued to any person who is at least fifteen (15) years of age who otherwise meets the requirements of this article.

* * *

(* * *b) A driver's license may be issued to any person who is at least * * * sixteen (16) years of age who otherwise meets the requirements of this article and who has held * * * a regular learner's permit for at least one (1) year without any conviction under Section 63-11-30 or of a moving violation. Any conviction under Section 63-11-30 or of a moving violation shall restart the * * * one-year requirement for the holding of * * * a regular learner's permit before an applicant can qualify for a driver's license. * * *

(* * *c) An applicant for a Mississippi driver's license who, at the time of application, is at least * * * sixteen (16) years of age and who has held a valid motor vehicle driver's license issued by another state for at least six (6) months shall not be required to hold a regular learner's permit * * * before being issued a driver's license.

(3) The commissioner shall ensure that the regular learner's permit * * * and driver's license issued under this article are clear, distinct and easily distinguishable from one another.

SECTION 4. Section 63-1-10.1, Mississippi Code of 1972, is amended as follows:

63-1-10.1. A school superintendent or designee shall report to the Department of Education on a schedule determined by the State Board of Education when a student under eighteen (18) years of age who has been issued a driver's license * * * or temporary learning permit has been coded as a "drop out" as defined by the State Board of Education. The Department of Education will provide notification to the Department of Public Safety of those students under eighteen (18) years of age who have obtained a driver's license * * * or temporary learning permit and have been coded by the local school district as a "drop out" upon verification that prior written parental consent for the release of educational records has been obtained in compliance with the Family Educational Rights and Privacy Act of 1972, as amended, 20 USCS Section 1232.

SECTION 5. Section 63-1-21, Mississippi Code of 1972, is amended as follows:

63-1-21. (1) To obtain a new or original Class R or Class D * * * license, every applicant other than a person holding a valid out-of-state license shall first obtain a regular learner's permit, successfully complete the examination provided for in Section 63-1-33, and pay the regular learner's permit fee and examination fee prescribed in Section 63-1-43.

(2) A regular learner's permit entitles the holder, if the permit is in his immediate possession, to drive a motor vehicle other than a motorcycle on the highways of the State of Mississippi only when accompanied by a licensed operator who is at least twenty-one (21) years of age and who is actually occupying the seat beside the driver. A regular learner's permit may be issued to any applicant who is at least fifteen (15) years of age and shall be valid for a period of two (2) years from the date of issue.

(3) * * * A regular license holder under the age of eighteen (18) shall be allowed unsupervised driving from 6:00 a.m. to 10:00 p.m. Sunday through Thursday and 6:00 a.m. to 11:30 p.m. Friday and Saturday, and * * * shall be allowed unsupervised driving any time for a person traveling directly to or from work or other educational or extracurricular activity. At all other times * * * for the first six (6) months as a regular license holder, the regular license holder under the age of eighteen (18) must be supervised by a parent, guardian or other person aged twenty-one (21) years or older who holds a valid driver's license under this article and who is actually occupying the seat beside the driver.

* * *

SECTION 6. Section 63-1-23, Mississippi Code of 1972, is amended as follows:

63-1-23. The application of any person under the age of seventeen (17) years for a temporary driving permit * * * or license issued pursuant to this article shall be signed and verified before a person authorized to administer oaths by both the father and mother of the applicant, if both are living and have custody of him, or in the event neither parent is living then by the person or guardian having such custody or by an employer of him, or in the event there is no guardian or employer then by any other responsible person who is willing to assume the obligation imposed under Section 63-1-25 upon a person signing the application of a minor.

SECTION 7. Section 63-1-35, Mississippi Code of 1972, is amended as follows:

63-1-35. (1) The Commissioner of Public Safety shall prescribe the form of license issued pursuant to this article which shall, among other features, include a driver's license number assigned by the Department of Public Safety. A licensee shall list his social security number with the department which shall cross reference the social security number with the driver's license number for purposes of identification. Additionally, each license shall bear a full-face color photograph of the licensee in such form that the license and the photograph cannot be separated. The photograph shall be taken so that one (1) exposure will photograph the applicant and the application simultaneously on the same film. The department shall use a process in the issuance of a license with a color photograph that shall prevent as nearly as possible any alteration, counterfeiting, duplication, reproduction, forging or modification of the license or the superimposition of a photograph without ready detection. The photograph shall be replaced by the department at the time of renewal. Drivers' licenses, including photographs appearing thereon, may be renewed by electronic means according to rules and regulations promulgated by the commissioner in conformity to Section 27-104-33.

(2) The commissioner shall prescribe the form of license issued pursuant to this article to licensees who are not United States citizens and who do not possess a social security number issued by the United States government. The license of such persons shall include a number and/or other identifying features.

(3) Any new, renewal or duplicate driver's license, temporary driving permit * * * or commercial driver's license issued to a person required to register as a sex offender pursuant to Section 45-33-25 shall bear a designation identifying the licensee or permittee as a sex offender.

(4) The commissioner is authorized to provide the new, renewal or duplicate driver's license, temporary driving permit * * * or commercial driver's license to any honorably discharged veteran as defined in Title 38 of the United States Code, and such license or permit shall exhibit the letters "Vet" or any other mark identifying the person as a veteran. The veteran requesting the "Vet" designation shall present his DD-214 or equivalent document that includes a notation from the State Veterans Affairs Board that the applicant is a veteran.

(5) Not later than July 1, 2021, the commissioner shall develop and implement a driver's license or driving permit in electronic format as an additional option for license or permit holders. Acceptable electronic formats include display of electronic images on a cellular phone or any other type of electronic device.

SECTION 8. Section 63-1-43, Mississippi Code of 1972, is amended as follows:

63-1-43. (1) The commissioner shall charge and collect the following fees:

(a) Fees to which the card stock fee authorized in Section 45-1-21 shall be added:

Class R original or renewal four-year license
authorized in Section 63-1-5 \$18.00

Class R original or renewal eight-year license
authorized in Section 63-1-5 \$36.00

Class D original or renewal four-year license
authorized in Section 63-1-47 \$23.00

Class D original or renewal eight-year license
authorized in Section 63-1-47 \$46.00

Four-year Identification Card authorized in
Section 45-35-7 \$11.00

Eight-year Identification Card authorized in
Section 45-35-7 \$22.00

Eight-year Identification Card for the blind
authorized in Section 45-35-7 \$11.00

Four-year Disability Identification Card authorized in
Section 45-35-53 \$11.00

Regular Learner's Permit authorized in
Section 63-1-21 \$ 1.00

Duplicate Identification Card or Disability
Identification Card \$ 5.00

* * *

Duplicate Class R or Class D license
authorized in Section 63-1-37 \$ 5.00

Class A, B or C Commercial driver's license

authorized in Section 63-1-208.....\$48.00

CDL Learner's Permit authorized in

Section 63-1-208.....\$10.00

Duplicate CDL or CDL learner's permit.....\$ 5.00

Ignition-Interlock-Restricted License

authorized in Section 63-11-31.....\$50.00

(b) Driver services fees to which the card stock fee authorized in Section 45-1-21 is not added:

Temporary Motorcycle Permit.....\$ 1.00

Four-year or eight-year Motorcycle Endorsement.....\$ 5.00

Late Renewal Fee.....\$ 1.00

Four-year Identification Card upon medical reason for

surrender of a driver's license as authorized in

Section 45-35-7 (one (1) time only)..... No fee

Hazardous Materials Background Check (federal).....\$63.00

Hazardous Materials Background Check (state).....\$37.00

CDL Application Fee.....\$25.00

CDL Endorsements:

Tanker Endorsement.....\$ 5.00

Doubles/Triples Endorsement.....\$ 5.00

Passenger Endorsement.....\$ 5.00

Hazardous Materials Endorsement.....\$ 5.00

School Bus Endorsement.....\$ 5.00

(c) In addition to the fees required in this section, an applicant may contribute an additional One Dollar (\$1.00) which shall be deposited into the Statewide Litter Prevention Fund. The applicant shall be informed that he may contribute an additional One Dollar (\$1.00) which shall be deposited into the Statewide Litter Prevention Fund and shall be expended solely for the purpose of funding litter prevention projects or litter education programs, as recommended by the Statewide Litter Prevention Program of Keep Mississippi Beautiful, Inc.

(d) Starting January 1, 2021, for any original or renewal license for which the fee is greater than Ten Dollars (\$10.00), if the applicant brings all required documentation but does not receive his or her license within two and one-half (2-1/2) hours of entering and remaining at the license station, Ten Dollars (\$10.00) shall be deducted from the total amount owed for the license.

(2) All originals and renewals of operators' licenses shall be in compliance with Section 63-1-47.

SECTION 9. Section 63-1-47, Mississippi Code of 1972, is amended as follows:

63-1-47. (1) (a) Except as otherwise provided in this section, each applicant for an original or renewal Class R or Class D license issued pursuant to this article, who is entitled to issuance of same, shall be issued a four-year license or an eight-year license, at the option of the applicant, which will expire at midnight on the licensee's birthday and may be renewed any time within six (6) months before the expiration of the license upon application and payment of the required fee, unless required to be reexamined.

* * *

(* * *b) The term of an ignition-interlock-restricted license issued under this article shall be four (4) years.

(2) Any commercial driver's license issued under Article 5 of this chapter shall be issued for a five-year term to expire at midnight on the licensee's birthday.

(3) (a) All applications by an operator under eighteen (18) years of age must be accompanied by documentation that the applicant is in compliance with the education requirements of Section 63-1-9(1)(g), and the documentation used in establishing compliance must be dated no more than thirty (30) days before the date of application.

(b) All applications by an operator under eighteen (18) years of age, if applicable, must be accompanied by documentation signed and notarized by the parent or guardian of the applicant and the appropriate school official, authorizing the release of the applicant's attendance records to the Department of Public Safety as required under Section 63-1-10.

(c) The commissioner shall suspend the driver's license * * * or regular learner's permit of a student under eighteen (18) years of age who has been reported by the Department of Education as required by Section 63-1-10.1, and shall give notice of the suspension to the licensee as provided in Section 63-1-52(4). A school superintendent or designee may request that the driver's license * * * or regular learner's permit that has been suspended under the provisions of this subsection be reinstated after the student has successfully completed nine (9) weeks of school attendance without an unlawful absence.

(4) (a) Any original or renewal license issued under this chapter to a person who is not a United States citizen shall expire four (4) years from the date of issuance or on the expiration date of the applicant's authorized stay in the United States, whichever is the lesser period of time, and may be renewed, if the person is otherwise qualified to renew the license, within thirty (30) days of expiration. The fee for any such license and for renewal shall be as prescribed in Section 63-1-43.

(b) Any applicant for an original or renewal license under this subsection (4) must present valid documentary evidence documenting that the applicant:

(i) Is a citizen or national of the United States;

(ii) Is an alien lawfully admitted for permanent or temporary residence in the United States;

(iii) Has conditional permanent residence status in the United States;

(iv) Has an approved application for asylum in the United States or has entered into the United States in refugee status;

(v) Has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into or lawful presence in the United States;

(vi) Has a pending application for asylum in the United States;

(vii) Has a pending or approved application for temporary protected status in the United States;

(viii) Has approved deferred-action status;

(ix) Has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States; or

(x) Has a valid employment authorization card issued by the United States Department of Homeland Security.

(5) For any driver's license issued under this chapter, the Department of Public Safety shall send an email and text message notification of an upcoming driver's license expiration date to the known emails and phone numbers authorized by license holders for such notices not less than thirty (30) days before the expiration date of that license.

SECTION 10. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 45-33-43, 63-1-5, 63-1-9, 63-1-10.1, 63-1-23, 63-1-35, 63-1-43 AND 63-1-47, MISSISSIPPI CODE OF 1972, TO DELETE ALL REFERENCES TO AN INTERMEDIATE DRIVER'S LICENSE; TO AMEND SECTION 63-1-21, Mississippi Code of 1972, TO AUTHORIZE A REGULAR LICENSE HOLDER UNDER THE AGE OF 18 TO DRIVE UNSUPERVISED AT ANY TIME DIRECTLY TO OR FROM AN EDUCATIONAL OR EXTRACURRICULAR ACTIVITY; TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Charles Busby

Steve Massengill

Shanda Yates

CONFEREES FOR THE SENATE

Brice Wiggins

Dennis DeBar, Jr.

Derrick T. Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 550** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Branning offered the following report of the Conference Committee on **H. B. No. 887** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 887: Memorial highway; designate a segment of United States Highway 82 in Webster County as "Corporal William Justin Cooper Memorial Highway."

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE

Charles Busby

Vince Mangold

Thomas U. Reynolds

CONFEREES FOR THE SENATE

Jenifer B. Branning

Neil S. Whaley

Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 887** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Bryan offered the following report of the Conference Committee on **H. B. No. 1312** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1312: State Board of Cosmetology; extend repealer on.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-7-1, Mississippi Code of 1972, is reenacted as follows:

73-7-1. There is hereby continued and reconstituted a State Board of Cosmetology, composed of five (5) members to be appointed by the Governor, with the advice and consent of the Senate, and whose term of office shall be four (4) years from the date of appointment except as otherwise provided herein. However, no more than two (2) members shall be appointed from each Supreme Court district.

There shall be a president of the board and such other officers as deemed necessary by the board elected by and from its membership, provided that the member elected as president shall have at least one (1) year of experience on the board. Any member appointed by the Governor and confirmed by the Senate for a term to begin on or after July 1, 1997, who was designated by the Governor to serve as president of the board, shall be fully qualified to serve on the board for a full term of office, but shall not serve as president of the board unless elected by the membership of the board as provided under this paragraph.

To be eligible for appointment as a member of the State Board of Cosmetology, the person applying shall have been a citizen of this state for a minimum of five (5) years immediately prior to appointment. Such person shall be at least thirty (30) years of age, possess a high school education or its equivalent, and shall have been a licensed cosmetologist with not less than ten (10) years' active practice in cosmetology. No member of the board shall be connected in any way with any school wherein cosmetology is taught, nor shall any two (2) members of the board be graduates of the same school of cosmetology.

However, in the event of vacancy by death or resignation of any member of the board, the Governor shall, within thirty (30) days, appoint a person possessing all qualifications required to serve the remainder of the term. Any member who shall not attend two (2) consecutive meetings of the board for reasons other than illness of such member shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when any such member has failed to attend two (2) consecutive regular meetings.

The salaries of all paid employees of the board shall be paid out of funds in the board's special fund in the State Treasury. Each member of the board, excepting the inspectors provided for herein, shall receive per diem as authorized by Section 25-3-69, and shall be reimbursed for such other expenses at the same rate and under the same conditions as other state employees as provided for in Section 25-3-41.

The board shall give reasonable public notice of all board meetings not less than ten (10) days prior to such meetings.

SECTION 2. Section 73-7-2, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-2. As used in this chapter, the following terms shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Board" means the State Board of Cosmetology.

(b) "Cosmetology" means any one (1) or a combination of the following practices if they are performed on a person's head, face, neck, shoulder, arms, hands, legs or feet for cosmetic purposes:

(i) Cutting, clipping or trimming hair and hair pieces.

(ii) Styling, arranging, dressing, curling, waving, permanent waving, straightening, cleansing, bleaching, tinting, coloring or similarly treating hair and hair pieces.

(iii) Cleansing, stimulating, manipulating, beautifying or applying oils, antiseptics, clays, lotions or other preparations, either by hand or by mechanical or electrical apparatus.

(iv) Arching eyebrows, to include tweezing, waxing * * * or any other methods of epilation, or tinting eyebrows and eyelashes.

(v) Removing superfluous hair by the use of depilation.

(vi) Manicuring and pedicuring.

For regulation purposes, the term "cosmetology" does not include a practice limited to makeup artistry alone without being licensed to offer any other cosmetology services through such limited practice.

(c) "Cosmetologist" means a person who for compensation, whether direct or indirect, engages in the practice of cosmetology.

(d) "Esthetics" means any one (1) or a combination of the following practices:

(i) Massaging the face or neck of a person.

(ii) Arching eyebrows to include trimming, tweezing, waxing * * * or any other method of epilation or tinting eyebrows and eyelashes.

(iii) Tinting eyelashes or eyebrows.

(iv) Waxing, stimulating * * * or cleaning * * * the face, neck, arms or legs of a person by any method with the aid of the hands or any mechanical or electrical apparatus, or by the use of a cosmetic preparation.

The term "esthetics" shall not include the diagnosis, treatment or therapy of any dermatological condition. For regulation purposes, the term "esthetics" does not include a practice limited to makeup artistry alone without being licensed to offer any other cosmetology services through such limited practice.

(e) "Esthetician" means any person who, for compensation, either direct or indirect, engages in the practice of esthetics.

(f) "Instructor" means a person licensed to teach cosmetology, or manicuring and pedicuring, or esthetics, or all of those, pursuant to this chapter, and shall include those persons engaged in the instruction of student instructors.

(g) "Makeup artistry" means the art of doing makeovers, transforming, beautifying or improving the appearance of an individual's face by using cosmetic preparations and applying makeup on individuals for compensation. Makeup artistry can be practiced for weddings and for other social events and for individual or group photoshoots; and with the application of makeup and at times, prosthetics, makeup artistry can be practiced for theatre, television, film, fashion, magazines, the modeling industry and other similar productions.

(** *h) "Manicuring and pedicuring" means any one (1) or a combination of the following practices:

(i) Cutting, trimming, polishing, coloring, tinting, cleansing or otherwise treating a person's nails.

(ii) Applying artificial nails.

(iii) Massaging or cleaning a person's hands, arms, legs or feet.

(** *i) "Manicurist" means a person who for compensation, either direct or indirect, engages in the practice of manicuring and pedicuring.

(** *j) "Master" means a person holding a cosmetology, manicuring and esthetics license who has completed the minimum course of continuing education prescribed by Section 73-7-14.

(** *k) "Salon" means an establishment operated for the purpose of engaging in the practice of cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.

(** *l) "School" means an establishment, public or private, operated for the purpose of teaching cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.

SECTION 3. Section 73-7-3, Mississippi Code of 1972, is reenacted as follows:

73-7-3. The board shall be authorized to employ such clerical and stenographic assistance, bookkeepers, investigators and other agents as they may deem necessary to carry out the provisions of this chapter, and to fix their tenure of employment and compensation therefor. The members of the board shall file a bond with the Secretary of State in the sum of not less than Five Thousand Dollars (\$5,000.00) payable to the State of Mississippi for the faithful performance of their duties. The bond shall be made by a surety company authorized to do business in this state, the premium of the bond to be paid out of any money in the board's special fund in the State Treasury.

The office of the board shall be located in the greater metropolitan area of the City of Jackson, Mississippi, and in the event office space cannot be obtained in any state-owned building, the board is authorized to rent suitable office space and to pay therefor out of funds in the board's special fund. The board shall employ inspectors as

needed, not to exceed seven (7), who shall be full-time employees and whose salaries and duties shall be fixed by the board.

The salaries of all paid employees of the board shall be paid out of the funds in the board's special fund. The inspectors shall, in addition to their salaries, be reimbursed for such expenses as are allowed other state employees under the provisions of Section 25-3-41. In addition to the paying of office rent, the board is authorized to purchase necessary office furniture and equipment, stationery, books, certificates and any other equipment necessary for the proper administration of this chapter.

SECTION 4. Section 73-7-5, Mississippi Code of 1972, is reenacted as follows:

73-7-5. (1) All fees and any other monies received by the board shall be deposited in a special fund that is created in the State Treasury and shall be used for the implementation and administration of this chapter when appropriated by the Legislature for such purpose. The monies in the special fund shall be subject to all provisions of the state budget laws that are applicable to special fund agencies, and shall be disbursed by the State Treasurer only upon warrants issued by the State Fiscal Officer upon requisitions signed by the president of the board or another board member designated by the president, and countersigned by the secretary of the board. Any interest earned on this special fund shall be credited by the State Treasurer to the fund and shall not be paid into the State General Fund. Any unexpended monies remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund.

(2) The State Auditor shall audit the financial affairs of the board and the transactions involving the special fund at least once a year in the same manner as for other special fund agencies. In addition, the Governor, in his discretion, shall have the power from time to time to require an audit of the financial affairs of the board, the same to be made by the State Auditor upon request of the Governor. The Governor shall have the power to suspend any member of the board who shall be found in default in any account until such time as it shall be determined whether such default was a result of an act of dishonesty on the part of the member, and in the event it is found that such default is an act of dishonesty, misfeasance or nonfeasance on the part of the member, such member shall be immediately removed by the Governor from office.

SECTION 5. Section 73-7-7, Mississippi Code of 1972, is reenacted as follows:

73-7-7. (1) The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this chapter. The board shall set up a curriculum for operation of schools of cosmetology and the other professions it is charged to regulate in this state. The board shall receive and consider for adoption recommendations for rules and regulations, school curriculum, and related matters from the Mississippi Cosmetology Council, whose membership shall consist of, in addition to the board members, five (5) elected delegates from the Mississippi Cosmetology Association, five (5) elected delegates from the Mississippi Cosmetology School Association, five (5) elected delegates from the Mississippi Independent Beauticians Association, and five (5) elected delegates from the School Owners and Teachers Association. The board may revoke the license of any cosmetologist, esthetician, manicurist, instructor, school of cosmetology, or salon, or may refuse to issue a license to any cosmetologist, esthetician, manicurist, instructor, school of cosmetology, or salon that fails or refuses to comply with the provisions of this chapter and the rules and regulations of the board in carrying out the provisions of this chapter.

(2) The board shall have authority to prescribe reasonable rules and regulations governing sanitation of schools of cosmetology and beauty salons for the guidance of persons licensed under this chapter in the operation of schools of cosmetology, or a

beauty salon, and in the practice of cosmetology, esthetics, manicuring and pedicuring, and wigology. However, any and all rules and regulations relating to sanitation shall, before adoption by the board, have the written approval of the State Board of Health. When the board has reason to believe that any of the provisions of this chapter or of the rules and regulations of the board have been violated, either upon receipt of a written complaint alleging such violations or upon the board's own initiative, the board, or any of its authorized agents, shall investigate same and shall have authority to enter upon the premises of a school of cosmetology or salon at any time during the regular business hours of that school or salon to conduct the investigation. Such investigation may include, but not be limited to, conducting oral interviews with the complaining party, school or salon owner(s) and/or students of the school, and reviewing records of the school or salon pertinent to the complaint and related to an area subject to the authority of the board. Such investigation shall not include written interviews or surveys of school employees or students, and the privacy of patrons shall be respected by any person making such investigation.

(3) On or before July 1, 2001, the board shall adopt regulations to ensure that all fingernail service products used by licensed cosmetologists, manicurists and other licensees do not contain methyl methacrylate (MMA) as a monomer agent for cosmetic nail applications.

(4) If the board finds that a violation of the provisions of this chapter or the rules and regulations of the board has occurred, it may cause a hearing to be held as set forth in Section 73-7-27.

SECTION 6. Section 73-7-9, Mississippi Code of 1972, is reenacted as follows:

73-7-9. No person required by this chapter to have a license shall conduct a beauty salon or school of cosmetology, or practice cosmetology, esthetics, manicuring and pedicuring, or practice as an instructor, unless such person has received a license or temporary permit therefor from the board. Students determined to have violated any of these rules or regulations prior to being licensed by the board shall be subject to the same discipline by the board as licensees. They may be disciplined and fined accordingly.

SECTION 7. Section 73-7-11, Mississippi Code of 1972, is reenacted as follows:

73-7-11. Each owner of a license issued by the board under the provisions of this chapter shall display the license in a conspicuous place in his or her principal office, place of business or employment, at all times.

Each practitioner and instructor license shall contain a head photograph of the license holder, the person's name, and the type of license held by the person. The requirements of this section shall apply at the time of issuance of a new license or at the time of renewal of an existing license.

SECTION 8. Section 73-7-12, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-12. * * * Effective January 1, 2020, the State Board of Cosmetology shall terminate its student testing contract with proper notice and shall conduct examinations for cosmetologists, estheticians, manicurists and instructors at such times and locations as determined by the board. The members of the board shall not personally administer or monitor the examinations, but the board shall contract for administrators of the examinations. A member of the board shall not receive any per diem compensation for

any day that the member is present at the site where the examinations are being administered.

* * *

SECTION 9. Section 73-7-13, Mississippi Code of 1972, is reenacted as follows:

73-7-13. (1) The board shall admit to examination for a cosmetology license any person who has made application to the board in proper form, has paid the required fee, and who (a) is at least seventeen (17) years of age, (b) can read, write and speak English, (c) has successfully completed no less than fifteen hundred (1500) hours over a period of no less than nine (9) months in a licensed school of cosmetology, and (d) has a high school education or its equivalent or has been successfully enrolled in a community college.

(a) The board may, in its discretion, issue to any student who has completed the prescribed hours in a licensed school and paid the required fee a temporary permit until such time as the next examination may be held, but such student shall be issued only one (1) temporary permit. Application for an examination and license shall be accompanied by two (2) passport photographs of the applicant. No temporary permit will be issued to an applicant from any other state to operate a beauty salon or school of cosmetology in this state unless in case of emergency.

(b) Applicants for the cosmetologist examination, after having satisfactorily passed the prescribed examination, shall be issued a cosmetology license which until June 30, 2001, shall be valid for one (1) year, and after July 1, 2001, shall be valid for two (2) years, and all those licenses shall be subject to renewal.

(c) Any barber who can read, write and speak English and has successfully completed no less than fifteen hundred (1500) hours in a licensed barber school, and who holds a current valid certificate of registration to practice barbering and who holds a current valid license, is eligible to take the cosmetology examination to secure a cosmetology license upon successfully completing five hundred (500) hours in a licensed school of cosmetology. All fees for application, examination, registration and renewal thereof shall be the same as provided for cosmetologists.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

(3) Any licensed cosmetologist, esthetician, or manicurist who is registered but not actively practicing in the State of Mississippi at the time of making application for renewal, may apply for registration on the "inactive" list. Such "inactive" list shall be maintained by the board and shall set out the names and post office addresses of all persons registered but not actively practicing in this state, arranged alphabetically by name and also by the municipalities and states of their last-known professional or residential address. Only the cosmetologists, estheticians and manicurists registered on the appropriate list as actively practicing in the State of Mississippi shall be authorized to practice those professions. For the purpose of this section, any licensed cosmetologist, esthetician or manicurist who has actively practiced his or her profession for at least three (3) months of the immediately preceding license renewal period shall be considered inactive practice. No cosmetologist, esthetician, or manicurist shall be registered on the "inactive" list until the person has furnished a statement of intent to take such action to the board. Any licensed cosmetologist, esthetician, manicurist or wigologist registered on the "inactive" list shall not be eligible for registration on the active list until either of the following conditions have been satisfied:

(a) Written application shall be submitted to the State Board of Cosmetology stating the reasons for such inactivity and setting forth such other information as the board may require on an individual basis and completion of the number of clock hours of continuing education as approved by the board; or

(b) Evidence to the satisfaction of the board shall be submitted that they have actively practiced their profession in good standing in another state and have not been guilty of conduct that would warrant suspension or revocation as provided by applicable law; and

(c) Payment of the fee for processing such inactive license shall be paid biennially in accordance to board rules.

SECTION 10. Section 73-7-14, Mississippi Code of 1972, is reenacted as follows:

73-7-14. (1) Any person who holds a current, valid cosmetology, manicuring or esthetics license may be licensed as a master cosmetologist, manicurist or esthetician if he or she has been a licensed cosmetologist, manicurist or esthetician in this state for a period of not less than twelve (12) months, and has completed a minimum course of sixteen (16) hours' study in continuing education approved by the board within the licensing period preceding initial application for the license, and has paid the original license fee. Master cosmetologist, manicurist or esthetician licenses shall be renewable upon completion of a minimum course of eight (8) hours' study in continuing education approved by the board within a licensing period and payment of the required renewal fee. This is an optional license and persons who do not wish to complete the continuing education requirement may obtain a cosmetology license when renewing their license.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 11. Section 73-7-15, Mississippi Code of 1972, is reenacted as follows:

73-7-15. (1) The board shall admit to examination for a cosmetology instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Is a graduate of a licensed cosmetology school;

(d) Has a high school education or its equivalent;

(e) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology;

(f) Has successfully completed six (6) semester hours in college courses approved by the board;

(g) Holds a current, valid Mississippi cosmetology license; and

(h) Has at least one (1) year active practical experience as a cosmetologist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology.

(2) The board shall admit to examination for an esthetics instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent;

(d) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught;

(e) Has successfully completed six (6) semester hours in college courses approved by the board;

(f) Holds a current, valid Mississippi esthetician's license; and

(g) Has had one (1) year of active practical experience as an esthetician or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught.

(3) The board shall admit to examination for a manicurist instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent;

(d) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught;

(e) Has successfully completed six (6) semester hours in college courses approved by the board;

(f) Holds a current, valid Mississippi manicurist's license; and

(g) Has had one (1) year of active practical experience as a manicurist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught.

(4) Applicants shall satisfactorily pass the examination prescribed by the board for licensing instructors prior to the issuance of the licenses provided for in this section. However, the board may, in its discretion, issue a temporary instructor's permit until such time as the next examination may be held, but such applicant shall be issued only one (1) temporary permit. All applications for an instructor's examination shall be accompanied by two (2) recent head photographs of the applicant.

(5) All instructors licensed pursuant to this section shall biennially obtain twenty-four (24) clock hours of continuing education in teacher training instruction in cosmetology or esthetics or manicuring, as the case may be, as approved by the board. Any instructor who fails to obtain the continuing education required by this subsection shall not be allowed to instruct nor enroll students under his or her license until such education requirement has been met. The board may issue an inactive instructor's license to such instructors, and an inactive license may be converted into an active license after proof satisfactory to the board of completion of at least twenty-four (24) clock hours of approved continuing education required for teacher training instruction.

(6) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 12. Section 73-7-16, Mississippi Code of 1972, is reenacted as follows:

73-7-16. (1) All schools of cosmetology or school owners shall have a school license and shall pay to the board the required license fee biennially therefor. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a school license will be required to pay a delinquent fee in addition to the renewal fee. The board is hereby authorized and empowered to promulgate necessary and reasonable rules and regulations for the issuance and renewal of school licenses. However, the board shall not refuse to issue or renew a school's license because of the number of schools already in that area of the state, and any rule promulgated by the board for that purpose shall be null and void.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

(3) The board shall require all schools of cosmetology to only admit students who have not less than a Tenth-Grade education or a high school diploma or its equivalency.

SECTION 13. Section 73-7-17, Mississippi Code of 1972, is reenacted as follows:

73-7-17. (1) All salon owners shall have a salon license and shall pay to the board the required license fee therefor and pay the required renewal fee for renewal thereof. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days any applicant for the renewal of a salon license will be required to pay a delinquent fee in addition to the renewal fee. A salon license that has been expired for over one (1) year is nonrenewable and requires a new application. Prior to the initial issuance of such license, the board shall inspect the premises to determine if same qualifies with the law, upon payment by the applicant of the required inspection fee.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 14. Section 73-7-18, Mississippi Code of 1972, is reenacted as follows:

73-7-18. (1) The board shall admit to examination for an esthetician's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than seventeen (17) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent; and

(d) Has successfully completed a course of training in esthetics of not less than six hundred (600) hours in an accredited school in which the practice of esthetics is taught, including not less than one hundred (100) hours of theory and five hundred (500) hours of skill practice.

Any licensed esthetician wishing to acquire a cosmetology license may apply the six hundred (600) hours of esthetics training toward the requirements for a cosmetology license.

(2) Every person who has completed not less than three hundred fifty (350) hours of training in esthetics approved by the board in this or any other state prior to July 1, 1987, shall be registered with the board within a period not exceeding six (6) months after July 1, 1987, and shall be granted an esthetician's license by the board if such person presents satisfactory evidence to the board that he or she has fulfilled all the requirements to be admitted to examination except the training hours requirement.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 15. Section 73-7-19, Mississippi Code of 1972, is reenacted as follows:

73-7-19. (1) Except as provided in Section 33-1-39, all licenses shall be renewed biennially under the fee schedule in Section 73-7-29. Applications for renewal of licenses for cosmetologists, estheticians, manicurists and instructors must be accompanied by the required renewal fee. A grace period of sixty (60) days will be given in which to renew the license; and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a license will be required to pay the required renewal fee and a delinquent fee in addition to the renewal fee. The fees may be paid by either personal or certified check, cash or money order, under such safeguards, rules and regulations as the board may prescribe. Checks returned to the board because of insufficient funds shall result in nonrenewal of the license, which will require the penalty fee for insufficient fund checks plus all other amounts due for renewal of the license before the license may be renewed. After one (1) year has passed from the expiration date of the license, a delinquent fee must be paid for each year up to three (3) years, after which the required examination must be taken. All applications for examination required by this chapter shall expire ninety (90) days from the date thereof.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 16. Section 73-7-21, Mississippi Code of 1972, is reenacted as follows:

73-7-21. (1) The board shall admit to examination for a manicurist's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is at least seventeen (17) years of age;

(b) Can read, write and speak English;

(c) Has successfully completed no less than three hundred fifty (350) hours of practice and related theory in manicuring and pedicuring over a period of no less than nine (9) weeks in an accredited school of cosmetology in this or any other state; and

(d) Has a high school education or its equivalent.

(2) Licensed manicurists desiring to pursue additional hours to be eligible for a license as a cosmetologist may be credited with the three hundred fifty (350) hours acquired in studying and training to be a manicurist which may be applied to the number of hours required for a cosmetology license examination.

(3) The board shall adopt regulations governing the use of electric nail files for the purpose of filing false or natural nails.

(4) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 17. Section 73-7-23, Mississippi Code of 1972, is reenacted as follows:

73-7-23. (1) The board may, upon application, issue a license by reciprocity to any cosmetologist, esthetician or manicurist over the age of seventeen (17) years from any other state who has satisfactorily completed the required number of accredited hours in that state, provided the state board from which the applicant comes issues to cosmetologists, estheticians or manicurists, as the case may be, from the State of Mississippi a license under the same conditions. Applications must be accompanied by (a) proof satisfactory to the board that the required hours have been completed, and (b) the required reciprocity fee, which shall be paid to the board.

(2) An instructor from any other state may be qualified for a Mississippi instructor's license upon presenting a valid instructor's license and proof of a high school education or its equivalent, provided that the instructor (a) is not less than twenty-one (21) years of age, (b) has completed training equivalent to the State of Mississippi's training as provided in Section 73-7-15 or has three (3) years or more of experience as a licensed instructor prior to application, (c) can read, write and speak English, (d) has completed twelve (12) semester hours in college courses approved by the board, and (e) has completed a minimum of five (5) continuing education hours in Mississippi board laws, rules and regulations. Such application must be accompanied by two (2) recent passport photographs of the applicant. Applicants shall pay the required license fee.

(3) An applicant for a Mississippi instructor's license by reciprocity who has not completed the college courses requirement at the time of application may apply for a onetime temporary teaching permit, which shall be valid for six (6) months and shall be nonrenewable. Such application must be accompanied by proof of enrollment in college course(s), required permit fee, two (2) recent passport photographs of the applicant and other documentation as required for application for a Mississippi instructor's license by reciprocity. Upon proof of completion of college courses and payment of the required license fee, a Mississippi instructor's license shall be issued.

(4) The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

SECTION 18. Section 73-7-25, Mississippi Code of 1972, is reenacted as follows:

73-7-25. Every demonstrator in the field of cosmetology shall, before making demonstrations in a salon or school, apply for and obtain a permit from the board. For such permit, which shall be for one (1) year, the required fee shall be paid to the board. This section shall be construed to apply to demonstrators in salons and schools.

SECTION 19. Section 73-7-27, Mississippi Code of 1972, is reenacted as follows:

73-7-27. (1) Any complaint may be filed with the board by a member or agent of the board or by any person charging any licensee of the board with the commission of any of the offenses enumerated in subsection (2) of this section. Such complaint shall be in writing, signed by the accuser or accusers, and verified under oath, and such complaints shall be investigated as set forth in Section 73-7-7. If, after the investigation, the board through its administrative review agents determines that there is not substantial justification to believe that the accused licensee has committed any of the offenses enumerated, it may dismiss the complaint or may prepare a formal complaint proceeding against the licensee as hereinafter provided. When used with reference to any complaint filed against a licensee herein, the term "not substantial justification" means a complaint that is frivolous, groundless in fact or law, or vexatious, as determined by unanimous vote of the board. In the event of a dismissal, the person filing the accusation and the accused licensee shall be given written notice of the board's determination. If the board determines there is reasonable cause to believe the accused has committed any of those offenses, the secretary of the board shall give written notice of such determination to the accused licensee and set a day for a hearing as provided in subsection (3) of this section.

(2) The board shall have the power to revoke, suspend or refuse to issue or renew any license or certificate provided for in this chapter, and to fine, place on probation and/or otherwise discipline a student or licensee or holder of a certificate, upon proof that such person: (a) has not complied with or has violated any of the rules and regulations promulgated by the board; (b) has not complied with or has violated any of the sections of this chapter; (c) has committed fraud or dishonest conduct in the taking of the examination herein provided for; (d) has been convicted of a felony; (e) has committed grossly unprofessional or dishonest conduct; (f) is addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or occupations set forth in this chapter; (g) has advertised by means of knowingly false or deceptive statements; or (h) has failed to display the license or certificate issued to him or her as provided for in this chapter; or (i) has been convicted of violating any of the provisions of this chapter. A conviction of violating any of the provisions of this chapter shall be grounds for automatic suspension of the license or certificate of such person.

(3) The board shall not revoke, suspend or refuse to issue or renew any license or certificate, or fine, place on probation or otherwise discipline any person in a disciplinary matter except after a hearing of which the applicant or licensee or holder of the certificate affected shall be given at least twenty (20) days' notice in writing, specifying the reason or reasons for denying the applicant a license or certificate of registration, or in the case of any other disciplinary action, the offense or offenses of which the licensee or holder of a certificate of registration is charged. Such notice may be served by mailing a copy thereof by United States first-class certified mail, postage prepaid, to the last-known residence or business address of such applicant, licensee or holder of a certificate. The hearing on such charges shall be at such time and place as the board may prescribe.

(4) At such hearings, all witnesses shall be sworn by a member of the board, and stenographic notes of the proceedings shall be taken. Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon payment to the board of such fees as it shall prescribe, not exceeding, however, the actual costs of transcription.

(5) The board is hereby authorized and empowered to issue subpoenas for the attendance of witnesses and the production of books and papers. The process issued by the board shall extend to all parts of the state and such process shall be served by any person designated by the board for such service. The person serving such process shall receive such compensation as may be allowed by the board, not to exceed the fee prescribed by law for similar services. All witnesses who shall be subpoenaed, and who shall appear in any proceedings before the board, shall receive the same fees and mileage as allowed by law.

(6) Where in any proceeding before the board any witness shall fail or refuse to attend upon subpoena issued by the board, shall refuse to testify, or shall refuse to produce any books and papers, the production of which is called for by the subpoena, the attendance of such witness and the giving of his testimony and the production of the books and papers shall be enforced by any court of competent jurisdiction of this state, in the same manner as are enforced for the attendance and testimony of witnesses in civil cases in the courts of this state.

(7) The board shall conduct the hearing in an orderly and continuous manner, granting continuances only when the ends of justice may be served. The board shall, within sixty (60) days after conclusion of the hearing, reduce its decision to writing and forward an attested true copy thereof to the last-known residence or business address of such applicant, licensee or holder of a certificate, by way of United States first-class certified mail, postage prepaid. Such applicant, licensee, holder of a certificate, or person aggrieved shall have the right of appeal from an adverse ruling, or order, or decision of the board to the Chancery Court of the First Judicial District of Hinds County, Mississippi, upon forwarding notice of appeal to the board within thirty (30) days after the decision of the board is mailed in the manner here contemplated. An appeal will not be allowed in the event notice of appeal, together with the appeal bond hereinafter required, shall not have been forwarded to the board within the thirty-day period. Appeal shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi. The appeal shall thereupon be heard in due course by the court which shall review the record and make its determination thereon.

(8) The appellant shall, together with the notice of appeal, forward to and post with the board a satisfactory bond in the amount of Five Hundred Dollars (\$500.00) for the payment of any costs which may be adjudged against him.

(9) In the event of an appeal, the court shall dispose of the appeal and enter its decision promptly. The hearing on the appeal may, in the discretion of the chancellor, be tried in vacation. If there is an appeal, such appeal may, in the discretion of and on motion to the chancery court, act as a supersedeas. However, any fine imposed by the board under the provisions of this chapter shall not take effect until after the time for appeal has expired, and an appeal of the imposition of such a fine shall act as a supersedeas.

(10) Any fine imposed by the board upon a licensee or holder of a certificate shall be in accordance with the following schedule:

(a) For the first violation, a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for each violation.

(b) For the second and each subsequent violation, a fine of not less than One Hundred Dollars (\$100.00) nor more than Four Hundred Dollars (\$400.00) for each violation.

The power and authority of the board to impose such fines under this section shall not be affected or diminished by any other proceeding, civil or criminal, concerning the same violation or violations.

(11) In addition to the reasons specified in subsection (2) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this

section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 20. Section 73-7-29, Mississippi Code of 1972, is reenacted as follows:

73-7-29. The State Board of Cosmetology shall assess fees in the following amounts and for the following purposes:

(a) Initial license/renewal for cosmetologist, manicurist, esthetician, or wig specialist	\$ 50.00
(b) Instructor initial license/renewal	80.00
(c) Master cosmetologist license/renewal	70.00
(d) Delinquent renewal penalty - cosmetologist, manicurist, esthetician, wig specialist and instructor	50.00
There shall be no renewal fee for any licensee seventy (70) years of age or older.	
(e) Salon application and initial inspection	85.00
(f) Salon reinspection	35.00
(g) Salon change of ownership or location, or both	85.00
(h) Salon renewal	60.00
(i) Salon delinquent renewal penalty	50.00
(j) Application and initial inspection for a new school	300.00
(k) New school reinspection	100.00
(l) School change of ownership	300.00
(m) School relocation	150.00
(n) School renewal	75.00
(o) School delinquent renewal penalty	100.00
(p) Duplicate license	10.00
(q) Penalty for insufficient fund checks	20.00
(r) Affidavit processing	15.00

The State Board of Cosmetology may charge additional fees for services which the board deems appropriate to carry out its intent and purpose. These additional fees shall not exceed the cost of rendering the service.

The board is fully authorized to make refunds of any deposits received by the board for services which are not rendered. Refunds will automatically be made on overpayment of fees. Refunds will be made on underpayments by written requests from applicants. If no request for refund is made within sixty (60) days, the fees will be forfeited.

SECTION 21. Section 73-7-31, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-31. Nothing in this chapter shall apply to:

- (a) Hairdressing, manicuring or facial treatments given in the home to members of family or friends for which no charge is made.
- (b) Persons whose practice is limited to * * * only performing makeup artistry, threading or applying or removing eyelash extensions; however, a person may perform a combination of not more than three (3) such practices and still be exempt from this chapter.
- (c) Barbers, and nothing in this chapter shall affect the jurisdiction of the State Board of Barber Examiners.
- (d) Persons engaged in the practice of hair braiding as defined in Section 73-7-71 who have completed the self-test part of the brochure on infection control techniques prepared by the State Department of Health and who keep the brochure and completed self-test available at the location at which the person is engaged in hair braiding.

(e) Persons engaged in the practice of threading, which is defined as the removal of facial hair using a strand of thread.

(f) Persons engaged in the practice of applying or removing eyelash extensions, which is defined as gluing artificial eyelash extensions to natural eyelashes.

SECTION 22. Section 73-7-33, Mississippi Code of 1972, is reenacted as follows:

73-7-33. In addition to the rules and regulations that may be prescribed and promulgated by the board under authority of this chapter, the following rules and regulations shall be observed:

Every establishment must be kept sanitary, including all utensils and equipment, must be well ventilated and properly lighted. Each salon must be provided with hot and cold running water. Electrical appliances must be properly installed and grounded.

Cosmetologists shall be allowed to wear any type of clothing or apparel while at work as long as such clothing or apparel is sanitary.

Cosmetologists shall be allowed to use any type of hair roller as long as they do so in a sanitary manner.

Persons with a communicable disease or parasitic infection that is medically recognized to be a direct threat of transmission by the type of contact that practitioners have with clients are not to be permitted to practice in an establishment until their condition is no longer communicable under those circumstances. No work shall be performed on any patron having a visible disease unless the patron shall produce a certificate from a practicing physician stating that the patron is free from infectious, contagious or communicable disease. A cosmetologist's license does not authorize such person to treat or prescribe for an infectious, contagious or any other disease.

A home salon must have a solid wall to the ceiling with an outside entrance, or if a door exists between the salon and the remainder of the house, the door must be kept closed at all times while service is being rendered.

SECTION 23. Section 73-7-35, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-35. (1) No person licensed pursuant to this chapter shall practice his or her profession except within the physical confines of a salon possessing and displaying a properly executed license issued pursuant to Section 73-7-17. However, this requirement shall not prevent a person from rendering his or her services to any person who may be confined to his or her home, a hospital, or other place as a result of illness, and cosmetologists shall be permitted to render their services to deceased persons away from their salons.

(2) No salon owner licensed pursuant to this chapter shall allow a cosmetologist, esthetician, or manicurist to practice his/her profession in the salon without possessing a valid license issued pursuant to this chapter. No unlicensed person may practice his/her profession, including hair braiding, as defined by Section 73-7-71, and makeup artistry, as defined in Section 73-7-2, in a licensed salon.

SECTION 24. Section 73-7-37, Mississippi Code of 1972, is reenacted as follows:

73-7-37. (1) The violation of any of the provisions of this chapter, including the use of fraudulent statements to obtain any benefits or privileges under this chapter or practicing one (1) of these professions without a license, shall constitute a misdemeanor, punishable in any court of competent jurisdiction at the seat of government, and any person or firm convicted of the violation of any of the provisions of this chapter shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00). The court shall not be authorized to suspend or suspend the execution of the fine required under this section.

(2) If any person, firm or corporation violates any of the provisions of this chapter, the secretary of the board, upon direction of a majority of the board and in the name of the board, acting through the Attorney General or an attorney employed by the board, shall apply in the Chancery Court of the First Judicial District of Hinds County, Mississippi, for an order enjoining such violation or for an order enforcing compliance with the provisions of this chapter. Upon the filing of a verified petition in the chancery court and after notice as provided under the Mississippi Rules of Civil Procedure, such court, if satisfied by the sworn petition, by affidavit or otherwise, that such person has

violated any of the provisions of this chapter, may issue an injunction without notice or bond, enjoining such continued violation and such injunction shall remain in force and effect until a final hearing. If at such hearing it is established that such person has violated or is violating any of the provisions of this chapter, the court may enter a decree permanently enjoining such violation or enforcing compliance with this chapter. In addition, the court may enter a judgment against such person for attorney's fees, court costs and the actual costs incurred by the board in investigating the actions of such person for which the board brought the suit for an injunction. In case of violation of any decree issued in compliance with this subsection, the court may punish the offender for contempt of court and the court shall proceed as in other cases.

(3) The proceedings in this section shall be in addition to and not in lieu of the other remedies and penalties provided in this chapter.

SECTION 25. Section 73-7-63, Mississippi Code of 1972, is amended as follows:

73-7-63. Sections 73-7-1 through 73-7-37, which create the State Board of Cosmetology and prescribe its duties and powers, shall stand repealed * * * on July 1, * * * 2024.

SECTION 26. Section 73-5-41, Mississippi Code of 1972, is amended as follows:

73-5-41. (1) The following persons are exempt from the provisions of this chapter, wholly in the proper discharge of their professional duties, to wit:

(a) Persons authorized by the law of Mississippi to practice medicine and surgery.

(b) Commissioned medical or surgical officers of the United States Army, Navy or Marine hospital service.

(c) Registered nurses.

(d) Cosmetologists, and nothing in this chapter shall affect the jurisdiction of the State Board of Cosmetology.

(e) Persons whose practice is limited to only makeup artistry, threading or applying or removing eyelash extensions.

(2) The provision of this section shall not be construed to authorize any of the persons exempted to shave, trim the beard, or cut the hair of any person, or perform any other act that constitutes barbering, for cosmetic purposes, with the exception of persons licensed by the State Board of Cosmetology or persons whose practice is limited to only makeup artistry, threading or applying or removing eyelash extensions.

SECTION 27. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 73-7-1 THROUGH 73-7-37, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF COSMETOLOGY AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITIONS OF "COSMETOLOGY" AND "ESTHETICS" TO REMOVE THREADING AND MAKEUP ARTISTRY FROM THE COSMETOLOGY LICENSURE LAW; TO DEFINE "MAKEUP ARTISTRY" IN THE COSMETOLOGY LICENSURE LAW; TO AMEND REENACTED SECTION 73-7-12, MISSISSIPPI CODE OF 1972, TO DELETE THE DUPLICATE REPEALER ON THE STATUTE REQUIRING THE STATE BOARD OF COSMETOLOGY TO CONDUCT STUDENT EXAMINATIONS INSTEAD OF CONTRACTING WITH A TESTING SERVICE; TO AMEND REENACTED SECTION 73-7-31, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE COSMETOLOGY LICENSURE LAW PERSONS ENGAGED IN THE PRACTICE OF THREADING AND PERSONS ENGAGED IN THE PRACTICE OF APPLYING OR REMOVING EYELASH EXTENSIONS; TO AMEND REENACTED SECTION 73-7-35, MISSISSIPPI CODE OF 1972, TO PROHIBIT PERSONS NOT LICENSED UNDER THE COSMETOLOGY LICENSURE LAW FROM PRACTICING THEIR PROFESSION, INCLUDING HAIR BRAIDING AND MAKEUP ARTISTRY, IN A LICENSED SALON; TO AMEND SECTION 73-7-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED SECTIONS; TO AMEND SECTION 73-5-41, MISSISSIPPI CODE OF 1972, TO EXEMPT PERSONS WHOSE PRACTICE IS LIMITED TO ONLY MAKEUP

ARTISTRY, THREADING OR APPLYING OR REMOVING EYELASH EXTENSIONS FROM LICENSING UNDER THE STATE BOARD OF BARBER EXAMINERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Randy P. Boyd
Charles Young, Jr.
Joseph Tubb

CONFEREES FOR THE SENATE

Hob Bryan
Brice Wiggins
Rita Pott Parks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1312** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Turner-Ford. Total--1.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Parks offered the following report of the Conference Committee on **S. B. No. 2313** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2313: Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Intercollegiate Athletics Compensation Rights Act."

SECTION 2. (1) As used in this act, the following terms shall have the following meanings unless the context clearly indicates otherwise:

(a) "Compensation" means anything of value, monetary or otherwise, including, but not limited to, cash, gifts, in-kind items of value, social media compensation, payments for licensing or use of publicity rights, payments for other intellectual or intangible property rights under federal or state law, and any other form of payment or remuneration, except as excluded under this act.

For the purposes of this act, "compensation" shall not mean or include the following:

(i) Tuition, room, board, books, fees and personal expenses that a postsecondary educational institution provides a student-athlete in accordance with the rules of the athletic association or conference of which the postsecondary educational institution is a member;

(ii) Federal Pell Grants and other state and federal grants or scholarships unrelated to, and not awarded because of a student-athlete's participation in intercollegiate athletics or sports competition;

(iii) Any other financial aid, benefits or awards that a postsecondary educational institution provides a student-athlete in accordance with the rules of the athletic association or conference of which the postsecondary educational institution is a member; or

(iv) The payment of wages and benefits to a student-athlete for work actually performed (but not for athletic ability or participation in intercollegiate athletics) at a rate commensurate with the prevailing rate for similar work in the locality of the student-athlete's postsecondary educational institution.

(b) "Image" means a picture of the student-athlete.

(c) "Intercollegiate athletics program" means an intercollegiate athletics program played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics.

(d) "Likeness" means a physical, digital or other depiction or representation of a student-athlete.

(e) "Name" means the first or last name, or the nickname, of a student-athlete when used in a context that reasonably identifies the student-athlete with particularity.

(f) "Name, Image and Likeness Agreement" means a contract or similar arrangement between a student-athlete and a third-party licensee regarding the commercial use of the name, image or likeness of the student-athlete.

(g) "Publicity right" means any right that is:

(i) Licensed under a name, image, and likeness agreement; or

(ii) Recognized under a federal or state law that permits an individual to control and profit from the commercial use of the name, image or likeness of the individual.

(h) "Postsecondary educational institution" means a public university or community college or private university or college.

(i) "Social media compensation" means all forms of payment for engagement on social media received by a student-athlete as a result of the use of that student-athlete's name, image or likeness.

(j) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, intercollegiate athletics program at a postsecondary educational institution. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

(k) "Third-party licensee" means any individual or entity that licenses publicity rights or the use of name, image or likeness from any prospective or current student-athlete or group of student-athletes. The term "third-party licensee" shall not include any national association for the promotion or regulation of collegiate athletics, athletics conference, or postsecondary educational institution.

SECTION 3. (1) Except as provided in Section 4 of this act, a student-athlete may:

(a) Earn compensation, commensurate with market value, for the use of the name, image, or likeness of the student-athlete while enrolled at a postsecondary educational institution; and

(b) Obtain and retain a certified agent for any matter or activity relating to such compensation.

(2) No student-athlete may earn compensation in exchange for the student-athlete's athletic ability or participation in intercollegiate athletics or sports competition.

(3) Notwithstanding any other provision of applicable law or agreement to the contrary, a student-athlete shall not be deemed an employee or independent contractor of an association, a conference, or a postsecondary educational institution based on the student-athlete's participation in an intercollegiate athletics program.

SECTION 4. (1) Except as provided for under this act, a postsecondary educational institution shall not uphold any contract, rule, regulation, standard or other requirement that prevents a student-athlete of that institution from earning compensation as a result of the use of the student's name, image, or likeness. Any such contract, rule, regulation standard or other requirement shall be void and unenforceable against the postsecondary educational institution or the student-athlete. Compensation from the use of a student-athlete's name, image, or likeness may not affect the student-athlete's scholarship eligibility, grant-in-aid or other financial aid, awards or benefits, or the student-athlete's intercollegiate athletic eligibility. Nothing in this act is intended to alter any state and federal laws or regulations regarding the award of financial aid at postsecondary educational institutions.

(2) Except as provided for in this act, an athletic association, conference or other group or organization with authority over intercollegiate athletic programs, including, but not limited to, the National Collegiate Athletic Association (NCAA) and the National Junior College Athletic Association (NJCAA), shall not prevent, or otherwise enforce a contract, rule, regulation, standard or other requirement that prevents, a student-athlete of a postsecondary educational institution from earning compensation as a result of the use of the student-athlete's name, image or likeness.

(3) To protect the integrity of its educational mission and intercollegiate athletics program, a postsecondary educational institution may impose reasonable limitations on the dates and time that a student-athlete may participate in endorsement, promotional, social media or other activities related to the license or use of the student-athlete's name, image and likeness. Nothing in this act shall restrict a postsecondary educational

institution from exercising its sole discretion to control the authorized use of its marks or logos or to determine a student-athlete's apparel, gear or other wearables during an intercollegiate athletics competition or institution-sponsored event. A student-athlete may not receive or enter into a contract for compensation for the use of his or her name, image or likeness in a way that also uses any registered or licensed marks, logos, verbiage or designs of a postsecondary institution, unless the institution has provided the student-athlete with written permission to do so prior to execution of the contract or receipt of compensation. If permission is granted, the postsecondary educational institution, by agreement of all parties, may be compensated for the use in a manner consistent with market rates. A postsecondary educational institution may also prohibit a student-athlete from wearing any item of clothing, shoes, or other gear or wearables with the name, logo or insignia of any entity during an intercollegiate athletics competition or institution-sponsored event.

(4) An athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not enforce a contract, rule, regulation, standard or other requirement that prevents a postsecondary educational institution from participating in an intercollegiate athletics program as a result of the compensation of a student-athlete for the use of the student-athlete's name, image or likeness.

(5) A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association, shall not, directly or indirectly:

(a) Enter into, or offer to enter into, a name, image and likeness agreement with a prospective or current student-athlete; or

(b) Provide a prospective or current student-athlete or the student-athlete's family compensation in relation to the use of the student-athlete's name, image or likeness.

(6) A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association shall not prevent a student-athlete from obtaining professional representation in relation to name, image or likeness, or to secure a name, image and likeness agreement, including, but not limited to, representation provided by athlete agents or legal representation provided by attorneys. A student-athlete shall provide the postsecondary educational institution with written notice at least seven (7) days prior to entering into a representation agreement with any individual for the purpose of exploring or securing compensation for use of the student-athlete's name, image or likeness.

(7) Professional representation obtained by student-athletes must be from persons registered as athlete agents as provided in Section 73-42-1 et seq. of the Uniform Athlete Agent Act. Attorneys who provide legal representation to student-athletes must be licensed to practice law in the State of Mississippi and in good standing with The Mississippi Bar.

(8) Athlete agents representing student-athletes shall comply with the Uniform Athlete Agents Act, Section 73-42-1 et seq., Mississippi Code of 1972, and the federal Sports Agent Responsibility and Trust Act in 15 USC Sections 7801-7807 in their relationships with student-athletes.

(9) A grant-in-aid, including cost of attendance, and other permissible financial aid, awards or benefits from the postsecondary educational institution in which a

student-athlete is enrolled shall not be revoked, reduced, nor the terms and conditions altered, as a result of a student-athlete earning compensation or obtaining professional or legal representation pursuant to this act.

(10) Before any contract for compensation for the use of a student-athlete's name, image or likeness is executed, and before any compensation is provided to the student-athlete in advance of a contract, the student-athlete shall disclose the contract to a designated official of the postsecondary educational institution in which the student is enrolled in a manner prescribed by the institution.

(11) A third-party licensee may not enter into, or offer to enter into, a name, image and likeness agreement with a student-athlete or otherwise compensate a student-athlete for the use of the student-athlete's name, image and likeness rights if a provision of the name, image and likeness agreement or the use of the student-athlete's name, image and likeness rights conflicts with a provision of a contract, rule, regulation, standard or other requirement of the postsecondary educational institution unless such contract or use is expressly approved in writing by the postsecondary educational institution.

(12) No postsecondary educational institution, booster, third-party licensee or any other individual or entity shall provide a prospective or current student-athlete compensation or enter into a name, image and likeness agreement as an inducement for the student-athlete to attend or enroll in a specific institution or group of institutions. Compensation for a student-athlete's name, image, or likeness may not be conditioned on athletic performance or attendance at a particular postsecondary educational institution.

(13) No student-athlete shall enter into a name, image, and likeness agreement or receive compensation from a third-party licensee relating to the name, image or likeness of the student-athlete before the date on which the student-athlete enrolls at a postsecondary educational institution.

(14) No student-athlete shall enter into a name, image, and likeness agreement or receive compensation from a third-party licensee for the endorsement or promotion of gambling, sports betting, controlled substances, marijuana, tobacco or alcohol company, brand or products, alternative or electronic nicotine product or delivery system, performance-enhancing supplements, adult entertainment or any other product or service that is reasonably considered to be inconsistent with the values or mission of a postsecondary educational institution or that negatively impacts or reflects adversely on a postsecondary education institution or its athletic programs, including, without limitation, bringing about public disrepute, embarrassment, scandal, ridicule or otherwise negatively impacting the reputation or the moral or ethical standards of the postsecondary educational institution.

(15) A contract for the use of the a student-athlete's name, image, or likeness which is formed while the student-athlete is participating in an intercollegiate sport at a postsecondary educational institution may not extend beyond the student-athlete's participation in the sport at the institution.

(16) Nothing in this act shall be interpreted to modify any requirements or obligations imposed under Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.).

SECTION 5. The following shall be codified as Section

93-19-17, Mississippi Code of 1972:

93-19-17. (1) All persons eighteen (18) years of age or older, if not otherwise disqualified, or prohibited by law, shall have the capacity to enter into binding contractual relationships affecting the use of their name, image or likeness while participating in

intercollegiate sports as student-athletes. Nothing in this section shall be construed to affect any contracts entered into prior to the effective date of this act.

(2) In any legal action founded on a student-athlete name, image or likeness contract entered into by a person eighteen (18) years of age or older, the person may sue in his or her own name as an adult and be sued in his or her own name as an adult and be served with process as an adult.

(3) For purposes of this section:

(a) "Intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics; and

(b) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, any intercollegiate athletics program at a postsecondary educational institution. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

SECTION 6. Section 73-42-3, Mississippi Code of 1972, is amended as follows:

73-42-3. In this chapter:

(a) "Agency contract" means an agreement in which a student-athlete authorizes a person to negotiate or solicit on behalf of the student-athlete a professional-sports-services contract, an endorsement contract, compensation for the use of the student-athlete's name, image or likeness, or enrollment at any educational institution that offers an athletic scholarship to the student-athlete.

(b) "Athlete agent" means an individual who enters into an agency contract with a student-athlete or, directly or indirectly, recruits, induces or solicits a student-athlete to enter into an agency contract. The term does not include a spouse, parent, sibling, grandparent or guardian of the student-athlete or an individual acting solely on behalf of a professional sports team or professional sports organization. The term includes an individual who represents to the public that the individual is an athlete agent.

(c) "Athletic director" means an individual responsible for administering the overall athletic program of an educational institution or, if an educational institution has separately administered athletic programs for male students and female students, the athletic program for males or the athletic program for females, as appropriate.

(d) "Contact" means a communication, direct or indirect, written or oral, between an athlete agent and a student-athlete, to recruit, induce or solicit the student-athlete to enter into an agency contract.

(e) "Endorsement contract" means:

(i) An agreement under which a student-athlete is employed or receives consideration or anything of value for the student-athlete's publicity, reputation, following, or fame obtained because of the student-athlete's athletic ability or performance * * *; and

(ii) An agreement under which a student-athlete receives compensation, consideration or anything of value for the use of the student-athlete's name, image or likeness.

(f) "Intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student-athlete are established by a national association for the promotion or regulation of collegiate athletics.

(g) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency or instrumentality; public corporation, or any other legal or commercial entity.

(h) "Professional-sports-services contract" means an agreement under which an individual is employed or agrees to render services as a player on a professional sports team, with a professional sports organization, or as a professional athlete.

(i) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(j) "Registration" means registration as an athlete agent pursuant to this chapter.

(k) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(l) "Student-athlete" means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in, a sport for a professional sports team or in any intercollegiate sport at any educational institution. If an individual is permanently ineligible to participate in a particular intercollegiate sport, the individual is not a student-athlete for purposes of that sport.

SECTION 7. No postsecondary educational institution shall be subject to a claim for damages of any kind under this act, including, without limitation, a claim for unfair trade or competition or tortious interference. No postsecondary educational institution shall be subject to a claim for damages related to its adoption, implementation or enforcement of any contract, rule, regulation, standard or other requirement in compliance with this act. The act is not intended to and shall not waive or diminish any applicable defenses and immunities, including, without limitation, sovereign immunity applicable to postsecondary educational institutions.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BE KNOWN AS THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT"; TO AUTHORIZE STUDENT-ATHLETES TO EARN COMPENSATION FOR HIS NAME, IMAGE AND LIKENESS; TO DEFINE TERMS RELATING THERETO; TO PROVIDE THAT STUDENT-ATHLETES SHALL NOT EARN COMPENSATION IN EXCHANGE FOR HIS ATHLETIC ABILITY OR PARTICIPATION IN INTERCOLLEGIATE ATHLETICS; TO PROVIDE THAT STUDENT-ATHLETES SHALL NOT BE DEEMED TO BE EMPLOYEES OF THE EDUCATIONAL INSTITUTION; TO PROVIDE THAT A POSTSECONDARY EDUCATIONAL INSTITUTION SHALL NOT UPHOLD A CONTRACT THAT PREVENTS A STUDENT-ATHLETE FROM EARNING COMPENSATION FROM HIS NAME, IMAGE OR LIKENESS; TO PROVIDE THAT ATHLETIC ASSOCIATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS SHALL NOT PREVENT A STUDENT-ATHLETE FROM EARNING COMPENSATION FROM HIS NAME, IMAGE OR LIKENESS; TO PROVIDE THAT A STUDENT-ATHLETE SHALL NOT RECEIVE OR ENTER INTO A CONTRACT FOR COMPENSATION FOR THE USE OF HIS OR HER

NAME, IMAGE OR LIKENESS IN A WAY THAT ALSO USES ANY REGISTERED OR LICENSED MARKS, LOGOS, VERBIAGE OR DESIGNS OF A POSTSECONDARY INSTITUTION, UNLESS THE INSTITUTION HAS PROVIDED THE STUDENT-ATHLETE WITH WRITTEN PERMISSION; TO PROVIDE THAT ATHLETIC ASSOCIATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS SHALL NOT PREVENT EDUCATIONAL INSTITUTIONS FROM PARTICIPATING IN ATHLETICS AS A RESULT OF THE COMPENSATION OF A STUDENT-ATHLETE FOR THE USE OF THE STUDENT-ATHLETE'S NAME, IMAGE OR LIKENESS; TO PROVIDE THAT ATHLETIC ASSOCIATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS SHALL NOT PREVENT STUDENT-ATHLETES FROM OBTAINING PROFESSIONAL REPRESENTATION IN RELATION TO NAME, IMAGE OR LIKENESS; TO PROVIDE THAT A STUDENT-ATHLETE'S FINANCIAL AID SHALL NOT BE REVOKED IF HE IS COMPENSATED PURSUANT TO THIS ACT; TO PROVIDE THAT A STUDENT-ATHLETE WHO ENTERS INTO AN AGREEMENT SHALL DISCLOSE THE CONTRACT TO THE EDUCATIONAL INSTITUTION; TO PROVIDE THAT AN EDUCATIONAL INSTITUTION, BOOSTER, THIRD-PARTY LICENSEE, OR INDIVIDUAL OR ENTITY SHALL NOT PROVIDE COMPENSATION TO A CURRENT OR PROSPECTIVE STUDENT-ATHLETE AS AN INDUCEMENT FOR HIM TO ENROLL IN A SPECIFIC INSTITUTION; TO PROVIDE THAT A STUDENT-ATHLETE SHALL NOT ENTER INTO A LIKENESS AGREEMENT THAT RELATES TO THE PROMOTION OF GAMBLING, MARIJUANA, SPORTS BETTING, TOBACCO, ALCOHOL OR OTHER PRODUCTS THAT MAY BE CONSIDERED INCONSISTENT WITH THE EDUCATIONAL INSTITUTION'S VALUES; TO CODIFY NEW SECTION 93-19-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS 18 YEARS OF AGE SHALL HAVE THE CAPACITY TO ENTER INTO BINDING CONTRACTS AFFECTING THE USE OF THEIR NAME, IMAGE, OR LIKENESS WHILE PARTICIPATING IN INTERCOLLEGIATE SPORTS; TO AMEND SECTION 73-42-3, MISSISSIPPI CODE OF 1972, TO INCLUDE COMPENSATION FOR THE USE OF A STUDENT-ATHLETE'S NAME, IMAGE OR LIKENESS IN THE DEFINITION OF "ENDORSEMENT CONTRACT" AND "AGENCY CONTRACT"; TO PROVIDE THAT NO POSTSECONDARY EDUCATIONAL INSTITUTION SHALL BE SUBJECT TO A CLAIM FOR DAMAGES FOR UNFAIR TRADE OR COMPETITION OR TORTIOUS INTERFERENCE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Rita Potts Parks	Mac Huddleston
Nicole Boyd	Donnie Scoggin
Daniel H. Sparks	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2313** was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon. Total--45.

Nays--Younger. Total--1.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Voting Present--Hill, Michel, Turner-Ford. Total--3.

Senator Polk called up the following entitled nomination:

S. N. No. 29: David Charles Johnson, Flowood, Mississippi, Executive Director of the Mississippi Department of Information Technology Services, term effective November 1, 2020.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 29 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Polk called up the following entitled nomination:

S. N. No. 24: Thomas Allen (Tom) Wicker, Tupelo, Mississippi, Information Technology Services Authority, five year term effective immediately and ending June 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 24 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Polk moved that the rules be suspended for the consideration en bloc of S. N. No. 23, S. N. No. 47 and S. N. No. 61 and the motion prevailed.

Senator Polk called up the following entitled nominations:

S. N. No. 23: Donald Geaty (Don) Brown, Vicksburg, Mississippi, Mississippi State Personnel Board to serve the state at large, five year term effective immediately and ending June 30, 2025.

S. N. No. 47: Scott Roach Shoemaker, Jackson, Mississippi, Mississippi State Personnel Board, term effective immediately and ending June 30, 2023, representing the First Supreme Court District, vice Greg Moore.

S. N. No. 61: Col. Nick Paul Ardillo, Jr., Columbus, Mississippi, Mississippi State Personnel Board to represent the Third Supreme Court District, five year term beginning July 1, 2021 and ending June 30, 2026.

YEAS AND NAYS on consideration en bloc of S. N. No. 23, S. N. No. 47 and S. N. No. 61. On motion of Senator Hill, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Branning moved that the rules be suspended for the consideration en bloc of S. N. No. 45 and S. N. No. 57 and the motion prevailed.

Senator Branning called up the following entitled nominations:

S. N. No. 45: Gary Mack Grubbs, Hattiesburg, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective immediately and runs concurrently with Governor's term of office.

S. N. No. 57: Phillip W. (Phil) Moore, Ridgeland, Mississippi, Mississippi Motor Vehicle Commission to represent the Third Congressional District, term effective immediately and ending June 30, 2027.

YEAS AND NAYS on consideration en bloc of S. N. No. 45 and S. N. No. 57. On motion of Senator Branning, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Branning called up the following entitled nomination:

S. N. No. 53: Larry Wayne Clark, Amory, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective immediately and runs concurrently with the Governor's term of office.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 53 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour,

Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--None.
Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Whaley called up the following entitled nomination:

S. N. No. 77: John Scott Coopwood, Cleveland, Mississippi, Commission on Wildlife, Fisheries and Parks, five year term effective immediately and ending June 30, 2025, representing the Second Congressional District as it existed in 1991.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 77 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--None.
Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Branning called up the following entitled nomination:

S. N. No. 79: Russell Hanna, Louisville, Mississippi, Appeals Board of the Mississippi Transportation Commission, term beginning immediately upon confirmation by the Senate and ending June 30, 2023.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 79 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--None.
Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Carter moved that the rules be suspended for the immediate consideration of calendar item 211, **S. N. No. 76**, and the motion prevailed.

Senator Carter called up the following entitled nomination:

S. N. No. 76: Owen Bowdre (Hammer) Emerson, Hernando, Mississippi, State Oil and Gas Board to represent the Third Supreme Court District, six year term effective immediately and ending May 7, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 76 by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Fillingane, Sojourner. Total--3.

Senator Blackwell entered a motion to reconsider the vote whereby **H. B. No. 1479** passed the Senate.

H. B. No. 1479: City of McComb; extend date of repeal on hotel/motel tourism tax.

Senator Bryan moved that the rules be suspended for the immediate consideration of **H. B. No. 1312**, and the motion prevailed.

Senator Bryan entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1312** was adopted by the Senate.

H. B. No. 1312: State Board of Cosmetology; extend repealer on.

Senator Bryan moved to reconsider the vote whereby the Conference Report on **H. B. No. 1312** was adopted by the Senate.

The foregoing motion prevailed.

Senator Bryan moved that the Conference Committee Report on **H. B. No. 1312** be recommitted for further conference and the motion prevailed.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. C. R. No. 506: Express intent of Legislature that daylight saving time shall be the year-round standard time in Mississippi.

S. C. R. No. 533: Recommend that the United States Forest Service reconsider certain restrictive action on National Forest Lands in Mississippi.

S. C. R. No. 534: Declare September 2021 as "Prostate Cancer Awareness Month".

S. C. R. No. 537: Declare that March 21, 2021, is "World Down Syndrome Day in Mississippi."

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 44: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MRS. SARA BARRETT HARVEY ROBERTS.

H. C. R. No. 45: A CONCURRENT RESOLUTION URGING THE UNITED STATES FOOD AND DRUG ADMINISTRATION TO PROTECT AMERICAN CONSUMERS WITH RESPONSIBLE KRATOM REGULATION.

H. C. R. No. 46: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING BISHOP JOSEPH ROSCOE CAMPBELL, JR., FOR HIS 34 YEARS OF OUTSTANDING SERVICE AND DEDICATION TO HIS CHURCH AND HIS COMMUNITY.

H. C. R. No. 47: A CONCURRENT RESOLUTION RECOGNIZING APRIL 2021 AS "GARY HEMPHILL COMMERCIAL AVIATION MONTH" IN MISSISSIPPI.

H. C. R. No. 48: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE DILIGENCE OF THE FACULTY, STAFF AND STUDENTS OF ALCORN STATE UNIVERSITY ON THE OCCASION OF THE SCHOOL'S HISTORIC 150TH YEAR ANNIVERSARY.

H. C. R. No. 49: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. ERIS KNOTT OF HATTIESBURG ELEMENTARY IN HATTIESBURG, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2021 BY CURRICULUM ASSOCIATES.

H. C. R. No. 50: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MR. WAYNE ULRICH OF LONG BEACH MIDDLE SCHOOL IN LONG BEACH, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2021 BY CURRICULUM ASSOCIATES.

H. C. R. No. 51: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MR. JAMIE COOPER OF SINGING RIVER ACADEMY IN GAUTIER, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2021 BY CURRICULUM ASSOCIATES.

H. C. R. No. 52: A CONCURRENT RESOLUTION CONGRATULATING FAMOUS BLUESMAN BOBBY RUSH UPON WINNING HIS SECOND GRAMMY AWARD IN THE TRADITIONAL BLUES CATEGORY FOR HIS ALBUM "RAWER THAN RAW" AT THE 62ND GRAMMY AWARDS.

H. C. R. No. 53: A CONCURRENT RESOLUTION COMMEMORATING ALPHA KAPPA ALPHA SORORITY, INC., ON THE OBSERVANCE OF THE 2021 "ALPHA KAPPA ALPHA SORORITY DAY AT THE CAPITOL," WHICH WILL BE VIRTUAL THIS YEAR, FOR THEIR OUTSTANDING SERVICE TO THE COMMUNITY AS THEY REMAIN "SUPREME IN SERVICE TO ALL MANKIND."

H. C. R. No. 54: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING MR. NOAH HARRIS FOR BEING ELECTED AS HARVARD UNIVERSITY'S FIRST AFRICAN-AMERICAN MALE STUDENT BODY PRESIDENT.

H. C. R. No. 55: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MISS ASYA BRANCH FOR BEING CROWNED MISS USA 2020 AND EXTENDING SINCEREST WISHES FOR HER CONTINUED SUCCESS AT THE MISS UNIVERSE PAGEANT 2021 AND IN ALL HER FUTURE ENDEAVORS.

H. C. R. No. 56: A CONCURRENT RESOLUTION RECOGNIZING APRIL 19-25, 2021, AS "NATIVE PLANT APPRECIATION WEEK" IN MISSISSIPPI AND COMMENDING THE EFFORTS OF THE AUDUBON DELTA REGION OF THE NATIONAL AUDUBON SOCIETY TO RAISE AWARENESS OF THE USE OF NATIVE PLANTS IN OUR STATE.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 196: "Dignity for Incarcerated Women Act"; create.

Adopted: 03/25/21

Andrew Ketchings, Clerk of the House of Representatives

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Joan J. Mitchell of Winona, MS.

Senator Blackwell moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Saturday, March 27, 2021.

The motion prevailed, and at 11:05 AM, the Senate stood in recess.

REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 89: Hue Townsend, Jr., Belzoni, Mississippi, Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 29, 2020 and ending June 30, 2022. Do Advise and Consent.

S. N. No. 90: Larry Mullins, Starkville, Mississippi, Mississippi Home Corporation as a resident of the Third Supreme Court District, term effective January 11, 2021 and ending June 30, 2026. Do Advise and Consent.

S. N. No. 91: Sue Stedman, Natchez, Mississippi, Mississippi Home Corporation as a resident of the Second Supreme Court District, term effective December 29, 2020 and ending June 30, 2024. Do Advise and Consent.

HARKINS, Chairman

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 74: Kenneth Charles (Ken) Lippincott, MD, Tupelo, Mississippi, Mississippi State Board of Medical Licensure to represent the Third Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026. Do Advise and Consent.

S. N. No. 9: Jane Stroble Miller, Meridian, Mississippi, Board of Directors for the Mississippi Industries for the Blind as an individual who is legally blind, term effective December 17, 2020 and ending December 17, 2024. Do Advise and Consent.

S. N. No. 28: Pshon Barrett, Jackson, Mississippi, Board of Directors for the Mississippi Industries for the Blind, term effective June 30, 2018 and ending June 30, 2022. Do Advise and Consent.

S. N. No. 41: Lauren Michelle Hegwood, Brandon, Mississippi, Board of Directors for the Mississippi Industries for the Blind, term effective July 1, 2020 and ending June 30, 2024. Do Advise and Consent.

BRYAN, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 44: Sara Barrett Harvey Roberts; commend life and legacy upon her passing. Rules.

H. C. R. No. 45: Kratom; urge the United States Food and Drug Administration to regulate. Rules.

H. C. R. No. 46: Bishop Joseph Roscoe Campbell, Jr.; commend for service to his church and community. Rules.

H. C. R. No. 47: Gary Hemphill Commercial Aviation Month; recognize April 2021 as. Rules.

H. C. R. No. 48: Alcorn State University; commend and congratulate upon its 150th year anniversary. Rules.

H. C. R. No. 49: Eris Knott; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. Rules.

H. C. R. No. 50: Wayne Ulrich; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. Rules.

H. C. R. No. 51: Jamie Cooper; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. Rules.

H. C. R. No. 52: Bobby Rush; congratulate upon winning his second Grammy Award for Best Traditional Blues Album. Rules.

H. C. R. No. 53: 2021 "Alpha Kappa Alpha Sorority Day at the Capitol"; observe virtually on May 6, 2021. Rules.

H. C. R. No. 54: Noah Harris; commend for being elected as Harvard University's First African-American student body president. Rules.

H. C. R. No. 55: Asya Branch; commend and congratulate upon being crowned Miss USA 2020. Rules.

H. C. R. No. 56: Native Plant Appreciation Week; recognize observance of on April 19-25, 2021. Rules.

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Eure as a conferee, the Speaker has named a new conferee on the following:

S. B. No. 2917: Appropriation; Emergency Management Agency.

Representatives Read and Bennett remain as conferees and the Speaker has named Representative Barton to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Eure as a conferee, the Speaker has named a new conferee on the following:

S. B. No. 2937: Appropriation; Gaming Commission.

Representatives Read and Bennett remain as conferees and the Speaker has named Representative Barton to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Eure as a conferee, the Speaker has named a new conferee on the following:

S. B. No. 2951: Appropriation; Development Authority, Mississippi.

Representatives Read and Bennett remain as conferees and the Speaker has named Representative Barton to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Eure as a conferee, the Speaker has named a new conferee on the following:

S. B. No. 2953: Appropriation; Secretary of State.

Representatives Read and Bennett remain as conferees and the Speaker has named Representative Barton to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Eure as a conferee, the Speaker has named a new conferee on the following:

H. B. No. 1412: Appropriation; Marine Resources, Department of.

Representatives Read and Ladner remain as conferees and the Speaker has named Representative Bennett to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

The President announced the appointment of the following conferees on the part of the Senate:

H. B. No. 1231: Mississippi Outdoor Stewardship Trust Fund; create.
Senators Polk, Whaley, Hopson.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:10 PM in memory of Joan J. Mitchell.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR FRIDAY, MARCH 26, 2021

S. R. No. 47: Rules

A RESOLUTION SALUTING AND EXTENDING THE CONGRATULATIONS OF THE MISSISSIPPI SENATE TO 87-YEAR OLD BLUES LEGEND BOBBY RUSH FOR WINNING A 2021 GRAMMY AWARD FOR BEST TRADITIONAL BLUES ALBUM.

By Senator(s) Norwood, Jackson (11th), Simmons (12th), Thomas, Jordan, Simmons (13th), Butler, Horhn

S. R. No. 48: Rules

A RESOLUTION RECOGNIZING DR. FELECIA M. NAVE AS THE FIRST FEMALE AND 20TH PRESIDENT OF ALCORN STATE UNIVERSITY AND CONGRATULATING HER ON THE OCCASION OF HER INAUGURATION ON APRIL 16, 2021.

By Senator(s) Butler, Simmons (13th), Witherspoon

S. R. No. 49: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LAUREL HIGH SCHOOL "LADY TORNADOES" GIRLS BASKETBALL TEAM AND HEAD COACH SHERRI COOLEY FOR WINNING THEIR FIRST-EVER MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 5A STATE CHAMPIONSHIP.

By Senator(s) Barnett

EIGHTY-SECOND DAY, SATURDAY, MARCH 27, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Absent--Barrett, Fillingane, McDaniel, Sojourner. Total--4.

The Secretary announced a quorum present.

The invocation was delivered by Senator McCaughn.

Senator Williams led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 356** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

CONFEREES FOR THE HOUSE

Nick Bain

Tom Miles

Dana McLean

CONFEREES FOR THE SENATE

Brice Wiggins

David Parker

Jenifer B. Branning

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 356** was adopted:

Yeas--Barnett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--Blackmon. Total--1.

Absent and those not voting--Barrett, Fillingane, McDaniel, Sojourner. Total--4.

Senator DeBar offered the following report of the Conference Committee on **H. B. No. 754** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 754: Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 37-173-16, Mississippi Code of 1972:

37-173-16. (1) Each local school district shall make an initial determination of whether a student diagnosed with dyslexia meets the eligibility criteria under the Individuals with Disabilities Education Act (IDEA) to have an Individualized Education Program developed and to receive services. If a student's diagnosis of dyslexia does not result in an IDEA eligibility determination then the district must proceed with their process for determining if the student is eligible for a 504 Plan under the Rehabilitation Act based on the presumption that proficiency in spelling, reading and writing are essential for the student to achieve appropriate educational progress. Each local school district shall develop interventions and strategies to address the needs of those students diagnosed with dyslexia which provide the necessary accommodations to enable the student to achieve appropriate educational progress. The interventions and strategies developed shall include, but not be limited to, the use of the 3-Tier Instructional Model and the utilization of provisions of the IDEA and 504 Plan to address those needs.

(2) The State Department of Education shall require public school districts to conduct four (4) hours of in-service training in dyslexia and related disorder awareness education every three (3) years for all licensed educators and paraprofessionals responsible for instruction. Standard 1 and Standard 2 of the International Dyslexia Association's "Knowledge and Practice Standards for Teachers of Reading" 2018 Edition shall be the minimum content used for the dyslexia training. Additional content of the trainings shall also include the indicators and characteristics, screening processes, evidence-based interventions and accommodations for students with dyslexia and other related disorders. The training, which may be provided through live in-person instruction, online course instruction or through a prerecorded video presentation, shall be delivered by an individual who holds a State Department of Education License No. 203 in Dyslexia Therapy and a national certificate as a Certified Academic Language Therapist.

SECTION 2. Section 37-173-9, Mississippi Code of 1972, is amended as follows:

37-173-9. (1) (a) The parent or legal guardian is not required to accept the offer of enrolling in another public school in lieu of requesting a Mississippi Dyslexia Therapy Scholarship to a nonpublic school. However, if the parent or legal guardian chooses the public school option, the student may continue attending a public school chosen by the parent or legal guardian until the student completes Grade 12.

(b) If the parent or legal guardian chooses a public school within the district, the school district shall provide transportation to the public school selected by the parent or legal guardian. However, if the parent or legal guardian chooses a public school in another district, the parent or legal guardian is responsible to provide transportation to the school of choice.

* * *

* * * These provisions do not prohibit a parent or legal guardian of a student diagnosed with dyslexia, at any time, from choosing the option of a Mississippi Dyslexia Therapy Scholarship which would allow the student to attend another public school or nonpublic special purpose school.

(* * *2) If the parent or legal guardian chooses the nonpublic school option and the student is accepted by the nonpublic school pending the availability of a space for the student, the parent or legal guardian of the student must notify the department thirty (30) days before the first scholarship payment and before entering the nonpublic school in order to be eligible for the scholarship when a space becomes available for the student in the nonpublic school.

(* * *3) The parent or legal guardian of a student may choose, as an alternative, to enroll the student in and transport the student to a public school in an adjacent school district which has available space and has a program with dyslexia services that provide daily dyslexia therapy sessions delivered by a department licensed dyslexia therapist, and that school district shall accept the student and report the student for purposes of the district's funding under the Mississippi Adequate Education Program.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 37-173-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THE STEPS SCHOOLS MUST TAKE FOR THE EDUCATION AND CARE OF STUDENTS WITH DYSLEXIA AND OTHER RELATED DISORDERS; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL REQUIRE SCHOOL DISTRICTS TO CONDUCT FOUR HOURS OF AWARENESS TRAINING FOR DYSLEXIA AND OTHER RELATED DISORDERS TO ALL LICENSED EDUCATORS AND PARAPROFESSIONALS RESPONSIBLE FOR INSTRUCTION; TO PROVIDE THAT STANDARD 1 AND STANDARD 2 OF THE INTERNATIONAL DYSLEXIA ASSOCIATION'S "KNOWLEDGE AND PRACTICE STANDARDS FOR TEACHERS OF READING" 2018 EDITION SHALL BE THE MINIMUM CONTENT USED FOR THE DYSLEXIA TRAINING; TO AMEND SECTION 37-173-9, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN PROVISIONS RELATING TO SCHOOL'S DETERMINATION OF STUDENTS WITH DYSLEXIA; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Richard Bennett

Kent McCarty

Clay Deweese

CONFEREES FOR THE SENATE

Dennis DeBar, Jr.

Nicole Boyd

Chris Johnson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 754** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McDaniel, Sojourner. Total--4.

Senator England offered the following report of the Conference Committee on **S. B. No. 2121** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2121: Intimate visual material; criminalize disclosure of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this section:

(a) "Intimate parts" means the naked genitals, pubic area, anus, buttocks or female nipple of a person.

(b) "Promote" means to procure, manufacture, issue, sell, give, provide, lend, mail, deliver, transfer, transmit, publish, distribute, circulate, disseminate, present, exhibit or advertise or to offer or agree to promote.

(c) "Sexual conduct" means sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation or sadomasochistic abuse.

(d) "Simulated" means the explicit depiction of sexual conduct that creates the appearance of actual sexual conduct and during which a person engaging in the conduct exhibits any uncovered portion of the genitals, buttocks or female nipple.

(e) "Visual material" means:

(i) Any film, photograph, videotape, negative or slide or any photographic reproduction that contains or incorporates in any manner any film, photograph, videotape, negative or slide; or

(ii) Any disk, diskette or other physical medium that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen by telephone line, cable, satellite transmission, or other method.

SECTION 2. (1) A person commits an offense if:

(a) Without the effective consent of the depicted person and with the intent to harm the depicted person, the offender discloses visual material depicting another person with the depicted person's intimate parts exposed or engaged in sexual conduct;

(b) At the time of the disclosure, the offender knows or has reason to believe that the visual material was obtained by the offender or created under circumstances in which the depicted person had a reasonable expectation that the visual material would remain private;

(c) The disclosure of the visual material causes harm to the depicted person; and

(d) The disclosure of the visual material reveals the identity of the depicted person in any manner, including through:

(i) Any accompanying or subsequent information or material related to the visual material; or

(ii) Information or material provided by a third party in response to the disclosure of the visual material.

(2) A person commits an offense if the offender intentionally threatens to disclose, without the consent of the depicted person, visual material depicting another person with the depicted person's intimate parts exposed or engaged in sexual conduct and the offender makes the threat to obtain a benefit:

(a) In return for not making the disclosure; or

(b) In connection with the threatened disclosure.

(3) A person commits an offense if, knowing the character and content of the visual material, the offender promotes visual material described by subsection (1) of this section on an internet website or other forum for publication that is owned or operated by the offender.

(4) It is not a defense to prosecution under this section that the depicted person:

- (a) Created or consented to the creation of the visual material; or
- (b) Voluntarily transmitted the visual material to the actor.

(5) It is an affirmative defense to prosecution under subsection (1) or (3) of this section that:

(a) The disclosure or promotion is made in the course of:

treatment;

- (i) Lawful and common practices of law enforcement or medical

- (ii) Reporting unlawful activity; or

- (iii) A legal proceeding, if the disclosure or promotion is permitted or required by law; or

(b) The disclosure or promotion consists of visual material depicting in a public or commercial setting only a person's voluntary exposure of:

- (i) The person's intimate parts; or

- (ii) The person engaging in sexual conduct.

(6) Where content is provided by another person or entity, nothing in this act shall be construed to impose criminal liability on the following:

(a) An internet service provider;

(b) an interactive computer service, as defined in 47 USC Section 230;

(c) A provider of an electronic communications service, as defined in 18 USC Section 2510;

(d) A telecommunications service, information service or mobile service, as defined in 47 USC Section 153, including a commercial mobile service, as defined in 47 USC Section 332(d); or

(e) A cable operator, as defined in 47 USC Section 522.

(7) (a) A first offense under this section is a misdemeanor and, upon conviction, shall be punished by imprisonment in the county jail not exceeding six (6) months or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both.

(b) A second or subsequent violation of this section is a felony and, upon conviction, shall be punished by imprisonment not exceeding one (1) year or by a fine not exceeding Two Thousand Dollars (\$2,000.00), or both.

(c) Notwithstanding paragraphs (a) and (b) of this subsection, any offense under this section committed for financial profit shall constitute a felony and, upon conviction, shall be punished by imprisonment not exceeding one (1) year or by fine not exceeding Two Thousand Dollars (\$2,000.00), or both.

(8) A person shall be subject to prosecution in this state for any conduct made unlawful by this section which the person engages in while:

(a) Either within or outside of this state if, by such conduct, the person commits a violation of this section which involves an individual who resides in this state; or

(b) Within this state if, by such conduct, the person commits a violation of this section which involves an individual who resides within or outside this state.

(9) The provisions of this section are supplementary to the provisions of any other statute of this state. If conduct that constitutes an offense under this section also constitutes an offense under another law, the actor may be prosecuted under this section, the other law, or both.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CRIMINALIZE THE DISCLOSURE WITHOUT CONSENT OF INTIMATE VISUAL MATERIAL; TO DEFINE TERMS; TO PROVIDE PENALTIES FOR THE CRIME; TO ENUMERATE CERTAIN DEFENSES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Joey Fillingane	Nick Bain
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Jeremy England	Jansen Owen
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Joseph Thomas	Jill Ford
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2121** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McDaniel, Sojourner. Total--4.

Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2267** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-3-2, Mississippi Code of 1972, as amended by House Bill No. 1263, 2021 Regular Session, is amended as follows:

37-3-2. (1) There is established within the State Department of Education the Commission on Teacher and Administrator Education, Certification and Licensure and Development. It shall be the purpose and duty of the commission to make recommendations to the State Board of Education regarding standards for the certification and licensure and continuing professional development of those who teach or perform tasks of an educational nature in the public schools of Mississippi.

(2) (a) The commission shall be composed of fifteen (15) qualified members. The membership of the commission shall be composed of the following members to be appointed, three (3) from each of the four (4) congressional districts, as such districts existed on January 1, 2011, in accordance with the population calculations determined by the 2010 federal decennial census, including: four (4) classroom teachers; three (3) school administrators; one (1) representative of schools of education of public institutions of higher learning located within the state to be recommended by the Board of Trustees of State Institutions of Higher Learning; one (1) representative from the schools of education of independent institutions of higher learning to be recommended by the Board of the Mississippi Association of Independent Colleges; one (1) representative from public community and junior colleges located within the state to be recommended by the Mississippi Community College Board; one (1) local school board member; and four (4) laypersons. Three (3) members of the commission, at the sole discretion of the State Board of Education, shall be appointed from the state at large.

(b) All appointments shall be made by the State Board of Education after consultation with the State Superintendent of Public Education. The first appointments by the State Board of Education shall be made as follows: five (5) members shall be appointed for a term of one (1) year; five (5) members shall be appointed for a term of two (2) years; and five (5) members shall be appointed for a term of three (3) years. Thereafter, all members shall be appointed for a term of four (4) years.

(3) The State Board of Education when making appointments shall designate a chairman. The commission shall meet at least once every two (2) months or more often if needed. Members of the commission shall be compensated at a rate of per diem as authorized by Section 25-3-69 and be reimbursed for actual and necessary expenses as authorized by Section 25-3-41.

(4) (a) An appropriate staff member of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve as executive secretary and coordinator for the commission. No less than two (2) other appropriate staff members of the State Department of Education shall be designated and assigned by the State Superintendent of Public Education to serve on the staff of the commission.

(b) An Office of Educator Misconduct Evaluations shall be established within the State Department of Education to assist the commission in responding to infractions and violations, and in conducting hearings and enforcing the provisions of subsections (11), (12), (13), (14) and (15) of this section, and violations of the Mississippi Educator Code of Ethics.

(5) It shall be the duty of the commission to:

(a) Set standards and criteria, subject to the approval of the State Board of Education, for all educator preparation programs in the state;

(b) Recommend to the State Board of Education each year approval or disapproval of each educator preparation program in the state, subject to a process and schedule determined by the State Board of Education;

(c) Establish, subject to the approval of the State Board of Education, standards for initial teacher certification and licensure in all fields;

(d) Establish, subject to the approval of the State Board of Education, standards for the renewal of teacher licenses in all fields;

(e) Review and evaluate objective measures of teacher performance, such as test scores, which may form part of the licensure process, and to make recommendations for their use;

(f) Review all existing requirements for certification and licensure;

(g) Consult with groups whose work may be affected by the commission's decisions;

(h) Prepare reports from time to time on current practices and issues in the general area of teacher education and certification and licensure;

(i) Hold hearings concerning standards for teachers' and administrators' education and certification and licensure with approval of the State Board of Education;

(j) Hire expert consultants with approval of the State Board of Education;

(k) Set up ad hoc committees to advise on specific areas; and

(l) Perform such other functions as may fall within their general charge and which may be delegated to them by the State Board of Education.

(6) (a) Standard License - Approved Program Route. An educator entering the school system of Mississippi for the first time and meeting all requirements as established by the State Board of Education shall be granted a standard five-year license. Persons who possess two (2) years of classroom experience as an assistant teacher or who have taught for one (1) year in an accredited public or private school shall be allowed to fulfill student teaching requirements under the supervision of a qualified participating teacher approved by an accredited college of education. The local school district in which the assistant teacher is employed shall compensate such assistant teachers at the required

salary level during the period of time such individual is completing student teaching requirements. Applicants for a standard license shall submit to the department:

(i) An application on a department form;

(ii) An official transcript of completion of a teacher education program approved by the department or a nationally accredited program, subject to the following: Licensure to teach in Mississippi prekindergarten through kindergarten classrooms shall require completion of a teacher education program or a Bachelor of Science degree with child development emphasis from a program accredited by the American Association of Family and Consumer Sciences (AAFCS) or by the National Association for Education of Young Children (NAEYC) or by the National Council for Accreditation of Teacher Education (NCATE). Licensure to teach in Mississippi kindergarten, for those applicants who have completed a teacher education program, and in Grade 1 through Grade 4 shall require the completion of an interdisciplinary program of studies. Licenses for Grades 4 through 8 shall require the completion of an interdisciplinary program of studies with two (2) or more areas of concentration. Licensure to teach in Mississippi Grades 7 through 12 shall require a major in an academic field other than education, or a combination of disciplines other than education. Students preparing to teach a subject shall complete a major in the respective subject discipline. All applicants for standard licensure shall demonstrate that such person's college preparation in those fields was in accordance with the standards set forth by the National Council for Accreditation of Teacher Education (NCATE) or the National Association of State Directors of Teacher Education and Certification (NASDTEC) or, for those applicants who have a Bachelor of Science degree with child development emphasis, the American Association of Family and Consumer Sciences (AAFCS). Effective July 1, 2016, for initial elementary education licensure, a teacher candidate must earn a passing score on a rigorous test of scientifically research-based reading instruction and intervention and data-based decision-making principles as approved by the State Board of Education;

(iii) A copy of test scores evidencing satisfactory completion of nationally administered examinations of achievement, such as the Educational Testing Service's teacher testing examinations;

(iv) Any other document required by the State Board of Education;

and

(v) From and after July 1, 2020, no teacher candidate shall be licensed to teach in Mississippi who did not meet the following criteria for entrance into an approved teacher education program:

1. An ACT Score of twenty-one (21) (or SAT equivalent); or

2. Achieve a qualifying passing score on the Praxis Core Academic Skills for Educators examination as established by the State Board of Education; or

3. A minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program.

(b) Standard License - Nontraditional Teaching Route. From and after July 1, 2020, no teacher candidate shall be licensed to teach in Mississippi under the alternate route who did not meet the following criteria:

(i) An ACT Score of twenty-one (21) (or SAT equivalent); or

(ii) Achieve a qualifying passing score on the Praxis Core Academic Skills for Educators examination as established by the State Board of Education; or

(iii) A minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program.

Beginning July 1, 2020, an individual who has attained a passing score on the Praxis Core Academic Skills for Educators or an ACT Score of twenty-one (21) (or SAT equivalent) or a minimum GPA of 3.0 on coursework prior to admission to an approved teacher education program and a passing score on the Praxis Subject Assessment in the requested area of endorsement may apply for admission to the Teach Mississippi Institute (TMI) program to teach students in Grades 7 through 12 if the individual meets the requirements of this paragraph (b). The State Board of Education shall adopt rules requiring that teacher preparation institutions which provide the Teach Mississippi Institute (TMI) program for the preparation of nontraditional teachers shall meet the standards and comply with the provisions of this paragraph.

(i) The Teach Mississippi Institute (TMI) shall include an intensive eight-week, nine-semester-hour summer program or a curriculum of study in which the student matriculates in the fall or spring semester, which shall include, but not be limited to, instruction in education, effective teaching strategies, classroom management, state curriculum requirements, planning and instruction, instructional methods and pedagogy, using test results to improve instruction, and a one (1) semester three-hour supervised internship to be completed while the teacher is employed as a full-time teacher intern in a local school district. The TMI shall be implemented on a pilot program basis, with courses to be offered at up to four (4) locations in the state, with one (1) TMI site to be located in each of the three (3) Mississippi Supreme Court districts.

(ii) The school sponsoring the teacher intern shall enter into a written agreement with the institution providing the Teach Mississippi Institute (TMI) program, under terms and conditions as agreed upon by the contracting parties, providing that the school district shall provide teacher interns seeking a nontraditional provisional teaching license with a one-year classroom teaching experience. The teacher intern shall successfully complete the one (1) semester three-hour intensive internship in the school district during the semester immediately following successful completion of the TMI and prior to the end of the one-year classroom teaching experience.

(iii) Upon completion of the nine-semester-hour TMI or the fall or spring semester option, the individual shall submit his transcript to the commission for provisional licensure of the intern teacher, and the intern teacher shall be issued a provisional teaching license by the commission, which will allow the individual to legally serve as a teacher while the person completes a nontraditional teacher preparation internship program.

(iv) During the semester of internship in the school district, the teacher preparation institution shall monitor the performance of the intern teacher. The school district that employs the provisional teacher shall supervise the provisional teacher during the teacher's intern year of employment under a nontraditional provisional license, and shall, in consultation with the teacher intern's mentor at the school district of employment, submit to the commission a comprehensive evaluation of the teacher's performance sixty (60) days prior to the expiration of the nontraditional provisional license. If the comprehensive evaluation establishes that the provisional teacher intern's performance fails to meet the standards of the approved nontraditional teacher preparation internship program, the individual shall not be approved for a standard license.

(v) An individual issued a provisional teaching license under this nontraditional route shall successfully complete, at a minimum, a one-year beginning teacher mentoring and induction program administered by the employing school district with the assistance of the State Department of Education.

(vi) Upon successful completion of the TMI and the internship provisional license period, applicants for a Standard License - Nontraditional Route shall submit to the commission a transcript of successful completion of the twelve (12) semester hours required in the internship program, and the employing school district shall submit to the commission a recommendation for standard licensure of the intern. If the school district recommends licensure, the applicant shall be issued a Standard License - Nontraditional Route which shall be valid for a five-year period and be renewable.

(vii) At the discretion of the teacher preparation institution, the individual shall be allowed to credit the twelve (12) semester hours earned in the nontraditional teacher internship program toward the graduate hours required for a Master of Arts in Teacher (MAT) Degree.

(viii) The local school district in which the nontraditional teacher intern or provisional licensee is employed shall compensate such teacher interns at Step 1 of the required salary level during the period of time such individual is completing teacher internship requirements and shall compensate such Standard License - Nontraditional Route teachers at Step 3 of the required salary level when they complete license requirements.

Implementation of the TMI program provided for under this paragraph (b) shall be contingent upon the availability of funds appropriated specifically for such purpose by the Legislature. Such implementation of the TMI program may not be deemed to prohibit the State Board of Education from developing and implementing additional alternative route teacher licensure programs, as deemed appropriate by the board. The emergency certification program in effect prior to July 1, 2002, shall remain in effect.

A Standard License - Approved Program Route shall be issued for a five-year period, and may be renewed. Recognizing teaching as a profession, a hiring preference shall be granted to persons holding a Standard License - Approved Program Route or Standard License - Nontraditional Teaching Route over persons holding any other license.

(c) Special License - Expert Citizen. In order to allow a school district to offer specialized or technical courses, the State Department of Education, in accordance with rules and regulations established by the State Board of Education, may grant a one-year expert citizen-teacher license to local business or other professional personnel to teach in a public school or nonpublic school accredited or approved by the state. Such person may begin teaching upon his employment by the local school board and licensure by the Mississippi Department of Education. The board shall adopt rules and regulations to administer the expert citizen-teacher license. A Special License - Expert Citizen may be renewed in accordance with the established rules and regulations of the State Department of Education.

(d) Special License - Nonrenewable. The State Board of Education is authorized to establish rules and regulations to allow those educators not meeting requirements in paragraph (a), (b) or (c) of this subsection (6) to be licensed for a period of not more than three (3) years, except by special approval of the State Board of Education.

(e) Nonlicensed Teaching Personnel. A nonlicensed person may teach for a maximum of three (3) periods per teaching day in a public school district or a nonpublic school accredited/approved by the state. Such person shall submit to the department a transcript or record of his education and experience which substantiates his preparation for the subject to be taught and shall meet other qualifications specified by the commission and approved by the State Board of Education. In no case shall any local school board hire nonlicensed personnel as authorized under this paragraph in excess of five percent (5%) of the total number of licensed personnel in any single school.

(f) Special License - Transitional Bilingual Education. Beginning July 1, 2003, the commission shall grant special licenses to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. Teachers of transitional bilingual education shall be compensated by local school boards at not less than one (1) step on the regular salary schedule applicable to permanent teachers licensed under this section. The commission shall grant special licenses to teachers of transitional bilingual education who present the commission with satisfactory evidence that they (i) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (ii) are in good health and sound moral character; (iii) possess a bachelor's degree or an associate's degree in teacher education from an accredited institution of higher education; (iv) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the commission; and (v) are legally present in the United States and possess legal authorization for employment. A teacher of transitional bilingual education serving under a special license shall be under an exemption from standard licensure if he achieves the requisite qualifications therefor. Two (2) years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring a Standard Educator License. Nothing in this paragraph shall be deemed to prohibit a local school board from employing a teacher licensed in an appropriate field as approved by the State Department of Education to teach in a program in transitional bilingual education.

(g) In the event any school district meets the highest accreditation standards as defined by the State Board of Education in the accountability system, the State Board of Education, in its discretion, may exempt such school district from any restrictions in paragraph (e) relating to the employment of nonlicensed teaching personnel.

(h) Highly Qualified Teachers. Beginning July 1, 2006, any teacher from any state meeting the federal definition of highly qualified, as described in the No Child Left Behind Act, must be granted a standard five-year license by the State Department of Education.

(7) Administrator License. The State Board of Education is authorized to establish rules and regulations and to administer the licensure process of the school administrators in the State of Mississippi. There will be four (4) categories of administrator licensure with exceptions only through special approval of the State Board of Education.

(a) Administrator License - Nonpracticing. Those educators holding administrative endorsement but having no administrative experience or not serving in an administrative position on January 15, 1997.

(b) Administrator License - Entry Level. Those educators holding administrative endorsement and having met the department's qualifications to be eligible for employment in a Mississippi school district. Administrator License - Entry Level shall be issued for a five-year period and shall be nonrenewable.

(c) Standard Administrator License - Career Level. An administrator who has met all the requirements of the department for standard administrator licensure.

(d) Administrator License - Nontraditional Route. The board may establish a nontraditional route for licensing administrative personnel. Such nontraditional route for administrative licensure shall be available for persons holding, but not limited to, a master of business administration degree, a master of public administration degree, a master of public planning and policy degree or a doctor of jurisprudence degree from an accredited college or university, with five (5) years of administrative or supervisory experience. Successful completion of the requirements of alternate route licensure for administrators shall qualify the person for a standard administrator license.

Individuals seeking school administrator licensure under paragraph (b), (c) or (d) shall successfully complete a training program and an assessment process prescribed by the State Board of Education. All applicants for school administrator licensure shall meet all requirements prescribed by the department under paragraph (b), (c) or (d), and the cost of the assessment process required shall be paid by the applicant.

(8) Reciprocity. * * * The department shall grant a standard five-year license to any individual who possesses a valid standard license from another state * * * within a period of twenty-one (21) days from the date of a completed application. The issuance of a license by reciprocity to a military-trained applicant, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

* * *

(9) Renewal and Reinstatement of Licenses. The State Board of Education is authorized to establish rules and regulations for the renewal and reinstatement of educator and administrator licenses. Effective May 15, 1997, the valid standard license held by an educator shall be extended five (5) years beyond the expiration date of the license in order to afford the educator adequate time to fulfill new renewal requirements established pursuant to this subsection. An educator completing a master of education, educational specialist or doctor of education degree in May 1997 for the purpose of upgrading the educator's license to a higher class shall be given this extension of five (5) years plus five (5) additional years for completion of a higher degree. For all license types with a current valid expiration date of June 30, 2021, the State Department of Education shall grant a one-year extension to June 30, 2022. Beginning July 1, 2022, and thereafter, applicants for licensure renewal shall meet all requirements in effect on the date that the complete application is received by the State Department of Education.

(10) All controversies involving the issuance, revocation, suspension or any change whatsoever in the licensure of an educator required to hold a license shall be initially heard in a hearing de novo, by the commission or by a subcommittee established by the commission and composed of commission members, or by a hearing officer retained and appointed by the commission, for the purpose of holding hearings. Any complaint seeking the denial of issuance, revocation or suspension of a license shall be by sworn affidavit filed with the Commission on Teacher and Administrator Education, Certification and Licensure and Development. The decision thereon by the commission, its subcommittee or hearing officer, shall be final, unless the aggrieved party shall appeal to the State Board of Education, within ten (10) days, of the decision of the commission, its subcommittee or hearing officer. An appeal to the State Board of Education shall be perfected upon filing a notice of the appeal and by the prepayment of the costs of the preparation of the record of proceedings by the commission, its subcommittee or hearing officer. An appeal shall be on the record previously made before the commission, its subcommittee or hearing officer, unless otherwise provided by rules and regulations adopted by the board. The decision of the commission, its subcommittee or hearing officer shall not be disturbed on appeal if supported by substantial evidence, was not arbitrary or capricious, within the authority of the commission, and did not violate some statutory or constitutional right. The State Board of Education in its authority may reverse, or remand with instructions, the decision of the commission, its subcommittee or hearing officer. The decision of the State Board of Education shall be final.

(11) (a) The State Board of Education, acting through the commission, may deny an application for any teacher or administrator license for one or more of the following:

(i) Lack of qualifications which are prescribed by law or regulations adopted by the State Board of Education;

(ii) The applicant has a physical, emotional or mental disability that renders the applicant unfit to perform the duties authorized by the license, as certified by a licensed psychologist or psychiatrist;

(iii) The applicant is actively addicted to or actively dependent on alcohol or other habit-forming drugs or is a habitual user of narcotics, barbiturates, amphetamines, hallucinogens or other drugs having similar effect, at the time of application for a license;

(iv) Fraud or deceit committed by the applicant in securing or attempting to secure such certification and license;

(v) Failing or refusing to furnish reasonable evidence of identification;

(vi) The applicant has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this subparagraph (vi) of this paragraph (a), a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(vii) The applicant or licensee is on probation or post-release supervision for a felony or conviction, as defined by federal or state law. However, this disqualification expires upon the end of the probationary or post-release supervision period.

(b) The State Board of Education, acting through the commission, shall deny an application for any teacher or administrator license, or immediately revoke the current teacher or administrator license, for one or more of the following:

(i) If the applicant or licensee has been convicted, has pled guilty or entered a plea of nolo contendere to a sex offense as defined by federal or state law. For purposes of this subparagraph (i) of this paragraph (b), a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(ii) The applicant or licensee is on probation or post-release supervision for a sex offense conviction, as defined by federal or state law;

(iii) The license holder has fondled a student as described in Section 97-5-23, or had any type of sexual involvement with a student as described in Section 97-3-95; or

(iv) The license holder has failed to report sexual involvement of a school employee with a student as required by Section 97-5-24.

(12) The State Board of Education, acting through the commission, may revoke, suspend or refuse to renew any teacher or administrator license for specified periods of time or may place on probation, reprimand a licensee, or take other disciplinary action with regard to any license issued under this chapter for one or more of the following:

(a) Breach of contract or abandonment of employment may result in the suspension of the license for one (1) school year as provided in Section 37-9-57;

(b) Obtaining a license by fraudulent means shall result in immediate suspension and continued suspension for one (1) year after correction is made;

(c) Suspension or revocation of a certificate or license by another state shall result in immediate suspension or revocation and shall continue until records in the prior state have been cleared;

(d) The license holder has been convicted, has pled guilty or entered a plea of nolo contendere to a felony, as defined by federal or state law. For purposes of this paragraph, a "guilty plea" includes a plea of guilty, entry of a plea of nolo contendere, or entry of an order granting pretrial or judicial diversion;

(e) The license holder knowingly and willfully committing any of the acts affecting validity of mandatory uniform test results as provided in Section 37-16-4(1);

(f) The license holder has engaged in unethical conduct relating to an educator/student relationship as identified by the State Board of Education in its rules;

(g) The license holder served as superintendent or principal in a school district during the time preceding and/or that resulted in the Governor declaring a state of emergency and the State Board of Education appointing a conservator;

(h) The license holder submitted a false certification to the State Department of Education that a statewide test was administered in strict accordance with the Requirements of the Mississippi Statewide Assessment System; or

(i) The license holder has failed to comply with the Procedures for Reporting Infractions as promulgated by the commission and approved by the State Board of Education pursuant to subsection (15) of this section.

For purposes of this subsection, probation shall be defined as a length of time determined by the commission, its subcommittee or hearing officer, and based on the severity of the offense in which the license holder shall meet certain requirements as prescribed by the commission, its subcommittee or hearing officer. Failure to complete the requirements in the time specified shall result in immediate suspension of the license for one (1) year.

(13) (a) Dismissal or suspension of a licensed employee by a local school board pursuant to Section 37-9-59 may result in the suspension or revocation of a license for a length of time which shall be determined by the commission and based upon the severity of the offense.

(b) Any offense committed or attempted in any other state shall result in the same penalty as if committed or attempted in this state.

(c) A person may voluntarily surrender a license. The surrender of such license may result in the commission recommending any of the above penalties without the necessity of a hearing. However, any such license which has voluntarily been surrendered by a licensed employee may only be reinstated by a majority vote of all members of the commission present at the meeting called for such purpose.

(14) (a) A person whose license has been suspended or surrendered on any grounds except criminal grounds may petition for reinstatement of the license after one (1) year from the date of suspension or surrender, or after one-half (1/2) of the suspended or surrendered time has lapsed, whichever is greater. A person whose license has been suspended or revoked on any grounds or violations under subsection (12) of this section may be reinstated automatically or approved for a reinstatement hearing, upon submission of a written request to the commission. A license suspended, revoked or surrendered on criminal grounds may be reinstated upon petition to the commission filed after expiration of the sentence and parole or probationary period imposed upon conviction. A revoked, suspended or surrendered license may be reinstated upon satisfactory showing of evidence of rehabilitation. The commission shall require all who petition for reinstatement to furnish evidence satisfactory to the commission of good character, good mental, emotional and physical health and such other evidence as the commission may deem necessary to establish the petitioner's rehabilitation and fitness to perform the duties authorized by the license.

(b) A person whose license expires while under investigation by the Office of Educator Misconduct for an alleged violation may not be reinstated without a hearing before the commission if required based on the results of the investigation.

(15) Reporting procedures and hearing procedures for dealing with infractions under this section shall be promulgated by the commission, subject to the approval of the State Board of Education. The revocation or suspension of a license shall be effected at the time indicated on the notice of suspension or revocation. The commission shall immediately notify the superintendent of the school district or school board where the teacher or administrator is employed of any disciplinary action and also notify the teacher or administrator of such revocation or suspension and shall maintain records of action taken. The State Board of Education may reverse or remand with instructions any decision of the commission, its subcommittee or hearing officer regarding a petition for reinstatement of a license, and any such decision of the State Board of Education shall be final.

(16) An appeal from the action of the State Board of Education in denying an application, revoking or suspending a license or otherwise disciplining any person under the provisions of this section shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi, on the record made, including a verbatim transcript of the testimony at the hearing. The appeal shall be filed within thirty (30) days after notification of the action of the board is mailed or served and the proceedings in chancery court shall be conducted as other matters coming before the court. The appeal shall be perfected upon filing notice of the appeal and by the prepayment of all costs, including the cost of preparation of the record of the proceedings by the State Board of Education, and the filing of a bond in the sum of Two Hundred Dollars (\$200.00) conditioned that if the action of the board be affirmed by the chancery court, the applicant or license holder shall pay the costs of the appeal and the action of the chancery court.

(17) All such programs, rules, regulations, standards and criteria recommended or authorized by the commission shall become effective upon approval by the State Board of Education as designated by appropriate orders entered upon the minutes thereof.

(18) The granting of a license shall not be deemed a property right nor a guarantee of employment in any public school district. A license is a privilege indicating minimal eligibility for teaching in the public school districts of Mississippi. This section shall in no way alter or abridge the authority of local school districts to require greater qualifications or standards of performance as a prerequisite of initial or continued employment in such districts.

(19) In addition to the reasons specified in subsections (12) and (13) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1263, 2021 REGULAR SESSION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL GRANT LICENSES WITHIN A PERIOD OF 21 DAYS FROM THE DATE OF A COMPLETED APPLICATION TO TEACHERS IF THEY POSSESS A VALID STANDARD LICENSE FROM ANOTHER STATE; TO PROVIDE THAT FOR ALL LICENSE TYPES WITH A CURRENT VALID EXPIRATION DATE OF JUNE 30, 2021, THE DEPARTMENT OF EDUCATION SHALL GRANT A ONE-YEAR EXTENSION TO JUNE 30, 2022; TO PROVIDE THAT BEGINNING JULY 1, 2022, AND THEREAFTER, APPLICANTS FOR LICENSURE RENEWAL SHALL MEET ALL REQUIREMENTS IN EFFECT ON THE DATE THAT THE COMPLETE APPLICATION IS RECEIVED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Dennis DeBar, Jr.	Richard Bennett
Angela Burks Hill	Kent McCarty
Sollie B. Norwood	Timmy Ladner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2267** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McDaniel, Sojourner. Total--4.

Senator Barnett moved that the rules be suspended for the consideration en bloc of S. N. No. 85, S. N. No. 86 and S. N. No. 87 and the motion prevailed.

Senator Barnett called up the following entitled nominations:

S. N. No. 85: Betty Lou Stuart Jones, Meridian, Mississippi, State Parole Board, term effective immediately to serve at the will and pleasure of the Governor.

S. N. No. 86: Nehemiah Flowers, Jr., Brandon, Mississippi, State Parole Board, term effective immediately to serve at the will and pleasure of the Governor.

S. N. No. 87: Steven Wayne (Steve) Pickett, Raymond, Mississippi, State Parole Board to serve as Chairman, term effective immediately to serve at the will and pleasure of the Governor.

YEAS AND NAYS on consideration en bloc of S. N. No. 85, S. N. No. 86 and S. N. No. 87. On motion of Senator Barnett, the rules were suspended, foregoing

numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McDaniel, Sojourner. Total--4.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the Speaker has named the conferees on the following:

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

Representatives Bain, Miles, McLean

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the Speaker has named the conferees on the following:

H. B. No. 1312: State Board of Cosmetology; extend repealer on.

Representatives Boyd, Young, Tubb

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 10:19 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

S. B. No. 3088: City of Baldwin; authorize to expand and operate natural gas distribution system to serve certain areas of Tippah County. Title Sufficient. Do Pass.

MCMAHAN, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that a motion to reconsider has been entered in the House on the following:

H. C. R. No. 45: Kratom; urge the United States Food and Drug Administration to regulate.

The HOUSE REQUESTS RETURN OF SAME.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. B. No. 1510: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BALDWIN, MISSISSIPPI, TO EXPAND AND OPERATE ITS NATURAL GAS DISTRIBUTION SYSTEM WITHIN A CERTAIN AREA OUTSIDE THE CORPORATE LIMITS IN ORDER TO PROVIDE GAS SERVICE TO UNDERSERVED AREAS OF TIPPAAH COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 87: MDHS fraud investigators; provide they shall be law enforcement officers.

H. B. No. 95: Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks.

S. B. No. 2313: Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness.

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature.

Adopted: 03/26/21

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. C. R. No. 4: Representative Gary Chism; commend dedicated legislative career and public service upon his retirement. Title Sufficient. Do Be Adopted.

H. C. R. No. 44: Sara Barrett Harvey Roberts; commend life and legacy upon her passing. Title Sufficient. Do Be Adopted.

H. C. R. No. 46: Bishop Joseph Roscoe Campbell, Jr.; commend for service to his church and community. Title Sufficient. Do Be Adopted.

H. C. R. No. 47: Gary Hemphill Commercial Aviation Month; recognize April 2021 as. Title Sufficient. Do Be Adopted.

H. C. R. No. 48: Alcorn State University; commend and congratulate upon its 150th year anniversary. Title Sufficient. Do Be Adopted.

H. C. R. No. 49: Eris Knott; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. Title Sufficient. Do Be Adopted.

H. C. R. No. 50: Wayne Ulrich; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. Title Sufficient. Do Be Adopted.

H. C. R. No. 51: Jamie Cooper; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. Title Sufficient. Do Be Adopted.

H. C. R. No. 52: Bobby Rush; congratulate upon winning his second Grammy Award for Best Traditional Blues Album. Title Sufficient. Do Be Adopted.

H. C. R. No. 53: 2021 "Alpha Kappa Alpha Sorority Day at the Capitol"; observe virtually on May 6, 2021. Title Sufficient. Do Be Adopted.

H. C. R. No. 54: Noah Harris; commend for being elected as Harvard University's First African-American student body president. Title Sufficient. Do Be Adopted.

H. C. R. No. 55: Asya Branch; commend and congratulate upon being crowned Miss USA 2020. Title Sufficient. Do Be Adopted.

H. C. R. No. 56: Native Plant Appreciation Week; recognize observance of on April 19-25, 2021. Title Sufficient. Do Be Adopted.

S. R. No. 44: Mourn the passing of longtime funeral home owner Luzern "Sonny" Dillon, the first black-elected official in Walthall County. Title Sufficient. Do Be Adopted.

S. R. No. 45: Commend Lafayette High School "Lady Commodores" Girls Soccer Team for three-peat Class 5A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 46: Commend Ole Miss Womens Rifle Team for outstanding 2021 season. Title Sufficient. Do Be Adopted.

S. R. No. 47: Extend congratulations of Senate to 87-year-old Blues Legend Bobby Rush for winning Grammy Award for Best Traditional Blues Album. Title Sufficient. Do Be Adopted.

S. R. No. 48: Recognize Dr. Felecia Nave as first female President of Alcorn State University on the occasion of her inauguration. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2827: AN ACT TO AMEND SECTION 31-7-13.2, MISSISSIPPI CODE OF 1972, TO REVISE THE CONSTRUCTION MANAGEMENT AT RISK METHOD OF PROJECT DELIVERY; TO PROVIDE THAT FOR THE PURPOSES OF A QUALIFICATIONS-BASED SELECTION PROCEDURE, A CONTRACT FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES SHALL BE TREATED THE SAME AS A CONTRACT FOR ARCHITECTURAL, ENGINEERING AND LAND SURVEYING SERVICES; TO PROVIDE THAT THE CONSTRUCTION MANAGER SELECTED BY AN AGENCY OR GOVERNING AUTHORITY TO PROVIDE CONSTRUCTION MANAGEMENT AT RISK SERVICES SHALL SOLICIT BIDS FOR CONSTRUCTION ON THE PROJECT AS PROVIDED IN THE PUBLIC PURCHASING LAW; TO PROVIDE THAT THE CONSTRUCTION MANAGER MAY PREQUALIFY VENDORS AND CONTRACTORS WITH CERTAIN QUALIFICATIONS BEFORE SOLICITING ANY BIDS OR ENTERING INTO ANY CONTRACTS; TO PROVIDE THAT A BIDDER'S CONFIDENTIAL AND PROPRIETARY INFORMATION SHALL NOT BE DISCLOSED TO ANYONE OUTSIDE OF THE AGENCY, GOVERNING AUTHORITY OR CONSTRUCTION MANAGER WITHOUT THE BIDDER'S PRIOR WRITTEN CONSENT; TO BRING FORWARD SECTION 25-61-9, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

S. C. R. No. 506: A CONCURRENT RESOLUTION EXPRESSING THE INTENT OF THE MISSISSIPPI LEGISLATURE THAT DAYLIGHT SAVING TIME SHALL BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE OF MISSISSIPPI AND ITS POLITICAL SUBDIVISIONS.

S. C. R. No. 533: A CONCURRENT RESOLUTION RECOMMENDING THAT THE FEDERAL GOVERNMENT CAREFULLY CONSIDER THE RIGHTS AND PRIVILEGES OF THE GENERAL PUBLIC IN ADOPTING ANY ADMINISTRATIVE ACTIONS BY THE UNITED STATES FOREST SERVICE THAT RESTRICT, REDUCE OR ELIMINATE RECREATIONAL OPPORTUNITIES OR THAT OTHERWISE CONTRADICT THE RECREATIONAL OPPORTUNITIES PROVIDED BY THE MISSISSIPPI LEGISLATURE, ESPECIALLY HUNTING AND FISHING BY ANY AND ALL TRADITIONAL MEANS, ON NATIONAL FOREST LANDS LOCATED IN MISSISSIPPI THAT ARE CONSIDERED OPEN PUBLIC LAND.

S. C. R. No. 534: A CONCURRENT RESOLUTION DECLARING THAT SEPTEMBER 2021 IS "PROSTATE CANCER AWARENESS MONTH" IN MISSISSIPPI.

Tammy Witherspoon, Chairman

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 9, **H. B. No. 1418**, and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1418** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1418: Oakland/Yalobusha Natural Gas District; authorize expansion of natural gas distribution system.

The foregoing motion prevailed.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 12, **H. B. No. 1481**, and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1481** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1481: Town of Shannon; authorize expansion of its gas distribution system.

The foregoing motion prevailed.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 28, **H. B. No. 1437**, and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1437** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1437: Town of Byhalia; authorize transfer of certain funds for infrastructure improvements.

The foregoing motion prevailed.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 29, **H. B. No. 1436**, and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1436** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1436: Caledonia Natural Gas District; authorize to enter into agreement with Mississippi Development Bank.

The foregoing motion prevailed.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 30, **H. B. No. 1433**, and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1433** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1433: Yalobusha County; authorize to loan funds to Oakland Yalobusha Natural Gas District to help pay off certain district debt.

The foregoing motion prevailed.

Senator McMahan moved that the rules be suspended for the immediate consideration of **S. B. No. 3088**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

S. B. No. 3088: City of Baldwin; authorize to expand and operate natural gas distribution system to serve certain areas of Tippah County.

YEAS AND NAYS On S. B. No. 3088. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McDaniel, Sojourner. Total--4.

On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3088.

Senator Hill moved that the rules be suspended for the immediate consideration of calendar item 174, **S. B. No. 2024**, and the motion prevailed.

Senator Hill offered the following report of the Conference Committee on **S. B. No. 2024** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2024: Depositories; revise bid process for selection by counties and municipalities.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-105-305, Mississippi Code of 1972, is amended as follows:

27-105-305. The board of supervisors at the regular December 1997 meeting, and annually thereafter or, in the discretion of the board of supervisors, * * * thereafter at such other interval of time as determined by the board of supervisors, but no less frequently than every four (4) years, shall give notice to all financial institutions in its county whose accounts are insured by the Federal Deposit Insurance Corporation (or any successor thereto), by publication, that bids will be received from financial institutions at the following January meeting, or some subsequent meeting, for the privilege of keeping the county funds, or any part thereof, which notice shall refer by name to this article and it shall not be necessary to incorporate in the notice the provisions of this article; and at the January meeting, or a subsequent meeting as may be designated in the notice, as the case may be, the board of supervisors shall receive such bids or proposals as the financial institutions may make for the privilege of keeping the county funds, or any part thereof. The bids or proposals shall designate the kind of security as authorized by law which the financial institutions propose to give as security for funds, and the board shall cause the county funds and all other funds in the hands of the county treasurer to be deposited in the qualified financial institution or qualified institutions proposing the best terms, taking into consideration all material aspects of the proposal, including, but not limited to, net earnings, account costs, costs of transfer of accounts from existing depositories, banking services provided and other service considerations, and meeting the requirements provided in Section 27-105-315, having in view the safety of such funds. However, if a bank submits a bid or offer to the board of supervisors to act as a depository for the county and the bid or offer, if accepted, would result in a contract in which a member of the board of supervisors would have a direct or indirect interest, the board of supervisors may elect to not open or consider any bids received and submit the matter to the State Treasurer. Upon receipt of the bids received from the board of supervisors, the State * * * Treasurer shall open and consider the bids received, select a depository or depositories, make all decisions and take any action within the authority of the board of supervisors under this section relating to the selection of a depository or depositories, including:

- (a) The selecting and opening of accounts;
- (b) Approval of securities;
- (c) The transfer and deposit of funds between depositories; and
- (d) All other related functions.

If the board of supervisors elects to open and consider the bids or offers, it shall not open or consider any bid which, if accepted, would result in a contract in which a member of the board of supervisors would have a direct or indirect interest.

SECTION 2. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over \$5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars (\$5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars (\$5,000.00) or less.

(b) Bidding procedure for purchases over \$5,000.00 but not over \$50,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars (\$5,000.00) but not more than Fifty Thousand Dollars (\$50,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community/junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Fifty Thousand Dollars (\$50,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or * * * his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or * * * his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars (\$5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over \$50,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Fifty Thousand Dollars (\$50,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board.

If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design or construction of public facilities, including buildings, roads and bridges and term contracts as provided in paragraph (n) of this section. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Fifty Thousand Dollars (\$50,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars (\$25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing

authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The

provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars (\$50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be

permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars (\$10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such

change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase,

documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and

name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a

governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in

undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; provided, however, that state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method and dual-phase design-build method of contracting. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for thirty

(30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Fifty Thousand Dollars (\$50,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements

under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars (\$1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

SECTION 3. In order for the county's financial records to fairly represent the financial condition of the county as of the date of the external audit, the clerk of the board of supervisors or, where applicable, the county administrator shall record into the county's accounting system the year-end adjusting accounting entries recommended by the county's external independent financial auditors selected by the Office of the State Auditor. If the clerk of the board of supervisors or, where applicable, the county administrator declines to make any year-end adjusting accounting entries recommended by the external financial auditors, the board of supervisors shall spread upon the board's minutes the reasons why the recommended year-end accounting entries were not entered into the county's accounting system and the impact that not including the recommended year-end accounting entries in the county's financial records will have regarding the fair representation of the financial condition of the county.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-105-305, MISSISSIPPI CODE OF 1972, TO PROVIDE COUNTY BOARDS OF SUPERVISORS THE DISCRETION TO DETERMINE THE INTERVAL OF TIME FOR PROVIDING NOTICE TO FINANCIAL INSTITUTIONS OF THE OPENING OF THE BIDDING PROCESS FOR SERVING AS DEPOSITORIES OF COUNTY FUNDS; TO CLARIFY THAT THE SELECTION OF DEPOSITORIES IS TO BE BASED UPON ALL RELEVANT FACTORS; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT REVERSE AUCTIONS SHALL NOT BE USED FOR CERTAIN TERM CONTRACTS; TO REQUIRE THE CLERK OF THE BOARD OF SUPERVISORS TO ENTER THE RECOMMENDED YEAR-END ADJUSTING ACCOUNTING ENTRIES INTO THE COUNTY'S ACCOUNTING SYSTEM AND TO REQUIRE THE BOARD OF SUPERVISORS TO SPREAD THE REASON THAT ANY RECOMMENDED ENTRY WAS NOT ENTERED UPON ITS MINUTES IF THE CLERK OF THE BOARD OF SUPERVISORS DECLINES TO MAKE THE ENTRY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Angela Burks Hill

Neil S. Whaley

Joseph M. Seymour

CONFEREES FOR THE HOUSE

Larry Byrd

Cheikh Taylor

Troy Smith

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2024** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--None.

Absent and those not voting--Barrett, Fillingane, McDaniel, Sojourner. Total--4.

Senator Wiggins moved that the rules be suspended for the immediate consideration of **H. B. No. 356**, and the motion prevailed.

Senator Wiggins entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 356** was adopted by the Senate.

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

Senator Wiggins moved to reconsider the vote whereby the Conference Report on **H. B. No. 356** was adopted by the Senate.

The foregoing motion prevailed.

Senator Wiggins moved that the Conference Committee Report on **H. B. No. 356** be recommitted for further conference and the motion prevailed.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of James Michael Doddridge of Olive Branch, MS.

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Bessie Roselma (Land) King of Ripley, TN.

Senator Parks moved that when the Senate adjourns, it adjourn in memory of Vifie Wilbanks of Corinth, MS.

Senator Blackwell moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 2:00 PM, Sunday, March 28, 2021.

The motion prevailed, and at 2:16 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 196: AN ACT TO CREATE THE "DIGNITY FOR INCARCERATED WOMEN ACT"; TO DEFINE CERTAIN TERMS AS USED UNDER THE ACT; TO PROVIDE THAT WHEN AN INCARCERATED INMATE IS GIVING BIRTH, THE USE OF RESTRAINTS SHALL BE LIMITED; TO REQUIRE CERTAIN CARE AND TREATMENT FOR WOMEN RELATED TO PREGNANCY AND CHILDBIRTH; TO REQUIRE CERTAIN CARE DURING INMATE POSTPARTUM RECOVERY; TO URGE THE DEPARTMENT OF CORRECTIONS TO PLACE MOTHERS WHO ARE PARENTS OF A MINOR CHILD WITHIN A CERTAIN DISTANCE FROM THE MOTHER'S PERMANENT ADDRESS; TO PROVIDE CERTAIN STANDARDS WHERE A FEMALE IS IN THE STATE OF UNDRESS; TO PROVIDE THAT INCARCERATED WOMEN SHALL HAVE ACCESS TO FEMININE HYGIENE PRODUCTS AND TO PROVIDE SUCH PRODUCTS AT NO COST IF AN INMATE IS DETERMINED TO BE INDIGENT; TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO DEVELOP AND PROVIDE TO ITS CORRECTION STAFF TRAINING RELATED TO THE PHYSICAL AND MENTAL HEALTH OF PREGNANT INMATES IF SUCH STAFF HAVE CONTACT WITH PREGNANT INMATES; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. B. No. 1510: City of Baldwyn; authorize to expand and operate natural gas distribution system to serve certain areas of Tippah County. Local and Private.

REPORT OF COMMITTEE ON FORESTRY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 81: George Martin Hopper, Ph.D., Starkville, Mississippi, Mississippi Forestry Commission to represent the state at large, term effective immediately for the unexpired portion of a six year term ending March 19, 2023, vice Sen. Giles Ward. Do Advise and Consent.

S. N. No. 82: Dayton Allen Greenhaw, Columbus, Mississippi, Mississippi Forestry Commission to represent the First Congressional District, term effective immediately for the unexpired portion of a six year term ending June 30, 2024. Do Advise and Consent.

S. N. No. 92: David Bradley Hall, Meridian, Mississippi, State Board of Registration for Foresters to represent the South Central Forestry Commission District, unexpired balance of the five year term ending June 30, 2025. Do Advise and Consent.

JACKSON (32ND), Chairman

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Cockerham as a conferee, the Speaker has named a new conferee on the following:

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to.

Representatives Horan and Felsher remain as conferees and the Speaker has named Representative Roberson to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 7:39 PM in memory of James Michael Doddridge, Bessie Roselma (Land) King and Vifie Wilbanks.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR SATURDAY, MARCH 27, 2021

S. R. No. 50: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE HARTFIELD ACADEMY "HAWKS" BOYS BASKETBALL TEAM AND COACH STEVEN MAKAMSON FOR WINNING THE MIDSOUTH ASSOCIATION OF INDEPENDENT SCHOOLS CLASS 4A STATE CHAMPIONSHIP.

By Senator(s) Harkins

EIGHTY-THIRD DAY, SUNDAY, MARCH 28, 2021

The Senate met at 2:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Fillingane. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Chassaniol.

Senator Barnett led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 80: Rhoshunda G. Kelly, Madison, Mississippi, Mississippi Department of Banking and Consumer Finance as the Commissioner of Banking and Consumer Finance, term effective immediately for the unexpired portion of a four year term expiring June 30, 2024. Do Advise and Consent.

CAUGHMAN, Chairman

Senator Harkins called up the following entitled nomination:

S. N. No. 89: Hue Townsend, Jr., Belzoni, Mississippi, Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 29, 2020 and ending June 30, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 89 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins called up the following entitled nomination:

S. N. No. 90: Larry Mullins, Starkville, Mississippi, Mississippi Home Corporation as a resident of the Third Supreme Court District, term effective January 11, 2021 and ending June 30, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 90 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins called up the following entitled nomination:

S. N. No. 91: Sue Stedman, Natchez, Mississippi, Mississippi Home Corporation as a resident of the Second Supreme Court District, term effective December 29, 2020 and ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 91 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1509** passed the Senate and moved that the motion to reconsider be tabled:

H. B. No. 1509: Hancock County; extend the date of repeal on the Hancock County Tourism Development Bureau and hotel/motel tax.

The foregoing motion prevailed.

Senator Blackwell moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:14 PM, the Senate stood in recess.

The Senate resumed business at 2:44 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2904: Appropriation; IHL - General support.

S. B. No. 2905: Appropriation; IHL - Subsidiary programs.

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

S. B. No. 2911: Appropriation; IHL - Student Financial Aid.

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center.

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses.

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

S. B. No. 2915: Appropriation; Corrections, Department of.

S. B. No. 2916: Appropriation; Public Safety, Department of.

S. B. No. 2918: Appropriation; Military Department.

S. B. No. 2919: Appropriation; Veterans Affairs Board.

S. B. No. 2922: Appropriation; Employment Security, Department of.

S. B. No. 2923: Appropriation; Revenue, Department of.

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

S. B. No. 2942: Appropriation; Agriculture and Commerce, Department of.

S. B. No. 2944: Appropriation; Animal Health, Board of.

S. B. No. 2948: Appropriation; Finance and Administration, Department of.

S. B. No. 2949: Appropriation; Governor's Office and Mansion.

S. B. No. 2951: Appropriation; Development Authority, Mississippi.

S. B. No. 2953: Appropriation; Secretary of State.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1379: Appropriation; Insurance, Department of.

H. B. No. 1381: Appropriation; Legislative expenses.

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services.

H. B. No. 1387: Appropriation; Education, Department of.

H. B. No. 1392: Appropriation; Environmental Quality, Department of.

H. B. No. 1393: Appropriation; Wildlife, Fisheries and Parks, Department of.

H. B. No. 1398: Appropriation; Human Services, Department of.

H. B. No. 1399: Appropriation; Rehabilitation Services, Department of.

H. B. No. 1400: Appropriation; Medicaid, Division of.

H. B. No. 1412: Appropriation; Marine Resources, Department of.

H. B. No. 1413: Appropriation; Transportation, Department of.

H. B. No. 1414: Appropriation; additional for various state agencies for Fiscal Year 2021.

Andrew Ketchings, Clerk of the House of Representatives

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1378** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1378: Appropriation; District attorneys and staff.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries and travel expenses of district attorneys, assistant district attorneys, criminal investigators, tort claims assessments, and paying office expenses of district attorneys for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....
\$ 25,196,499.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Prosecutor Compensation Fund, referred to in Section 99-19-73, Mississippi Code of 1972, for the purpose of paying salaries of assistant district attorneys of the state as authorized in Section 25-31-5(1) for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 713,062.00.

SECTION 3. None of the funds authorized in this section shall be used to reimburse district attorneys or their staff for taxable meals incurred within their geographical district.

SECTION 4. Of the funds appropriated herein, office expenses of district attorneys as authorized by Section 25-31-8, Mississippi Code of 1972, in the amount of One Million Two Hundred Thirty-four Thousand Dollars (\$1,234,000.00).

SECTION 5. Of the funds appropriated in Section 1, office expenses and such funds for salaries shall be provided as authorized in Section 25-3-35(6), Mississippi Code of 1972, to fund the salary for one (1) full-time legal assistant in the Sixth Circuit Court District as authorized in Section 25-31-5(2)(f), Mississippi Code of 1972.

SECTION 6. It is the intention of the Legislature that the district attorneys and assistant district attorneys of the state shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of details as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget requests for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 7. It is the intention of the Legislature that with the funds provided herein, the district attorneys shall submit their Five-Year Strategic Plan(s) as required in Section 27-103-129(1), Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Jason White
Angela Cockerham

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Sollie B. Norwood
Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1378** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1379** be recommitted for further conference and the motion prevailed.

H. B. No. 1379: Appropriation; Insurance, Department of.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1380** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1380: Appropriation; Fire Academy.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Fire Academy for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 5,098,824.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Fire Academy which is comprised of special source funds collected by or

otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 538,350.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	63
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Training	
Number of Students Trained	16,000
Average Cost per Student Trained (\$)	346.22

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. It is the intention of the Legislature that the State Fire Academy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the State Fire Academy for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1699, 2020 Regular Session to provide for Airport Rescue Crash Truck for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 84,500.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 10. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the State Fire Academy for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 220,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Jason White
Charles Busby

CONFEREES FOR THE SENATE

W. Briggs Hopson III
J. Walter Michel
Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1380** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1381** be recommitted for further conference and the motion prevailed.

H. B. No. 1381: Appropriation; Legislative expenses.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1382** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1382: Appropriation; Capital Post-Conviction Counsel, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

...\$ 1,545,238.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Office of Capital Post-Conviction Counsel, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 215,258.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	9
	Part Time	0
Time-Limited:	Full Time	0

Part Time..... 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Office of Capital Post-Conviction Counsel shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Office of Capital Post-Conviction for the purpose of reauthorizing the expenditure of General Funds, as authorized in HB 1697, 2020 Regular Session to provide for prior year invoices and agency operations for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 51,724.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 6. It is the intention of the Legislature that of the funds reappropriated in Section 5, the Office of Capital Post-Conviction Counsel is hereby authorized to pay invoices submitted by Dr. Robert G. Stanulis, for services in prior fiscal years in an amount not to exceed Twelve Thousand Seventy-five Dollars (\$12,075.00).

SECTION 7. It is the intention of the Legislature the funds reappropriated in Section 5, that the Office of Capital Post-Conviction Counsel is hereby authorized to pay invoices submitted by Dr. Robert D. Shaffer, for services in prior fiscal years in an amount not to exceed Two Hundred Fifty Dollars (\$250.00).

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE
John Read
Jason White
Charles Jim Beckett

CONFEREES FOR THE SENATE
W. Briggs Hopson III
Sollie B. Norwood
Jenifer B. Branning

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1382** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1383** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1383: Appropriation; State Public Defender, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of State Public Defender of the State of Mississippi for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 3,315,298.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	25
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2022
Performance Measures	Target
Capital Defense	
..... Percentage of trial cases opened less	
than one year	75.00
..... Percentage Change in Running Average of	
Reversals due to Ineffective Assistance	

.....
of Counsel0.10
..... Average of Reversals due to Ineffective

.....
Assistance of Counsel.....8

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 4. It is the intention of the Legislature that the Office of State Public Defender shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds provided in Section 1, Two Hundred Seventy-eight Thousand Five Hundred Dollars (\$278,500.00) shall be provided for the Indigent Parental Representation for the purpose of contracting with trained and certified attorneys to represent indigent parents or guardians in abuse, neglect or termination of parental rights proceedings as provided under Sections 43-21-201 and 99-18-13, Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Jason White
Angela Cockerham

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Sollie B. Norwood
Joseph M. Seymour

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1383** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1384** be recommitted for further conference and the motion prevailed.

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1386** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1386: Appropriation; Archives and History, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 9,646,364.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 9,050,033.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	168
	Part Time	5
Time-Limited:	Full Time	8
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State

Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

With the funds appropriated herein, it is the intention of the Legislature that the Mississippi Department of Archives and History is authorized to set the compensation of PINs 48 and 234 based on the education and experience not to exceed the end salary which may include realignment of the classification as established by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars (\$2,000,000.00) is provided to the Department of Archives and History from the

Mississippi Landmark Grant Fund as created in House Bill No. 1082, Regular Session of 1999, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. Of the funds provided under the provisions of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the purpose of capital development and maintenance of Beauvoir Shrine, the last home of Jefferson Davis, the only President of the Confederate States of America, subject to approval by the Department of Archives and History. The expenditure of funds available in this section shall be subject to prior approval by the Department of Archives and History.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 45,748.00.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1703, 2020 Regular Session to provide for the de la Pointe-Krebs House for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 651,319.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1703, 2020 Regular Session to provide for Beauvoir, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 100,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 15. The Mississippi Department of Archives and History is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars (\$1,000,000.00).

SECTION 16. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of Mississippi

Department of Archives and History for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 300,000.00.

SECTION 17. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of funding Historic Site Preservation grants as created in Senate Bill 2834, 2021 Regular Session and administered by the Mississippi Department of Archives and History for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$1,000,000.00.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Richard Bennett
Timmy Ladner

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Philip Moran
Robert L. Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1386** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Blount. Total--1.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1387** be recommitted for further conference and the motion prevailed.

H. B. No. 1387: Appropriation; Education, Department of.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1388** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1388: Appropriation; Educational Television, Authority for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Authority for Educational Television for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 3,986,808.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Authority for Educational Television which is comprised of special source funds collected by or otherwise available to the Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 8,916,173.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	86
	Part Time	0
Time-Limited:	Full Time	9
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

Funds appropriated herein shall first be used for the continuation of a full and complete broadcast schedule of educational and instructional, professional growth, and public service programs, with the production of new films and programs to be secondary thereto.

SECTION 4. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, Two Million One Hundred Eighteen Thousand Nine Hundred Sixty-six Dollars (\$2,118,966.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid or equipment purchased with funds appropriated hereby be transferred or assigned to any other state agency, department or officer for public relations, publicity or publication activities of such office.

SECTION 7. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall have the authority to expend funds in the Capital Equipment Replacement Revolving Fund, in accordance with Section 37-63-17, Mississippi Code of 1972, for the purpose of purchasing technical equipment for operating the educational radio and television facilities.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Content Operations	
Locally produced TV programs (Number of)	150
Locally produced radio programs (Number of)	1,092
Monthly average number of web site users (Number of)	4,500
New programs produced and broadcast related to Fit to Eat programming (Number of)	13
Increase in visitors viewing the Healthy Living related items on MPB site (%)	31.00
Radio broadcasts and TV alerts during times of emergency (%)	100.00
Education Services	
Increase in users using MPB Education	

online resources for Pre-K children and families (%)	15.00
Students served by the Digital Education Network (DEN) Classroom (Number of)	2,000
School Districts participating in the DEN Classroom (Number of)	30
Teachers taking e-Learning courses (Number of)	1,200
Teacher Continuing Education Units (CEUs) provided by e-Learning courses offered (Number of)	400
Increase of visitors to the MPB Education website (%)	20.00
Rotary clubs sponsoring with MPB (Number of)	20
Early childhood educators attending MPB resource workshops involving PBS and MPB programs/content (Number of)	250
Childcare centers using PBS content (Number of)	30
Parents participating in Parents Are Teachers Too (PATT) initiative (Number of)	300
Technical Services	
Transmitters on air (Number of)	8
On-air reliability (%)	99.95
IT Help Desk orders filled (Number of)	600
Administration	
Community engagements/outreach events including virtual engagements (Number of)	125
State agency partners (Number of)	40
New grant dollars acquired (\$)	75,000.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be paid to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 11. It is the intention of the Legislature that the Authority for Educational Television may fund a program to focus on the manufacturing industry in Mississippi.

SECTION 12. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of tower maintenance and upgrades of the Educational Television Authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 2,000,000.00.

SECTION 13. Mississippi Authority for Educational Television is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Two Million Dollars (\$2,000,000.00).

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL
TELEVISION FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Richard Bennett
Timmy Ladner

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Dennis DeBar, Jr.
Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1388** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--McDaniel. Total--1.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1389** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1389: Appropriation; Arts Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Arts Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,169,164.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Arts Commission which is comprised of special source funds and donations collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,522,502.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	10
	Part Time	0
Time-Limited:	Full Time	2
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the Mississippi Arts Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall

be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, funds in the amount of Four Hundred Ninety Thousand Dollars (\$490,000.00) shall be derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following:

Training of educators and promotion of arts programs in public schools	\$100,000.00.
Miscellaneous grants and programs.....	\$ 350,000.00
Whole Schools Initiative	\$ 40,000.00

SECTION 6. It is the intention of the Legislature that the Arts Commission shall have the authority to transfer dollars appropriated herein designated for the "Challenge Program," specific amounts to a special fund in the State Treasury called the Arts Commission Challenge Initiative Fund. The unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and may be expended by the commission in subsequent fiscal years upon appropriation of the Legislature. Any interest earned on the fund shall be deposited to the credit of the fund and may be disbursed by the commission upon appropriations of the Legislature. It is the intention of the Legislature that the commission may award grants to arts organizations from monies in the fund and the grantees will be required to provide matching funds for the grants in an amount of not less than two (2) times the amount of the grant.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR
2022.

CONFEREES FOR THE HOUSE

John Read
Richard Bennett
Timmy Ladner

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Philip Moran
Robert L. Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1389** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1390** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1390: Appropriation; Library Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Library Commission and for carrying out the provisions of Section 39-3-107, Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 9,514,331.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Library Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 2,987,562.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	48
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal

Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

Funds to be distributed to eligible public library systems under the Personnel Incentive Grants Program shall be paid quarterly in advance on or before September 30, December 31, March 31 and June 30.

SECTION 4. It is the intention of the Legislature that the Mississippi Library Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, Four Hundred Ninety-three Thousand Eight Hundred Forty-seven Dollars (\$493,847.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Administrative Services	
Help desk tickets resolved (Number of)	1,350
Library Services	
Continuing education workshops held per year (Number of)	30
Increase of citizens informed by acquiring needed information through Mississippi libraries (%)	1.00

Library visits by commission staff (Number of)	175
Patrons utilizing Braille, Audio, etc (Number of)	3,500
Children participating in Statewide Summer Library program (Number of)	120,000
Items borrowed and loaned on the interlibrary loan system (Number of)	13,000
Items available for use statewide on the interlibrary loan system (Number of)	5,000,000
Searches on MAGNOLIA (Number of)	45,000,000
Items available for use at MLC (primary resource library) (Number of)	100,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 7. It is the intention of the Legislature that no less than One Million Dollars (\$1,000,000.00) shall be expended for the Magnolia Database.

SECTION 8. Of the funds appropriated herein, Three Million Eight Hundred Eighty-four Thousand Six Hundred Seventy-five Dollars (\$3,884,675.00) is provided for the cost of health insurance for all full-time library staff members in each public library in Mississippi.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL
YEAR 2022.

CONFEREES FOR THE HOUSE
John Read
Richard Bennett
Timmy Ladner

CONFEREES FOR THE SENATE
W. Briggs Hopson III
Dennis DeBar, Jr.
Robert L. Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1390** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1391** be recommitted for further conference and the motion prevailed.

H. B. No. 1391: Appropriation; reappropriation, DFA - Bureau of Building; FY21.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1392** be recommitted for further conference and the motion prevailed.

H. B. No. 1392: Appropriation; Environmental Quality, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1393** be recommitted for further conference and the motion prevailed.

H. B. No. 1393: Appropriation; Wildlife, Fisheries and Parks, Department of.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1394** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1394: Appropriation; Grand Gulf Military Monument Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Grand Gulf Military Monument Commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 270,982.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Grand Gulf Military Monument Commission, for the purpose of defraying the expenses of the commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ... \$ 160,165.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent: Full Time 7

	Part Time	1
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the Grand Gulf Military Monument Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor

vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 6. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of Grand Gulf Military Monument Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 50,000.00.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR
THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE
John Read
C. Scott Bounds
Charles Jim Beckett

CONFEREES FOR THE SENATE
W. Briggs Hopson III
Philip Moran
Jeff Tate

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1394** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1395** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1395: Appropriation; Oil and Gas Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Oil and Gas Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,315,432.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Oil and Gas Board which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 967,415.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	33
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the State Oil and Gas Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
C. Scott Bounds	Sampson Jackson II
Charles Jim Beckett	Angela Burks Hill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1395** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on
H. B. No. 1396 and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1396: Appropriation; Public Service Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Funds not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 4,355,157.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 493,431.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	61
	Part Time	6
Time-Limited:	Full Time	5
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when

annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Utility Regulatory Services	
Utility Docket Cases (Number of)	240
Utility Complaints (Number of)	4,560
Electric Complaints as a Percentage of Total (%)	48.00
Telecommunication Complaints as a Percentage of Total (%)	32.00
Water Complaints as a Percentage of Total (%)	10.00
Gas Complaints as a Percentage of Total (%)	8.00
Sewer Complaints as a Percentage of Total (%)	1.00
Average Cost per Utility Complaint (\$)	638.00
Time To Resolve Utility Complaints (Days)	3
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type:	
Investor-Owned Utilities (Cents/kWh)	0.11
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Electric Cooperatives (Cents/kWh)	0.11
Average Price of Electricity for Residential Customers in MS as a Percentage of the April 2016 National Average, 12.43 Cents/kWh - Investor Owned Utilities (%)	86.89
Average Price of Electricity for	

Residential Customers in MS as a Percentage of the April 2016 National Average, 12.43 Cents/kWh - Electric Cooperative (%)	95.14
Average Monthly Residential Electric Usage in MS (kWh)	1,200
Average Monthly Residential Electric Usage in MS as a Percentage of the 2015 National Average, 909 kWh (%)	135.00
Pipeline Inspections (Number of)	630
Average Cost per Pipeline Inspection (\$)	883.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. None of the funds herein appropriated by this act to the Public Service Commission shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Mississippi Public Service Commission that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the Public Service Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Service Commission to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 66,372.00.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Public Service Commission to administer the Mississippi Telephone Solicitation Act for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 287,121.00.

SECTION 9. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Public Service Commission administration of the Mississippi Telephone Solicitation Act for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 287,121.00.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022
Telephone "no-call"	Target
No-Call Complaints (Number of)	15,425
Average Cost per No-Call Complaint (\$)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2021. On or before August 1, 2021, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities Committee.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

C. Scott Bounds

Charles Jim Beckett

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Angela Turner-Ford

Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1396** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1397** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1397: Appropriation; Public Utilities Staff.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Utilities Staff for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

..... \$ 2,222,348.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Utilities Application Fund, for the purpose of defraying the expenses of the staff for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

..... \$ 375,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	27
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the Public Utilities Staff shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

C. Scott Bounds

Charles Jim Beckett

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Angela Turner-Ford

Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1397** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Reports on H. B. No. 1398, H. B. No. 1399 and H. B. No. 1400 be recommitted for further conference and the motion prevailed.

H. B. No. 1398: Appropriation; Human Services, Department of.

H. B. No. 1399: Appropriation; Rehabilitation Services, Department of.

H. B. No. 1400: Appropriation; Medicaid, Division of.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1401** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1401: Appropriation; Health, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 33,274,222.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the State Department of Health which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 518,585,463.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two Dollars (\$526,102.00) shall be derived from the State General Fund and Nine Million One Hundred Seventy-eight Thousand Seven Hundred Eighty-three Dollars (\$9,178,783.00) shall be derived from the Health Care Expendable Fund, created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the State Department of Health. The funds provided in this section shall be allocated as follows:

Maternal and Child Health Care

Program \$ 1,242,943.00

Health Department Programs..... \$ 8,461,942.00

SECTION 4. Of the funds appropriated in this act, Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the Trauma Care System. Of the General Fund court assessments provided in Section 1, Seven Million Twenty-three Thousand One Hundred Ninety-seven Dollars (\$7,023,197.00) shall be allocated for Trauma Care Systems and One Million Eight Hundred Five Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be allocated for Emergency Medical Services. All additional funds are appropriated in Section 2. The State Department of Health may transfer a portion of Trauma Care System funds to the Division of Medicaid for the development and implementation of an enhanced reimbursement fee program related to trauma care and

services, used to match federal funds, under a cooperative agreement between the State Department of Health and the Division of Medicaid.

It is the intention of the Legislature that none of the funds authorized herein for the Trauma Care System shall be expended to the benefit of any hospital located outside the boundaries of the State of Mississippi, unless otherwise excepted in this paragraph. Funds shall be expended by the Mississippi Department of Health for distribution to the Regional Medical Center or Le Bonheur Children's Hospital at Memphis, located in Memphis, Tennessee, or the University of South Alabama Medical Center located in Mobile, Alabama, or the Joseph M. Still Burn Centers, Inc., located in Augusta, Georgia, or the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or any affiliates or any other Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that participates in the Mississippi Trauma Care System, as determined by the Mississippi Department of Health.

SECTION 5. Of the funds appropriated in Section 2, Twenty Million Dollars (\$20,000,000.00) shall be derived from the Tobacco Control Program Fund, created in Section 41-113-11, Mississippi Code of 1972, and shall be allocated as follows:

University of Mississippi Medical Center Cancer Institute.....	\$ 4,250,000.00
Department of Education - Mary Kirkpatrick Haskell – Mary Sprayberry Public School Nurse Program	\$ 3,060,000.00
Attorney General's Office - Alcohol and Tobacco Enforcement Unit	\$ 680,000.00
University of Mississippi Medical Center – A Comprehensive Tobacco (ACT) Center	\$ 595,000.00
Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI).....	\$ 382,500.00
Mississippi Qualified Health Center Grant Program	\$ 3,400,000.00
Mississippi Health Care Alliance for the Stroke System of Care Plan.....	\$ 212,500.00
Mississippi Health Department Programs.....	\$ 7,420,000.00

Of the funds appropriated in this section, the State Department of Health is authorized to expend funds to create and administer the Office of Tobacco Control within the department as outlined and created in Section 41-113-3, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in Section 1, Five Hundred Fifty-eight Thousand Seven Hundred Ninety-five Dollars (\$558,795.00) shall be allocated as follows:

Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI)	\$ 139,700.00.
Mississippi Health Care Alliance for the Stroke System of Care Plan.....	\$ 139,700.00.
Mississippi Qualified Health Center Grant Program.....	\$ 55,880.00.
Mississippi Health Department Programs.....	\$ 223,515.00.

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1,010
	Part Time	4
Time-Limited:	Full Time	1,391
	Part Time	4

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the

State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 8. It is the intention of the Legislature that the State Department of Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022
Health Services	Target
State infant mortality rate (per 1,000	

live births)	8.20
Percentage of women who received	
prenatal care in first trimester	73.40
Percentage of live births delivered	
prior to 37 weeks of gestation	12.00
Teenage birth rate age 15-19 years (live	
births per 1,000 women age 15-19)	22.90
Percentage of newborns with positive and	
inconclusive genetic screens who	
received recommended follow-up	100.00
Percentage of adults who are obese (Body	
Mass Index of 30 or more, regardless of	
sex)	42.20
Health Protection	
Percentage of Mississippi population	
receiving water from a public water	
supply	92.00
Percentage of Mississippi population	
receiving optimally fluoridated water	59.00
Transfer time of Level III and IV trauma	
centers to appropriate facilities for	
treatment (minutes)	130
Communicable Disease	
Primary and Secondary Syphilis: Case	
rate per 100,000	23.50
Tuberculosis:	Number of cases
55	
Tuberculosis:	Case rate per 100,000
1.75	
HIV	Disease: Number of cases
450	
HIV	Disease: Case rate per 100,000
15.10	
Rate of two year old children fully	
immunized (National Immunization Survey:	
4:3:1:3:3:1:4 series - 19 to 35 months)	76.00
Tobacco Control	
Percentage of current smokers among	
public middle school students	2.60
Percentage of current smokers among	
public high school students	6.10

Percentage of current smokers among adults 18 years and older.....	19.80
Public Health Emerg Prep/resp	
Time required for command staff to report to Emergency Operations Center in response to a national or man-made disaster (minutes)	20
Admin & Support Services	
Percentage of Mississippi population living in an area designated as a Health Professional Shortage Area: Mental Health	79.00
Percentage of Mississippi population living in an area designated as a Health Professional Shortage Area: Dental	46.00
Percentage of Mississippi population living in an area designated as a Health Professional Shortage Area: Primary Care	46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 10. It is the intention of the Legislature that with the funds provided herein, the State Department of Health may provide and administer without charge, Hepatitis B vaccinations to Emergency Medical Services (EMS) personnel who are in need of such vaccinations through job related exposure.

SECTION 11. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 34,342,704.00.

SECTION 12. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2021. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 13. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars (\$50,000.00) of the funds appropriated herein for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for

whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 14. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars (\$700,000.00) are provided for the purpose of purchasing AIDS drugs and other necessary AIDS related medical services.

SECTION 15. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for the Breast and Cervical Cancer Program.

SECTION 16. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Burn Care Fund which is comprised of special source funds collected by or otherwise available to the department, for the purpose of funding reimbursement for uncompensated medical care to Mississippi burn victims through the trauma care system at in-state burn facilities including the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or for uncompensated aero medical transportation to out-of-state qualified United States Burn Care facilities, and such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodgings, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 1,000,000.00.

SECTION 17. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 18. It is the intention of the Legislature that the Mississippi Department of Health shall implement same day service to receive birth and death certificates.

SECTION 19. It is the intention of the Legislature that the Mississippi State Department of Health shall provide the Joint Legislative Budget Committee a report of all grants received by September 15, 2021. This notification will consist of the name of the grant and agency or nonprofit making the award, the award amount, and a short list of goals to be achieved.

SECTION 20. It is the intention of the Legislature that the Mississippi State Department of Health shall be the fiscal agent in all allowable grants awarded.

SECTION 21. Of the funds appropriated in Section 2, Seven Hundred Thousand Dollars (\$700,000.00) shall come from the Department of Education for the purpose of maintenance of effort for the Early Intervention Program. These funds are to be transferred to the State Department of Health no later than December 31, 2021. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Education.

SECTION 22. The Mississippi Department of Health is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls which, from time to time, may occur due to insufficient working cash spent in anticipation of receiving federal reimbursement. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Mississippi Department of Health designated special fund account. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the department in the manner of and subject to the same terms provided in this section.

SECTION 23. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 24. With the funds appropriated herein, it is the intention of the Legislature that the Mississippi Department of Health is authorized to set the compensation of all nurse PINs, Epidemiologists and Disease Intervention Specialist Series based on the education and experience of the incumbent not to exceed the end salary as established by the State Personnel Board.

SECTION 25. It is the intent of the Legislature that the Chairman of the Board of Health may appoint an official replacement or representative with voting privileges to the Advisory Board of the Office of Mississippi Physician Workforce.

SECTION 26. It is the intention of the Legislature that the State Health Officer shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Health. It is further the intention of the Legislature that the State Health Officer shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 27. Of the funds appropriated in Section 1, it is the intention of the Legislature that Eight Hundred Fifty-nine Thousand Nine Hundred Three Dollars (\$859,903.00) shall be allocated to the Domestic Violence program that is supported from General Fund court assessments.

SECTION 28. It is the intent of the Legislature that the Mississippi State Department of Health shall have authority to escalate the various budgets in both funds and positions, with the approval of the State Fiscal Officer, from any special funds collected or available for HIV medical or support services, clinical quality management, and administrative expenses not to exceed Five Million Dollars (\$5,000,000.00), to the agency for expenditure. Upon such approval, the Mississippi State Department of Health may expend such funds in the manner authorized by law. Funds may be made available to local HIV/AIDS service providers.

The Executive Director of the Mississippi State Department of Health shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 29. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the State Department of Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 250,000.00.

SECTION 30. Of the funds appropriated in Section 2, an amount not to exceed Three Million Two Hundred Forty Thousand Dollars (\$3,240,000.00) may be used to purchase accumulated compensatory time incurred before June 30, 2022, by employees who are activated under emergency orders in response to the COVID-19 pandemic.

SECTION 31. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 32. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Sam C. Mims, V
Jason White

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Angela Burks Hill
Philip Moran

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1401** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1402** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1402: Appropriation; Foresters, Board of Registration for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registered Foresters Fund, for the purpose of defraying the expenses of the State Board of Registration for Foresters for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 44,129.00.

SECTION 2. It is the intention of the Legislature that the State Board of Registration for Foresters shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

Bill Pigott

Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Angela Turner-Ford

Joseph M. Seymour

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1402** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1403** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1403: Appropriation; Forestry Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Forestry Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 14,058,192.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Forestry Commission which is comprised of special source funds collected by or otherwise available to the commission, for the support and maintenance of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 11,996,306.00.

Of the funds specified in this section, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be deposited in a fund created in the State Treasury called the "Forest Improvement Revolving Fund." Money in this fund shall be used by the State Forestry Commission to assist in the reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state, including sixteenth section lands, Camp Shelby, Columbia Training School and colleges and universities. Landowners who contract with the commission for such work shall pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury, and the State Treasurer shall deposit such money in the "Forest Improvement Revolving Fund."

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	352
	Part Time	0
Time-Limited:	Full Time	7
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency

heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the State Forestry Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Forest Protection & Information	
Average Suppression Time (Hrs from Detection to Control)	3.00
Acres Burned under a Prescribed Burn Program (Number of)	14,500
Fires Suppressed at 100 Acres or less (%)	90.00
Forest Management	
Forest Resource Development Program	
Acres Regenerated or Improved	35,000.00
Acres monitored for Insect, Storm or Disease	19,800,000.00
Re-inventory 20% of State's Forest Lands (% of Regions)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. There is created in the State Treasury a fund designated as the Volunteer Fire Department Equipment Conversion Revolving Fund to be used by the State Forestry Commission to assist in the conversion of vehicles acquired by the State Forestry Commission through the Federal Excess Personal Property Program or by volunteer fire departments through other means to adapt them for use in the suppression of wildland fires. This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work necessary to place fire suppression equipment into service. It is not for general vehicle maintenance or repair.

The Volunteer Fire Department Equipment Conversion Revolving Fund shall be funded by monies received from charges for work and services performed for volunteer fire departments by the State Forestry Commission. Monies collected from such charges shall be deposited into the Volunteer Fire Department Equipment Conversion Revolving Fund. The State Treasurer shall make disbursements therefrom for payment of materials, supplies and labor upon requisition of the Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

The amount of monies deposited into the Volunteer Fire Department Equipment Conversion Fund through this work shall not exceed Fifty Thousand Dollars (\$50,000.00). Funds in excess of Fifty Thousand Dollars (\$50,000.00) shall be placed in the State Forestry Commission's regular appropriated special funds. Monies in this revolving fund are to be considered special funds and shall be carried forward from one fiscal year to the next.

SECTION 7. There is created in the State Treasury a fund designated as the Camden State Forest Revolving Fund to be used by the State Forestry Commission to

direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

The Camden State Forest Revolving Fund shall be funded by monies received from timber sales, leases, and any other source. Monies collected from these income sources shall be deposited into the Camden State Forest Revolving Fund. The State Treasurer shall make disbursements therefrom for payments of materials, supplies and labor upon requisition of the State Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

It is the intention of the Legislature that any revolving funds in excess of the budgeted amount needed for the necessary operation and maintenance of all properties under the direct supervision and management of the State Forestry Commission shall remain in the Camden State Forest Revolving Fund for use in future years.

SECTION 8. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars (\$200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2022.

SECTION 9. Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within the funds available.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Any person who was an employee of the Forestry Commission who was laid off during Fiscal Year 2006 shall be given first priority in any new employment by the commission.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR
2022.

CONFEREES FOR THE HOUSE

John Read

Bill Pigott

Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Sampson Jackson II

Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1403** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier,

Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger.
Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--McCaughn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1404** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1404: Appropriation; Soil and Water Conservation Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the State Soil and Water Conservation Commission for the purpose of defraying the administrative expenses of the commission and carrying out the provisions of Section 69-27-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 535,995.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Soil and Water Conservation Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....
\$ 7,834,008.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	12
	Part Time	0
Time-Limited:	Full Time	5
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of

Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the State Soil and Water Conservation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. The State Soil and Water Conservation Commission is authorized to retain all funds generated from the sale of equipment. Any funds made available from the sale of equipment shall be deposited into the special fund in the State Treasury to the credit of the Soil and Water Conservation Commission and shall be used solely for the purpose of purchasing equipment.

SECTION 6. The State Soil and Water Conservation Commission is authorized to receive, budget and expend any proceeds derived from the sale of bonds authorized in Section 69-27-331 et seq., Mississippi Code of 1972. All expenditures shall be in accordance with conditions provided in Section 69-27-331 et seq., Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Sixty-five Thousand Dollars (\$65,000.00) be used for the purpose of funding a Beaver Control Cost Share program. The Mississippi Soil and Water Conservation Commission shall promulgate rules and regulations for the establishment and operation of the program on a fund matching basis with the county unit of government. Funds not expended or encumbered in a county may be transferred to another county during the fiscal year. Only those funds specifically appropriated for the Beaver Control Cost Share program shall be used in any such program.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Bill Pigott
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Sampson Jackson II
Sarita Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1404** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1408** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1408: Appropriation; Tombigbee River Valley Water Management District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Tombigbee River Valley Water Management District, for the purpose of paying bond maturities, accrued interest, maintenance expenses, project development costs, and any other authorized expenses of the water management district, for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 8,833,401.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	17
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board

pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 3. It is the intention of the Legislature that the Tombigbee River Valley Water Management District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. All monies in possession of the district in excess of necessary operating funds shall be deposited with a bank or banks selected by the board of directors of the district. These funds shall be deposited in such bank or banks and in such manner that interest earned shall be at least equal to interest earnings on state funds deposited by the State Treasury.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

Timmy Ladner

William Tracy Arnold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Jenifer B. Branning

Albert Butler

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1408** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1410** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1410: Appropriation; Public Employees' Retirement System.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System for the purpose of defraying the administrative expenses of the Board of Trustees of the Public Employees' Retirement System, or out of any money in the State Treasury to the credit of the Retirement System Building Account of the Public Employees' Retirement System for the purpose of maintenance and general operation of the Retirement System Building, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 19,603,302.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	167
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 3. It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. In accordance with the purposes of this article, there shall be established in the State Treasury the Public Employees' Retirement System Building Repair and Maintenance Fund, into which shall be deposited all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi. At the end of each fiscal year, any and all unexpended funds shall be transferred to the Administrative Budget Fund of the system.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 1, no more than Three Million Five Hundred Thirty-eight Thousand Dollars (\$3,538,000.00) is provided for the purpose of defraying those expenses associated with the replacement computer system.

SECTION 7. The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

SECTION 8. Of the funds appropriated in Section 1, no more than Three Hundred Thousand Dollars (\$300,000.00) is provided, only for the explicit purpose of building maintenance and repair.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

Mac Huddleston

Karl Oliver

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Hillman Terome Frazier

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1410** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Reports on H. B. No. 1412, H. B. No. 1413, H. B. No. 1414, S. B. No. 2904, S. B. No. 2905, S. B. No. 2906, S. B. No. 2907, S. B. No. 2908, S. B. No. 2909, S. B. No. 2910, S. B. No. 2911, S. B. No. 2912, S. B. No. 2913, S. B. No. 2914, S. B. No. 2915 and S. B. No. 2916 be recommitted for further conference and the motion prevailed.

H. B. No. 1412: Appropriation; Marine Resources, Department of.

H. B. No. 1413: Appropriation; Transportation, Department of.

H. B. No. 1414: Appropriation; additional for various state agencies for Fiscal Year 2021.

S. B. No. 2904: Appropriation; IHL - General support.

S. B. No. 2905: Appropriation; IHL - Subsidiary programs.

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

S. B. No. 2911: Appropriation; IHL - Student Financial Aid.

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center.

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses.

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

S. B. No. 2915: Appropriation; Corrections, Department of.

S. B. No. 2916: Appropriation; Public Safety, Department of.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2917** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2917: Appropriation; Emergency Management Agency.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Emergency Management Agency in accordance with the provisions of Section 33-15-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 3,960,661.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Emergency Management Agency which is comprised of special source funds collected by or otherwise available to the agency, for the support and maintenance of the agency for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

.....\$ 36,258,572.00.

SECTION 3. Of the funds appropriated in Sections 1 and 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	123
	Part Time	0
Time-Limited:	Full Time	71
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or

otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency may, upon the request of a local public emergency management organization in an area which has suffered a natural disaster, supply equipment to rural water associations to enable their continued operation when the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

SECTION 5. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency shall provide enhanced training to local governments, supervisors, mayors, civil defense groups and municipal associations in disaster management.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 585,056.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and 58202 for the purpose of defraying

certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2021, and ending

June 30, 2022 \$ 638,551,214.00.

SECTION 8. The funds appropriated under the provisions of Sections 6 and 7 of this act are provided to defray certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including public assistance programs, individual and family grant programs, and mitigation programs resulting from, but not being limited to, the following:

1604	Hurricane Katrina
4175	Severe Storms, Tornadoes, Flooding - Cities of Louisville & Tupelo
4205	Severe Storms, Tornadoes, Marion County & City of Columbia
	Hazard Mitigation
	Other Needs Assistance
	Mississippi Temporary Housing Program
	Pre-Disaster Response
	Emergency Preparedness Programs
4429	Feb 22-March 29, 2019 Flooding
4450	Severe Weather April 13, 2019
4470	Severe Weather October 26, 2019
4478	Severe Weather January 10-11, 2020
4528	Coronavirus Pandemic
4536	Severe Weather April 12, 2020 Easter Tornadoes
4538	Flooding Feb 10-18, 2020 (Pearl River Flood)
4248	Severe Storms, Tornadoes, Flooding - North Mississippi/Holly Springs
4268	Delta Flooding
4295	Pine Belt Tornado/Flooding
4314	Severe Storms, Flooding in Adams, Calhoun, Carroll, Claiborne, Holmes, Jefferson, Montgomery, Webster & Yazoo Counties
4350	Hurricane Nate
4415	Severe Storms, Flooding & Tornado in Clarke, Covington, Forrest, Greene, Jasper, Jones, Marion, Newton, Perry & Wayne Counties
4551	Severe Weather April 22-23, 2020
3539	Hurricane Marco/TS Laura
3544	Hurricane Sally
3548	Hurricane Delta
3550	Hurricane Zeta
4576	Hurricane Zeta

SECTION 9. None of the funds appropriated in Section 6 shall be used to establish a special reserve fund in the State Treasury for disaster relief except as provided for in Section 33-15-307, Mississippi Code of 1972.

SECTION 10. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 11. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022
Emergency Mgmt Preparedness	Target

Percentage of the Affected Population	
Informed	100.00
Average Time to Deliver Goods and	
Services (Hours)	24.00
Recovery	
Number of Ongoing Projects	1,205
Number of Meetings Conducted	3,500
Average Cost Per Project	195,658.00
Percentage of Recovery Objectives Complete	100.00
Mitigation	
Number of Workshops Conducted	22
Number of Ongoing Projects	85
Average Cost Per Project	500,000.00
Reduction in Damage Due to Natural and	
Man-Made Incidents (%)	7.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall have authority to transfer not more than Five Hundred Thousand Dollars (\$500,000.00) from any general or special fund treasury fund and major object budget category to another special or general fund treasury fund and major object budget category accordingly under the control of the Mississippi Emergency Management Agency. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall submit a notification and summary of all state support funding on all disasters that require general funds or state support special funds to the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that from any funds appropriated in this act, the agency shall maintain a minimum of nine (9) Area Coordinators to provide daily assistance to local jurisdictions with emergency management activities as well as to provide quicker response to incidents and/or disasters. In addition, it is the intent of the Legislature that these Area Coordinators shall reside in or within fifty (50) miles of their assigned districts.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State Capital Expense Fund not otherwise appropriated, for the Mississippi Emergency Management Agency for the purpose of reauthorizing the expenditure of State Capital Expense, as authorized in SB 2938, 2020 Regular Session, to provide matching grant funds for Next Generation (NG) 911, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 240,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 17. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses for vehicles at the

Mississippi Emergency Management Agency for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 75,500.00.

SECTION 18. The expenditure of the funds appropriated by this act shall be under the direction of the Governor and shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Scott DeLano

Joseph M. Seymour

CONFEREES FOR THE HOUSE

John Read

Richard Bennett

Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2917** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2918** be recommitted for further conference and the motion prevailed.

S. B. No. 2918: Appropriation; Military Department.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2919** be recommitted for further conference and the motion prevailed.

S. B. No. 2919: Appropriation; Veterans Affairs Board.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2920** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2920: Appropriation; Ethics Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Ethics Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 614,890.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	6
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi Ethics Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature, that of the funds provided in Section 1, the Ethics Commission is hereby authorized to purchase and pay premiums for casualty insurance on passenger vehicles owned and operated by the agency.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Sollie B. Norwood
Jenifer B. Branning

CONFEREES FOR THE HOUSE

John Read
Angela Cockerham
Randy P. Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2920** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2921** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2921: Appropriation; Judicial Performance Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 614,855.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Judicial Performance, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 40,029.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	5
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022 and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the Judicial Performance Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE
STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Sollie B. Norwood	Jason White
Jenifer B. Branning	Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2921** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2922** be recommitted for further conference and the motion prevailed.

S. B. No. 2922: Appropriation; Employment Security, Department of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2923** be recommitted for further conference and the motion prevailed.

S. B. No. 2923: Appropriation; Revenue, Department of.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2924** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2924: Appropriation; Tax Appeals Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Board of Tax Appeals for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 522,777.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	6
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception

of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
J. Walter Michel	C. Scott Bounds
Joseph M. Seymour	Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2924** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2925** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2925: Appropriation; Workers' Compensation Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses incurred by the Mississippi Workers' Compensation Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 5,269,686.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Workers' Compensation Commission for the purpose of defraying the expenses for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 75,000.00.

SECTION 3. With the funds appropriated herein, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	56
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure

that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that with the funds appropriated in Section 1, the Mississippi Workers' Compensation Commission shall enter into a contract with the industrial private sector for the purpose of implementing a safety education and training program.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Adjudication	
Cases Resolved at the Administrative or Commission Level Within 3 Months (Number of)	900
Cases Resolved at the Administrative or Commission Level Within 6 Months (Number of)	950
Cases Resolved at the Administrative or Commission Level Within 9 Months (Number of)	900
Cases Resolved at the Administrative or Commission Level Within 1 Year (Number of)	900
Self-insurance	
Percentage of Individual Self-Insurers Reviewed in the Past Fiscal Year (%)	34.00
Percentage of Individual Self-Insurer Reviews Conducted in the past Fiscal	

Year Showing That Reserves Are Insufficient to Cover Claims (%)	5.00
Percentage of Self-Insurance Groups Reviewed in the Past Fiscal Year (%)	100.00
Percentage of Self-Insurance Group Reviews Conducted in the past Fiscal Year Showing That Reserves Are Insufficient to Cover Claims (%)	0.00
Medical Cost Containment Fee Schedule Adjustments (Cost in Millions)	35.00
Medical Cost Savings to Payers (as a % of Total Billings)	46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the salary of the Workers' Compensation Commission members shall be equal and the salary of the Commission Chairman shall exceed these salaries as approved by the State Personnel Board.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Second Injury Fund (Fund Number 3352300000) for the purpose of making payments under the provisions of Section 71-3-73, Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending

June 30, 2022 \$ 100,000.00.

SECTION 9. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Mississippi Workers' Compensation Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 75,000.00.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
J. Walter Michel
Brice Wiggins

CONFEREES FOR THE HOUSE

John Read
C. Scott Bounds
Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2925** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Harkins. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2926** be recommitted for further conference and the motion prevailed.

S. B. No. 2926: Appropriation; Mental Health, Department of.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2927** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2927: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Office of State Aid Road Construction Fund, for the purpose of defraying the expenses of the Office of State Aid Road Construction of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 195,514,836.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	54
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the

Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 3. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is authorized to be expended from funds received from the Mississippi Development Authority as reimbursements for actual expenses incurred by the Office of State Aid Road Construction for administering and providing engineering services to political subdivisions as authorized under Section 65-4-15, Mississippi Code of 1972. Any such funds shall be deposited into the Office of State Aid Roads Administrative Fund for the fiscal year beginning July 1, 2021, and ending June 30, 2022.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Thirty Million Dollars (\$30,000,000.00) is authorized to be expended for the purpose of replacement of structurally deficient bridges on the Local System Bridge Program (LSBP).

SECTION 5. It is the intention of the Legislature that the Office of State Aid Road Construction shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall

be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Administrative	
Administrative Costs as Compared to Construction Costs (%)	4.00
State Aid Construction Funds Allocated to Counties (%)	95.00
Number of Projects Let to Contract	175
Personnel Devoted to Construction Programs (%)	81.00
Federal Percentage of Total Project Fund Obligations (%)	35.00
Construction	
Reduction of Structurally Deficient Bridges (%)	0.00
Increase in Total Miles Paved (%)	1.00
Total State Aid Funds Available Programmed or Obligated to Projects (%)	75.00
Number of State Aid Projects Let to Contract	75
Number of Federal Projects Let to Contract	50
Number of State Aid Projects Completed	30
Number of Federal Projects Completed	20
Average Time from Initiation to Completion of a Federal Project (Days)	450
Number of Bridges Replaced or Repaired	85
Number of Structurally Deficient Bridges on the State Aid System	750
Average Cost of a State Aid/Federal Bridge Project	1,550,000
Local System Bridge	
Change in Deficient LSBP Bridges (%)	3.00
Average Number of Active LSBP Projects Per County	1
LSBP Funds Available Programmed or Obligated to Projects (%)	85.00
Number of LSBP Projects Let to Contract	55
Number of LSBP Projects Completed	70
Number of LSBP Bridges Replaced or Repaired	70
Number of Eligible Deficient LSBP Bridges	4,080
Average Time From Initiation to Completion of a LSBP Project (Days)	450
Counties Utilizing All of Their Available LSBP Funds (%)	30.00
Bridges Eligible for LSBP Funds (%)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 7. With the funds appropriated in this act, the Office of State Aid Road Construction shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their

district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." The signage shall further state the four-year legislative term in which the project was funded.

SECTION 8. It is the intention of the Legislature to authorize the State Aid Engineer to utilize funds available to the Office of State Aid Road Construction, from any source herein appropriated or made available by the counties or any other source, to pay for costs necessary to comply with the National Bridge Inspection Standards and the Federal Highway Administration's requirements for bridge inspections and/or special studies necessary to comply with federal laws. The State Aid Engineer shall follow the same procedures as have heretofore been established by Sections 65-9-9, 65-9-15 and 65-9-17, Mississippi Code of 1972, for payment of such costs. The Office of State Aid Road Construction may accept, budget and expend these funds subject to and in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal or state funds.

SECTION 9. It is the intention of the Legislature that in the letting of contracts for which the Office of State Aid Road Construction administers and provides engineering services to political subdivisions under the Economic Development Highway Act, bids may be made from the lowest and best bidder after advertising for competitive sealed bids once in a newspaper published or having a circulation in the county or municipality where the contract will be performed, and the date published for the bid opening may be not less than seven (7) working days after the advertisement is published.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE
MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Jenifer B. Branning	Charles Busby
Tammy Witherspoon	Dan Eubanks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2927** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier,

Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2928** be recommitted for further conference and the motion prevailed.

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2937** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2937: Appropriation; Gaming Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Gaming Commission for the fiscal year beginning July 1, 2021, and ending

June 30, 2022 \$ 8,176,132.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Gaming Commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 1,019,813.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	121
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an

action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. Of the funds appropriated in Section 2, a portion shall be derived from the amount of forfeited property that is seized by the Gaming Commission, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the specific purpose of increasing law enforcement resources as outlined in Section 41-29-185, Mississippi Code 1972.

SECTION 5. Of the funds appropriated in Section 2, a portion shall be derived from the amount that is received by the Gaming Commission under the Gaming Control Act, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the purpose of investigating, permitting, interagency fees, and providing fingerprint analysis by the Department of Public Safety.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the Gaming Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to

the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Riverboat Gaming	
Annual State Riverboat Gaming Revenues (\$)	2,000,000,000.0
Casinos Regulated (Number of)	26
Average Cost per Employee to Total State Riverboat Gaming Revenues (\$)	16,025,457.00
Charitable Bingo	
Bingo Applications Received (Number of)	50
Bingo Halls Regulated (Number of)	68
Average Cost per Employee to Total State Charitable Bingo Revenues (\$)	4,676,905.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 9. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Mississippi Gaming Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 50,000.00.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Angela Turner-Ford
Kathy L. Chism

CONFEREES FOR THE HOUSE

John Read
Richard Bennett
Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2937** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2942** be recommitted for further conference and the motion prevailed.

S. B. No. 2942: Appropriation; Agriculture and Commerce, Department of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2944** be recommitted for further conference and the motion prevailed.

S. B. No. 2944: Appropriation; Animal Health, Board of.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2945** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2945: Appropriation; Fair and Coliseum Commission - Livestock shows.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Department of Agriculture and Commerce's special fund account, to the State Department of Agriculture and Commerce for the purposes of defraying the costs of prizes, premiums, judges and other actual and necessary costs of putting on the Dixie National Livestock Show at the State Fairgrounds in Jackson, Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 954,150.00.

SECTION 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 54,066.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 18,565.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 12,644.00.

Provided, however, that of the amount herein appropriated in paragraph (c), not more than One Thousand Dollars (\$1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies

herein appropriated in paragraph (c) shall be used in offering or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a minimum amount of Five Hundred Dollars (\$500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars (\$1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars (\$1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 54,585.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 7,066.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.

The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e). The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) due each show and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e), that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 11,884.00.

(g) For the support of the NCHA Eastern National Championship, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 42,730.00.

SECTION 3. Of the funds in Section 2, any funds that are remaining at the end of the fiscal year may be transferred between the different show awards and prize monies, with the exception that no county show in paragraph (c) shall receive more than One Thousand Dollars (\$1,000.00).

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE
W. Briggs Hopson III
Sampson Jackson II
Benjamin Suber

CONFEREES FOR THE HOUSE
John Read
Bill Pigott
Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2945** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2946** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2946: Appropriation; Audit, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 8,363,577.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any special funds in the State Treasury to the credit of the State Department of Audit's special fund account for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 6,885,996.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	167
	Part Time	3
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written

approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Finance & Compliance	
County Government Audits (82) -	
Percentage Audited by CPA Firms (%)	70.00
County Government Audits (82) -	
Percentage Audited by OSA (%)	30.00
Single Audit Federal Program Coverage -	
Percentage Audited by CPA Firms (%)	0.00
Single Audit Federal Program Coverage -	
Percentage Audited by OSA (%)	100.00
CAFR Opinion Units - Percentage General	
Fund Assets (%)	75.00
CAFR Opinion Units - Percentage General	
Fund Reserves (%)	75.00
Technical Assistance	
Technical Assistance Inquiries (Number of)	6,100
Cost per Technical Assistance Inquiry (\$)	15.00
Customer Satisfaction Rating of 70% or	
Higher (%)	75.00
Investigations	
Recovered Embezzled and/or Misspent	
Funds as a Result of Investigations	
Conducted by this Office (\$)	600,000.00
Recovered Funds as a Percent of Total	
Misspent Funds (%)	18.00
Performance Audits	
Performance Audit Reports Completed	
(Number of)	10
Positive Changes Recommended in	
Performance Audits or Bond Monitoring	
Reports (Number of)	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2, it is the intention of the Legislature that Thirty Thousand Dollars (\$30,000.00) is provided for the purpose of paying fees for a CPA Review Course for the Office of the State Auditor's employees to be reimbursed over a 12-month period by the employee taking the course.

SECTION 7. It is the intention of the Legislature that the State Auditor is hereby authorized to escalate, budget and expend funds from any source made available to comply with the Single Audit Act of 1984 for the purpose of employing staff, paying related expenses, or to engage private accountants, as necessary, to comply with the provisions of the act, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. No more than One Million Dollars (\$1,000,000.00) may be provided to defray expenses incurred by the Office of the State Auditor pursuant to the rules and regulations of the United States Department of Justice Federal Equitable Sharing Program. These funds may only be used for nonbudgeted law enforcement purposes by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the State Department of Audit shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 10. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses for equipment and other onetime expenditures of the State Department of Audit for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 50,000.00.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR
2022.

CONFEREES FOR THE SENATE
W. Briggs Hopson III
John A. Polk
Kevin Blackwell

CONFEREES FOR THE HOUSE
John Read
Jason White
Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2946** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Not Voting--Bryan. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2947** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2947: Appropriation; Banking and Consumer Finance, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Department of Banking and Consumer Finance, for the support of the State Department of Banking and Consumer Finance, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 11,517,996.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	86
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected

annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 3. It is the intention of the Legislature that the Department of Banking and Consumer Finance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE
SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE
FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
John A. Polk
Tammy Witherspoon

CONFEREES FOR THE HOUSE

John Read
Karl Oliver
Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2947** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2948** be recommitted for further conference and the motion prevailed.

S. B. No. 2948: Appropriation; Finance and Administration, Department of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2949** be recommitted for further conference and the motion prevailed.

S. B. No. 2949: Appropriation; Governor's Office and Mansion.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2950** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2950: Appropriation; Information Technology Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Department of Information Technology Services, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 28,241,471.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Information Technology Services which are collected by or otherwise become available for the purpose of defraying expenses of the Mississippi Department of Information Technology Services as provided in Senate Bill

2779, 2018 Legislative Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 25,010,850.00.

The funds in this section are provided to defray the costs incurred by the Department of Information Technology Services for providing telecommunication services, data center services, and/or other information technology services to state agencies.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	132
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that the Executive Director of Information Technology Services (ITS) shall have authority to transfer an amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) to the ITS Revolving Fund (3360900000). The purpose of this authority is to provide operating cash to alleviate cash flow problems in the ITS Revolving Fund. Any funds transferred during the fiscal year shall be transferred back to the State General Fund before the end of the lapse period for the fiscal year.

SECTION 5. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

..... 10,446,099.00.

The Wireless Communication Commission shall follow all state procurement and bid laws for all contracts and consultants.

SECTION 6. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	10
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

The commission is hereby authorized to escalate federal funds and other special funds in accordance with rules and regulations of the Department of Finance and Administration.

SECTION 7. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 8. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION
TECHNOLOGY SERVICES FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
John A. Polk
Bart Williams

CONFEREES FOR THE HOUSE

John Read
C. Scott Bounds
Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2950** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2951** be recommitted for further conference and the motion prevailed.

S. B. No. 2951: Appropriation; Development Authority, Mississippi.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2952** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2952: Appropriation; Personnel Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Personnel Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 4,195,168.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Personnel Board for the purpose of defraying the expenses for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 113,803.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	41
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year

2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. None of the funds appropriated under the provisions of Section 1 of this act may be expended until the State Personnel Board, based on data provided by the Legislative Budget Office, determines and publishes the projected annual cost to fully fund all appropriated positions for all agencies with compliance language in their appropriation bills.

SECTION 5. It is the intention of the Legislature that the State Personnel Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses for the implementation of ERP Success Factors and other equipment of the State Personnel Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 113,803.00.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the State Personnel Board for the purpose of reauthorizing the expenditure of State General Funds, as authorized in SB 2973, 2020 Regular Session, to provide additional funding for the development of the variable compensation program for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 130,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Charles Jim Beckett
Hillman Terome Frazier	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2952** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2953** be recommitted for further conference and the motion prevailed.

S. B. No. 2953: Appropriation; Secretary of State.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2954** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2954: Appropriation; Treasurer's Office.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Treasurer's office which are collected by or otherwise become available, to defray the expenses of the Office of the State Treasurer for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 5,713,711.00.

SECTION 2. Of the funds appropriated in Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	42
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No. 3219 for the purpose of investing funds for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 150,000.00.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 35,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars (\$1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. Of the funds appropriated to the State Treasury under the provisions of Section 1, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program\$
1,854,655.00.

(b) Mississippi Affordable College Savings
program..... \$ 177,860.00.

(c) Treasury Office - Support
programs..... \$ 3,267,827.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
STATE TREASURER'S OFFICE FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Jason White
Kevin Blackwell	Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2954** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2955** be recommitted for further conference and the motion prevailed.

S. B. No. 2955: Appropriation; Debt Service-Gen. Obli.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2956** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE
MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2956: Appropriations; additional appropriations for various state agencies.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning July 1, 2020, and ending June 30, 2021 ..\$ 1,102,066.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) State of Mississippi v. Dale Partners Architects P.A.; Earl Walls Associates aka NTH, Inc.; Eldridge & Associates; Environmental Management Plus; in the Circuit Court of Hinds County, Mississippi, Civil Action Number 14-666\$ 31,499.00.

(b) Settlement between the United States Environmental Protection Agency and State of Mississippi; Chemfax Inc., Superfund Site, Gulfport, Harrison County, Mississippi, Site/Spill ID Number: 04JF, CERCLA ID Number: MSD008154486, Settlement Agreement for the Recovery of Response Costs, Docket No. CERCLA-04-2014-3756 ...\$ 17,492.00.

(c) Express Oil Change, LLC and TE, LLC d/b/a Tire Engineers v. Mississippi State Board of Licensure for Professional Engineers and Surveyors, et al. 3:16cv414-HTW-LRA \$ 192,533.00.

(d) Mann Agency, LLC v. Mississippi Department of Public Safety Claimant\$ 43,672.00.

(e) Joseph Thomas. Vernon Avers. and Melvin Lawson v. Tate Reeves Civil Action No. 3:18-cv-00441-CWR-FKB (S.D. Miss)\$ 401,920.00.

(f) Larry Ruffin Estate v. State of Mississippi, Circuit Court of Forrest County, Mississippi, Claimant No. CI-11-0238\$ 50,000.00.

(g) Jimmie Bass v. State of Mississippi, Circuit Court of Bolivar County, Mississippi, Claimant No. 2011-0009\$ 50,000.00.

(h) Rolland Glen Anderson v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Claimant No. 251-09-640CIV\$ 50,000.00.

(i) Tyler Edmonds v. State of Mississippi, Circuit Court of Oktibbeha County, Mississippi, Cause No. 2009-0457-CV\$ 50,000.00.

(j) Natasha Orlantha Stewart v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Civil Action No. 25C11:17-cv-00349\$ 50,000.00.

(k) Curtis Flowers v. State of Mississippi, Circuit Court of Montgomery County, Mississippi, Case No. 1:20-cv-00150\$ 50,000.00.

(l) Curtis Flowers v. State of Mississippi, Circuit Court of Montgomery County, Mississippi, Case No. 1:20-cv-00150 (attorney fees)\$ 50,000.00.

(m) Harvill Payne Richardson, Circuit Court of Harrison County, Mississippi, Cause No. A2402-2020-87\$ 50,000.00.

(n) Harvill Payne Richardson, Circuit Court of Harrison County, Mississippi, Cause No. A2402-2020-87 00150 (attorney fees)\$ 15,000.00.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit

of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning upon passage of this act, and ending December 31, 2021 \$ 751,735.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) Olivia Y., et al v. Phil Bryant, as Governor of the State of Mississippi and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No.3:03cv251(L)(N)..... \$ 62,500.00.

(b) Amos et al. v. Taylor et al. 20-cv-00007-DMB-JMV (N.D. Miss); Lang, et al. v. Cain, et al., 4:20-cv-030-DMB RP (N.D. Miss); Brittany Waddell, et al. v. Taylor, et al., Civil Action No. 3:20-cv-340-TSL-RHW (S.D. Miss.)..... \$ 509,519.00.

(c) Jackson Women's Health Organization et al v. Dobbs et al., 3:18-cv-00171-CWR-FKB (S.D. Miss) \$ 75,000.00.

(d) United States v. State of Mississippi, 3:16-cv-622-CWR-FKB (S.D. Miss) \$ 83,794.00.

(e) Special Master as Required by Order of the Federal Court regarding United States v. State of Mississippi 3:16-cv-00622-CWR-FKS (S.D. Miss)..... \$ 10,000.00.

(f) IRS Representation vs State Agencies \$ 10,922.00.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 8,225,975.00.

This additional appropriation is for the purpose of defraying medical program expenses.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 5,310,823.00.

This additional appropriation is for the purpose of defraying regional facilities expenses.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 5,507,734.00.

This additional appropriation is for the purpose of defraying private prison facility expenses.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 2,626,170.00.

This additional appropriation is for the purpose of defraying local confinement facility expenses.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 1,522,743.00.

This additional appropriation is for the purpose of defraying expenses of an additional Highway Patrol Trooper School class.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 375,000.00.

This additional appropriation is for the purpose of defraying the expenses for special judge appointments.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Veterans' Affairs Board for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 5,250,000.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 331,057.00.

This additional appropriation is for the purpose of defraying expenses of contractual obligations for system maintenance.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Emergency Management Agency for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 6,818,328.00.

This additional appropriation is for the purpose of providing funding to the Disaster Trust Fund.

SECTION 12. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Mental Health and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Mental Health for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 20,000,000.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 13. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Department of Information Technology Services and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 700,000.00.

This additional appropriation is for the purpose of providing services to support state agencies as needed.

SECTION 14. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Secretary of State and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Secretary of State for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 267,479.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 15. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the State Department of Agriculture and Commerce and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the State Department of Agriculture and Commerce for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 76,120.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 16. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Finance and Administration and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2020, and ending June 30, 2021

\$ 124,370.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 17. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Revenue and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Revenue for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 554,193.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 18. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Governor's Office - Division of Medicaid and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 199,710,000.00.

This additional appropriation is for the purpose of providing additional federal matching funds for mandated Medicaid medical services.

SECTION 19. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Board of Animal Health and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 15,000.00.

This additional appropriation is for the purpose of providing spending authority for a non-federal grant received for disease control to purchase equipment.

SECTION 20. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the State Board of Medical Licensure and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the State Board of Medical Licensure for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 75,000.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 21. This act shall take effect and be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2021 AND FISCAL YEAR 2022; THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; MISSISSIPPI STATE SUPREME COURT FOR FISCAL YEAR 2021; THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2021; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2021; MISSISSIPPI EMERGENCY MANAGEMENT AGENCY FOR FISCAL YEAR 2021; THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2021; THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2021; THE SECRETARY OF STATE FOR FISCAL YEAR 2021; THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2021; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; THE DEPARTMENT OF REVENUE FOR FISCAL YEAR 2021; THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR FISCAL YEAR 2021; THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR FISCAL YEAR 2021; THE STATE BOARD OF MEDICAL LICENSURE FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Dennis DeBar, Jr.

CONFEREES FOR THE HOUSE

John Read

Angela Cockerham

Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2956** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Seymour was recognized for a special adjourn in memory of the Mississippi Military Veterans losses due to the COVID-19 pandemic. The Senate observed a moment of silence in honor of the veterans.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of the following Mississippi Military Veterans listed:

Colonel James Abel, Belzoni, MS
Specialist Cleveland Alverson, Hernando, MS
Private Raymond Anton, Pittsburgh, PA
Private Earnest Austin, Bogalosa, LA
Airman Charles Baker, Tupelo, MS
Private Dave Ballard, Kosciusko, MS
Petty Officer Albert Bender, Michigan
Corporal James Bibbs, Madison, MS
Private James Bivens, West Point, MS
Private John Bolton, Bay Springs, MS
Petty Officer Clifton Broom, Columbia, MS
Captain Wayne Burkes, Philadelphia, MS
Specialist Micheal Burkhardt, Memphis, TN
Sergeant John Campbell, Nicholson, MS
Lieutenant Omar Cauby, Memphis, TN
Corporal Richard Chaney, Hernando, MS
Sergeant Henry Collier, Pontotoc, MS
Sergeant Warren Collins Laurel, MS
Petty Officer Ernest Costilow, Southaven, MS
Airman Jesse Crosby, Kosciusko, MS
Sergeant Rudolph Cross, St. Paul, MN
Private William Darden, Magee, MS
Sergeant Johnnie Davis, New Albany, MS
Sergeant Fred Davis, Laurel, MS
Sergeant Major Atley Dean, Brandon, MS
Sergeant Roland Diaz, Ocean Springs, MS
Sergeant Leroy Dunaway, Petal, MS
Specialist Robert Edwards, Kosciusko, MS
Petty Officer Raymond Edwards, Meridian, MS
Corporal Willie Eldridge, Coldwater, MS
Sergeant Jimmie Elkin, Columbus, MS
Petty Officer Dennis Fahrkamp, Holly Springs, MS
Airman Hearsey Fennell, Hernando, MS
Sergeant William Finnie, Memphis, MS
Sergeant Carl Gattis, Lee County, MS
Specialist Lindy George, Meridian, MS

Lieutenant James Giles, New Albany, MS
Sergeant Owen Girley, Seminary, MS
Corporal James Graves, Ripley, MS
Sergeant Billy Hamilton, Vardaman, MS
Private John Hamlin, Corinth, MS
Corporal Boyd Highfield, Horn Lake, MS
Private Leondis Horton, Corinth, MS
Private Norman House, Olive Branch, MS
Sergeant Benjamin Hubbard, Pope, MS
Sergeant Walter Ishee, Bay Springs, MS
Airman James Jacob, Sandy Hook, MS
Sergeant Billy Jayroe, Neshoba, MS
Private Zack Jenkins, Redondo Beach, CA
Private Fredrick Jerald, Hattiesburg, MS
Specialist Ronald Johnson, Oxford, MS
Sergeant John Johnson, Shannon, MS
Seaman Ben Jones, Oxford, MS
Specialist James Jones, Sumrall, MS
Sergeant John Kidd, Oxford, MS
Seaman Mervin Kittrell, Claremore, OK
Private Robert Lee, Hattiesburg, MS
Private Charles Leggett, Hattiesburg, MS
Private Louis Lucas, Corinth, MS
Private Fletcher Ludgood, George County, MS
Private Mitchell Martin, Hattiesburg, MS
Private John Martin, Memphis, TN
Corporal James McClure, Choctaw, MS
Specialist WL McFerrin, Charleston, MS
Airman Lee Messer, New Albany, MS
Private James Middleton, Magee, MS
Sergeant Hugh Mills, New Albany, MS
George Montz, Hickory Flat, MS
Sergeant Lavaughn Mitchell, Tallahatchie, MS
Lieutenant Stephen Nagy, Petal, MS
Sergeant Major Charles Noble, Oxford, MS
Petty Officer Jack Ohler, Blue Mountain, MS
Airman Audris Olier, Biloxi, MS
Corporal Archie Osborn, Grenada, MS
Chief Warrant Officer Charles Parker, Collins, MS
Seaman Andrew Pates, Grenada, MS
Sergeant Robert Perkins, Byhalia, MS
Seaman James Pilgrim, Vaughn, MS
Private Charles Powell, Foxworth, MS
Petty Officer William Price, Mendenhall, MS
Senior Chief Charles Reed, Ripley, MS
Airman Wyman Reed, Maben, MS
Sergeant Homer Reeves, Brandon, MS
Corporal Willie Roland, Ripley, MS
Private Billy Sauls, Jayess, MS
Sergeant Florence Scanlon, Brandon, MS
Staff Sergeant Jack Schurman, Bay St. Louis, MS
Petty Officer David Selvy, Courtland, MS
Petty Officer Sidney Shows, Hattiesburg, MS
Sergeant Charles Simmons, Booneville, MS
Chief John Smallwood, Laurel, MS
Corporal Alvie Smith, New Albany, MS
Chief Clarence Smith, Shubuta, MS
Specialist Raymond Story, Greenwood, MS
Specialist Thomas Strickland, Booneville, MS

Chief Warrant Officer J.W. Strickland, Wiggins, MS
Private Charles Swenkoske, Ripley, MS
Specialist Tommy Thomas, Booneville, MS
Seaman Richard Tillman, Florence, MS
Specialist Alan Upchurch, Oxford, MS
Airman Tyndal Vise, Petal, MS
Sergeant C. J. Wade, Terry, MS
Seaman Peggy Wasson, Oklahoma
Sergeant Johnnie Watkins, Jackson, MS
Corporal Talmadge Watkins, Carthage, MS
Sergeant Thomas Wells, Columbus, MS
Private Clifton Wheeler, Batesville, MS
Airman Boyd White, Collins, MS
Specialist Benny White, Meridian, MS
Airman Tom Wiltshire, Carrollton, MS
Specialist Kenneth Winnett, Lumberton, MS

Senator Hopson moved that the rules be suspended for the immediate consideration of calendar item 67, **H. B. No. 1396**, and the motion prevailed.

Senator Hopson entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1396** was adopted by the Senate.

H. B. No. 1396: Appropriation; Public Service Commission.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **H. B. No. 1396** was adopted by the Senate.

The foregoing motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1396** be recommitted for further conference and the motion prevailed.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 87: AN ACT TO AMEND SECTION 43-1-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE DIRECTOR AND INVESTIGATORS OF THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES FRAUD INVESTIGATION UNIT HAVE LAW ENFORCEMENT AUTHORITY; AND FOR RELATED PURPOSES.

H. B. No. 95: AN ACT TO AMEND SECTION 73-17-11, MISSISSIPPI CODE OF 1972, TO INCREASE MAXIMUM AMOUNT OF THE FEE THAT THE STATE BOARD OF NURSING HOME ADMINISTRATORS MAY CHARGE FOR INITIAL LICENSES AND BIENNIAL RENEWAL OF LICENSES; TO DELETE THE DATE OF THE REPEALER ON THE LICENSURE REQUIREMENTS FOR NURSING HOME ADMINISTRATORS; TO AUTHORIZE THE STATE BOARD OF NURSING HOME ADMINISTRATORS TO CONDUCT CRIMINAL HISTORY RECORD CHECKS ON APPLICANTS FOR LICENSURE; TO EXEMPT FROM CONTINUING EDUCATION REQUIREMENTS FOR LICENSE RENEWAL MEMBERS OF THE LEGISLATURE WHO SERVE ON THE PUBLIC HEALTH AND/OR MEDICAID COMMITTEE; AND FOR RELATED PURPOSES.

H. B. No. 1418: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE OAKLAND/YALOBUSHA NATURAL GAS DISTRICT TO EXPAND ITS GAS DISTRIBUTION SYSTEM; AND FOR RELATED PURPOSES.

H. B. No. 1433: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF YALOBUSHA COUNTY, MISSISSIPPI, TO LOAN THE OAKLAND NATURAL GAS DISTRICT CERTAIN FUNDS; TO PROVIDE THAT THE LOAN SHALL BE APPLIED SOLELY TO EXISTING INDEBTEDNESS OF THE GAS DISTRICT; AND FOR RELATED PURPOSES.

H. B. No. 1436: AN ACT TO AMEND CHAPTER 834, LOCAL AND PRIVATE LAWS OF 1988, AS AMENDED BY CHAPTER 808, LOCAL AND PRIVATE LAWS OF 1990, AS AMENDED BY CHAPTER 942, LOCAL AND PRIVATE LAWS OF 1997, TO AUTHORIZE THE COMMISSIONERS OF THE CALEDONIA NATURAL GAS DISTRICT TO ENTER INTO A CERTAIN AGREEMENT WITH THE MISSISSIPPI DEVELOPMENT BANK; AND FOR RELATED PURPOSES.

H. B. No. 1437: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF BYHALIA, MISSISSIPPI, TO TRANSFER CERTAIN SURPLUS FUNDS FROM ITS GAS SYSTEM REVENUE FUND TO THE TOWN'S WATER AND SEWER DEPARTMENTS FUND FOR INFRASTRUCTURE IMPROVEMENTS; AND FOR RELATED PURPOSES.

H. B. No. 1481: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF SHANNON, MISSISSIPPI, TO EXPAND THE TOWN'S NATURAL GAS DISTRIBUTION SYSTEM; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2926: Appropriation; Mental Health, Department of.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2895: Ad valorem tax; provide assessment rate for transformative renewable energy project property designated by the county board.

S. B. No. 2971: Bonds; authorize issuance for state institutions of higher learning.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1077: Open account; revise definition and require account creditor to send demand to current address of account debtor through certain means.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1396: Appropriation; Public Service Commission.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1391: Appropriation; reappropriation, DFA - Bureau of Building; FY21.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2955: Appropriation; Debt Service-Gen. Obli.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 7:00 PM.

The motion prevailed, and at 4:23 PM, the Senate stood in recess.

The Senate resumed business at 7:00 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 3086: Lauderdale County; extend repeal date on the Lauderdale County Tourism Commission.

Andrew Ketchings, Clerk of the House of Representatives

FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

H. C. R. No. 57: A CONCURRENT RESOLUTION URGING THE MISSISSIPPI COMMISSION ON CHILDREN'S JUSTICE TO CREATE A STUDY COMMITTEE TO CONSIDER AND RECOMMEND PROPOSALS FOR STATUTORY REVISIONS TO THE DEFINITION OF "NEGLECTED CHILD" UNDER THE MISSISSIPPI YOUTH COURT LAW; TO CREATE PROPOSALS TO ESTABLISH A "HOPE NAVIGATOR PROGRAM" THAT CONNECTS FAMILIES TO RESOURCES AND SERVICES THAT ENCOURAGE FAMILY PRESERVATION; TO CREATE RECOMMENDATIONS OR PROPOSALS THAT WILL IMPROVE OUR CHILD WELFARE SYSTEM AND PRESERVE AND PROMOTE FAMILY STABILITY, INDEPENDENCE AND PRESERVATION.

H. C. R. No. 59: A CONCURRENT RESOLUTION RECOGNIZING THE SCIENTIFIC ACHIEVEMENT OF MISSISSIPPI'S TAILS N' SCALES PROGRAM AND SUPPORT FOR EVERY RECREATIONAL ANGLER IN MISSISSIPPI TO HARVEST RED SNAPPER DURING A SEASON SET BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES AND MANAGED ACCORDING TO TAILS N' SCALES.

H. C. R. No. 60: A CONCURRENT RESOLUTION COMMENDING THE ESSIE B. AND WILLIAM EARL GLENN FOUNDATION FOR BETTER LIVING ON THE OCCASION OF HOSTING ITS SECOND COMMUNITY FOCUSED ADVERSE CHILDHOOD EXPERIENCES TRAUMA AWARENESS SYMPOSIUM AND DECLARING JUNE 21, 2021, AS ADVERSE CHILDHOOD EXPERIENCES (ACES) TRAUMA AWARENESS DAY.

H. C. R. No. 61: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NEW SITE HIGH SCHOOL LADY ROYALS BASKETBALL TEAM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 2A STATE BASKETBALL CHAMPIONSHIP.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1509: AN ACT TO AMEND CHAPTER 1019, LOCAL AND PRIVATE LAWS OF 1996, AS LAST AMENDED BY CHAPTER 950, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE REPEAL DATE TO JULY 1, 2025, ON THE PROVISIONS OF LAW THAT CREATE THE HANCOCK COUNTY TOURISM DEVELOPMENT BUREAU AND PRESCRIBE ITS POWERS AND DUTIES AND LEVIES A HOTEL AND MOTEL TAX ON THE GROSS PROCEEDS OF SALES DERIVED FROM ROOM RENTALS AND AUTHORIZES SUCH TAX TO BE UTILIZED FOR TOURISM-RELATED ACTIVITIES BY THE BUREAU; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 1494: Walnut Grove; authorize Walnut Grove Correctional Authority to contract with the state to operate correctional facility.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 136: Individual bond; require for public officers and employees handling or having the custody of public funds.

H. B. No. 424: Memorial highway; designate segment of MS Highway 44 in Marion County as the "T.L. Wallace Memorial Highway."

H. B. No. 550: Intermediate driver's license; delete all references to.

H. B. No. 887: Memorial highway; designate a segment of United States Highway 82 in Webster County as "Corporal William Justin Cooper Memorial Highway."

H. B. No. 1245: MDOT; require maintenance of rights-of-way of state highways inside municipal limits with 10,000 or less population.

Adopted: 03/27/21

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 2539: Hinds County; authorize assessments on convictions, for improvements to courthouses and pretrial detention facilities.

S. B. No. 3072: Lafayette County; change governing law for county trust fund investments from PERS to MS Uniform Prudent Investor Act.

S. B. No. 3080: City of Vicksburg; authorize adoption of vacant commercial building registration ordinance.

S. B. No. 3087: Warren County; authorize contributions to various organizations.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2024: Depositories; revise bid process for selection by counties and municipalities.

S. B. No. 2121: Intimate visual material; criminalize disclosure of.

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person.

S. B. No. 2434: Capitol police; transfer to Department of Public Safety.

S. B. No. 2649: Public contracts for energy efficiency; extend repeal date on use of.

S. B. No. 2816: Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors.

Adopted: 03/27/21

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

S. B. No. 3090: Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

S. N. No. 67: Jillian James Foster, Pharm.D., MBA, Olive Branch, Mississippi, State Board of Pharmacy to represent the First Congressional District as it existed on July 1, 2001, designated as Post 1, five year term beginning July 1, 2021 and ending June 30, 2026. Do Advise and Consent.

S. N. No. 55: John Daniel Davis, IV, MD, Flowood, Mississippi, State Board of Health as a Licensed Physician, term effective immediately and ending June 30, 2023, vice Ed D. "Tad" Barham, MD, FACR. Do Advise and Consent.

S. N. No. 62: Roderick Clarence (Rod) Givens, MD, Natchez, Mississippi, State Board of Medical Licensure to represent the Second Supreme Court District, unexpired term beginning immediately and ending June 30, 2026. Do Advise and Consent.

S. N. No. 68: Ryan Charles Harper, Pharm.D., Pelahatchie, Mississippi, State Board of Pharmacy to represent the Third Congressional District as it existed on July 1, 2001, designated as Post 3, five year term beginning July 1, 2021 and ending June 30, 2026. Do Advise and Consent.

S. N. No. 88: Michelle Yvette Taylor Owens, MD, Jackson, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026. Do Advise and Consent.

S. N. No. 34: Michael Ray (Mike) Patterson, D.C., Boyle, Mississippi, State Board of Chiropractic Examiners, term effective immediately and ending April 20, 2024, representing the Second Congressional District, vice Dr. Dottie Pernell. Do Advise and Consent.

S. N. No. 48: Warren G. Rossi, Corinth, Mississippi, State Board of Cosmetology as a Third Supreme Court District representative, term effective immediately and ending March 28, 2023, vice Darlene L. Smith. Do Advise and Consent.

S. N. No. 84: Anthony Chester White, Brandon, Mississippi, Mississippi State Board of Massage Therapy as the consumer at large, term effective immediately for the unexpired portion of a four year term ending June 30, 2023. Do Advise and Consent.

S. N. No. 94: Michael Scott Parker, Raymond, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, term effective immediately for the unexpired balance of a four year term ending June 30, 2024. Do Advise and Consent.

BRYAN, Chairman

REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

H. C. R. No. 57: The Mississippi Commission on Children's Justice; urge to create a study committee to consider and recommend proposals. Rules.

H. C. R. No. 59: MS Tails n' Scales program; recognize as best scientific information available for monitoring red snapper catch and effort in MS. Rules.

H. C. R. No. 60: Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 21, 2021, as. Rules.

H. C. R. No. 61: New Site Lady Royals Basketball Team; commend for winning the MHSAA Class 2A State Basketball Championship. Rules.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 82** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 82: Community or junior colleges; authorize to administer construction contracts of \$1,000,000.00 or less, and exempt certain oversight.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-11-3, Mississippi Code of 1972, is amended as follows:

31-11-3. (1) The Department of Finance and Administration, for the purposes of carrying out the provisions of this chapter, in addition to all other rights and powers granted by law, shall have full power and authority to employ and compensate architects or other employees necessary for the purpose of making inspections, preparing plans and specifications, supervising the erection of any buildings, and making any repairs or additions as may be determined by the Department of Finance and Administration to be necessary, pursuant to the rules and regulations of the State Personnel Board. The department shall have entire control and supervision of, and determine what, if any, buildings, additions, repairs, demolitions or improvements are to be made under the provisions of this chapter, subject to the regulations adopted by the Public Procurement Review Board.

(2) The department shall have full power to erect buildings, make repairs, additions or improvements, demolitions, to grant or acquire easements or rights-of-way, and to buy materials, supplies and equipment for any of the institutions or departments of the state subject to the regulations adopted by the Public Procurement Review Board. In addition to other powers conferred, the department shall have full power and authority, as directed by the Legislature, or when funds have been appropriated for its use for these purposes, to:

- (a) Build a state office building;
- (b) Build suitable plants or buildings for the use and housing of any state schools or institutions, including the building of plants or buildings for new state schools or institutions, as provided for by the Legislature;
- (c) Provide state aid for the construction of school buildings;
- (d) Promote and develop the training of returned veterans of the United States in all sorts of educational and vocational learning to be supplied by the proper educational institution of the State of Mississippi, and in so doing allocate monies appropriated to it for these purposes to the Governor for use by him in setting up, maintaining and operating an office and employing a state director of on-the-job training for veterans and the personnel necessary in carrying out Public Law No. 346 of the United States;
- (e) Build and equip a hospital and administration building at the Mississippi State Penitentiary;
- (f) Build and equip additional buildings and wards at the Boswell Retardation Center;
- (g) Construct a sewage disposal and treatment plant at the Mississippi State Hospital, and in so doing acquire additional land as may be necessary, and to exercise the right of eminent domain in the acquisition of this land;
- (h) Build and equip the Mississippi central market and purchase or acquire by eminent domain, if necessary, any lands needed for this purpose;
- (i) Build and equip suitable facilities for a training and employing center for the blind;
- (j) Build and equip a gymnasium at Columbia Training School;
- (k) Approve or disapprove the expenditure of any money appropriated by the Legislature when authorized by the bill making the appropriation;
- (l) Expend monies appropriated to it in paying the state's part of the cost of any street paving;
- (m) Sell and convey state lands when authorized by the Legislature, cause said lands to be properly surveyed and platted, execute all deeds or other legal instruments, and do any and all other things required to effectively carry out the purpose and intent of the Legislature. Any transaction which involves state lands under the provisions of this paragraph shall be done in a manner consistent with the provisions of Section 29-1-1;
- (n) Collect and receive from educational institutions of the State of Mississippi monies required to be paid by these institutions to the state in carrying out any veterans' educational programs;
- (o) Purchase lands for building sites, or as additions to building sites, for the erection of buildings and other facilities which the department is authorized to erect, and demolish and dispose of old buildings, when necessary for the proper construction of new buildings. Any transaction which involves state lands under the provisions of this paragraph shall be done in a manner consistent with the provisions of Section 29-1-1;

(p) Obtain business property insurance with a deductible of not less than One Hundred Thousand Dollars (\$100,000.00) on state-owned buildings under the management and control of the department; and

(q) In consultation with and approval by the Chairmen of the Public Property Committees of the Senate and the House of Representatives, enter into contracts for the purpose of providing parking spaces for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building.

(r) The department is hereby authorized to transfer up to One Million Dollars (\$1,000,000.00) of available bond funds to each community college requesting to be exempt from department control and supervision relating to the repair, renovation and improvement of existing facilities owned by the community colleges, including utility infrastructure projects; heating and air conditioning systems; and the replacement of furniture and equipment. The community colleges shall abide by all applicable statutes related to the purchase of the repair, renovation and improvement of such existing facilities.

(3) The department shall survey state-owned and state-utilized buildings to establish an estimate of the costs of architectural alterations, pursuant to the Americans With Disabilities Act of 1990, 42 USCS, Section 12111 et seq. The department shall establish priorities for making the identified architectural alterations and shall make known to the Legislative Budget Office and to the Legislature the required cost to effectuate such alterations. To meet the requirements of this section, the department shall use standards of accessibility that are at least as stringent as any applicable federal requirements and may consider:

(a) Federal minimum guidelines and requirements issued by the United States Architectural and Transportation Barriers Compliance Board and standards issued by other federal agencies;

(b) The criteria contained in the American Standard Specifications for Making Buildings Accessible and Usable by the Physically Handicapped and any amendments thereto as approved by the American Standards Association, Incorporated (ANSI Standards);

(c) Design manuals;

(d) Applicable federal guidelines;

(e) Current literature in the field;

(f) Applicable safety standards; and

(g) Any applicable environmental impact statements.

(4) The department shall observe the provisions of Section 31-5-23 in letting contracts and shall use Mississippi products, including paint, varnish and lacquer which contain as vehicles tung oil and either ester gum or modified resin (with rosin as the principal base of constituents), and turpentine shall be used as a solvent or thinner, where these products are available at a cost not to exceed the cost of products grown, produced, prepared, made or manufactured outside of the State of Mississippi.

(5) The department shall have authority to accept grants, loans or donations from the United States government or from any other sources for the purpose of matching funds in carrying out the provisions of this chapter.

(6) The department shall build a wheelchair ramp at the War Memorial Building which complies with all applicable federal laws, regulations and specifications regarding wheelchair ramps.

(7) The department shall review and preapprove all architectural or engineering service contracts entered into by any state agency, institution, commission, board or authority, regardless of the source of funding used to defray the costs of the construction or renovation project, for which services are to be obtained to ensure compliance with purchasing regulations and to confirm that the contracts are procured by a competitive qualification-based selection process except where such appointment is for an emergency project or for a continuation of a previous appointment for a directly related project. The provisions of this subsection (7) shall not apply to:

(a) Any architectural or engineering contract fully paid for by self-generated funds of any of the state institutions of higher learning;

(b) Any architectural or engineering contract that is self-administered at a state institution of higher learning as provided under Section 27-104-7(2)(b) or 37-101-15(m);

(c) Community college projects that are fully funded from local funds or other nonstate sources which are outside the Department of Finance and Administration's appropriations or as directed by the Legislature;

(d) Any construction or design projects of the State Military Department that are fully or partially funded from federal funds or other nonstate sources; and

(e) Any project of the State Department of Transportation.

(8) (a) The department shall have the authority to obtain annually from the state institutions of higher learning, the state community colleges and junior colleges, the Department of Mental Health, the Department of Corrections and the Department of Wildlife, Fisheries and Parks information on all renovation and repair expenditures for buildings under their operation and control, including duties, responsibilities and costs of any architect or engineer hired by any such institutions, and shall annually report the same to the Legislative Budget Office, the Chairman of the House Public Property Committee and the Chairman of the Senate Public Property Committee before September 1.

(b) All state agencies, departments and institutions are required to cooperate with the Department of Finance and Administration in carrying out the provisions of this subsection.

(c) Expenditures shall not include those amounts expended for janitorial, landscaping or administrative support, but shall include expenditures from both state and nonstate sources.

(d) Expenditures shall not include amounts expended by the department on behalf of state agencies, departments and institutions through the Department of Finance and Administration administered contracts, but shall include amounts transferred to the Department of Finance and Administration for support of such contracts.

(9) As an alternative to other methods of awarding contracts as prescribed by law, the department may elect to use the method of contracting for construction projects set out in Sections 31-7-13.1 and 31-7-13.2; however, the dual-phase design-build method of construction contracting authorized under Section 31-7-13.1 may be used only when the Legislature has specifically required or authorized the use of this method in the legislation authorizing a project.

(10) The department shall have the authority, for the purposes of carrying out the provisions of this chapter, and in addition to all other rights and powers granted by law, to create and maintain a list of suspended and debarred contractors and subcontractors. Consistent with this authority, the department may adopt regulations governing the suspension or debarment of contractors and subcontractors, which regulations shall be subject to the approval of the Public Procurement Review Board. A suspended or debarred contractor or subcontractor shall be disqualified from consideration for contracts with the department during the suspension or debarment period in accordance with the department's regulations.

(11) This section shall not apply to the Mississippi State Port Authority.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 31-11-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER UP TO ONE MILLION DOLLARS OF AVAILABLE BOND FUNDS TO COMMUNITY COLLEGES REQUESTING TO BE EXEMPT FROM DEPARTMENT OVERSIGHTS OF CERTAIN REPAIR, RENOVATIONS AND IMPROVEMENTS TO EXISTING FACILITIES OWNED BY COMMUNITY COLLEGES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Mac Huddleston

Donnie Scoggin

C. Scott Bounds

CONFEREES FOR THE SENATE

Josh Harkins

Juan Barnett

Dean Kirby

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 82** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 136** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 136: Individual bond; require for public officers and employees handling or having the custody of public funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Notwithstanding any other provision of law to the contrary, any public officer or employee handling or having the custody of public funds, by virtue of his or her office or employment, shall give an individual bond or be covered by a blanket bond. The amount of such bonds shall not be less than Twenty-five Thousand Dollars (\$25,000.00) for each public officer or employee, unless a specific amount is otherwise required by law. The provisions of this section shall not apply to any public officer or employee whose activity of handling or having custody of public funds is incidental to his or her employment or job duties, as defined by the regulations of the State Auditor's office.

(2) All individual bonds and blanket bonds as required by this section shall follow the form and content as provided in Section 25-1-15.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE ANY PUBLIC OFFICER OR EMPLOYEE HANDLING OR HAVING THE CUSTODY OF PUBLIC FUNDS, BY VIRTUE OF HIS OR HER OFFICE OR EMPLOYMENT, TO GIVE BOND IN A CERTAIN AMOUNT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Randy P. Boyd

Dana Criswell

CONFEREES FOR THE SENATE

Josh Harkins

Daniel H. Sparks

David Blount

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 136** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 425** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 425: Ad valorem tax; revise certain provisions regarding when an application for change of property assessment may be made.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-35-143, Mississippi Code of 1972, is amended as follows:

27-35-143. (1) The board of supervisors of each county shall have power, upon application of the party interested, or by the assessor on behalf of such party, or otherwise as prescribed in Sections 27-35-145 through 27-35-149, to change, cancel or decrease an assessment in the manner herein provided at any time after the assessment roll containing such assessment has been finally approved by the * * * Department of Revenue, and, except as otherwise provided in subsection (2) of this section, prior to the last Monday in August next, under the following circumstances and no other:

* * *(a) When the same property has been assessed more than once to one or more persons.

* * *(b) When a clerical error has been made in transcribing the assessment from the tax list to the assessment roll, or from the assessment roll to the copies, or in amending the original assessment roll, in making the equalization of assessments, or in carrying out the instructions of the * * * Department of Revenue.

* * *(c) When an error in addition or multiplication has been made in the compilation of the tax list, roll or copy of the roll.

* * *(d) When there is an assessment of property which never existed, or was not owned by or in the possession of the party to whom assessed, on the next preceding tax lien date.

* * *(e) When the assessment is in the name of another than the owner of the property on the next preceding tax lien date.

* * *(f) When the assessment is so indefinite as to give a vague or imperfect description of the property assessed.

* * *(g) When the property assessed is nontaxable, or was not subject to taxation on the next preceding tax lien date.

* * *(h) When the property is not liable to a special district tax levy for which it has been assessed.

* * *(i) When the property, after the next preceding tax lien date, but before the payment of taxes due thereon, has ceased to exist, on account of death or destruction by fire, explosion, storm, flood, earthquake, lightning, or other inevitable accident or act of Providence; or has depreciated in value on account of any such accident or occurrence as the foregoing.

Provided, however, that where property has been insured the amount collected as insurance by reason of such loss shall be taken into account by the board in reducing the assessment, or refunding any tax payment thereon.

* * *(j) When the assessment does not show the correct number of acres, actually in the property described, or the correct quantity of any property.

* * *(k) When lands have been assessed and incorrectly classified; or when buildings and improvements have been assessed which were not on the land, at the preceding tax lien date; or where the buildings and improvements, at the preceding tax lien date, were exempt from assessment and taxation.

* * *(l) When the property has been assessed for more than its actual value; but in such cases the board shall require proof, under oath, of such excessive assessment by two (2) or more competent witnesses who know of their own personal knowledge that the property is assessed for a higher sum than its true value.

* * *(m) When the property has been assessed as subject to state taxes and is exempt; or when the property has been assessed as subject to county and district taxes and is exempt from such taxes.

* * *(n) When buildings and improvements have been assessed with the land, but are owned by someone other than the owner of the land.

(2) The assessor shall make an application on behalf of the party interested if the assessor has knowledge of any circumstance or occurrence described in subsection (1)(i) of this section regardless of whether the party interested has made such an application. If the assessor fails to make such application, the party interested may make an application with the board of supervisors not later than the last Monday in August after the assessment roll containing such assessment has been finally approved by the Department of Revenue, and the board of supervisors may change, cancel or decrease the assessment.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-35-143, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A TAX ASSESSOR HAS KNOWLEDGE OF CERTAIN CIRCUMSTANCES OR OCCURRENCES THAT MAY AFFECT AN ASSESSMENT OF PROPERTY FOR AD VALOREM TAX PURPOSES, THE TAX ASSESSOR SHALL MAKE AN APPLICATION ON BEHALF OF THE INTERESTED PARTY WITH THE BOARD OF SUPERVISORS TO CHANGE, CANCEL OR DECREASE THE ASSESSMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Stevenson

Ken Morgan

CONFEREES FOR THE SENATE

Josh Harkins

Chris Johnson

Chuck Younger

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 425** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1135** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1135: Alcoholic beverages; create delivery service permit.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The holder of a delivery service permit under Section 67-1-51:

(a) May contract with the holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or the holder of a beer, light wine and light spirit product retail permit under Section 67-3-19 for the purpose of intrastate delivery of alcoholic beverages or beer, light wine and light spirit product, as authorized to be sold under the respective permits;

(b) May deliver alcoholic beverages or beer, light wine and light spirit product without a delivery contract, if the permittee holds a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or a beer, light wine and light spirit product retail permit under Section 67-3-19, respectively;

(c) May use its own employees or independent contractors who are at least twenty-one (21) years of age to deliver such alcoholic beverages, beer, light wine or light spirit product under this section, provided all delivery agents are trained and certified consistent with the training program submitted to the division as required by subsection (2)(d) of this section. If independent contractors are used, the delivery service permittee must enter into a contract with the retailer as required by subsection (2)(c) of this section;

(d) May facilitate orders by telephone, internet or other electronic means for the sale and delivery of alcoholic beverages, beer, light wine or light spirit product under this section. The full amount of each order must be handled in a manner that gives the retail permittee control over the ultimate receipt of payment from the consumer. The retail permittee shall remain responsible for the proper remittance of all applicable taxes on the sale of the product;

(e) May deliver only sealed containers of alcoholic beverages, beer, light wine or light spirit product to an individual in Mississippi;

(f) Shall obtain from the customer a confirmation that he or she is at least twenty-one (21) years of age at the time the order is placed;

(g) Shall place a stamp, print or label on the outside of the sealed package to indicate that the sealed package contains alcoholic beverages, beer, light wine or light spirit product;

(h) Shall require the recipient, at the time of delivery, to provide valid photo identification verifying he or she is at least twenty-one (21) years of age and to sign for the delivery;

(i) Shall possess identification scanning software technology or a state-of-the-art alternative at the point of delivery to verify the recipient is at least twenty-one (21) years of age and to collect the recipient's name and date of birth. Records relating to this verification shall be maintained for at least ninety (90) days and shall be subject to review by the division;

(j) Shall return all alcoholic beverages, beer, light wine or light spirit product to the retailer if the recipient is under the age of twenty-one (21) years, appears intoxicated, fails to provide proof of identification, fails or refuses to sign for delivery, fails to complete the identification verification process or declines to accept delivery, or if any circumstances in the delivery environment indicate illegal conduct, overconsumption of alcohol, or an otherwise unsafe environment for the consumption of alcohol;

(k) May not deliver any alcoholic beverage, beer, light wine or light spirit product to any person located within a jurisdiction that is dry for that product, as provided by the division's wet-dry map;

(l) May not deliver any alcoholic beverage, beer, light wine or light spirit product in a jurisdiction during times prohibited for lawful sale in that jurisdiction;

(m) May not deliver any alcoholic beverage, beer, light wine or light spirit product more than thirty (30) miles from the retailer's licensed premises;

(n) Shall permit the division to perform an audit of the licensee's records upon request and with sufficient notification; and

(o) Shall be deemed to have consented to the jurisdiction of the division or any law enforcement agency and the Mississippi courts concerning enforcement of this section and any related laws or rules.

(2) In order to receive a delivery service permit, an applicant shall:

- (a) File an application with the division;
 - (b) Pay the privilege license tax of Five Hundred Dollars (\$500.00) as provided in Section 27-71-5;
 - (c) Provide to the division a sample contract that the applicant intends to enter into with a retailer for the delivery of alcoholic beverages, beer, light wine or light spirit product, unless the applicant is the retailer;
 - (d) Submit to the division an outline of an internal or external training and certification program for delivery service personnel that addresses topics such as identifying underage persons, intoxicated persons, and fake or altered identification;
 - (e) Provide an attestation that the applicant is at least twenty-one (21) years of age and has not been convicted of a felony in any state or federal courts;
 - (f) Shall provide proof of a general liability insurance policy in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence; and
 - (g) Shall be properly registered to conduct business in Mississippi.
- (3) Nothing in this section shall be construed to require a technology services company to obtain a delivery service permit if the company does not employ or contract with delivery agents but merely provides software or a digital network application that connects consumers and licensed retailers for the delivery of alcoholic beverages from the licensed retailer. However, the act of connecting consumers to licensed retailers shall serve to grant jurisdiction to the State of Mississippi.
- (4) The division may enforce the requirements of this section by the same administrative proceedings that apply to other alcoholic beverage licenses or permits, including, without limitation, any disciplinary action applicable to the package retailer's permittee, on-premises retailer's permittee, retail permittee for beer, light wine or light spirit product, or delivery service permittee resulting from any unlawful sale to a minor.
- (5) The division may enforce the requirements of this section against the package retailer's permittee, on-premises retailer's permittee, retail permittee for beer, light wine or light spirit product, or delivery service permittee, and any employee or independent contractor of such permittee. If a package retailer permittee, an on-premises retailer's permittee, or a retail permittee for beer, light wine or light spirit product is also a delivery permittee, a violation of alcohol law by its employee or independent contractor during delivery will subject both the retailer permit and the delivery service permit to disciplinary action for the violation. Delivery to a minor shall be treated as furnishing to a minor and shall result in any applicable disciplinary action.
- (6) Nothing in this section shall be construed to limit or otherwise diminish the ability of the division to enforce the provisions of Chapters 1 and 3, Title 67, Mississippi Code of 1972, with respect to the liability of any package retailer's permittee, on-premises retailer's permittee, retail permittee for beer, light wine or light spirit product, or delivery service permittee engaging in delivery activity authorized by this section.
- (7) Nothing in this section shall be construed to authorize the direct shipment of alcoholic beverages, light wine, beer or light spirit product from any manufacturer or

distributor holding a permit under this chapter, or under Title 67, Chapter 3, Mississippi Code of 1972, to consumers in this state.

SECTION 2. Section 67-1-51, Mississippi Code of 1972, as amended by House Bill No. 1288, 2021 Regular Session, and Senate Bill No. 2606, 2021 Regular Session, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and native spirits, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the

permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph

(e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds

a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal

Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50)

passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival wine permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s),

"charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate-10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph (s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 1 of this act, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located

in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 3. Section 67-1-37, Mississippi Code of 1972, as amended by Senate Bill No. 2606, 2021 Regular Session, is amended as follows:

67-1-37. The Department of Revenue, under its duties and powers with respect to the Alcoholic Beverage Control Division therein, shall have the following powers, functions and duties:

(a) To issue or refuse to issue any permit provided for by this chapter, or to extend the permit or remit in whole or any part of the permit monies when the permit cannot be used due to a natural disaster or act of God.

(b) To revoke, suspend or cancel, for violation of or noncompliance with the provisions of this chapter, or the law governing the production and sale of native wines or native spirits, or any lawful rules and regulations of the department issued hereunder, or for other sufficient cause, any permit issued by it under the provisions of this chapter. The department shall also be authorized to suspend the permit of any permit holder for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a permit suspended for that purpose, shall be governed by Section 93-11-157 or Section 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or Section 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or Section 93-11-163, as the case may be, shall control.

(c) To prescribe forms of permits and applications for permits and of all reports which it deems necessary in administering this chapter.

(d) To fix standards, not in conflict with those prescribed by any law of this state or of the United States, to secure the use of proper ingredients and methods of manufacture of alcoholic beverages.

(e) To issue rules regulating the advertising of alcoholic beverages in the state in any class of media and permitting advertising of the retail price of alcoholic beverages.

(f) To issue reasonable rules and regulations, not inconsistent with the federal laws or regulations, requiring informative labeling of all alcoholic beverages offered for sale within this state and providing for the standards of fill and shapes of retail containers of alcoholic beverages; however, such containers shall not contain less than fifty (50) milliliters by liquid measure.

(g) Subject to the provisions of subsection (3) of Section 67-1-51, to issue rules and regulations governing the issuance of retail permits for premises located near or around schools, colleges, universities, churches and other public institutions, and specifying the distances therefrom within which no such permit shall be issued. The Alcoholic Beverage Control Division shall not issue a package retailer's or on-premises retailer's permit for the sale or consumption of alcoholic beverages in or on the campus of any public school, community or junior college, college or university.

(h) To adopt and promulgate, repeal and amend, such rules, regulations, standards, requirements and orders, not inconsistent with this chapter or any law of this state or of the United States, as it deems necessary to control the manufacture, importation, transportation, distribution, delivery and sale of alcoholic liquor, whether intended for beverage or nonbeverage use in a manner not inconsistent with the provisions of this chapter or any other statute, including the native wine and native spirit laws.

(i) To call upon other administrative departments of the state, county and municipal governments, county and city police departments and upon prosecuting officers for such information and assistance as it may deem necessary in the performance of its duties.

(j) To prepare and submit to the Governor during the month of January of each year a detailed report of its official acts during the preceding fiscal year ending June 30, including such recommendations as it may see fit to make, and to transmit a like report to each member of the Legislature of this state upon the convening thereof at its next regular session.

(k) To inspect, or cause to be inspected, any premises where alcoholic liquors intended for sale are manufactured, stored, distributed or sold, and to examine or cause to be examined all books and records pertaining to the business conducted therein.

(l) To investigate the administration of laws in relation to alcoholic liquors in this and other states and any foreign countries, and to recommend from time to time to the Governor and through him to the Legislature of this state such amendments to this chapter, if any, as it may think desirable.

(m) To designate hours and days when alcoholic beverages may be sold in different localities in the state which permit such sale.

(n) To assign employees to posts of duty at locations where they will be most beneficial for the control of alcoholic beverages and to take any other action concerning persons employed under this chapter as authorized by law and taken in accordance with the rules, regulations and procedures of the State Personnel Board.

(o) To enforce the provisions made unlawful by Chapter 3, Title 67 and Section 97-5-49.

(p) To delegate its authority under this chapter to the Alcoholic Beverage Control Division, its director or any other officer or employee of the department that it deems appropriate.

(q) To prescribe and charge a fee to defray the costs of shipping alcoholic beverages, provided that such fee is determined in a manner provided by the department by rules and/or regulations adopted in accordance with the Mississippi Administrative Procedures Law.

SECTION 4. Section 67-1-83, Mississippi Code of 1972, as amended by House Bill No. 667, 2021 Regular Session, is amended as follows:

67-1-83. (1) It shall be unlawful for any permittee or * * * any employee or agent thereof to sell or furnish any alcoholic beverage to any person who is visibly intoxicated, or to any person who is known to habitually drink alcoholic beverages to excess, or to any person who is known to be an habitual user of narcotics or other habit-forming drugs. It shall also be unlawful for the holder of any package retailer's permit to sell any alcoholic beverages except by delivery in person to the purchaser at the place of business of the permittee, unless the holder of a package retailer's permit also holds a delivery service permit or uses a delivery service permittee to effect delivery.

(2) It shall be unlawful for any permittee or * * * any employee or agent thereof to sell or furnish any alcoholic beverage to any person to whom the * * * department has, after investigation, decided to prohibit the sale of those beverages because of an appeal to the * * * department so to do by the husband, wife, father, mother, brother, sister, child, or employer of the person. The interdiction in those cases shall last until removed by the * * * department, but no person shall be held to have violated this subsection unless he has been informed by the * * * department, by registered letter, that it is forbidden to sell to that individual or unless that fact is otherwise known to the permittee or * * * its employee or agent.

(3) It shall be unlawful for any holder of a package retailer's permit, or any employee or agent thereof, engaged solely in the business of package retail sales under this chapter to sell or furnish any alcoholic beverage before 10:00 a.m. and after 10:00 p.m. or to sell alcoholic beverages on Sunday and Christmas Day.

(4) Any person who violates any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a term of not more than six (6) months, or by both that fine and imprisonment, in the discretion of the court. In addition to any other penalties prescribed by law, the commission * * * may immediately revoke the permit of any permittee who violates the provisions of this section.

SECTION 5. Section 67-3-5, Mississippi Code of 1972, is amended as follows:

67-3-5. (1) It shall be lawful, subject to the provisions set forth in this chapter and in Section 67-1-51, in this state to transport, store, sell, distribute, possess, receive, deliver and/or manufacture light wine, light spirit product and beer, and it is hereby declared that it is the legislative intent that this chapter privileges the lawful sale and manufacture, within this state, of such light wines, light spirit products and beer. In determining if a wine

product is "light wine," or contains an alcoholic content of more than five percent (5%) by weight, or is not an "alcoholic beverage" as defined in the Local Option Alcoholic Beverage Control Law, Chapter 1 of Title 67, Mississippi Code of 1972, the alcoholic content of such wine product shall be subject to the same permitted tolerance as is allowed by the labeling requirements for light wine provided for in Section 27-71-509.

(2) Subject to the provisions set forth in this chapter and in Section 67-1-51, it shall be lawful in this state to transport, store, sell, distribute, possess, receive, deliver and/or manufacture beer of an alcoholic content of more than eight percent (8%) by weight, if the beer is manufactured to be sold legally in another state and is transported outside of this state for retail sale.

SECTION 6. Section 67-3-25, Mississippi Code of 1972, is amended as follows:

67-3-25. (1) Any permit issued authorizing the sale or delivery of light wines, light spirit products and/or beer for consumption shall be construed to authorize the sale or delivery of light wines, light spirit products and/or beer by the bottle, by the glass or by draught, and in or from the original package.

(2) The commissioner is authorized to establish, in his discretion, dates for the expiration of permits issued under this chapter.

(3) Except as otherwise provided in this section, permits shall be issued for twelve (12) months and shall be renewed annually on the first day of the month in which the permit expires. The commissioner may issue temporary permits for less than a full year. All permits shall show the effective date and expiration date of the permit, the business location, individual or business name and mailing address of the permittee.

SECTION 7. Section 27-71-5, Mississippi Code of 1972, as amended by House Bill No. 1288, 2021 Regular Session, and Senate Bill No. 2606, 2021 Regular Session, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or rectifier's	\$4,500.00
(b) Manufacturer's permit, Class 2, wine manufacturer	\$1,800.00
(c) Manufacturer's permit, Class 3, native wine manufacturer per ten thousand (10,000) gallons or part thereof produced	\$ 10.00
(d) Manufacturer's permit, Class 4, native spirit manufacturer per one thousand (1,000) gallons or part thereof produced	\$ 300.00
(** *e) Native wine retailer's permit.....	\$ 50.00
(** *f) Package retailer's permit, each	\$ 900.00
(** *g) On-premises retailer's permit, except for clubs and common carriers, each	\$ 450.00
(** *h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each	\$ 225.00
(** *i) On-premises retailer's permit for clubs.....	\$ 225.00
(** *j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle.....	\$ 120.00

(** *k)	Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department.....	\$ 100.00
(** *l)	Filing fee for each application except for an employee identification card	\$ 25.00
(** *m)	Temporary permit, Class 1, each.....	\$ 10.00
(** *n)	Temporary permit, Class 2, each.....	\$ 50.00
(** *o)	(i) Caterer's permit.....	\$ 600.00
	(ii) Caterer's permit for holders of on-premises retailer's permit.....	\$ 150.00
(** *p)	Research permit.....	\$ 100.00
(** *q)	Temporary permit, Class 3	
(wine only)	\$ 10.00
(** *r)	Special service permit	\$ 225.00
(** *s)	Merchant permit	\$ 225.00
(** *t)	Temporary alcoholic beverages charitable auction permit ..	\$ 10.00
(** *u)	Event venue retailer's permit	\$ 225.00
(** *v)	Temporary theatre permit, each.....	\$ 10.00
(** *w)	Charter ship operator's permit.....	\$ 100.00
(** *x)	Distillery retailer's permit.....	\$ 450.00
(** *y)	Festival wine permit.....	\$ 10.00
(z)	Charter vessel operator's permit.....	\$ 100.00
(aa)	Native spirit retailer's permit	\$ 50.00
(bb)	Delivery service permit.....	\$ 500.00

If a person approved for a manufacturer's permit, Class 1, distiller's permit produces a product with at least fifty-one percent (51%) of the finished product by volume being obtained from alcoholic fermentation of grapes, fruits, berries, honey and/or vegetables grown and produced in Mississippi, and produces all of the product by using not more than one (1) still having a maximum capacity of one hundred fifty (150) liters, the annual privilege license tax for such a permit shall be Ten Dollars (\$10.00) per ten thousand (10,000) gallons or part thereof produced. Bulk, concentrated or fortified ingredients used for blending may be produced outside this state and used in producing such a product.

In addition to the filing fee imposed by paragraph (** *l) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (** *y) of this subsection shall stand repealed from and after July 1, 2023.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor ** *, a temporary permittee or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(f), (g), (h), (m) and (t) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(n) and (r) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars (\$250.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars (\$5,000.00) purchases to the first Five Thousand Dollars (\$5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 8. If any section, paragraph, sentence, clause, phrase or any part of this act is declared by a court of competent jurisdiction to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts thereof shall be in no manner affected thereby but shall remain in full force and effect.

SECTION 9. Section 1 of this act shall be codified as a new section in Chapter 1, Title 67, Mississippi Code of 1972.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A DELIVERY SERVICE PERMIT TO ALLOW THE HOLDER TO CONTRACT FOR THE DELIVERY OF ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT FROM A LICENSED RETAILER TO A CONSUMER; TO ALLOW A LICENSED RETAILER TO DELIVER ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT TO A CONSUMER IF THE RETAILER ALSO HOLDS A DELIVERY SERVICE PERMIT; TO SPECIFY CONDITIONS OF DELIVERY PURSUANT TO THE PERMIT; TO SET OUT APPLICATION REQUIREMENTS FOR THE PERMIT; TO SPECIFY THE ENFORCEMENT POWERS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION

OF THE DEPARTMENT OF REVENUE; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO INCLUDE THE DELIVERY SERVICE PERMIT AMONG THE ALCOHOL PERMITS ISSUED BY THE DEPARTMENT OF REVENUE; TO PROVIDE THAT THE HOLDER OF A PACKAGE RETAILER'S PERMIT OR AN ON-PREMISES RETAILER'S PERMIT UNDER SECTION 67-1-51 OR OF A BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT RETAILER'S PERMIT UNDER SECTION 67-3-19 IS AUTHORIZED TO APPLY FOR A DELIVERY SERVICE PERMIT AS A PRIVILEGE SEPARATE FROM ITS EXISTING RETAIL PERMIT; TO AMEND SECTIONS 67-1-37, 67-1-83, 67-3-5, 67-3-25 AND 27-71-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Henry Zuber III

Brent Powell

CONFEREES FOR THE SENATE

Josh Harkins

Joel R. Carter, Jr.

Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1135** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Harkins, Hopson, Horn, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--41.

Nays--Branning, Chism, Frazier, Norwood, Parker, Tate. Total--6.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Blackwell, Hill, Jackson S. (32nd), Parks. Total--4.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1296** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1296: Historic property income tax credit; revise certain provisions regarding.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.31, Mississippi Code of 1972, is amended as follows:

27-7-22.31. (1) As used in this section:

(a) "Certified historic structure" means a property located in Mississippi that has been:

(i) Listed individually on the National Register of Historic Places; or

(ii) Determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the rebate or credit authorized by this section; or

(iii) Property designated a Mississippi Landmark by the Department of Archives and History pursuant to Section 39-7-3 et seq.

(b) "Eligible property" means property located in Mississippi and offered or used for residential or business purposes * * *.

(c) "Structure in a certified historic district" means a structure (and its structural components) located in Mississippi which:

(i) Is listed in the National Register of Historic Places; or

(ii) Has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the rebate or credit authorized by this section; or

(iii) Is located in a registered historic district listed on the National Register of Historic Places or located in a potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the rebate or credit authorized by this section, and is certified by the Secretary of the United States Department of the Interior as being of historic significance to the district; or

(iv) Is certified by the Mississippi Department of Archives and History as contributing to the historic significance of:

1. A certified historic district listed on the National Register of Historic Places; or

2. A potential district that has been determined eligible for the National Register of Historic Places by the Secretary of the United States Department of the Interior and will be listed within thirty (30) months of claiming the rebate or credit authorized by this section; or

3. A local district that has been certified by the United States Department of the Interior.

(d) "Department" means the Department of Archives and History.

(2) Any taxpayer incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or a structure in a certified historic district, shall be entitled to a rebate or credit against the taxes imposed pursuant to this chapter in an amount equal to twenty-five percent (25%) of the total costs and expenses of rehabilitation incurred after January 1, 2006, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under Section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder:

(a) If the costs and expenses associated with rehabilitation exceed:

(i) Five Thousand Dollars (\$5,000.00) in the case of an owner-occupied dwelling; or

(ii) Fifty percent (50%) of the * * * adjusted basis in the property in the case of all other properties; and

(b) The rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior as determined by the department.

(3) Any taxpayer eligible for the rebate or credit authorized by this section may claim the rebate or credit in phases if:

(a) There is a written set of architectural plans and specifications for all phases of the rehabilitation (written plans outlining and describing all phases of the rehabilitation shall be accepted as written plans and specifications);

(b) The written set of architectural plans and specifications are completed before the physical work on the rehabilitation begins; and

(c) * * * The project receives final certification by the department within sixty (60) months of the project start date certified in the first phase.

(4) (a) (i) If the amount of the tax credit established by this section exceeds the total state income tax liability for the credit year * * *, the amount that exceeds the total state income tax liability may be carried forward for the ten (10) succeeding tax years.

(ii) In lieu of claiming a tax credit, the taxpayer may elect to claim a * * * rebate in the amount of seventy-five percent (75%) of the * * * amount that would be eligible to claim as a credit. The election must be made in the year in which the * * * rebate is certified. * * *

(iii) * * * Rebate requests shall be submitted to the department * * * on forms prescribed by the department. The department will then provide the taxpayer with a voucher for the approved amount. Within twelve (12) months of the issuance of the voucher by the department, the taxpayer may submit the voucher to the Department of Revenue to receive payment. * * * Rebates shall be made from current tax collections.

(b) Not-for-profit entities, including, but not limited to, nonprofit corporations organized under Section 79-11-101 et seq. shall be ineligible for the rebate or credit authorized by this section. Credits granted to a partnership, a limited liability company taxed as a partnership or multiple owners of property shall be passed through to the partners, members or owners on a pro rata basis or pursuant to an executed agreement among the partners, members or owners documenting an alternative distribution method. Partners, members or other owners of a pass-through entity are not eligible to elect a refund of excess credit in lieu of a carryforward of the credit. However, a partnership or limited liability company taxed as a partnership may elect to claim a * * * rebate at the entity level on a form prescribed by the department * * *. Additionally, excess tax credits that are attributable to rehabilitated property that was placed in service by a pass-through entity prior to January 1, 2011, and that have previously been allocated to and are held by another pass-through entity prior to January 1, 2011, may be refunded to such other pass-through entity.

(5) (a) (i) To claim the rebate or credit authorized pursuant to this section, the taxpayer shall apply to the department which shall determine the amount of eligible rehabilitation costs and expenses and whether the rehabilitation is consistent with the standards of the Secretary of the United States Department of the Interior. The department shall issue a certificate evidencing the date of the rebate or credit and amount of eligible rebate or credit if the taxpayer is found to be eligible for the tax rebate or credit. The taxpayer shall attach the certificate to all income tax returns on which the credit is claimed. Except as otherwise provided in this paragraph (a), the department shall not issue certificates evidencing the eligible rebate or credit which * * * will result in rebates or credits being awarded in excess of Twelve Million Dollars (\$12,000,000.00) in any one

(1) * * * calendar year for projects with total qualified rehabilitation costs and expenses of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) or more. The department shall also not issue certificates evidencing the eligible rebate or credit which will result in rebates or credits being awarded in excess of Twelve Million Dollars (\$12,000,000.00) in any one (1) calendar year for projects with total qualified rehabilitation costs and expenses of less than One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00).

(ii) If claiming a credit instead of a rebate, the taxpayer shall claim such credit on the income tax return for the tax year for which the credit is certified.

(b) The date of the rebate or credit shall be certified in the following order:

(i) The rebate or credit shall be certified based on the date of project completion.

(ii) If the eligible rebate or credit exceeds the available limit in the year in which the project is completed, the rebate or credit shall be certified based on the date the certification is issued by the department. The department shall issue the certification in the first calendar year in which the requested rebate or credit would not exceed the calendar year limit.

(* * *c) The aggregate amount of tax rebates or credits that may be awarded under this section shall not exceed One Hundred Eighty Million Dollars (\$180,000,000.00). * * *

(6) (a) The rebate or credit received by a taxpayer pursuant to this section is subject to recapture if:

(i) The property is one that has been determined eligible for the National Register of Historic Places but is not listed on the National Register of Historic Places within thirty (30) months of claiming the rebate or credit authorized by this section;

(ii) The potential district in which the property is located is not listed on the National Register of Historic Places within thirty (30) months of claiming the rebate or credit authorized by this section; or

(iii) * * * The project has not received final certification by the department within sixty (60) months of the project start date certified in the first phase.

(b) The taxpayer shall notify the department and the Department of Revenue if any of the situations that subject the credit to recapture occur.

(7) (a) The board of trustees of the department shall establish fees to be charged for the services performed by the department under this section and shall publish the fee schedule. The fees contained in the schedule shall be in amounts reasonably calculated to recover the costs incurred by the department for the administration of this section. Any taxpayer desiring to participate in the tax credits authorized by this section shall pay the appropriate fee as contained in the fee schedule to the department, which shall be used by the department, without appropriation, to offset the administrative costs of the department associated with its duties under this section.

(b) There is hereby created within the State Treasury a special fund into which shall be deposited all the fees collected by the department pursuant to this section. Money deposited into the fund shall not lapse at the end of any fiscal year and investment earnings on the proceeds in such special fund shall be deposited into such fund. Money from the fund shall be disbursed upon warrants issued by the State Fiscal Officer upon requisitions signed by the executive director of the department to assist the department in carrying out its duties under this section.

(8) This section shall only apply to taxpayers:

(a) Who have been issued a certificate evidencing the eligible credit before December 31, 2030; or

(b) Who, before December 31, 2030, have received a determination in writing from the Mississippi Department of Archives and History, in accordance with the department's Historic Preservation Certificate Application, Part 2, that the rehabilitation is consistent with the historic character of the property and that the property meets the United States Secretary of the Interior's Standards for Rehabilitation, or will meet the standards if certain specified conditions are met, and, who are issued a certificate evidencing the eligible credit on or after December 31, 2030.

SECTION 2. This act shall take effect and be in force from and after January 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR COSTS AND EXPENSES INCURRED FOR THE REHABILITATION OF CERTAIN HISTORIC STRUCTURES, TO REMOVE THE PROVISION THAT EXCLUDES SINGLE-FAMILY DWELLINGS FROM THE DEFINITION OF THE TERM "ELIGIBLE PROPERTY"; TO REVISE THE PROVISIONS UNDER WHICH A TAXPAYER ELIGIBLE FOR A TAX CREDIT MAY CLAIM THE TAX CREDIT IN PHASES; TO REMOVE THE OPTION, IN LIEU OF THE TEN-YEAR CARRYFORWARD, OF A REFUND PAID OVER A TWO-YEAR PERIOD IN THE AMOUNT OF 75% OF THE EXCESS CREDIT; TO ALLOW THE OPTION, IN LIEU OF CLAIMING THE CREDIT, OF A REBATE OF 75% OF THE AMOUNT THAT WOULD BE ELIGIBLE TO CLAIM AS A CREDIT; TO PROVIDE THAT THE REBATE SHALL BE SUBJECT TO APPROVAL BY THE DEPARTMENT OF ARCHIVES AND HISTORY AND SHALL BE REDEEMED WITH THE DEPARTMENT OF REVENUE FOR AN IMMEDIATE CASH PAYMENT; TO PROVIDE THAT THE DEPARTMENT OF ARCHIVES AND HISTORY SHALL NOT ISSUE CERTIFICATES EVIDENCING THE ELIGIBLE REBATE OR CREDIT WHICH WILL RESULT IN CREDITS BEING AWARDED IN EXCESS OF \$12,000,000.00 IN ANY ONE STATE CALENDAR YEAR FOR PROJECTS WITH TOTAL QUALIFIED REHABILITATION COSTS AND EXPENSES OF \$1,750,000.00 OR MORE; TO PROVIDE THAT THE DEPARTMENT OF ARCHIVES AND HISTORY SHALL NOT ISSUE CERTIFICATES EVIDENCING THE ELIGIBLE REBATE OR CREDIT WHICH WILL RESULT IN CREDITS BEING AWARDED IN EXCESS OF \$12,000,000.00 IN ANY ONE STATE CALENDAR YEAR FOR PROJECTS WITH TOTAL QUALIFIED REHABILITATION COSTS AND EXPENSES OF LESS THAN \$1,750,000.00; TO PROVIDE THAT A TAXPAYER CLAIMING A CREDIT INSTEAD OF A REBATE SHALL CLAIM THE CREDIT ON THE INCOME TAX RETURN FOR THE TAX YEAR FOR WHICH THE CREDIT IS CERTIFIED; TO PROVIDE THE ORDER IN WHICH A REBATE OR CREDIT SHALL BE CERTIFIED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Stevenson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Chris Johnson

Lydia Graves Chassaniol

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1296** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1356** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1356: Income tax and sales tax; revise deduction for depreciation, exempt sales of certain aircraft.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-17, Mississippi Code of 1972, is amended as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(I).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an

amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;

(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

SECTION 2. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE STATE INCOME TAX DEDUCTION AUTHORIZED FOR DEPRECIATION, IN THE CASE OF NEW OR USED AIRCRAFT, EQUIPMENT, ENGINES, OR OTHER PARTS AND TOOLS USED FOR AVIATION, THE ALLOWANCE FOR BONUS DEPRECIATION CONFORMS WITH THE FEDERAL BONUS DEPRECIATION RATES AND REASONABLE ALLOWANCE FOR DEPRECIATION IS NO LESS THAN ONE HUNDRED PERCENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Dean Kirby

Nicole Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1356** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1446** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1446: Income tax; allow deduction for Back to Business Mississippi Grant Program eligible expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-121-7, Mississippi Code of 1972, is amended as follows:

57-121-7. (1) Any eligible business desiring to participate in the program shall make application for a grant to the MDA in a form satisfactory to the MDA. The application shall include verified documentation, signed under penalty of perjury.

(2) The MDA shall use the funds provided by this chapter to make grants to eligible businesses pursuant to applications submitted under subsection (1) of this section, to cover their eligible expenses.

(3) The use of grants shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. A business found to be fully or partially noncompliant with grant requirements shall return to the state all or a portion of the grant monies received. Applicants shall confirm their understanding of these terms.

(4) The program shall be subject to the following terms and conditions:

(a) The base payment to an eligible business shall be One Thousand Five Hundred Dollars (\$1,500.00). An eligible business may choose to receive additional compensation by either claiming Five Hundred Dollars (\$500.00) per full-time equivalent employee employed by the eligible business as of March 1, 2020, or itemizing eligible expenses on the application form. The total payment shall be reduced by the amount of any Paycheck Protection Program (PPP) funds, Economic Injury Disaster Loan (EIDL) Emergency Advance funds up to a maximum of Ten Thousand Dollars (\$10,000.00), and business interruption insurance proceeds received by the eligible taxpayer; provided, however, that the total payment shall not be reduced by more than half. In no event shall the total payment to an eligible business under this section exceed Twenty-five Thousand Dollars (\$25,000.00).

(b) At least Forty Million Dollars (\$40,000,000.00) in grants, exclusive of administrative expenses retained by the MDA, shall be awarded to minority business enterprises for the first sixty (60) days of the application period.

(c) Grants awarded shall be protected from creditors and shall not be subject to tax * * *.

(d) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(i) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, the COVID-19 Economic Injury Disaster Loan Program, the 2020 COVID-19 Mississippi Business Assistance Act, and/or the Rental Assistance Grant Program; and

(ii) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 2. This act shall take effect and be in force from and after March 27, 2020.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 57-121-7, MISSISSIPPI CODE OF 1972, TO ALLOW AN INCOME TAX DEDUCTION FOR OTHERWISE DEDUCTIBLE EXPENSES IF THE PAYMENT FOR SUCH EXPENSES IS MADE WITH THE GRANT OR LOAN

PROGRAM OF THE PAYCHECK PROTECTION PROGRAM AS AUTHORIZED UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT AND THE CONSOLIDATED APPROPRIATIONS ACT OF 2021, THE COVID-19 ECONOMIC INJURY DISASTER LOAN PROGRAM, THE 2020 COVID-19 MISSISSIPPI BUSINESS ASSISTANCE ACT, AND/OR THE RENTAL ASSISTANCE GRANT PROGRAM, AND SUCH EXPENSES ARE ALLOWED AS DEDUCTIONS FOR FEDERAL INCOME TAX PURPOSES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Chris Johnson

Jeremy England

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1446** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Barrett, Branning, Suber, Tate. Total--4.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2816** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2816: Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Josh Harkins

Chris Johnson

Neil S. Whaley

CONFEREES FOR THE HOUSE

Randy P. Boyd

Dana Criswell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2816** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2832** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2832: Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Josh Harkins

Daniel H. Sparks

Neil S. Whaley

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2832** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2850** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2850: Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Josh Harkins

Rita Potts Parks

Neil S. Whaley

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2850** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins moved that the Conference Committee Report on **S. B. No. 2895** be recommitted for further conference and the motion prevailed.

S. B. No. 2895: Ad valorem tax; provide assessment rate for transformative renewable energy project property designated by the county board.

Senator Harkins moved that the Conference Committee Report on **S. B. No. 2971** be recommitted for further conference and the motion prevailed.

S. B. No. 2971: Bonds; authorize issuance for state institutions of higher learning.

Senator Hopson moved that the rules be suspended for the immediate consideration of calendar item 56, **H. B. No. 1385**, and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1385** be recommitted for further conference and the motion prevailed.

H. B. No. 1385: Appropriation; Attorney General.

Senator Hopson moved that the rules be suspended for the immediate consideration of calendar item 120, **S. B. No. 2956**, and the motion prevailed.

Senator Hopson entered a motion to reconsider the vote whereby the Conference Report on **S. B. No. 2956** was adopted by the Senate.

S. B. No. 2956: Appropriations; additional appropriations for various state agencies.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **S. B. No. 2956** was adopted by the Senate.

The foregoing motion prevailed.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2956** be recommitted for further conference and the motion prevailed.

Senator Polk offered the following report of the Conference Committee on **H. B. No. 359** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 359: Municipally-owned utilities; may use accounting system accommodation for uncollectible customer indebtedness.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) A municipality having a population of one hundred fifty thousand (150,000) as of the most recent decennial census or more may institute a program to address certain disputed or delinquent water and sewer customer accounts. The municipality must adopt rules and procedures to implement the program if instituted. Such rules may consider the customer's ability to pay the full amount of the disputed or delinquent claim. In order for the program to take effect, the mayor of the municipality, the Municipal Director of Public Works, and Executive Director of the the Mississippi Public Utilities Staff shall mutually approve such rules and procedures by July 1, 2021. The rules and procedures shall include, but not be limited to, an itemized summary of the amount and number of all accounts judged to be disputed or delinquent. The municipality's authority to compromise doubtful claims is limited to the following cases:

(a) (i) Instances of error on the part of the municipality such as equipment failure, process failure or billing failure;

(ii) Instances of error on the part of the municipality due to unforeseen circumstance such as damage, extreme weather-related event, declared disaster or emergency, or mandatory evacuation, but only to the extent the customer did not receive the benefit of the water or sewer service; and

(b) Instances where the customer's ability to pay or the amount of the customer's overdue balance for water and sewer service can be reasonably adjudged to be uncollectible, in which case the municipality may utilize an installment payment agreement to allow the customer additional time to pay a prescribed portion of the outstanding balance, and as part of the installment payment plan, to offer the utilization by the municipality of accounting procedures to move the remaining balance as an uncollectible debt to a special municipal accounting category of uncollectible or inactive accounts as outlined in the program rules if the customer fulfills all terms of the installment plan. The prescribed portion must require some payment by the customer. The program must provide that the accounting adjustments under this paragraph (b) do not result in forgiveness of uncollectible debts.

(2) The municipality may set program parameters to take into account the principle of collateral estoppel as to its own prior service, billing or collection actions.

(3) Any utility that participates in the program shall provide by January 1, 2022, to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and Mississippi Public Utilities Staff a report that details the utility's revenue collection, the number of accounts that have been adjudged uncollectable, the number of accounts that are participating in the installment payment plans, the number of accounts that are overdue, and the effect of the program on the utility's revenue collection. Such report shall also include the utility's plan to address any remaining disputed or delinquent claims that have not been resolved, to provide fair and accurate bills to all of its customers, and to reduce equipment failure, process failure, and billing failures in the future.

(4) For the purpose of this section, the Executive Director of the Mississippi Public Utilities Staff may enter into professional services contracts to ensure the success of the program. The municipally-owned utility shall reimburse the Mississippi Public Utilities Staff for such contracts, not to exceed Two Hundred Thousand Dollars (\$200,000.00) over the duration of the program.

(5) This section shall stand repealed on July 1, 2022.

SECTION 2. Section 31-19-27, Mississippi Code of 1972, is amended as follows:

31-19-27. A doubtful claim of the state, or of the county, city, town, village, or levee board is one for which judgment has been rendered and for the collection of which the ordinary process of law has been ineffectual; debts due by drainage districts or other taxing districts or sinking funds to counties under the Rehabilitation Act of 1928, being Chapter 88 * * *, Laws of 1928, and Chapter 16 of the Acts of the Special Session of 1931; those debts due counties by drainage districts, which the Reconstruction Finance Corporation has heretofore refused to refinance; those debts due a municipal utility system as authorized under Section 1 of this act; debts due for sixteenth section township school fund loans made to churches, where the board of supervisors finds that the value of the security given therefor is insufficient or inadequate to pay or satisfy the principal and interest of said loan, and when the church repays the principal of said loan; and debts due by counties and townships to drainage districts for drainage district assessments or taxes levied and assessed upon sixteenth section lands.

SECTION 3. Section 31-19-29, Mississippi Code of 1972, is amended as follows:

31-19-29. The Governor, on the advice of the Attorney General or * * * the Commissioner of Revenue at the State Department of Revenue, may, upon application of the defendant or debtor proposing a compromise, settle and compromise any doubtful claim of the state, or of any county, city, town, or village, or of any levee board against such defendant or debtor, upon such terms as he may deem proper, the board of supervisors in the case of a county, and the municipal authorities in the case of a city, town or village, and the levee board in the case of a claim of a levee board, concurring therein. The Governor, upon application of a drainage district having obligations outstanding to a county under the provisions of Chapter 88, Laws of 1928, and Chapter 16, Laws of the Extraordinary Session of 1931, or obligations which the Reconstruction Finance Corporation has heretofore refused to refinance, may settle and compromise any claim, debt or obligation that said drainage district may owe any county in the State of Mississippi for money loaned said district under the provisions of said Chapter 88, Laws of 1928, or any other claim, debt or obligation that said drainage district may owe the county which the Reconstruction Finance Corporation has heretofore refused to finance, if the board of supervisors of said county concurs in the application of the drainage district. A municipality may compromise a debt owed for water and sewer service only as provided in Section 1 of this act. The Governor, upon application by the board of supervisors for any taxing districts of said county or sinking funds of said county under the control and supervision of said board of supervisors having obligations outstanding and due to said county under the provisions of Chapter 88, Laws of 1928, and Chapter 16, Laws of the Extraordinary Session of 1931, may settle and compromise any claim, debt, or obligation that said taxing districts or sinking funds may owe said county for money loaned said taxing districts or sinking funds under the provisions of said Chapter 88, Laws of 1928; and provided that the Governor, on the advice of the Attorney General, and upon application of a church owing a sixteenth section township school fund loan, may settle and compromise such debt or obligation if the board of supervisors of the said county concurs in the application of the said church. The Governor may, on the advice of the Attorney General, in like manner compromise and settle a claim of a drainage district for unpaid assessments or taxes upon sixteenth section lands upon application of the board of supervisors wherein such sixteenth section is situated, if the commissioners of the drainage district concur therein.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ALLOW CERTAIN MUNICIPALITIES TO ADOPT RULES AND PROCEDURES AUTHORIZING ACCOUNTING SYSTEM ACCOMMODATION OF CERTAIN UNCOLLECTIBLE INDEBTEDNESS OWED BY A CUSTOMER FOR WATER AND SEWER SERVICES; TO AMEND SECTIONS 31-19-27 AND 31-19-29, MISSISSIPPI CODE OF 1972, DEALING WITH DOUBTFUL CLAIMS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Randy Rushing

Ronnie C. Crudup

De'Keither A. Stamps

CONFEREES FOR THE SENATE

John A. Polk

David Blount

Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 359** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Blackwell, McLendon, McMahan. Total--3.

Absent and those not voting--Fillingane. Total--1.

Senator Whaley moved that the Conference Committee Report on **H. B. No. 382** be recommitted for further conference and the motion prevailed.

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures.

Senator Wiggins moved that the Conference Committee Report on **H. B. No. 1077** be recommitted for further conference and the motion prevailed.

H. B. No. 1077: Open account; revise definition and require account creditor to send demand to current address of account debtor through certain means.

Senator DeBar offered the following report of the Conference Committee on **H. B. No. 1179** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1179: William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 37-106-36, Mississippi Code of 1972:

37-106-36. (1) There is established the "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program."

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Graduated from a baccalaureate degree-granting institution of higher learning which is regionally accredited by the Southern Association of Colleges and Schools (SACS) or a comparable accreditation body;

(b) Signed a contract as a full-time first-year teacher in a public school district in Mississippi;

(c) Obtained a standard five-year license. Persons with emergency licenses shall not be eligible applicants; and

(d) Outstanding qualifying undergraduate educational loans, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for undergraduate educational expense.

(3) Persons who have received funds from other forgivable loan programs established for teachers under Mississippi law, or who are presently in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Initial recipients shall be selected on a first-come, first-served basis of all eligible applicants, which shall be limited to only one hundred fifty (150) individuals receiving scholarship funds. In the second and subsequent years of an applicant's continued eligibility, priority consideration shall first be given to renewal applicants. In any given year only one hundred fifty (150) new applicants shall be eligible to receive funds under the program.

(5) Among first-time, first-year teacher recipients, priority consideration shall be given to persons who are teaching in a public school district designated as a geographical critical teacher shortage area by the State Board of Education.

(6) Awards for recipients who have signed a contract to teach in a public school district that is not designated as a geographical critical teacher shortage area shall be as follows:

(a) One Thousand Five Hundred Dollars (\$1,500.00) for the first year of teaching;

(b) Two Thousand Five Hundred Dollars (\$2,500.00) for the second year of teaching; and

(c) Three Thousand Five Hundred Dollars (\$3,500.00) for the third year of teaching.

(7) Awards for recipients who have signed a contract to teach in a public school district that is designated as a geographical critical teacher shortage area shall be as follows:

(a) Four Thousand Dollars (\$4,000.00) for the first year of teaching;

(b) Five Thousand Dollars (\$5,000.00) for the second year of teaching, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education; and

(c) Six Thousand Dollars (\$6,000.00) for the third year of teaching, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education.

(8) A first-year recipient who moves to another public school district shall be eligible to receive an award based on the amount allowed under the program in the new district where the teacher is employed.

(9) Awards shall be granted on a year-to-year basis, and recipients shall have no obligation to seek a future award.

(10) Awards shall be paid annually, after the expiration of the one-year teaching contract for which the award was granted, to the recipient's lender or loan service provider, and shall be applied to the outstanding balance. Monies paid on the recipient's behalf toward qualifying undergraduate educational loans prior to receiving payment of the award shall not be eligible for repayment through the program.

(11) During the teaching year for which the award is granted, a recipient must at all times keep the State Financial Aid Board informed of any changes to the recipient's current contact information and employment status.

(12) Recipients who fail to maintain a standard license or fail to fulfill the one-year teaching contract on which the award was based shall forfeit any right to the award.

(13) The State Financial Aid Board, in collaboration with the State Board of Education, shall track recipients of an award under this program through their fifth teaching year, unless the recipient shall leave teaching in a public school district at an earlier date. Data collected shall include recipients' undergraduate institution, school district, subject area/grade level in teaching and any other pertinent information necessary to determine the efficacy of the program in retaining teachers in their first three (3) years of teaching.

(14) The State Financial Aid Board shall promulgate regulations necessary for the proper administration of this section.

(15) There is established in the State Treasury a special fund to be designated the "William F. Winter and Jack Reed, Sr., Loan Repayment Program Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the loan repayment program

established herein. Money in the fund at the end of the fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

(16) This section shall stand repealed on July 1, 2024.

SECTION 2. Section 37-106-35, Mississippi Code of 1972, which creates the Assistant Teacher Forgivable Loan Program, is repealed.

SECTION 3. Section 37-106-37, Mississippi Code of 1972, which creates the Teacher Education Scholars Forgivable Loan Program, is repealed.

SECTION 4. Section 37-106-57, Mississippi Code of 1972, which creates the William F. Winter Teacher Forgivable Loan Program, is repealed.

SECTION 5. Section 37-106-77, Mississippi Code of 1972, which creates the Mississippi Teaching Fellows Forgivable Loan Program, is repealed.

SECTION 6. Section 37-106-79, Mississippi Code of 1972, which creates the Teacher Education Alternate Route Certification Scholars Program, is repealed.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CODIFY NEW SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO CREATE THE "WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM" TO BE ADMINISTERED BY THE STATE FINANCIAL AID BOARD; TO PROVIDE FOR THE QUALIFICATIONS FOR APPLICANTS UNDER THE LOAN PROGRAM; TO ESTABLISH THE WILLIAM F. WINTER AND JACK REED, SR., LOAN REPAYMENT PROGRAM FUND; TO REPEAL SECTION 37-106-35, MISSISSIPPI CODE OF 1972, WHICH CREATES THE ASSISTANT TEACHER FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-37, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION SCHOLARS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-57, MISSISSIPPI CODE OF 1972, WHICH CREATES THE WILLIAM F. WINTER TEACHER FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-77, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TEACHING FELLOWS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-79, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION ALTERNATE ROUTE CERTIFICATION SCHOLARS PROGRAM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Richard Bennett

Dennis DeBar, Jr.

Kent McCarty

David Blount

Kevin Felsher

Chad McMahan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1179** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby,

McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Chism. Total--1.

Absent and those not voting--Fillingane. Total--1.

On request of Senator DeBar, unanimous consent was granted to make the following correction in **H. B. No. 1047**:

Unanimous consent of the Senate by Senator DeBar is requested to make the following change to the Strike-All Amendment to House Bill No. 1047, 2021 Regular Session:

On lines 160 through 161, delete "as further specified in subparagraph (vi) of this subsection (2)(a)"

Senator Whaley moved that the Conference Committee Report on **S. B. No. 2035** be recommitted for further conference and the motion prevailed.

S. B. No. 2035: Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

Senator Seymour offered the following report of the Conference Committee on **S. B. No. 2294** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-1-35, Mississippi Code of 1972, is amended as follows:

63-1-35. (1) The Commissioner of Public Safety shall prescribe the form of license issued pursuant to this article which shall, among other features, include a driver's license number assigned by the Department of Public Safety. A licensee shall list his social security number with the department which shall cross reference the social security number with the driver's license number for purposes of identification. Additionally, each

license shall bear a full-face color photograph of the licensee in such form that the license and the photograph cannot be separated. The photograph shall be taken so that one (1) exposure will photograph the applicant and the application simultaneously on the same film. The department shall use a process in the issuance of a license with a color photograph that shall prevent as nearly as possible any alteration, counterfeiting, duplication, reproduction, forging or modification of the license or the superimposition of a photograph without ready detection. The photograph shall be replaced by the department at the time of renewal. Drivers' licenses, including photographs appearing thereon, may be renewed by electronic means according to rules and regulations promulgated by the commissioner in conformity to Section 27-104-33.

(2) The commissioner shall prescribe the form of license issued pursuant to this article to licensees who are not United States citizens and who do not possess a social security number issued by the United States government. The license of such persons shall include a number and/or other identifying features.

(3) Any new, renewal or duplicate driver's license, temporary driving permit, intermediate license or commercial driver's license issued to a person required to register as a sex offender pursuant to Section 45-33-25 shall bear a designation identifying the licensee or permittee as a sex offender.

(4) The commissioner is authorized to provide the new, renewal or duplicate driver's license, temporary driving permit, intermediate license or commercial driver's license to any honorably discharged veteran as defined in Title 38 of the United States Code, and such license or permit shall exhibit the letters "Vet" or any other mark identifying the person as a veteran. The veteran requesting the "Vet" designation shall present his DD-214 * * *, Military Retiree Identification Card, United States Department of Veterans Affairs Medical Identification Card, United States Department of Veterans Affairs Identification Card or National Guard Form NGB 22. The veteran requesting the "Vet" designation may present his DD-214, Military Retiree Identification Card, United States Department of Veterans Affairs Medical Identification Card, United States Department of Veterans Affairs Identification Card or National Guard Form NGB 22 in person at the Mississippi Department of Public Safety Driver's License Station.

(5) Not later than July 1, 2021, the commissioner shall develop and implement a driver's license or driving permit in electronic format as an additional option for license or permit holders. Acceptable electronic formats include display of electronic images on a cellular phone or any other type of electronic device.

(6) If false documents are provided by an individual for purposes of obtaining a veteran driver's license, such action shall be considered fraudulent use of identity under Section 97-19-85, Mississippi Code of 1972, and shall be punishable, upon conviction, as a felony pursuant to the provisions of that section.

SECTION 2. Section 97-19-85, Mississippi Code of 1972, is amended as follows:

97-19-85. (1) Any person who shall make or cause to be made any false statement or representation as to his or another person's or entity's identity, social security account number, credit card number, debit card number, DD-214 or other identifying information for the purpose of fraudulently obtaining or with the intent to obtain goods, services or any thing of value, shall be guilty of a felony and, upon conviction thereof, for a first offense shall be fined not more than Five Thousand Dollars (\$5,000.00) or imprisoned for a term not to exceed five (5) years, or both. For a second or subsequent offense such person, upon conviction, shall be fined not more than Ten Thousand Dollars (\$10,000.00) or imprisoned for a term not to exceed ten (10) years, or both. In addition to the fines and imprisonment provided in this section, a person convicted under this section shall be ordered to pay restitution as provided in Section 99-37-1 et seq.

(2) A person is guilty of fraud under subsection (1) who:

(a) Shall furnish false information willfully, knowingly and with intent to deceive anyone as to his true identity or the true identity of another person; or

(b) Willfully, knowingly, and with intent to deceive, uses a social security account number to establish and maintain business or other records; or

(c) With intent to deceive, falsely represents a number to be the social security account number assigned to him or another person, when in fact the number is not the social security account number assigned to him or such other person; or

(d) With intent to deceive, falsely represents to be a representative of an entity in order to open banking accounts, obtain credit cards, or other services and supplies in the entity's name; or

(e) Knowingly alters a social security card, buys or sells a social security card or counterfeit or altered social security card, counterfeits a social security card, or possesses a social security card or counterfeit social security card with intent to sell or alter it * * *; or

(f) Willfully and knowingly, with intent to deceive, falsely uses a form DD-214, Military Retiree Identification Card, United States Department of Veterans Affairs Medical Identification Card, United States Department of Veterans Affairs Identification Card or National Guard Form NGB 22, for the purpose of fraudulently obtaining a veterans driver's license or any other state or federal government benefit available only to honorably discharged veterans.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A VETERAN TO ESTABLISH PROOF OF MILITARY SERVICE FOR VETERAN DRIVER'S LICENSE DESIGNATION IN PERSON AT THE DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSE STATION; TO AMEND SECTION 97-19-85, MISSISSIPPI CODE OF 1972, TO PROVIDE CRIMINAL PENALTIES FOR SUBMITTING FALSE DOCUMENTS TO OBTAIN A VETERAN DRIVER'S LICENSE OR OTHER VETERAN'S BENEFITS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Joseph M. Seymour

Dennis DeBar, Jr.

Lydia Graves Chassaniol

CONFEREES FOR THE HOUSE

Lester Carpenter

Dale Goodin

Mac Huddleston

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2294** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

On motion of Senator Seymour, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. B. No. 2294.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2434** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2434: Capitol police; transfer to Department of Public Safety.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 2 of House Bill No. 974, 2021 Regular Session, is hereby amended as follows:

Section 2. (1) The Department of Public Safety, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb, including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Court of Appeals Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the Department of Public Safety would be responsible for such. The Department of Public Safety shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition, enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board

of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmers Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Mississippi Fair Commission known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property. The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the Mississippi Fair Commission with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. The Department of Public Safety shall, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the district. The jurisdiction of the Department of Public Safety under this subsection (6) shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

(7) The Department of Public Safety is authorized to enter into a contract with any county for the county to take custody of the misdemeanor offenders arrested under the authority granted under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 2 OF HOUSE BILL NO. 974, 2021 REGULAR SESSION, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH ANY COUNTY FOR THE COUNTY TO TAKE CUSTODY OF THE MISDEMEANOR OFFENDERS ARRESTED UNDER THE AUTHORITY GRANTED UNDER THIS SECTION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Brice Wiggins

Jeremy England

Jenifer B. Branning

CONFEREES FOR THE HOUSE

Nick Bain

Gene Newman

Jill Ford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2434** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator England offered the following report of the Conference Committee on **S. B. No. 2569** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2569: Urine; create the crime of selling or tampering with urine.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, "adulterant" means a substance that is not expected to be in human urine or another human bodily fluid or a substance expected to be present in human urine or another human bodily fluid but that is at a concentration so high that it is not consistent with human urine or another human bodily fluid, including, without limitation:

- (a) Bleach;
- (b) Chromium;
- (c) Creatinine;

- (d) Detergent;
- (e) Glutaraldehyde;
- (f) Glutaraldehyde/squalene;
- (g) Hydrochloric acid;
- (h) Hydroiodic acid;
- (i) Iodine;
- (j) Nitrite;
- (k) Peroxidase;
- (l) Potassium dichromate;
- (m) Potassium nitrite;
- (n) Pyridinium chlorochromate; and
- (o) Sodium nitrite.

(2) It is unlawful for a person to:

(a) Sell, give away, distribute, manufacture or market human or synthetic urine in this state or transport human or synthetic urine into this state with the intent of using the human or synthetic urine to defraud or cause deceitful results in a drug or alcohol screening test;

(b) Attempt to defeat or interfere with the results of a drug or alcohol screening test by substituting synthetic urine or substituting or spiking a human urine sample or by advertising urine sample substitution or human urine spiking devices or measures;

(c) Possess adulterants with intent to use such a substance to adulterate a human urine sample or other human bodily fluid sample with intent to defraud or cause deceitful results in a drug or alcohol screening test; or

(d) Sell or market an adulterant with the intent by the seller or marketer that the product be used to adulterate a human urine sample or other human bodily fluid sample for the purpose of defrauding or causing deceitful results in a drug or alcohol screening test.

(3) There shall be a rebuttable presumption of intent to defraud or obtain deceitful results in a drug or alcohol screening test if:

(a) A heating element or any other device used to thwart a drug screening test accompanies the sale, giving, distribution, manufacture or marketing of human or synthetic urine; or

(b) Instructions that provide a method for thwarting a drug screening test accompany the sale, giving, distribution, manufacture or marketing of human or synthetic urine.

(4) (a) Upon a first conviction, a person who violates this section is guilty of a misdemeanor and shall be subject to a fine of One Thousand Dollars (\$1,000.00), imprisonment in the county jail not to exceed six (6) months, or both.

(b) Upon a second conviction, a person who violates this section is guilty of a misdemeanor and shall be subject to a fine of Two Thousand Dollars (\$2,000.00), imprisonment in the county jail not to exceed one (1) year, or both.

(c) Upon a third or subsequent conviction, a person who violates this section is guilty of a felony and shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00), imprisonment in the custody of the Department of Corrections not to exceed three (3) years, or both.

(5) Nothing in this act shall be construed to encourage, conflict, or otherwise interfere with the preemption of state and local laws under federal laws or United States Department of Transportation regulations related to drug testing procedures and confidentiality.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE CRIME OF SELLING, TRANSFERRING, MARKETING OR GIVING AWAY URINE FOR THE PURPOSE OF ADULTERATING A HUMAN URINE SAMPLE FOR A CHEMICAL TEST; TO PROVIDE PENALTIES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Joey Fillingane	Nick Bain
Tyler McCaughn	Jill Ford
Derrick T. Simmons	Shanda Yates

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2569** was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Blackmon, Turner-Ford. Total--2.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Hopson. Total--1.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2621** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2621: Task Force; establish to study domestic law matters.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is hereby established the "Task Force to Study Mississippi's Laws Regarding the Awarding and Calculating of Child Support, Alimony and Other Related Matters in Domestic Law" to develop a recommendation to the Legislature and the Mississippi Supreme Court relative to revising Mississippi's domestic relations laws to reflect current jurisprudence in these areas and to propose legislation and rule changes based upon its recommendation.

(2) The members of the Task Force shall be as follows:

(a) The Chairmen of the Judiciary A Committees of the Mississippi Senate and the Mississippi House of Representatives;

(b) One (1) designee of the Mississippi Supreme Court to be named by the Chief Justice of the Supreme Court;

(c) One (1) designee of the Mississippi Court of Appeals to be named by the Chief Judge of the Court of Appeals;

(d) Two (2) sitting Chancellors to be named by the Chief Justice of the Supreme Court;

(e) Two (2) practicing attorneys in the State of Mississippi with expertise in the area of domestic relations, one (1) from each of the federal judicial districts to be named by the Mississippi Bar Association;

(f) One (1) practicing attorney who is a general practitioner with expertise in the area of domestic relations and who practices in a firm with five (5) or fewer licensed attorneys to be named by the Mississippi Bar Association;

(g) Two (2) practicing guardians ad litem to be named by the Mississippi Bar Association;

(h) One (1) practicing or retired attorney with expertise in disability law and domestic law to be named by the Mississippi Bar Association;

(i) One (1) designee of the Child Support Unit of the Mississippi Department of Human Services to be named by the executive director of the department;

(j) One (1) professor of law with expertise in domestic law to be named by the Dean of the University of Mississippi School of Law; and

(k) One (1) professor of law with expertise in domestic law to be named by the Dean of the Mississippi College School of Law.

(3) The Task Force shall meet within forty-five (45) days of the effective date of this act, upon the call of the Governor, and shall evaluate the current domestic laws and cases in Mississippi. Specifically the Task Force shall:

(a) Review the models used by states to determine the base child support amount due, including the "Income Shares Model," the "Percentage of Income Model" and the "Melson Formula," which incorporate a self-support reserve for the obligor and take into consideration the health care expenses of the children;

(b) Review special provisions for child care expenses, formulas for shared custody, split custody and extraordinary visitation, and deductions for the support of previous and subsequent children;

(c) Review the current trends of law regarding "No-Fault Divorce" and make recommendation(s) based on said review;

(d) Review the current trends in the imposition and cost of fees for guardian ad litem and related issues on guardians and make recommendation(s) based on said review;

(e) Review Senate Bill No. 2220, 2021 Regular Session and make recommendation(s) based on said review; and

(f) Review any other matters related to the above issues or related to domestic law.

(4) The Task Force may request the assistance of the University of Mississippi School of Law and the Mississippi College School of Law, the Mississippi Judicial College, the Mississippi Administrative Office of Courts and the proper section of the Mississippi Bar Association, or any other related organization with expertise in domestic relations.

(5) The members of the Task Force shall elect a Chair from among the members. The Task Force shall develop and report its findings and recommendations for proposed legislation to the Legislature and proposed rule changes to the Mississippi Supreme Court on or before December 1, 2021. A quorum of the membership shall be required to approve any final report and recommendation. Members of the Task Force shall be reimbursed for necessary travel expense in the same manner as public employees are reimbursed for official duties from any available funds and members of the Legislature shall be reimbursed in the same manner as for attending out-of-session committee meetings.

(6) The Mississippi Bar Association and the Mississippi Judicial College shall provide necessary clerical support for the meetings of the Task Force and the preparation of the report. Proposed legislation shall be prepared by the Legislative Services Offices of the Senate and House as requested.

(7) Upon presentation of its report the Task Force shall be dissolved.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH A "TASK FORCE TO STUDY MISSISSIPPI'S LAWS REGARDING THE AWARDED AND CALCULATING OF CHILD SUPPORT, ALIMONY

AND OTHER RELATED MATTERS IN DOMESTIC LAW"; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK FORCE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE CONFEREES FOR THE HOUSE

Brice Wiggins	Angela Cockerham
David Parker	Mark Tullos
Nicole Boyd	Edward Blackmon, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2621** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Unanimous consent was granted to add Senator Hill as co-author of **S. B. No. 2621**.

Senator Carter offered the following report of the Conference Committee on **S. B. No. 2649** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2649: Energy efficiency contracts; extend repeal date on use of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Joel R. Carter, Jr.

Rita Potts Parks

Josh Harkins

CONFEREES FOR THE HOUSE

Brent Powell

Jeff Hale

Christopher M. Bell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2649** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2824** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

John A. Polk

W. Briggs Hopson III

Albert Butler

CONFEREES FOR THE HOUSE

Randy P. Boyd

Jerry R. Turner

Stacey Hobgood-Wilkes

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2824** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Seymour called up the following entitled nomination:

S. N. No. 73: Brig. Gen. George Edward Irvin, Sr., Jackson, Mississippi, State Veterans Affairs Board to represent the Second Congressional District, unexpired portion of a five year term beginning immediately and ending May 31, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 73 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Jackson S. (32nd) called up the following entitled nomination:

S. N. No. 81: George Martin Hopper, Ph.D., Starkville, Mississippi, Mississippi Forestry Commission to represent the state at large, term effective immediately for the unexpired portion of a six year term ending March 19, 2023, vice Sen. Giles Ward.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 81 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Jackson S. (32nd) called up the following entitled nomination:

S. N. No. 82: Dayton Allen Greenhaw, Columbus, Mississippi, Mississippi Forestry Commission to represent the First Congressional District, term effective immediately for the unexpired portion of a six year term ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 82 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Jackson S. (32nd) called up the following entitled nomination:

S. N. No. 92: David Bradley Hall, Meridian, Mississippi, State Board of Registration for Foresters to represent the South Central Forestry Commission District, unexpired balance of the five year term ending June 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 92 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of **S. B. No. 3086**, and the motion prevailed.

Senator McMahan called up the following House Amendment to **S. B. No. 3086** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on line 269 by striking 2023 and by inserting: 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 3086** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 42, **H. B. No. 1502**, and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1502** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1502: MS Coast Transportation Authority; authorize to bear the full cost of processing electronic payments.

The foregoing motion prevailed.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 44, **H. B. No. 1504**, and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1504** passed the Senate as amended and moved that the motion to reconsider be tabled:

H. B. No. 1504: City of Forest; authorize a tax on hotels/motels and restaurants to promote tourism, parks and recreation.

The foregoing motion prevailed.

Senator McMahan moved that the rules be suspended for the immediate consideration en bloc of calendar items 26-34, H. B. No. 1335, H. B. No. 1434, H. B. No. 1438, H. B. No. 1482, H. B. No. 1483, H. B. No. 1487, H. B. No. 1490, H. B. No. 1491 and H. B. No. 1493 and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby H. B. No. 1335, H. B. No. 1434, H. B. No. 1438, H. B. No. 1482, H. B. No. 1483, H. B. No. 1487, H. B. No. 1490, H. B. No. 1491 and H. B. No. 1493 passed the Senate and moved that the motion to reconsider be tabled:

The foregoing motion prevailed.

H. B. No. 1335: Lincoln County; include food sold at county's civic center as retail merchandise when processing electronic payments for such merchandise.

H. B. No. 1434: Tallahatchie County; authorize contributions to Mid-State Opportunity, Inc.

H. B. No. 1438: City of Petal; authorize a tax on hotels, motels, bars and restaurants to promote tourism, parks and recreation.

H. B. No. 1482: City of Indianola; extend repeal date on tourism commission and hotel, motel and restaurant tax.

H. B. No. 1483: City of Senatobia; extend repeal date on hotel/motel tourism tax.

H. B. No. 1487: City of Vicksburg; authorize to execute certain agreement to make contributions to Vicksburg Warren Economic Development Foundation.

H. B. No. 1490: Coahoma County; authorize contributions to Tri-County Workforce Alliance.

H. B. No. 1491: Coahoma County; authorize contributions to the Family and Youth Opportunities, Inc.

H. B. No. 1493: Jackson County; revise duties of civil service commission for sheriff's department relating to certain personnel matters.

Senator McMahan moved that the rules be suspended for the immediate consideration en bloc of calendar items 38-41, 43 and 45-48, H. B. No. 1497, H. B. No. 1498, H. B. No. 1499, H. B. No. 1500, H. B. No. 1466, H. B. No. 1465, H. B. No. 1350, H. B. No. 1453 and H. B. No. 1479 and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby H. B. No. 1497, H. B. No. 1498, H. B. No. 1499, H. B. No. 1500, H. B. No. 1466, H. B. No. 1465, H. B. No. 1350, H. B. No. 1453 and H. B. No. 1479 passed the Senate and moved that the motion to reconsider be tabled:

The foregoing motion prevailed.

H. B. No. 1497: Jackson County; direct contributions to Management and Operations for the Mary C. O'Keefe Cultural Center of Arts and Education.

H. B. No. 1498: Holmes County; authorize contributions to P.E.A.R.L.S. Mentoring for Girls, Inc.

H. B. No. 1499: Holmes County; authorize contributions to Fannie Lou Hamer Cancer Foundation.

H. B. No. 1500: Holmes County; authorize transfer of funds/property from defunct county economic development authority to county economic development district.

H. B. No. 1466: Oxford Municipal Reserve and Trust Fund; make technical correction concerning certain internal reference within.

H. B. No. 1465: Town of Mize; authorize a tax on restaurants to promote tourism, parks and recreation.

H. B. No. 1350: City of Ripley; extend repeal date on hotel/motel and restaurant tax.

H. B. No. 1453: City of Booneville; extend date of repeal on city's hotel, motel and restaurant tax.

H. B. No. 1479: City of McComb; extend date of repeal on hotel/motel tourism tax.

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Dr. James S. "Doc" Ferguson of Columbus, MS.

Senator Younger moved that when the Senate adjourns, it adjourn in memory of Robert Coy Mitchell of Columbus, MS.

Senators Hill and Seymour moved that when the Senate adjourns, it adjourn in memory of Tommy Pearson and Alice Pearson of Carriere, MS.

Senators Hill and Seymour moved that when the Senate adjourns, it adjourn in memory of Rev. Gerald Harris and Louise Harris of Picayune, MS.

Senator Hill moved that when the Senate adjourns, it adjourn in memory of Myrtle Ellen Baucum, Marjorie M. Bounds, Maudine Harris and Thomas "Sonny" Henry Mardis of Picayune, MS.

Senator Hill moved that when the Senate adjourns, it adjourn in memory of Donnie Barnes, Mary Ann Dalton and Donnie Ruble of Picayune, MS.

Senator Hill moved that when the Senate adjourns, it adjourn in memory of Mitzi Ferrell Smith of Carriere, MS.

Senator Hill moved that when the Senate adjourns, it adjourn in memory of Alan Templet of Slidell, LA.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2035: Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate adjourn until 10:00 AM, Monday, March 29, 2021.

The motion prevailed, and at 8:35 PM, the Senate stood adjourned in memory of the Mississippi Military Veterans, Myrtle Ellen Baucum, Marjorie M. Bounds, Louise Harris, Donnie Barnes, Mary Ann Dalton, Donnie Ruble, Alan Templet, Willie Roland, Charles Swenkoske, James Graves, Charles Reed, C. J. Wade, Maudine Harris, James Bibbs, Thomas "Sonny" Henry Mardis, Mitzi Ferrell Smith, Dr. James S. "Doc" Ferguson, Robert Coy Mitchell, Tommy Pearson, Alice Pearson and Rev. Gerald Harris.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR SUNDAY, MARCH 28, 2021

S. R. No. 51: Rules

A RESOLUTION CONGRATULATING MATTIE GRACE MORRIS FOR WINNING THE TITLE OF MISS MISSISSIPPI TEEN USA FOR 2021 AND EXTENDING BEST WISHES AS SHE COMPETES IN THE NATIONAL PAGEANT FOR MISS TEEN USA.

By Senator(s) Harkins

S. R. No. 52: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE CLINTON HIGH SCHOOL "ARROWS" BASKETBALL TEAM AND HEAD COACHES ROBERT GREEN AND THOMAS TUNBERG FOR WINNING THE MHSAA CLASS 6A STATE CHAMPIONSHIP.

By Senator(s) Frazier, Horhn, Norwood

S. R. No. 53: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE CLINTON CHRISTIAN ACADEMY "WARRIORS" AND "LADY WARRIORS" BASKETBALL TEAMS AND HEAD COACHES JOSH ZEITZ AND ERICA McCASKILL FOR MAKING HISTORY WITH THE BOYS AND GIRLS MIDSOUTH ASSOCIATION OF INDEPENDENT SCHOOLS CLASS 3A STATE CHAMPIONSHIPS.

By Senator(s) Frazier, Horhn, Norwood

S. R. No. 54: Rules

A RESOLUTION RECOGNIZING THE 40-YEAR CAREER OF THE CLARION LEDGER CAPITOL CORRESPONDENT JIMMIE GATES.

By Senator(s) Norwood

EIGHTY-FOURTH DAY, MONDAY, MARCH 29, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Fillingane. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Sparks.

Senator Branning led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1385: Appropriation; Attorney General.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2956: Appropriations; additional appropriations for various state agencies.

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

H. B. No. 1515: Suffrage; restore to Debra Denise Thomas of Hinds County. Title Sufficient. Do Pass.

H. B. No. 1520: Suffrage; restore to J.W. Jackson of Panola County. Title Sufficient. Do Pass.

FILLINGANE, Chairman

Senator Kirby moved that the rules be suspended for the consideration en bloc of H. C. R. No. 4, H. C. R. No. 44, H. C. R. No. 46, H. C. R. No. 47, H. C. R. No. 48, H. C. R. No. 49, H. C. R. No. 50, H. C. R. No. 51, H. C. R. No. 52, H. C. R. No. 53,

H. C. R. No. 54, H. C. R. No. 55, H. C. R. No. 56, S. R. No. 44, S. R. No. 45, S. R. No. 46, S. R. No. 47 and S. R. No. 48 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

H. C. R. No. 4: Representative Gary Chism; commend dedicated legislative career and public service upon his retirement.

H. C. R. No. 44: Sara Barrett Harvey Roberts; commend life and legacy upon her passing.

H. C. R. No. 46: Bishop Joseph Roscoe Campbell, Jr.; commend for service to his church and community.

H. C. R. No. 47: Gary Hemphill Commercial Aviation Month; recognize April 2021 as.

H. C. R. No. 48: Alcorn State University; commend and congratulate upon its 150th year anniversary.

H. C. R. No. 49: Eris Knott; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates.

H. C. R. No. 50: Wayne Ulrich; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates.

H. C. R. No. 51: Jamie Cooper; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates.

H. C. R. No. 52: Bobby Rush; congratulate upon winning his second Grammy Award for Best Traditional Blues Album.

H. C. R. No. 53: 2021 "Alpha Kappa Alpha Sorority Day at the Capitol"; observe virtually on May 6, 2021.

H. C. R. No. 54: Noah Harris; commend for being elected as Harvard University's First African-American student body president.

H. C. R. No. 55: Asya Branch; commend and congratulate upon being crowned Miss USA 2020.

H. C. R. No. 56: Native Plant Appreciation Week; recognize observance of on April 19-25, 2021.

S. R. No. 44: Mourn the passing of longtime funeral home owner Luzern "Sonny" Dillon, the first black-elected official in Walthall County.

S. R. No. 45: Commend Lafayette High School "Lady Commodores" Girls Soccer Team for three-peat Class 5A State Championship.

S. R. No. 46: Commend Ole Miss Womens Rifle Team for outstanding 2021 season.

S. R. No. 47: Extend congratulations of Senate to 87-year-old Blues Legend Bobby Rush for winning Grammy Award for Best Traditional Blues Album.

S. R. No. 48: Recognize Dr. Felecia Nave as first female President of Alcorn State University on the occasion of her inauguration.

YEAS AND NAYS on consideration en bloc of H. C. R. No. 4, H. C. R. No. 44, H. C. R. No. 46, H. C. R. No. 47, H. C. R. No. 48, H. C. R. No. 49, H. C. R. No. 50, H. C. R. No. 51, H. C. R. No. 52, H. C. R. No. 53, H. C. R. No. 54, H. C. R. No. 55, H. C. R. No. 56, S. R. No. 44, S. R. No. 45, S. R. No. 46, S. R. No. 47 and S. R. No. 48. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Unanimous consent was granted to add Senator McCaughn as co-author of **S. R. No. 46**.

Unanimous consent was granted to add Senators Chassaniol and McCaughn as co-authors of **S. R. No. 47**.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 4, H. C. R. No. 44, H. C. R. No. 46, H. C. R. No. 47, H. C. R. No. 48, H. C. R. No. 49, H. C. R. No. 50, H. C. R. No. 51, H. C. R. No. 52, H. C. R. No. 53, H. C. R. No. 54, H. C. R. No. 55 and H. C. R. No. 56.

On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. R. No. 44, S. R. No. 45, S. R. No. 46, S. R. No. 47 and S. R. No. 48.

Senator Hill offered the following report of the Conference Committee on **H. B. No. 104** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 104: Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-3-49, Mississippi Code of 1972, is amended as follows:

19-3-49. (1) In all counties of this state wherein there is no elected county prosecuting attorney, the boards of supervisors shall have the power and authority to employ a competent attorney to appear and prosecute in cases requiring the services of the county prosecuting attorney. The compensation paid to the person so employed shall be paid from the general fund of such county and shall not exceed, during any calendar year, the amount authorized by law to be paid as salary to the county prosecuting attorney in such county. The employment of a county prosecuting attorney as authorized by this section shall be pursuant to a contract which shall provide that the salary of such county prosecuting attorney shall not be reduced, increased or terminated for the period of the contract. Such contract shall be for the period of the remainder of the term of office of the board of supervisors which employs the county prosecuting attorney; however, the contract shall provide expressly or by reference to this section that the contract shall be abrogated upon the creation and filling of the office of elected county prosecuting attorney.

(2) Notwithstanding any of the provisions of subsection (1) of this section to the contrary, the board of supervisors of Hancock County may pay the attorney hired to appear and prosecute cases requiring the services of a county prosecuting attorney an annual salary * * * in an amount not to exceed fifty percent (50%) of the annual salary of the full-time district attorney as provided in Section 25-3-35. The Legislature finds and declares that the annual salary authorized by this section is justified in Hancock County for the following reasons:

(a) The addition of a justice court judge in January 2004 created a total of three (3) judges in the county and requires the attorney hired to appear and prosecute cases requiring the services of a county prosecuting attorney to spend additional time in court; and

(b) The population of Hancock County increased from thirty-one thousand seven hundred sixty (31,760) in 1990, to forty-two thousand nine hundred sixty-seven (42,967) in 2000, which placed it in the top ten percent (10%) of the fastest growing counties in the state. The population of Hancock County has continued to increase at one of the highest rates in the state through 2018; and

(c) There was a significant increase in the number of cases filed in justice court and cases appealed to a higher court; and

(d) The attorney hired to appear and prosecute cases requiring the services of a county prosecuting attorney is responsible for handling a large number of drug, alcohol and mental commitment proceedings, and the per capita rate of those proceedings in the county has far exceeded the typical rate in other Mississippi counties. Further, Hancock County created a county court in 2018 thus exacerbating the case load and expediency of those proceedings, requiring additional time and responsibilities of the county prosecutor.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 19-3-49, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE HANCOCK COUNTY BOARD OF SUPERVISORS, RATHER

THAN PAYING THE ATTORNEY HIRED TO PROSECUTE CASES REQUIRING THE SERVICES OF A COUNTY PROSECUTING ATTORNEY AN ANNUAL SALARY OF FORTY-FIVE THOUSAND DOLLARS, MAY PAY SUCH ATTORNEY AN ANNUAL SALARY IN AN AMOUNT NOT TO EXCEED FIFTY PERCENT OF THE ANNUAL SALARY OF THE FULL-TIME DISTRICT ATTORNEY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Larry Byrd

Troy Smith

Brent Anderson

CONFEREES FOR THE SENATE

Angela Burks Hill

Neil S. Whaley

Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 104** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

On motion of Senator Hill, and with unanimous consent of the Senate, the Secretary was directed to release immediately H. B. No. 104.

Senator Moran offered the following report of the Conference Committee on **H. B. No. 594** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 594: Coastal Wetlands Protection Act; revise definitions to include "ordinary high water mark".

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-27-5, Mississippi Code of 1972, is amended as follows:

49-27-5. (a) "Coastal wetlands" means all publicly-owned lands subject to the ebb and flow of the tide; which are below the *** ordinary high *** water mark; all publicly-owned accretions above the *** ordinary high *** water mark and all publicly-owned submerged water-bottoms below the *** ordinary high *** water mark and includes the flora and fauna on the wetlands and in the wetlands.

(b) "Department" means the Department of Marine Resources.

(c) "Regulated activity" means any of the following activities:

(i) The dredging, excavating or removing of soil, mud, sand, gravel, flora, fauna or aggregate of any kind from any coastal wetland;

(ii) The dumping, filling or depositing of any soil, stones, sand, gravel, mud, aggregate of any kind or garbage, either directly or indirectly, on or in any coastal wetlands;

(iii) Killing or materially damaging any flora or fauna on or in any coastal wetland;

(iv) The erection on coastal wetlands of structures which materially affect the ebb and flow of the tide; and

(v) The erection of any structure or structures on suitable sites for water dependent industry.

(d) "Dredging" means the removal or displacement by any means of soil, sand, gravel, shells or other material, whether of intrinsic value or not, from coastal wetlands.

(e) "Executive director" means the Executive Director of the Department of Marine Resources.

(f) "Filling" means either the displacement of waters by the deposition into coastal wetlands of soil, sand, gravel, shells or other material; or the artificial alteration of water levels or water currents by physical structures, drainage ditches or otherwise.

(g) "Person" means any natural person, partnership, joint stock company, corporation, unincorporated association or society, or the state and any agency thereof, or any county, municipality or political subdivision, or any other corporation of any character whatsoever.

(h) "Commission" means the Mississippi Advisory Commission on Marine Resources.

(i) "Water dependent industry" means those commercial, industrial or manufacturing activities which, for purposes basic to their existence must occur or locate on or adjacent to the estuaries, sounds, channels, shores or marshlands of the coast. "Suitable sites for water dependent industry" means those areas of land which are suitable for the development of water dependent industry because of their proximity to waters of navigable depth, size and configuration, topography, soil conditions and access to other means of transportation. After consultation with local governments, port authorities, development commissions, port and harbor commissions and other interested parties, and after full consideration of zoning ordinances duly adopted by local governments, the *** department shall designate those sites it deems suitable for water dependent industry. The definition of "suitable sites for water dependent industry" shall be limited to, but not necessarily inclusive of, waterfront sites owned by county port authorities, development commissions and port and harbor commissions, and to areas that are now or are later made to be within one thousand (1,000) feet of the centerline of any natural

or maintained channel having a depth of seven (7) feet or greater at mean low water. However, additional sites may be included in the definition of suitable sites for water dependent industry with the concurrence of the board of supervisors in the county affected.

(j) "Ordinary High Water Mark (OHWM)" means a mark on the shore determined by the department staff, established by fluctuations in water level and indicated by physical and biological characteristics including, but not limited to, water stains, changes in the character of the soil, scour lines, presence of debris lines, changes in plant communities and other appropriate means that consider the characteristics of the surrounding area. The determination of OHWM shall not be made by the department staff during high tide where the above referenced characteristics are not observable. OHWM is not the same as mean high water and shall not be used for determination of the boundary between private property and public trust tidelands or for any purpose other than regulated activity as defined in this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-27-5, MISSISSIPPI CODE OF 1972, TO AMEND THE COASTAL WETLANDS PROTECTION ACT TO DEFINE "ORDINARY HIGH WATER MARK" TO MEAN A MARK ON THE SHORE DETERMINED BY THE DEPARTMENT STAFF, ESTABLISHED BY FLUCTUATIONS IN WATER LEVEL AND INDICATED BY PHYSICAL AND BIOLOGICAL CHARACTERISTICS INCLUDING, BUT NOT LIMITED TO, WATER STAINS, CHANGES IN THE CHARACTER OF THE SOIL, SCOUR LINES, PRESENCE OF DEBRIS LINES, CHANGES IN PLANT COMMUNITIES AND OTHER APPROPRIATE MEANS THAT CONSIDER THE CHARACTERISTICS OF THE SURROUNDING AREA; TO REVISE THE DEFINITION OF "COASTAL WETLANDS" TO MEAN ALL PUBLICLY OWNED LANDS SUBJECT TO THE EBB AND FLOW OF THE TIDE, WHICH ARE BELOW THE ORDINARY HIGH WATER MARK, ALL PUBLICLY OWNED ACCRETIONS ABOVE THE ORDINARY HIGH WATER MARK AND ALL PUBLICLY OWNED SUBMERGED WATER BOTTOMS BELOW THE ORDINARY HIGH WATER MARK AND INCLUDES THE FLORA AND FAUNA ON THE WETLANDS AND IN THE WETLANDS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Timmy Ladner

Philip Moran

Kevin Felsher

Mike Thompson

Jeremy England

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 594** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator England offered the following report of the Conference Committee on **H. B. No. 631** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 631: Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-25-11, Mississippi Code of 1972, is amended as follows:

17-25-11. (1) Certified law enforcement officers or certified part-time law enforcement officers, as defined in Section 45-6-3, who are employed by a county or municipality may wear the official uniform and may utilize the official firearm and the official vehicle issued by the employing jurisdiction while in the performance of private security services in off-duty hours. The governing authority of a municipality must approve of such use of the uniform * * *, official weapon and vehicle by municipal law enforcement officers by act spread upon the minutes of such board and approved by the chief executive. The sheriff of a county must approve such use of the uniform * * *, official weapon and vehicle by deputy sheriffs. Approval shall be on an employee-by-employee basis and not by general order. Any proceedings regarding application or approval and the minutes regarding same shall be a public record.

(2) Each governing board and chief executive or sheriff shall determine before the use of the official uniform * * *, weapon and vehicle is approved that the proposed employment is not likely to bring disrepute to the employing jurisdiction or its law enforcement agency, the officer at issue, or law enforcement generally, and that the use of the official uniform * * *, weapon and vehicle in the discharge of the officer's private security endeavor promotes the public interest.

(3) (a) Acts and omissions of an officer in discharge of private security employment shall be deemed to be the acts and omissions of the person or entity * * * who hires or enters into any independent contractual service agreement with an officer for * * * the private security services, and not the acts and omissions of the employing jurisdiction whose uniform * * *, weapon and vehicle are approved for * * * the private security use. * * *

(b) The person or entity, and the person's or entity's insurer, who hires or enters into any independent contractual service agreement with an officer for private security services shall:

(i) Hold harmless the employing jurisdiction * * * and fully indemnify the employing jurisdiction for any expense or loss, including attorney's fees and any damage to the official vehicle, which results from any action taken against the employing jurisdiction arising out of the acts or omissions of the officer in discharge of private security services while wearing the official uniform or using the official weapon * * * or vehicle; and

(ii) Name the employing jurisdiction as a named insured on its general liability and automobile liability policies for at least the amount of recovery provided for in Section 11-46-15 for any damage to the official vehicle.

(c) If the person or entity, and the person's or entity's insurer, fails or refuses to endorse, indemnify and hold harmless the employing jurisdiction, the employing jurisdiction shall not approve the use of the official vehicle of the employing jurisdiction for private security services.

(d) Neither the state nor any subdivision thereof shall be liable for a claim or injury arising from the acts or omissions of an officer in the discharge of * * * any private security employment duties under this section, including travel to and from private security employment duties in the official vehicle.

(4) Certified police officers performing private jobs during their off-duty hours are required to notify the appropriate law enforcement agency of the place of employment, the hours to be worked, and the type of employment.

(5) The official uniform * * *, weapon and vehicle may be worn and utilized only at locations which are within the jurisdiction of the governmental entity whose uniform * * *, weapon and vehicle are involved.

SECTION 2. Section 21-19-49, Mississippi Code of 1972, is amended as follows:

21-19-49. (1) The governing authority of any municipality or the board of supervisors of any county are hereby authorized and empowered to appropriate money or dedicate and convey municipally-owned buildings and property or county-owned buildings and property, as the case may be, to the school district or districts situated within that municipality or county for the purpose of erecting, purchasing or otherwise providing the school building or a site for such school building of such school district, in cases where the governing authority or board of supervisors are of the opinion that the location of such school building within the corporate limits of the municipality or the county, or in close proximity thereto, will be of special benefit to the inhabitants of the municipality or county.

(2) Municipalities, municipal police departments and the sheriffs' departments may contract with the school board of any school district to provide additional Law Enforcement Officers Training Academy-certified police protection to said school district on such terms and for such reimbursement as the school district and the entity may agree in their discretion.

(3) (a) The governing authority of any municipality or the board of supervisors of any county may allow off-duty municipal or county law enforcement officers who are hired individually for security purposes by the school district or districts within that municipality or county to use municipal or county law enforcement uniforms and equipment, which includes vehicles, during such off-duty employment.

(b) If the person or entity, and the person's or entity's insurer, fails or refuses to endorse, indemnify and hold harmless the employing jurisdiction, the employing jurisdiction shall not approve the use of the official vehicle of the employing jurisdiction for private security services.

(4) The governing authority of any municipality, in its discretion, may donate funds, equipment or in-kind services to any school district located within the boundaries of the

municipality to assist the voluntary character development or public service programs of that school district.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE OFF-DUTY USE OF MUNICIPAL AND COUNTY POLICE VEHICLES BY CERTAIN LAW ENFORCEMENT OFFICERS ENGAGING IN PRIVATE EMPLOYMENT IN OFF-DUTY HOURS; TO PROVIDE THAT USE MUST BE APPROVED BY THE LOCAL GOVERNMENTAL ENTITY WHOSE VEHICLE IS INVOLVED; TO REQUIRE THE PERSON OR ENTITY HIRING THE OFFICER TO NAME THE EMPLOYING JURISDICTION AS A NAMED INSURED ON ITS LIABILITY INSURANCE POLICIES; TO PROHIBIT USE OF THE OFFICIAL VEHICLE WHERE THE PERSON OR ENTITY REFUSES TO ENDORSE, INDEMNIFY AND HOLD HARMLESS THE EMPLOYING JURISDICTION; TO AMEND SECTION 21-19-49, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Angela Cockerham	Joey Fillingane
Donnie Bell	Jeremy England
Bryant W. Clark	Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 631** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.
Nays--DeBar. Total--1.
Absent and those not voting--Fillingane. Total--1.
Voting Present--Turner-Ford. Total--1.

Senator England moved that the rules be suspended for the immediate consideration of **H. B. No. 1515**, and the motion prevailed.

Senator England called up the following entitled bill:

H. B. No. 1515: Suffrage; restore to Debra Denise Thomas of Hinds County.

YEAS AND NAYS On H. B. No. 1515. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon. Total--41.

Nays--McMahan. Total--1.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Blackwell, Harkins, Hill, McLendon, Michel, Parks, Tate, Turner-Ford, Younger. Total--9.

Senator England moved that the rules be suspended for the immediate consideration of **H. B. No. 1520**, and the motion prevailed.

Senator England called up the following entitled bill:

H. B. No. 1520: Suffrage; restore to J.W. Jackson of Panola County.

YEAS AND NAYS On H. B. No. 1520. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Blackwell, Hill, McLendon, McMahan, Michel, Tate, Whaley. Total--7.

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 747** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Sheriff of Rankin County is authorized to establish a Pilot Work Release Program. No person sentenced for a crime listed in Section 97-3-2 shall be eligible for participation in the program established under this act. During the pilot phase of the program, there shall be a limit of twenty-five (25) people in the program at a time.

(2) The sheriff shall collect and maintain data which shall be shared semiannually with the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) and the Corrections and Criminal Justice Oversight Task Force in sortable electronic format. The first report shall be made before January 15, 2022, and in six-month intervals thereafter. The data shall include:

(a) Total number of participants at the beginning of each month by race, gender, and offenses charged;

(b) Total number of participants at the end of each month by race, gender, and offenses charged;

(c) Total number of participants who began the program in each month by race, gender, and offenses charged;

(d) Total number of participants who successfully completed the program in each month by race, gender, and offenses charged;

(e) Total number of participants who left the program in each month and reason for leaving by race, gender, and offenses charged;

(f) Total number of participants who were arrested for a new criminal offense while in the program in each month by race, gender, and offenses charged;

(g) Total number of participants who were convicted of a new crime while in the program in each month by race, gender, and offenses charged;

(h) Total number of participants who completed the program and were convicted of a new crime within three (3) years of completing the program;

(i) Total amount earned by participants and how the earnings were distributed in each month;

(j) Results of any initial risk and needs assessments conducted on each participant by race, gender, and offenses charged; and

(k) Any other data or information as requested by the task force.

(3) Any person who has been sentenced to confinement in jail or who has been sentenced for a felony conviction but is confined in a jail may request assignment to the work release program established under this act. Admission to the program shall be in the discretion of the sheriff. The sheriff may further authorize the offender to participate in educational or other rehabilitative programs designed to supplement his work release employment or to prepare the person for successful reentry. No offender shall be eligible for this program if he has more than one (1) year remaining on their sentence.

(4) The sheriff shall adopt and publish rules and regulations prior to accepting inmates. These rules and regulations shall at a minimum include all requirements for work release programs established pursuant to Sections 47-5-451 through 47-5-471. Participating employers shall pay no less than the prevailing wage for the position and shall under no circumstance pay less than the federal minimum wage.

(5) Any offender assigned to such a program by the sheriff who, without proper authority or just cause, leaves the area to which he has been assigned to work or attend educational or other rehabilitative programs, or leaves the vehicle or route of travel involved in his or her going to or returning from such place, will be guilty of escape as provided in Section 97-9-49. An offender who is found guilty under this section shall be ineligible for further participation in a work release program during his or her current term of confinement.

(6) The offender shall maintain an account through a local financial institution and shall provide a copy of a check stub to the sheriff. The offender may be required to pay up to twenty-five percent (25%) of his wages after mandatory deductions for the following purposes:

(a) To pay support of dependents or to the Mississippi Department of Human Services on behalf of dependents as may be ordered by a judge of competent jurisdiction; and

(b) To pay any fines, restitution, or costs as ordered by the court to include any fines and fees associated with obtaining a valid driver's license upon release.

(7) The inmate shall have access to his account to purchase incidental expenses.

(8) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) shall conduct a review of the work release program established under this act and produce a report to the Legislature on their effectiveness by December 1, 2022. The PEER Committee shall seek the assistance of the Corrections and Criminal Justice Task Force and may seek assistance from any other criminal justice experts it deems necessary during its review.

(9) This section shall stand repealed on July 1, 2022.

SECTION 2. This act shall take effect and be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE SHERIFF OF RANKIN COUNTY TO ESTABLISH A PILOT WORK RELEASE PROGRAM IN RANKIN COUNTY; TO AUTHORIZE THE SHERIFF OF RANKIN COUNTY TO ASSIGN A NONVIOLENT CONVICTED OFFENDER TO A WORK RELEASE PROGRAM, IF THE OFFENDER IS CONFINED IN JAIL; TO PROVIDE THAT THE OFFENDER ASSIGNED TO THE PROGRAM SHALL BE UNDER THE SUPERVISION OF THE SHERIFF; TO PROVIDE THAT THE OFFENDER MAY BE REMOVED FROM THE PROGRAM IF RULES ARE VIOLATED; TO PROVIDE THAT WAGES EARNED BY THE OFFENDER MAY, UPON ORDER OF THE COURT, BE PAID TO THE DIRECTOR OR ADMINISTRATOR OF THE PROGRAM AFTER STANDARD PAYROLL DEDUCTIONS ARE PAID; TO PROVIDE THAT THE OFFENDER, IF APPROVED, MAY MAINTAIN A BANK ACCOUNT AS LONG AS A PHYSICAL ACCOUNTING IS PROVIDED TO THE SHERIFF; TO PROVIDE THAT THE OFFENDER'S WAGES MAY BE DISTRIBUTED TO PAY CERTAIN TRAVEL EXPENSES RELATED TO HIS OR HER EMPLOYMENT, TO PAY CHILD SUPPORT, FINES, RESTITUTION OR COSTS, INCLUDING FEES FOR OBTAINING A DRIVER'S LICENSE UPON RELEASE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Kevin Horan

Fred Shanks

Kevin Felsher

CONFEREES FOR THE SENATE

Juan Barnett

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 747** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--45.

Nays--Butler, Frazier, Jordan, Norwood, Simmons D. T. (12th), Thomas. Total--6.
Absent and those not voting--Fillingane. Total--1.

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 928** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-26, Mississippi Code of 1972, is amended as follows:

47-5-26. (1) The commissioner shall employ the following personnel:

(a) A Deputy Commissioner for Administration and Finance, who shall supervise and implement all fiscal policies and programs within the department, supervise and implement all hiring and personnel matters within the department, supervise the department's personnel director, supervise and implement all purchasing within the department and supervise and implement all data processing activities within the department, and who shall serve as the Chief Executive Officer of the Division of Administration and Finance. He shall possess either:

(i) A master's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and four (4) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision; or

(ii) A bachelor's degree from an accredited four-year college or university in public or business administration, accounting, economics or a directly related field, and six (6) years of experience in work related to the above-described duties, one (1) year of which must have included line or functional supervision. Certification by the State of Mississippi as a certified public accountant may be substituted for one (1) year of the required experience.

(b) A Deputy Commissioner for Community Corrections, who shall initiate and administer programs, including, but not limited to, supervision of probationers, parolees and suspensioners, counseling, community-based treatment, interstate compact administration and enforcement, prevention programs, halfway houses and group homes, technical violation centers, restitution centers, presentence investigations, and work and educational releases, and shall serve as the Chief Executive Officer of the Division of Community Services. The Deputy Commissioner for Community Corrections is charged with full and complete cooperation with the State Parole Board and shall make monthly reports to the Chairman of the Parole Board in the form and type required by the chairman, in his discretion, for the proper performance of the probation and parole functions. After a plea or verdict of guilty to a felony is entered against a person and before he is sentenced, the Deputy Commissioner for Community Corrections shall procure from any available source and shall file in the presentence records any information regarding any criminal history of the person such as fingerprints, dates of arrests, complaints, civil and criminal charges, investigative reports of arresting and prosecuting agencies, reports of the National Crime Information Center, the nature and character of each offense, noting all particular circumstances thereof and any similar data about the person. The Deputy Commissioner for Community Corrections shall keep an accurate and complete duplicate record of this file and shall furnish the duplicate to the department. This file shall be placed in and shall constitute a part of the inmate's master file. The Deputy Commissioner for Community Corrections shall furnish this file to the State Parole Board when the file is needed in the course of its official duties. He shall possess either: (i) a master's degree in counseling, corrections psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, one (1) year of which shall have been at the supervisory level.

(c) A Deputy Commissioner for Institutions, who shall administer institutions, reception and diagnostic centers, prerelease centers and other facilities and programs provided therein, and shall serve as the Chief Executive Officer of the Division of Institutions. He shall possess either: (i) a master's degree in counseling, criminal justice, psychology, guidance, social work, business or some related field, and at least four (4) years' full-time experience in corrections, including at least one (1) year of correctional management experience; or (ii) a bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years' full-time work in corrections, four (4) years of which shall have been at the correctional management level.

(d) A Deputy Commissioner for Programs, Education, Re-entry, and Vocational Rehabilitation Services who shall initiate and administer programs, including but not limited to, education services, religious services, moral rehabilitation, alcohol and drug rehabilitation, and court re-entry. The Deputy Commissioner for Programs, Education, Re-entry, and Vocational Rehabilitation may coordinate with any educational institution to develop a program for moral rehabilitation with an emphasis on promoting effective programs for release. The Deputy Commissioner for Programs, Education, Re-entry, and Vocational Rehabilitation shall focus on re-entry programs aimed at

reducing recidivism and adequately preparing offenders for employment upon their release. The programs shall incorporate a moral component focused on providing offenders with an opportunity to make positive changes while incarcerated that will enable them to be productive members of society upon their release. Such deputy commissioner shall possess either:

(i) A master's degree in counseling, corrections, psychology, guidance, social work, criminal justice or some related field and at least four (4) years' full-time experience in such field, including at least one (1) year of supervisory experience; or

(ii) A bachelor's degree in a field described in subparagraph (i) of this paragraph and at least six (6) years full-time work in corrections, one (1) year of which shall have been at the supervisory level.

Out of the deputy commissioners employed under this subsection (1), as set out in paragraphs (a) through (d), the commissioner shall designate one (1) of the commissioners as an executive deputy commissioner who shall have the duties prescribed under Section 47-5-8.

(2) The commissioner shall employ an administrative assistant for parole matters who shall be selected by the State Parole Board who shall be an employee of the department assigned to the State Parole Board and who shall be located at the office of the State Parole Board, and who shall work under the guidance, supervision and direction of the board.

(3) The administrative assistant for parole matters shall receive an annual salary to be established by the Legislature. The salaries of department employees not established by the Legislature shall receive an annual salary established by the State Personnel Board.

(4) The commissioner shall employ a superintendent for the Parchman facility, Central Mississippi Correctional Facility and South Mississippi Correctional Institution of the Department of Corrections. The Superintendent of the Mississippi State Penitentiary shall reside on the grounds of the Parchman facility. Each superintendent shall appoint an officer in charge when he is absent.

Each superintendent shall develop and implement a plan for the prevention and control of an inmate riot and shall file a report with the Chairman of the Senate Corrections Committee and the Chairman of the House Penitentiary Committee on the first day of each regular session of the Legislature regarding the status of the plan.

In order that the grievances and complaints of inmates, employees and visitors at each facility may be heard in a timely and orderly manner, each superintendent shall appoint or designate an employee at the facility to hear grievances and complaints and to report grievances and complaints to the superintendent. Each superintendent shall institute procedures as are necessary to provide confidentiality to those who file grievances and complaints.

(5) For a one-year period beginning July 1, 2016, any person authorized for employment under this section shall not be subject to the rules, regulations and procedures of the State Personnel Board, except as otherwise provided under Section 25-9-127(5).

SECTION 2. Section 47-5-8, Mississippi Code of 1972, is amended as follows:

47-5-8. (1) There is created the Mississippi Department of Corrections, which shall be under the policy direction of the Governor. The chief administrative officer of the department shall be the Commissioner of Corrections.

(2) (a) There shall be an Executive Deputy Commissioner who shall be directly responsible to the Commissioner of Corrections within the department who shall serve as the Commissioner of Corrections in the absence of the Commissioner and shall assume any and all duties that the Commissioner of Corrections assigns, including, but not limited to, supervising all other deputy commissioners. The salary of the Executive Deputy Commissioner shall not exceed the salary of the Commissioner of Corrections.

(**b) There shall be a Division of Administration and Finance within the department, which shall have as its chief administrative officer a Deputy Commissioner for Administration and Finance who shall be appointed by the commissioner, and shall be directly responsible to the commissioner.

(**c) There shall be a Division of Community Corrections within the department, which shall have as its chief administrative officer a Deputy Commissioner for Community Corrections, who shall be appointed by the commissioner, and shall be directly responsible to the commissioner. The Probation and Parole Board shall continue to exercise the authority as provided by law, but after July 1, 1976, the Division of Community Corrections shall serve as the administrative agency for the Probation and Parole Board.

(3) The department shall succeed to the exclusive control of all records, books, papers, equipment and supplies, and all lands, buildings and other real and personal property now or hereafter belonging to or assigned to the use and benefit or under the control of the Mississippi State Penitentiary and the Mississippi Probation and Parole Board, except the records of parole process and revocation and legal matters related thereto, and shall have the exercise and control of the use, distribution and disbursement of all funds, appropriations and taxes now or hereafter in possession, levied, collected or received or appropriated for the use, benefit, support and maintenance of these two (2) agencies except as otherwise provided by law, and the department shall have general supervision of all the affairs of the two (2) agencies herein named except as otherwise provided by law, and the care and conduct of all buildings and grounds, business methods and arrangements of accounts and records, the organization of the administrative plans of each institution, and all other matters incident to the proper functioning of the two (2) agencies.

(4) The commissioner may lease the lands for oil, gas, mineral exploration and other purposes, and contract with other state agencies for the proper management of lands under such leases or for the provision of other services, and the proceeds thereof shall be paid into the General Fund of the state.

SECTION 3. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall *** receive compensation or per diem in addition to his or her salary ***. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board

shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an Internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, 2022.

SECTION 4. Section 97-37-5, Mississippi Code of 1972, is amended as follows:

97-37-5. (1) It shall be unlawful for any person who has been convicted of a felony under the laws of this state, any other state, or of the United States to possess any firearm or any bowie knife, dirk knife, butcher knife, switchblade knife, metallic knuckles, blackjack, or any muffler or silencer for any firearm unless such person has received a pardon for such felony, has received a relief from disability pursuant to Section 925(c) of Title 18 of the United States Code, or has received a certificate of rehabilitation pursuant to subsection (3) of this section.

(2) Any person violating this section shall be guilty of a felony and, upon conviction thereof, shall be fined not more than Five Thousand Dollars (\$5,000.00), or committed to the custody of the State Department of Corrections for not less than one (1) year nor more than ten (10) years, or both.

(3) A person who has been convicted of a felony under the laws of this state, under the laws of another state, under federal law or in state military court may apply for a certificate of rehabilitation as provided in this section. If the person was convicted of a felony under the laws of this state, he or she may apply to the court in which he was convicted for a certificate of rehabilitation. If the person was convicted of a felony under the laws of another state, under federal law or in state military court, he or she may apply to the court in the person's county of residence for a certificate of rehabilitation. A person convicted of a felony under the laws of another state, under federal law or in state military court shall attach a certified copy of his or her judgment and a certified copy of his or her completion of sentence to the petition for a certificate of rehabilitation. The court may grant such certificate in its discretion upon a showing to the satisfaction of the court that the applicant has been rehabilitated and has led a useful, productive and law-abiding life since the completion of his or her sentence and upon the finding of the court that he or she will not be likely to act in a manner dangerous to public safety.

(4) (a) A person who is discharged from court-ordered mental health treatment may petition the court which entered the commitment order for an order stating that the person qualifies for relief from a firearms disability.

(b) In determining whether to grant relief, the court must hear and consider evidence about:

(i) The circumstances that led to imposition of the firearms disability under 18 * * * USCS, Section 922(d)(4);

(ii) The person's mental history;

(iii) The person's criminal history; and

(iv) The person's reputation.

(c) A court may not grant relief unless it makes and enters in the record the following affirmative findings:

(i) That the person is no longer likely to act in a manner dangerous to public safety; and

(ii) Removing the person's disability to purchase a firearm is not against the public interest.

SECTION 5. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO DESIGNATE AN EXECUTIVE DEPUTY COMMISSIONER; TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DEPUTY COMMISSIONER SHALL BE DIRECTLY RESPONSIBLE TO THE COMMISSIONER OF CORRECTIONS; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE PAROLE BOARD SHALL RECEIVE COMPENSATION OR PER DIEM IN ADDITION TO THEIR SALARIES; TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO EXPAND AUTHORIZATION FOR CERTIFICATES OF REHABILITATION FOR PERSONS CONVICTED OF CRIMES UNDER FEDERAL LAW, IN STATE MILITARY COURT OR IN OTHER STATES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Kevin Horan

Juan Barnett

Angela Cockerham

Brice Wiggins

Kevin Felsher

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 928** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Simmons D. T. (12th). Total--1.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 76, **S. B. No. 2435**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2435** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2435: Alcoholic beverages; revise various provisions relating to distilleries.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-51, Mississippi Code of 1972, as amended by House Bill No. 1135, 2021 Regular Session, House Bill No. 1288, 2021 Regular Session, and Senate Bill No. 2606, 2021 Regular Session, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and native spirits, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only.

Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer;

however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages

for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the

State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical

tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate-10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph (s).

(**t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 1 of House Bill No. 1135, 2021 Regular Session, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located

in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 2. Section 67-1-41, Mississippi Code of 1972, as amended by Senate Bill No. 2606, 2021 Regular Session, is amended as follows:

67-1-41. (1) The department is hereby created a wholesale distributor and seller of alcoholic beverages, not including malt liquors, within the State of Mississippi. It is granted the right to import and sell alcoholic beverages at wholesale within the state, and no person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than the department except as authorized in subsections (4), (9) and (12) of this section. The department may establish warehouses, purchase alcoholic beverages in such quantities and from such sources as it may deem desirable and sell the alcoholic beverages to authorized permittees within the state including, at the discretion of the department, any retail distributors operating within any military post or qualified resort areas within the boundaries of the state, keeping a correct and accurate record of all such transactions and exercising such control over the distribution of alcoholic beverages as seem right and proper in keeping with the provisions or purposes of this chapter.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this chapter, or as otherwise provided by law for native wines or native spirits.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than as provided in this chapter, or as otherwise provided by law for native wines or native spirits.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine or native spirit retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from importers, wineries and distillers of alcoholic beverages or from the department. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of * * * alcoholic beverages sold by the department or as authorized by the department, including, but not limited to, native wines and native spirits, so that those * * * alcoholic beverages may be delivered to the retailer at the * * * manufacturer's location instead of via shipment from the department's warehouse.

(11) [Through June 30, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, 2023] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is

shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30) days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this chapter, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this chapter upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 3. Section 67-5-11, Mississippi Code of 1972, is amended as follows:

67-5-11. (1) Within the State of Mississippi, every native winery is authorized to make sales to the department or to consumers at the location of the native winery or its immediate vicinity. Every native winery is authorized to make sales to any producer, manufacturer, wholesaler, retailer or consumer located outside of the State of Mississippi who are authorized by law to purchase the same.

(2) With respect to native wines or distilled spirits sold by the department to retailers under Section 67-1-41, the native winery or distillery retailer may hold those wines or spirits for onsite pickup instead of shipping them to the department warehouse, at the option of the retailer and pursuant to any rules promulgated by the department.

SECTION 4. Section 27-71-5, Mississippi Code of 1972, as amended by House Bill No. 1135, 2021 Regular Session, House Bill No. 1288, 2021 Regular Session, and Senate Bill No. 2606, 2021 Regular Session, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's:

(i) For a permittee with annual production of

five thousand (5,000) gallons or more..... \$4,500.00

(ii) For a permittee with annual production under

five thousand (5,000) gallons..... \$2,800.00

(b) Manufacturer's permit, Class 2, wine

manufacturer \$1,800.00

(c) Manufacturer's permit, Class 3, native wine

manufacturer per ten thousand (10,000) gallons or part thereof produced \$ 10.00

(d) Manufacturer's permit, Class 4, native spirit

manufacturer per one thousand (1,000) gallons or part thereof produced \$ 300.00

(e) Native wine retailer's permit..... \$ 50.00

(f) Package retailer's permit, each..... \$ 900.00

(g) On-premises retailer's permit, except for clubs and common carriers, each....\$ 450.00

(h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each\$ 225.00

(i) On-premises retailer's permit for clubs..... \$ 225.00

(j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle.....	\$ 120.00
(k) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department.....	\$ 100.00
(l) Filing fee for each application except for an employee identification card.....	\$ 25.00
(m) Temporary permit, Class 1, each.....	\$ 10.00
(n) Temporary permit, Class 2, each.....	\$ 50.00
(o) (i) Caterer's permit.....	\$ 600.00
(ii) Caterer's permit for holders of on-premises retailer's permit.....	\$ 150.00
(p) Research permit.....	\$ 100.00
(q) Temporary permit, Class 3 (wine only)	\$ 10.00
(r) Special service permit	\$ 225.00
(s) Merchant permit.....	\$ 225.00
(t) Temporary alcoholic beverages charitable auction permit	\$ 10.00
(u) Event venue retailer's permit	\$ 225.00
(v) Temporary theatre permit, each.....	\$ 10.00
(w) Charter ship operator's permit.....	\$ 100.00
(x) Distillery retailer's permit.....	\$ 450.00
(y) Festival wine permit.....	\$ 10.00
(* * *z) Charter vessel operator's permit	\$ 100.00
(* * *aa) Native spirit retailer's permit.....	\$ 50.00
(bb) Delivery service permit	\$ 500.00

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In addition to the filing fee imposed by paragraph (l) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (y) of this subsection shall stand repealed from and after July 1, 2023.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor * * *, a temporary permittee or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(f), (g), (h), (m) and (t) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(n) and (r) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars (\$250.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars (\$5,000.00) purchases to the first Five Thousand Dollars (\$5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of

establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 5. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1135, 2021 REGULAR SESSION, HOUSE BILL NO. 1288, 2021 REGULAR SESSION, AND SENATE BILL NO. 2606, 2021 REGULAR SESSION, TO ALLOW THE HOLDER OF A DISTILLERY RETAILER'S PERMIT TO SELL ALCOHOLIC BEVERAGES TO CONSUMERS FOR ON-PREMISES CONSUMPTION; TO ALLOW THE PERMITTEE SELLING FOR ON-PREMISES CONSUMPTION TO ADD OTHER BEVERAGES, ALCOHOLIC OR NOT, TO THE PRODUCT MANUFACTURED BY THE MANUFACTURER AT THE DISTILLERY DESCRIBED IN THE PERMIT, SO LONG AS THE TOTAL VOLUME OF OTHER BEVERAGE COMPONENTS CONTAINING ALCOHOL DOES NOT EXCEED 20%; TO SPECIFY THAT HOURS OF ON-PREMISES SALES SHALL BE THE SAME AS THOSE AUTHORIZED FOR ON-PREMISES PERMITTEES IN THE CITY OR COUNTY IN WHICH THE DISTILLERY RETAILER IS LOCATED; TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2606, 2021 REGULAR SESSION, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE RULES FACILITATING A RETAILER'S ON-SITE PICKUP OF ALCOHOLIC BEVERAGES SOLD BY THE DEPARTMENT OR AS AUTHORIZED BY THE DEPARTMENT, SO THAT THOSE ALCOHOLIC BEVERAGES MAY BE DELIVERED TO THE RETAILER AT THE MANUFACTURER'S LOCATION INSTEAD OF VIA SHIPMENT FROM THE DEPARTMENT'S WAREHOUSE; TO AMEND SECTION 67-5-11, MISSISSIPPI CODE OF 1972, TO ALLOW DISTILLERY RETAILERS TO HOLD, FOR ONSITE PICKUP, SPIRITS SOLD TO RETAILERS THROUGH THE DEPARTMENT OF REVENUE, INSTEAD OF SHIPPING THEM TO THE DEPARTMENT WAREHOUSE; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1135, 2021 REGULAR SESSION, HOUSE BILL NO. 1288, 2021 REGULAR SESSION, AND SENATE BILL NO. 2606, 2021 REGULAR SESSION, TO CREATE TWO PRIVILEGE LICENSE TAX TIERS FOR THE MANUFACTURER'S PERMIT, CLASS 1, APPLYING TO DISTILLERS AND RECTIFIERS, BASED ON ANNUAL PRODUCTION VOLUME; TO REMOVE THE PROVISION THAT, IF A PERSON APPROVED FOR A MANUFACTURER'S PERMIT, CLASS 1, DISTILLER'S PERMIT PRODUCES A PRODUCT WITH AT LEAST 51% OF THE FINISHED PRODUCT BY VOLUME BEING OBTAINED FROM ALCOHOLIC FERMENTATION OF GRAPES, FRUITS, BERRIES, HONEY AND/OR VEGETABLES GROWN AND PRODUCED IN MISSISSIPPI, AND PRODUCES ALL OF THE PRODUCT BY USING NOT MORE THAN ONE STILL HAVING A MAXIMUM CAPACITY OF 150 LITERS, THE ANNUAL PRIVILEGE LICENSE TAX FOR SUCH A PERMIT SHALL BE \$10.00 PER 10,000 GALLONS OR PART THEREOF PRODUCED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Josh Harkins

Nicole Boyd

Daniel H. Sparks

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Henry Zuber III

Brent Powell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2435** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--45.

Nays--Branning, Chism, Frazier, Norwood, Parker, Tate. Total--6.
Absent and those not voting--Fillingane. Total--1.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 82, **S. B. No. 2839**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2839** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2839: SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Josh Harkins

Mike Thompson

Jeremy England

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steversen

Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2839** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.
Absent and those not voting--Fillingane. Total--1.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 85, **S. B. No. 2872**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2872** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2872: Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Josh Harkins

Dean Kirby

Joel R. Carter, Jr.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Henry Zuber III

Brent Powell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2872** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--Branning, Chism, Frazier, Hill, Norwood, Parker, Tate. Total--7.

Absent and those not voting--Fillingane. Total--1.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 87, **S. B. No. 2895**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2895** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2895: Ad valorem tax; provide assessment rate for transformative renewable energy project property designated by the county board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, "project" means a facility, placed in operation after the effective date of this act, generating energy through the use of a renewable energy source such as wind, water, biomass or solar.

(2) In any project with a capital investment from private sources of not less than One Hundred Million Dollars (\$100,000,000.00), all property, whether real, personal or mixed, including fixtures and leaseholds utilized in the project, including, but not limited to, operational and environmental property utilized in the project, may be exempted by the county board of supervisors from ad valorem taxation up to an amount not to exceed fifty percent (50%) of the total assessed value of the project.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ALLOW A COUNTY BOARD OF SUPERVISORS TO EXEMPT FROM AD VALOREM TAXATION THE PROPERTY OF A RENEWABLE ENERGY PROJECT, UP TO AN AMOUNT NOT TO EXCEED 50% OF THE TOTAL ASSESSED VALUE OF THE PROJECT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Benjamin Suber	Jody Steverson
John Horhn	Johnathan Ray Lancaster

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2895** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator England offered the following report of the Conference Committee on **S. B. No. 2598** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2598: Department of Public Safety; revise licensing.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-9-101, Mississippi Code of 1972, as amended by House Bill No. 277, 2021 Regular Session, House Bill No. 886, 2021 Regular Session, and Senate Bill No. 2253, 2021 Regular Session, is amended as follows:

45-9-101. (1) (a) Except as otherwise provided, the Department of Public Safety is authorized to issue licenses to carry stun guns, concealed pistols or revolvers to persons qualified as provided in this section. Such licenses shall be valid throughout the state for a period of five (5) years from the date of issuance, except as provided in subsection (25) of this section. Any person possessing a valid license issued pursuant to this section may carry a stun gun, concealed pistol or concealed revolver.

(b) The licensee must carry the license, together with valid identification, at all times in which the licensee is carrying a stun gun, concealed pistol or revolver and must display both the license and proper identification upon demand by a law enforcement officer. A violation of the provisions of this paragraph (b) shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by summons.

(2) The Department of Public Safety shall issue a license if the applicant:

(a) Is a resident of the state. However, this residency requirement may be waived if the applicant possesses a valid permit from another state, is * * * a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, is the spouse of a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, or is a retired law enforcement officer establishing residency in the state;

(b) (i) Is twenty-one (21) years of age or older; or

(ii) Is at least eighteen (18) years of age but not yet twenty-one (21) years of age and the applicant:

1. Is a member or veteran of the United States Armed Forces, including National Guard or Reserve; and

2. Holds a valid Mississippi driver's license or identification card issued by the Department of Public Safety or a valid and current tribal identification card issued by a federally recognized Indian tribe containing a photograph of the holder;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a stun gun, pistol or revolver;

(d) Is not ineligible to possess a firearm by virtue of having been convicted of a felony in a court of this state, of any other state, or of the United States without having been pardoned or without having been expunged for same;

(e) Does not chronically or habitually abuse controlled substances to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses controlled substances to the extent that his faculties are impaired if the applicant has been voluntarily or involuntarily committed to a treatment facility for the abuse of a controlled substance or been found guilty of a crime under the provisions of the Uniform Controlled Substances Law or similar laws of any other state or the United States relating to controlled substances within a three-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages to the extent that his normal faculties are impaired if the applicant has been voluntarily or involuntarily committed as an alcoholic to a treatment facility or has been convicted of two (2) or more offenses related to the use of alcohol under the laws of this state or similar laws of any other state or the United States within the three-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself;

(h) Has not been adjudicated mentally incompetent, or has waited five (5) years from the date of his restoration to capacity by court order;

(i) Has not been voluntarily or involuntarily committed to a mental institution or mental health treatment facility unless he possesses a certificate from a psychiatrist licensed in this state that he has not suffered from disability for a period of five (5) years;

(j) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled;

(k) Is not a fugitive from justice; and

(l) Is not disqualified to possess a weapon based on federal law.

(3) The Department of Public Safety may deny a license if the applicant has been found guilty of one or more crimes of violence constituting a misdemeanor unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred prior to the date on which the application is submitted, or may revoke a license if the licensee has been found guilty of one or more crimes of violence within the preceding three (3) years. The department shall, upon notification by a law enforcement agency or a court and subsequent written verification, suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime which would disqualify such person from having a license under this section, until final disposition of the case. The provisions of

subsection (7) of this section shall apply to any suspension or revocation of a license pursuant to the provisions of this section.

(4) The application shall be completed, under oath, on a form promulgated by the Department of Public Safety and shall include only:

(a) The name, address, place and date of birth, race, sex and occupation of the applicant;

(b) The driver's license number or social security number of applicant;

(c) Any previous address of the applicant for the two (2) years preceding the date of the application;

(d) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3) of this section;

(e) A statement that the applicant has been furnished a copy of this section and is knowledgeable of its provisions;

(f) A conspicuous warning that the application is executed under oath and that a knowingly false answer to any question, or the knowing submission of any false document by the applicant, subjects the applicant to criminal prosecution; and

(g) A statement that the applicant desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself.

(5) The applicant shall submit only the following to the Department of Public Safety:

(a) A completed application as described in subsection (4) of this section;

(b) A full-face photograph of the applicant taken within the preceding thirty (30) days in which the head, including hair, in a size as determined by the Department of Public Safety, except that an applicant who is younger than twenty-one (21) years of age must submit a photograph in profile of the applicant;

(c) A nonrefundable license fee of Eighty Dollars (\$80.00). Costs for processing the set of fingerprints as required in paragraph (d) of this subsection shall be borne by the applicant. Honorably retired law enforcement officers, disabled veterans and active duty members of the Armed Forces of the United States, and law enforcement officers employed with a law enforcement agency of a municipality, county or state at the time of application for the license, shall be exempt from the payment of the license fee;

(d) A full set of fingerprints of the applicant administered by the Department of Public Safety; and

(e) A waiver authorizing the Department of Public Safety access to any records concerning commitments of the applicant to any of the treatment facilities or institutions referred to in subsection (2) of this section and permitting access to all the applicant's criminal records.

(6) (a) The Department of Public Safety, upon receipt of the items listed in subsection (5) of this section, shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing.

(b) The Department of Public Safety shall forward a copy of the applicant's application to the sheriff of the applicant's county of residence and, if applicable, the police chief of the applicant's municipality of residence. The sheriff of the applicant's county of residence and, if applicable, the police chief of the applicant's municipality of residence may, at his discretion, participate in the process by submitting a voluntary report to the Department of Public Safety containing any readily discoverable prior information that he feels may be pertinent to the licensing of any applicant. The reporting shall be made within thirty (30) days after the date he receives the copy of the application. Upon receipt of a response from a sheriff or police chief, such sheriff or police chief shall be reimbursed at a rate set by the department.

(c) The Department of Public Safety shall, within forty-five (45) days after the date of receipt of the items listed in subsection (5) of this section:

(i) Issue the license;

(ii) Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsections (2) and (3) of this section. If the Department of Public Safety denies the application, it shall notify the applicant in writing, stating the ground for denial, and the denial shall be subject to the appeal process set forth in subsection (7); or

(iii) Notify the applicant that the department is unable to make a determination regarding the issuance or denial of a license within the forty-five-day period prescribed by this subsection, and provide an estimate of the amount of time the department will need to make the determination.

(d) In the event a legible set of fingerprints, as determined by the Department of Public Safety and the Federal Bureau of Investigation, cannot be obtained after a minimum of two (2) attempts, the Department of Public Safety shall determine eligibility based upon a name check by the Mississippi Highway Safety Patrol and a Federal Bureau of Investigation name check conducted by the Mississippi Highway Safety Patrol at the request of the Department of Public Safety.

(7) (a) If the Department of Public Safety denies the issuance of a license, or suspends or revokes a license, the party aggrieved may appeal such denial, suspension or revocation to the Commissioner of Public Safety, or his authorized agent, within thirty (30) days after the aggrieved party receives written notice of such denial, suspension or revocation. The Commissioner of Public Safety, or his duly authorized agent, shall rule upon such appeal within thirty (30) days after the appeal is filed and failure to rule within this thirty-day period shall constitute sustaining such denial, suspension or revocation. Such review shall be conducted pursuant to such reasonable rules and regulations as the Commissioner of Public Safety may adopt.

(b) If the revocation, suspension or denial of issuance is sustained by the Commissioner of Public Safety, or his duly authorized agent pursuant to paragraph (a) of this subsection, the aggrieved party may file within ten (10) days after the rendition of such decision a petition in the circuit or county court of his residence for review of such decision. A hearing for review shall be held and shall proceed before the court without a jury upon the record made at the hearing before the Commissioner of Public Safety or his duly

authorized agent. No such party shall be allowed to carry a stun gun, concealed pistol or revolver pursuant to the provisions of this section while any such appeal is pending.

(8) The Department of Public Safety shall maintain an automated listing of license holders and such information shall be available online, upon request, at all times, to all law enforcement agencies through the Mississippi Crime Information Center. However, the records of the department relating to applications for licenses to carry stun guns, concealed pistols or revolvers and records relating to license holders shall be exempt from the provisions of the Mississippi Public Records Act of 1983, and shall be released only upon order of a court having proper jurisdiction over a petition for release of the record or records.

(9) Within thirty (30) days after the changing of a permanent address, or within thirty (30) days after having a license lost or destroyed, the licensee shall notify the Department of Public Safety in writing of such change or loss. Failure to notify the Department of Public Safety pursuant to the provisions of this subsection shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by a summons.

(10) In the event that a stun gun, concealed pistol or revolver license is lost or destroyed, the person to whom the license was issued shall comply with the provisions of subsection (9) of this section and may obtain a duplicate, or substitute thereof, upon payment of Fifteen Dollars (\$15.00) to the Department of Public Safety, and furnishing a notarized statement to the department that such license has been lost or destroyed.

(11) A license issued under this section shall be revoked if the licensee becomes ineligible under the criteria set forth in subsection (2) of this section.

(12) (a) Except as provided in subsection (25) of this section, no less than ninety (90) days prior to the expiration date of the license, the Department of Public Safety shall mail to each licensee a written notice of the expiration and a renewal form prescribed by the department. The licensee must renew his license on or before the expiration date by filing with the department the renewal form, a notarized affidavit stating that the licensee remains qualified pursuant to the criteria specified in subsections (2) and (3) of this section, and a full set of fingerprints administered by the Department of Public Safety or the sheriff of the county of residence of the licensee.

The first renewal may be processed by mail and the subsequent renewal must be made in person. Thereafter every other renewal may be processed by mail to assure that the applicant must appear in person every ten (10) years for the purpose of obtaining a new photograph.

(i) Except as provided in this subsection, a renewal fee of Forty Dollars (\$40.00) shall also be submitted along with costs for processing the fingerprints;

(ii) Honorably retired law enforcement officers, disabled veterans, active duty members of the Armed Forces of the United States and law enforcement officers employed with a law enforcement agency of a municipality, county or state at the time of renewal, shall be exempt from the renewal fee; and

(iii) The renewal fee for a Mississippi resident aged sixty-five (65) years of age or older shall be Twenty Dollars (\$20.00).

(b) The Department of Public Safety shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing. The license shall be renewed upon receipt of the completed renewal application and appropriate payment of fees.

(c) A licensee who fails to file a renewal application on or before its expiration date must renew his license by paying a late fee of Fifteen Dollars (\$15.00). No license shall be renewed six (6) months or more after its expiration date, and such license shall be deemed to be permanently expired. A person whose license has been permanently expired may reapply for licensure; however, an application for licensure and fees pursuant to subsection (5) of this section must be submitted, and a background investigation shall be conducted pursuant to the provisions of this section.

(13) No license issued pursuant to this section shall authorize any person, except a law enforcement officer as defined in Section 45-6-3 with a distinct license authorized by the Department of Public Safety, to carry a stun gun, concealed pistol or revolver into any place of nuisance as defined in Section 95-3-1, Mississippi Code of 1972; any police, sheriff or highway patrol station; any detention facility, prison or jail; any courthouse; any courtroom, except that nothing in this section shall preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his courtroom; any polling place; any meeting place of the governing body of any governmental entity; any meeting of the Legislature or a committee thereof; any school, college or professional athletic event not related to firearms; any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages; any portion of an establishment in which beer, light spirit product or light wine is consumed on the premises, that is primarily devoted to such purpose; any elementary or secondary school facility; any junior college, community college, college or university facility unless for the purpose of participating in any authorized firearms-related activity; inside the passenger terminal of any airport, except that no person shall be prohibited from carrying any legal firearm into the terminal if the firearm is encased for shipment, for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; any church or other place of worship, except as provided in Section 45-9-171; or any place where the carrying of firearms is prohibited by federal law. In addition to the places enumerated in this subsection, the carrying of a stun gun, concealed pistol or revolver may be disallowed in any place in the discretion of the person or entity exercising control over the physical location of such place by the placing of a written notice clearly readable at a distance of not less than ten (10) feet that the "carrying of a pistol or revolver is prohibited." No license issued pursuant to this section shall authorize the participants in a parade or demonstration for which a permit is required to carry a stun gun, concealed pistol or revolver.

(14) A law enforcement officer as defined in Section 45-6-3, chiefs of police, sheriffs and persons licensed as professional bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of 1972, shall be exempt from the licensing requirements of this section.

(a) The Commissioner of Public Safety shall promulgate rules and regulations to provide licenses to law enforcement officers as defined in Section 45-6-3 who choose to obtain a license under the provisions of this section, which shall include a distinction that the officer is an "active duty" law enforcement officer and an endorsement that such officer is authorized to carry in the locations listed in subsection (13). A law enforcement officer shall provide the following information to receive the license described in this subsection: (i) a letter, with the official letterhead of the agency or department for which the officer is employed at the time of application and (ii) a letter with the official letterhead of the agency or department, which explains that such officer has completed a certified law enforcement training academy.

(b) The licensing requirements of this section do not apply to the carrying by any person of a stun gun, pistol or revolver, knife, or other deadly weapon that is not concealed as defined in Section 97-37-1.

(15) Any person who knowingly submits a false answer to any question on an application for a license issued pursuant to this section, or who knowingly submits a false document when applying for a license issued pursuant to this section, shall, upon conviction, be guilty of a misdemeanor and shall be punished as provided in Section 99-19-31, Mississippi Code of 1972.

(16) All fees collected by the Department of Public Safety pursuant to this section shall be deposited into a special fund hereby created in the State Treasury and shall be used for implementation and administration of this section. After the close of each fiscal year, the balance in this fund shall be certified to the Legislature and then may be used by the Department of Public Safety as directed by the Legislature.

(17) All funds received by a sheriff or police chief pursuant to the provisions of this section shall be deposited into the general fund of the county or municipality, as appropriate, and shall be budgeted to the sheriff's office or police department as appropriate.

(18) Nothing in this section shall be construed to require or allow the registration, documentation or providing of serial numbers with regard to any stun gun or firearm.

(19) Any person holding a valid unrevoked and unexpired license to carry stun guns, concealed pistols or revolvers issued in another state shall have such license recognized by this state to carry stun guns, concealed pistols or revolvers. The Department of Public Safety is authorized to enter into a reciprocal agreement with another state if that state requires a written agreement in order to recognize licenses to carry stun guns, concealed pistols or revolvers issued by this state.

(20) The provisions of this section shall be under the supervision of the Commissioner of Public Safety. The commissioner is authorized to promulgate reasonable rules and regulations to carry out the provisions of this section.

(21) For the purposes of this section, the term "stun gun" means a portable device or weapon from which an electric current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure, momentarily stun, knock out, cause mental disorientation or paralyze.

(22) (a) From and after January 1, 2016, the Commissioner of Public Safety shall promulgate rules and regulations which provide that licenses authorized by this section for honorably retired law enforcement officers and honorably retired correctional officers from the Mississippi Department of Corrections shall (i) include the words "retired law enforcement officer" on the front of the license, and (ii) unless the licensee chooses to have this license combined with a driver's license or identification card under subsection (25) of this section, that the license itself have a red background to distinguish it from other licenses issued under this section.

(b) An honorably retired law enforcement officer and honorably retired correctional officer shall provide the following information to receive the license described in this section: (i) a letter, with the official letterhead of the agency or department from which such officer is retiring, which explains that such officer is honorably retired, and (ii) a letter with the official letterhead of the agency or department, which explains that such officer has completed a certified law enforcement training academy.

(23) A disabled veteran who seeks to qualify for an exemption under this section shall be required to provide a veterans health services identification card issued by the United States Department of Veterans Affairs indicating a service-connected disability, which shall be sufficient proof of such service-connected disability.

(24) A license under this section is not required for a loaded or unloaded pistol or revolver to be carried upon the person in a sheath, belt holster or shoulder holster or in a purse, handbag, satchel, other similar bag or briefcase or fully enclosed case if the person is not engaged in criminal activity other than a misdemeanor traffic offense, is not otherwise prohibited from possessing a pistol or revolver under state or federal law, and is not in a location prohibited under subsection (13) of this section.

(25) An applicant for a license under this section shall have the option of, instead of being issued a separate card for the license, having the license appear as a notation on the individual's driver's license or identification card. If the applicant chooses this option, the license issued under this section shall have the same expiration date as the driver's license or identification card, and renewal shall take place at the same time and place as renewal of the driver's license or identification card. The Commissioner of Public Safety shall have the authority to promulgate rules and regulations which may be necessary to ensure the effectiveness of the concurrent application and renewal processes.

SECTION 2. Section 63-1-9, Mississippi Code of 1972, as amended by House Bill No. 550, 2021 Regular Session, is amended as follows:

63-1-9. (1) No driver's license * * * or * * * learner's permit shall be issued pursuant to this article:

(a) To any person under the age of eighteen (18) years except as provided in this article.

(b) To any person whose license to operate a motor vehicle on the highways of Mississippi has been previously revoked or suspended by this state or any other state or territory of the United States or the District of Columbia, if the revocation or suspension period has not expired.

(c) To any person who is an habitual drunkard or who is addicted to the use of other narcotic drugs.

(d) To any person who would not be able by reason of physical or mental disability to operate a motor vehicle on the highways with safety. However, persons who have one (1) arm or leg, or have arms or legs deformed, and are driving a car provided with mechanical devices whereby the person is able to drive in a safe manner over the highways, if otherwise qualified, shall receive an operator's license the same as other persons. Moreover, deafness shall not be a bar to obtaining a license.

(e) To any person as an operator who has previously been adjudged to be afflicted with and suffering from any mental disability and who has not at time of application been restored to mental competency.

(f) To any unmarried person under the age of eighteen (18) years who does not at the time of application present a diploma or other certificate of high school graduation or a general educational development certificate issued to the person in this

state or any other state; or on whose behalf documentation has not been received by the Department of Public Safety from that person or a school official verifying that the person:

(i) Is enrolled and making satisfactory progress in a course leading to a general educational development certificate;

(ii) Is enrolled in school in this state or any other state;

(iii) Is enrolled in a "nonpublic school," as such term is defined in Section 37-13-91(2)(i); or

(iv) Is unable to attend any school program due to circumstances deemed acceptable as set out in Section 63-1-10.

(g) To any person under the age of eighteen (18) years who has been convicted under Section 63-11-30.

(2) All permits and licenses issued on or before July 31, 2009, shall be valid according to the terms upon which issued. From and after August 1, 2009:

(a) A *** learner's permit may be issued to any person who is at least fifteen (15) years of age who otherwise meets the requirements of this article.

(***b) A driver's license may be issued to any person who is at least *** sixteen (16) years of age who otherwise meets the requirements of this article and who has held *** a learner's permit for at least one (1) year without any conviction under Section 63-11-30 or of a moving violation. Any conviction under Section 63-11-30 or of a moving violation shall restart the *** one-year requirement for the holding of *** a learner's permit before an applicant can qualify for a driver's license. *** An applicant for a driver's license who was unable to make timely application in 2020 for *** a learner's permit, due to the closure of driver's license offices owing to the Coronavirus Disease 2019 (COVID-19), shall have the period in which he or she was eligible but unable to apply credited toward the *** one-year requirement for the holding of *** a learner's permit.

(***c) An applicant for a Mississippi driver's license who, at the time of application, is at least *** sixteen (16) years of age and who has held a valid motor vehicle driver's license issued by another state for at least six (6) months shall not be required to hold a *** learner's permit *** before being issued a driver's license.

(3) The commissioner shall ensure that the *** learner's permit *** and driver's license issued under this article are clear, distinct and easily distinguishable from one another.

SECTION 3. Section 63-1-21, Mississippi Code of 1972, as amended by House Bill No. 550, 2021 Regular Session, is amended as follows:

63-1-21. (1) To obtain a new or original Class R *** or Class D *** license, every applicant other than a person holding a valid out-of-state license shall first obtain a *** learner's permit, successfully complete the examination provided for in Section 63-1-33, and pay the *** learner's permit fee and examination fee prescribed in Section 63-1-43.

(2) A * * * learner's permit entitles the holder, if the permit is in his immediate possession, to drive a motor vehicle other than a motorcycle on the highways of the State of Mississippi only when accompanied by a licensed operator who is at least twenty-one (21) years of age and who is actually occupying the seat beside the driver. A * * * learner's permit may be issued to any applicant who is at least fifteen (15) years of age and shall be valid for a period of two (2) years from the date of issue.

(3) * * * A regular license holder under the age of eighteen (18) shall be allowed unsupervised driving from 6:00 a.m. to 10:00 p.m. Sunday through Thursday and 6:00 a.m. to 11:30 p.m. Friday and Saturday, and * * * shall be allowed unsupervised driving any time for a person traveling directly to or from work or other educational or extracurricular activity. At all other times * * * for the first six (6) months as a regular license holder, the regular license holder under the age of eighteen (18) must be supervised by a parent, guardian or other person aged twenty-one (21) years or older who holds a valid driver's license under this article and who is actually occupying the seat beside the driver.

* * *

SECTION 4. Section 63-11-25, Mississippi Code of 1972, is amended as follows:

63-11-25. If the forfeiture, suspension or denial of issuance is sustained by the Commissioner of Public Safety, or his duly authorized agent pursuant to subsection (1) of Section 63-11-23, upon such hearing, the person aggrieved may file within ten (10) days after the rendition of such decision a petition in the circuit or county court having original jurisdiction of the violation for review of such decision and such hearing upon review shall proceed as a trial de novo before the court without a jury. The petition shall be served upon the Attorney General and the Commissioner of Public Safety. Provided further, that no such party shall be allowed to exercise the driving privilege while any such appeal is pending.

SECTION 5. Subject to available appropriations, the Commissioner of Public Safety shall establish an alternative state identification card that does not conflict with the requirements of the federal Real ID Act of 2005, except that this card shall not require proof of domicile for persons who do not have a domicile to list.

SECTION 6. There is created in the State Treasury a special fund, to be known as the "Electric Vehicle Infrastructure Fund," into which shall be deposited any federal monies that are made available for the establishment of electric vehicle infrastructure in the state. Any interest earned on the special fund shall be credited to the special fund and shall not be paid into the State General Fund. Any monies remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund.

SECTION 7. Section 45-33-43, Mississippi Code of 1972, as amended by House Bill No. 550, 2021 Regular Session, is amended as follows:

45-33-43. At the time a person surrenders a driver's license from another jurisdiction or makes an application for a driver's license, temporary driving permit, * * * commercial driver's license or identification card issued under Section 45-35-3, the department shall provide the applicant with written information on the registration requirements of this chapter and shall require written acknowledgment by the applicant of receipt of the notification.

SECTION 8. Section 63-1-5, Mississippi Code of 1972, as amended by House Bill No. 550, 2021 Regular Session, is amended as follows:

63-1-5. (1) (a) No person shall drive or operate a motor vehicle or an autocycle as defined in Section 63-3-103 upon the highways of the State of Mississippi without first securing an operator's license to drive on the highways of the state, unless specifically exempted by Section 63-1-7.

(b) The types of operator's licenses are:

(i) Class R;

(ii) Class D;

(iii) Class A, B or C commercial license governed by Article 5 of this chapter; and

* * *

(* * *iv) Interlock-restricted license as prescribed in Section 63-11-31.

(2) (a) Every person who makes application for an original license or a renewal license to operate any single vehicle with a gross weight rating of less than twenty-six thousand one (26,001) pounds or any vehicle towing a vehicle with a gross vehicle weight rating not in excess of ten thousand (10,000) pounds other than vehicles included in Class C, vehicles which require a special endorsement, or to operate a vehicle as a common carrier by motor vehicle, taxicab, passenger coach, dray, contract carrier or private commercial carrier as defined in Section 27-19-3, other than those vehicles for which a Class A, B or C license is required under Article 5 of this chapter, may, in lieu of the Class R regular driver's license, apply for and obtain a Class D driver's license. The fee for the issuance of a Class D driver's license shall be as set forth in Section 63-1-43 and the Class D license shall be valid for the term prescribed in Section 63-1-47. Except as required under Article 5 of this chapter, no driver of a pickup truck shall be required to have a Class D or a commercial license regardless of the purpose for which the pickup truck is used.

(b) Persons operating vehicles listed in paragraph (a) of this subsection for private purposes or in emergencies need not obtain a Class D license.

(3) An interlock-restricted license allows a person to drive only a motor vehicle equipped with an ignition-interlock device.

(4) A person who violates this section is guilty of a misdemeanor and, upon conviction, may be punished by imprisonment for not less than two (2) days nor more than six (6) months, by a fine of not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00), or both.

SECTION 9. Section 63-1-6, Mississippi Code of 1972, is amended as follows:

63-1-6. (1) Unless exempted under Section 63-1-7 or Section 63-1-6.1, no person shall drive or operate a motorcycle, except for an autocycle as defined in Section

63-3-103, upon the highways of the State of Mississippi without first securing an operator's license with a motorcycle endorsement upon it.

(2) (a) A motorcycle endorsement may be issued to any person who holds a valid Mississippi driver's license and meets the other requirements for a motorcycle endorsement contained in this chapter.

(b) Every applicant for a motorcycle endorsement shall first obtain a temporary motorcycle permit, successfully complete the examination provided in Section 63-1-33, and pay the temporary motorcycle permit fee and examination fee prescribed in Section 63-1-43. Applicants for a temporary motorcycle permit shall:

(i) Be at least fifteen (15) years of age;

(ii) Operate a motorcycle only under the direct supervision of a person at least twenty-one (21) years of age who possesses either a valid driver's or operator's license with a motorcycle endorsement or a valid restricted motorcycle operator's license;

(iii) Be prohibited from transporting a passenger on a motorcycle;

(iv) Be prohibited from operating a motorcycle upon any controlled access highway; and

(v) Be prohibited from operating a motorcycle during the hours of 6:00 p.m. through 6:00 a.m.

Temporary motorcycle driving permits shall be valid for the same period of time and may be renewed upon the same conditions as * * * learner's permits issued under Section 63-1-21.

SECTION 10. Section 63-1-10.1, Mississippi Code of 1972, as amended by House Bill No. 550, 2021 Regular Session, is amended as follows:

63-1-10.1. A school superintendent or designee shall report to the Department of Education on a schedule determined by the State Board of Education when a student under eighteen (18) years of age who has been issued a driver's license * * * or temporary learning permit has been coded as a "drop out" as defined by the State Board of Education. The Department of Education will provide notification to the Department of Public Safety of those students under eighteen (18) years of age who have obtained a driver's license * * * or temporary learning permit and have been coded by the local school district as a "drop out" upon verification that prior written parental consent for the release of educational records has been obtained in compliance with the Family Educational Rights and Privacy Act of 1972, as amended, 20 USCS Section 1232.

SECTION 11. Section 63-1-23, Mississippi Code of 1972, as amended by House Bill No. 550, 2021 Regular Session, is amended as follows:

63-1-23. The application of any person under the age of seventeen (17) years for a temporary driving permit * * * or license issued pursuant to this article shall be signed and verified before a person authorized to administer oaths by both the father and mother of the applicant, if both are living and have custody of him, or in the event neither parent is living then by the person or guardian having such custody or by an employer of him, or

in the event there is no guardian or employer then by any other responsible person who is willing to assume the obligation imposed under Section 63-1-25 upon a person signing the application of a minor.

SECTION 12. Section 63-1-33, Mississippi Code of 1972, is amended as follows:

63-1-33. (1) Except as otherwise provided under subsections (6) and (7) of this section, it shall be the duty of the license examiner, when application is made for an operator's license or * * * learner's permit, to test the applicant's ability to read and understand road signs and to give the required signals as adopted by the National Advisory Committee on Uniform Traffic Control Devices and the American Association of Motor Vehicle Administrators.

(2) Except as otherwise provided under subsections (6) and (7) of this section, the commissioner shall have prepared and administer a test composed of at least ten (10) questions relating to the safe operation of a motor vehicle and testing the applicant's knowledge of the proper operation of a motor vehicle. Every examination shall ensure adequate knowledge on the part of the applicant as to school bus safety requirements.

(3) Prior to the administration of the test, the license examiner shall inspect the horn, lights, brakes, vehicle registration and proof of liability coverage of the motor vehicle which the applicant expects to operate while being tested, and if he finds that any of the aforementioned items are deficient, no license or endorsement shall be issued to the applicant until same have been repaired.

(4) An applicant for a Mississippi driver's license who, at the time of application, holds a valid motor vehicle driver's license issued by another state shall not be required to take a written test.

(5) Except as otherwise provided by Section 63-1-6, when application is made for an original motorcycle endorsement, the applicant shall be required to pass a written test which consists of questions relating to the safe operation of a motorcycle and a skill test similar to the "Motorcycle Operator Skill Test," which is endorsed by the American Association of Motor Vehicle Administrators. The commissioner may exempt any applicant from the skill test if the applicant presents a certificate showing successful completion of a course approved by the commissioner, which includes a similar examination of skills needed in the safe operation of a motorcycle.

(6) The Department of Public Safety shall accept the certification of successful completion of an individual's training in the knowledge and skills needed for the proper and safe operation of a motor vehicle from a driver education and training program at a secondary school that meets the standards of the State Board of Education, in lieu of the department administering the examination of the individual for the purpose of obtaining a driver's license. The school may employ teachers duly certified by the Department of Education to teach in such a program. In addition, off-duty members of the Mississippi Highway Safety Patrol shall be authorized to teach in such a program without having to obtain a teaching certificate from the Department of Education. Instructors will be considered employees of the school, not of the Driver License Examining Bureau. The commissioner and the State Board of Education shall jointly promulgate rules and regulations for the administration of this subsection.

(7) The commissioner shall develop an affidavit whereby a parent, teacher or guardian may certify that he or she has witnessed a student operate a motor vehicle for at least fifty (50) hours and attest to their proficiency in the proper and safe operation of a

motor vehicle and the Department of Public Safety shall accept such in lieu of a skills test conducted by the department.

SECTION 13. Section 63-1-35, Mississippi Code of 1972, as amended by House Bill No. 550, 2021 Regular Session, is amended as follows:

63-1-35. (1) The Commissioner of Public Safety shall prescribe the form of license issued pursuant to this article which shall, among other features, include a driver's license number assigned by the Department of Public Safety. A licensee shall list his social security number with the department which shall cross reference the social security number with the driver's license number for purposes of identification. Additionally, each license shall bear a full-face color photograph of the licensee in such form that the license and the photograph cannot be separated. The photograph shall be taken so that one (1) exposure will photograph the applicant and the application simultaneously on the same film. The department shall use a process in the issuance of a license with a color photograph that shall prevent as nearly as possible any alteration, counterfeiting, duplication, reproduction, forging or modification of the license or the superimposition of a photograph without ready detection. The photograph shall be replaced by the department at the time of renewal. Drivers' licenses, including photographs appearing thereon, may be renewed by electronic means according to rules and regulations promulgated by the commissioner in conformity to Section 27-104-33.

(2) The commissioner shall prescribe the form of license issued pursuant to this article to licensees who are not United States citizens and who do not possess a social security number issued by the United States government. The license of such persons shall include a number and/or other identifying features.

(3) Any new, renewal or duplicate driver's license, temporary driving permit * * * or commercial driver's license issued to a person required to register as a sex offender pursuant to Section 45-33-25 shall bear a designation identifying the licensee or permittee as a sex offender.

(4) The commissioner is authorized to provide the new, renewal or duplicate driver's license, temporary driving permit * * * or commercial driver's license to any honorably discharged veteran as defined in Title 38 of the United States Code, and such license or permit shall exhibit the letters "Vet" or any other mark identifying the person as a veteran. The veteran requesting the "Vet" designation shall present his DD-214 or equivalent document that includes a notation from the State Veterans Affairs Board that the applicant is a veteran.

(5) Not later than July 1, 2021, the commissioner shall develop and implement a driver's license or driving permit in electronic format as an additional option for license or permit holders. Acceptable electronic formats include display of electronic images on a cellular phone or any other type of electronic device.

SECTION 14. Section 63-1-37, Mississippi Code of 1972, is amended as follows:

63-1-37. If a license or * * * learner's permit issued under the provisions of this article is lost or destroyed, the licensee may obtain a duplicate copy by paying the fee prescribed in Section 63-1-43. The license or permit shall be marked "Duplicate."

SECTION 15. Section 63-1-43, Mississippi Code of 1972, as amended by House Bill No. 550, 2021 Regular Session, is amended as follows:

63-1-43. (1) The commissioner shall charge and collect the following fees:

(a) Fees to which the card stock fee authorized in Section 45-1-21 shall be added:

Class R original or renewal four-year license authorized in Section 63-1-5	\$18.00
Class R original or renewal eight-year license authorized in Section 63-1-5	\$36.00
Class D original or renewal four-year license authorized in Section 63-1-47	\$23.00
Class D original or renewal eight-year license authorized in Section 63-1-47	\$46.00
Four-year Identification Card authorized in Section 45-35-7	\$11.00
Eight-year Identification Card authorized in Section 45-35-7	\$22.00
Eight-year Identification Card for the blind authorized in Section 45-35-7	\$11.00
Four-year Disability Identification Card authorized in Section 45-35-53.....	\$11.00
* * * Learner's Permit authorized in	
Section 63-1-21	\$ 1.00
Duplicate Identification Card or Disability Identification Card	\$ 5.00
* * *	
Duplicate Class R or Class D license authorized in Section 63-1-37	\$ 5.00
Class A, B or C Commercial driver's license authorized in Section 63-1-208	\$48.00
CDL Learner's Permit authorized in Section 63-1-208.....	\$10.00
Duplicate CDL or CDL learner's permit.....	\$ 5.00
Ignition-Interlock-Restricted License authorized in Section 63-11-31	\$50.00

(b) Driver services fees to which the card stock fee authorized in Section 45-1-21 is not added:

Temporary Motorcycle Permit	\$ 1.00
Four-year or eight-year Motorcycle Endorsement.....	\$ 5.00
Late Renewal Fee.....	\$ 1.00
Four-year Identification Card upon medical reason for surrender of a driver's license as authorized in Section 45-35-7 (one (1) time only)	No fee
Hazardous Materials Background Check (federal)	\$63.00
Hazardous Materials Background Check (state).....	\$37.00
CDL Application Fee	\$25.00
CDL Endorsements:	
Tanker Endorsement	\$ 5.00
Doubles/Triples Endorsement	\$ 5.00
Passenger Endorsement.....	\$ 5.00
Hazardous Materials Endorsement	\$ 5.00
School Bus Endorsement.....	\$ 5.00

(c) In addition to the fees required in this section, an applicant may contribute an additional One Dollar (\$1.00) which shall be deposited into the Statewide Litter Prevention Fund. The applicant shall be informed that he may contribute an additional One Dollar (\$1.00) which shall be deposited into the Statewide Litter Prevention Fund and shall be expended solely for the purpose of funding litter prevention projects or litter education programs, as recommended by the Statewide Litter Prevention Program of Keep Mississippi Beautiful, Inc.

(d) Starting January 1, 2021, for any original or renewal license for which the fee is greater than Ten Dollars (\$10.00), if the applicant brings all required documentation but does not receive his or her license within two and one-half (2-1/2) hours of entering and remaining at the license station, Ten Dollars (\$10.00) shall be deducted from the total amount owed for the license.

(2) All originals and renewals of operators' licenses shall be in compliance with Section 63-1-47.

SECTION 16. Section 63-1-47, Mississippi Code of 1972, as amended by House Bill No. 550, 2021 Regular Session, is amended as follows:

63-1-47. (1) (a) Except as otherwise provided in this section, each applicant for an original or renewal Class R or Class D license issued pursuant to this article, who is entitled to issuance of same, shall be issued a four-year license or an eight-year license, at the option of the applicant, which will expire at midnight on the licensee's birthday and may be renewed any time within six (6) months before the expiration of the license upon application and payment of the required fee, unless required to be reexamined.

(***)b) The term of an ignition-interlock-restricted license issued under this article shall be four (4) years.

(2) Any commercial driver's license issued under Article 5 of this chapter shall be issued for a five-year term to expire at midnight on the licensee's birthday.

(3) (a) All applications by an operator under eighteen (18) years of age must be accompanied by documentation that the applicant is in compliance with the education requirements of Section 63-1-9(1)(g), and the documentation used in establishing compliance must be dated no more than thirty (30) days before the date of application.

(b) All applications by an operator under eighteen (18) years of age, if applicable, must be accompanied by documentation signed and notarized by the parent or guardian of the applicant and the appropriate school official, authorizing the release of the applicant's attendance records to the Department of Public Safety as required under Section 63-1-10.

(c) The commissioner shall suspend the driver's license *** or *** learner's permit of a student under eighteen (18) years of age who has been reported by the Department of Education as required by Section 63-1-10.1, and shall give notice of the suspension to the licensee as provided in Section 63-1-52(4). A school superintendent or designee may request that the driver's license *** or *** learner's permit that has been suspended under the provisions of this subsection be reinstated after the student has successfully completed nine (9) weeks of school attendance without an unlawful absence.

(4) (a) Any original or renewal license issued under this chapter to a person who is not a United States citizen shall expire four (4) years from the date of issuance or on the expiration date of the applicant's authorized stay in the United States, whichever is the lesser period of time, and may be renewed, if the person is otherwise qualified to renew the license, within thirty (30) days of expiration. The fee for any such license and for renewal shall be as prescribed in Section 63-1-43.

(b) Any applicant for an original or renewal license under this subsection (4) must present valid documentary evidence documenting that the applicant:

(i) Is a citizen or national of the United States;

(ii) Is an alien lawfully admitted for permanent or temporary residence in the United States;

(iii) Has conditional permanent residence status in the United States;

(iv) Has an approved application for asylum in the United States or has entered into the United States in refugee status;

(v) Has a valid, unexpired nonimmigrant visa or nonimmigrant visa status for entry into or lawful presence in the United States;

(vi) Has a pending application for asylum in the United States;

(vii) Has a pending or approved application for temporary protected status in the United States;

(viii) Has approved deferred-action status;

(ix) Has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States; or

(x) Has a valid employment authorization card issued by the United States Department of Homeland Security.

(5) For any driver's license issued under this chapter, the Department of Public Safety shall send an email and text message notification of an upcoming driver's license expiration date to the known emails and phone numbers authorized by license holders for such notices not less than thirty (30) days before the expiration date of that license.

SECTION 17. This act shall take effect and be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF SAFETY TO WAIVE THE RESIDENCY REQUIREMENT FOR A CONCEALED-CARRY LICENSE FOR A MEMBER OF AN ACTIVE OR RESERVE COMPONENT BRANCH OF THE UNITED STATES OF AMERICA ARMED FORCES STATIONED IN MISSISSIPPI, OR THE SPOUSE OF THE SAME; TO AMEND SECTIONS 63-1-9 AND 63-1-21, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 550, 2021 REGULAR SESSION, TO REMOVE THE INTERMEDIATE LICENSE; TO REVISE THE DEPARTMENT OF PUBLIC SAFETY'S AUTHORITY TO ISSUE DRIVER'S LICENSES AND LEARNER'S PERMITS; TO REQUIRE A LICENSEE UNDER A CERTAIN AGE TO BE SUPERVISED WHILE DRIVING FOR THE FIRST 6 MONTHS OF POSSESSION OF A DRIVER'S LICENSE; TO AMEND SECTION 63-11-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PETITION APPEALING THE FORFEITURE, SUSPENSION OR DENIAL OF ISSUANCE OF A LICENSE SHALL BE SERVED ON THE ATTORNEY GENERAL AND THE COMMISSIONER OF PUBLIC SAFETY; TO CREATE A NEW SECTION OF LAW TO REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO ESTABLISH AN ALTERNATIVE STATE IDENTIFICATION CARD THAT DOES NOT REQUIRE PROOF OF DOMICILE, FOR THE PURPOSE OF MAKING A STATE IDENTIFICATION CARD AVAILABLE FOR PERSONS WHO DO NOT HAVE A DOMICILE TO LIST; TO CREATE A SPECIAL FUND IN THE STATE TREASURY INTO WHICH SHALL BE DEPOSITED ANY FEDERAL MONIES THAT ARE MADE AVAILABLE FOR THE ESTABLISHMENT OF ELECTRIC VEHICLE INFRASTRUCTURE IN THE STATE; TO AMEND SECTIONS 45-33-43, 63-1-5, 63-1-10.1, 63-1-23, 63-1-35, 63-1-43 AND 63-1-47, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 550, 2021 REGULAR SESSION, TO CONFORM; TO AMEND SECTIONS 63-1-6, 63-1-33 AND 63-1-37, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Joey Fillingane
Jenifer B. Branning
Mike Thompson

CONFEREES FOR THE HOUSE

Charles Busby
Steve Massengill
Shanda Yates

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2598** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--Norwood, Polk, Simmons D. T. (12th). Total--3.

Absent and those not voting--Fillingane. Total--1.

Senator Michel offered the following report of the Conference Committee on **S. B. No. 2623** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2623: Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

J. Walter Michel

Dean Kirby

Josh Harkins

CONFEREES FOR THE HOUSE

Henry Zuber III

Kevin Ford

Gene Newman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2623** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Caughman offered the following report of the Conference Committee on **S. B. No. 2624** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2624: MS Real Estate Commission; require to establish pilot program using administrative hearing officers.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-35-23, Mississippi Code of 1972, is amended as follows:

73-35-23. (1) The commission is hereby authorized and directed to take legal action against any violator of this chapter. Upon complaint initiated by the commission or filed with it, the licensee or any other person charged with a violation of this chapter shall be given fifteen (15) days' notice of the hearing upon the charges filed, together with notice of the option of appearing before the commission or an administrative hearing officer as provided in subsection (6) of this section and a copy of the complaint. The applicant or licensee or other violator shall have an opportunity to be heard in person or by counsel, to offer testimony, and to examine witnesses appearing in connection with the complaint. Hearings shall be held at the offices of the Mississippi Real Estate Commission, or at the commission's sole discretion, at a place determined by the commission.

At such hearings, all witnesses shall be properly sworn and stenographic notes of the proceedings shall be taken and filed as a part of the record in the case. Any party to the proceedings shall be furnished with a copy of such stenographic notes upon payment to the commission of such fees as it shall prescribe, not exceeding, however, the actual cost to the commission. The clear and convincing standard of proof shall be used to examine factors during all hearings. The commission shall render a decision on any complaint and shall immediately notify the parties to the proceedings in writing of its ruling, order or decision.

(2) In addition to the authority granted to the commission as hereinabove set forth, the commission is hereby vested with the authority to bring injunctive proceedings in any appropriate forum against any violator or violators of this chapter, and all judges or courts now having the power to grant injunctions are specifically granted the power and jurisdiction to hear and dispose of such proceedings.

(3) The commission is hereby authorized and empowered to issue subpoenas for the attendance of witnesses and the production of books and papers. The process issued by the commission shall extend to all parts of the state, and such process shall be served by any person designated by the commission for such service. The person serving such process may receive such compensation as may be allowed by the commission, not to exceed the fee prescribed by law for similar services. All witnesses who are subpoenaed and who appear in any proceedings before the commission may receive the same fees and mileage as allowed by law, and all such fees shall be taxed as part of the costs in the case.

(4) Where in any proceeding before the commission any witness shall fail or refuse to attend upon subpoena issued by the commission, shall refuse to testify, or shall refuse to produce any books and papers the production of which is called for by the subpoena, the attendance of such witness and the giving of his testimony and the production of the books and papers shall be enforced by any court of competent jurisdiction of this state in the same manner as the attendance and testimony of witnesses in civil cases are enforced in the courts of this state.

(5) The commission may obtain legal counsel privately to represent it in proceedings when legal counsel is required.

(6) The commission shall establish a pilot program whereby an administrative hearing option shall be established, which shall consist of administrative hearing officers designated by the Attorney General for the purpose of holding hearings, hearing evidence and rendering decisions on matters determined to be the subject of a hearing for a licensee or any other person charged with a violation of this chapter or affecting the license of any person coming under its jurisdiction, when the licensee or any other person charged with a violation of this chapter shall request, in writing, for the matter to be heard by the administrative hearing officer. Administrative hearing officers shall be staff attorneys employed by the Attorney General's office, but must not currently hold a license issued by the commission. The administrative hearing officers shall have the same powers and authority in conducting hearings and rendering decisions as granted to the commission in this section. Hearings before an administrative hearing officer shall be held in the City of Jackson, Mississippi, at a place, time and manner agreed upon by the commission and the hearing officer within the city. The clear and convincing standard of proof shall be used to examine factors during all hearings. Any right of appeal available to a licensee or applicant for a license availing itself to the provisions hereof shall be preserved as if the matter had been heard and decided by the commission. This subsection (6) shall stand repealed on July 1, 2024.

(7) Nothing in this section shall preclude the commission and licensee from entering into any agreed order resolving a complaint prior to the hearing.

SECTION 2. Section 73-35-25, Mississippi Code of 1972, is amended as follows:

73-35-25. (1) Any applicant or licensee or person aggrieved shall have the right of appeal from any adverse ruling or order or decision of the commission or administrative hearing officer to the circuit court of the county of residence of the applicant, licensee or person, or of the First Judicial District of Hinds County, within thirty (30) days from the service of notice of the action of the commission upon the parties in interest.

(2) Notice of appeals shall be filed in the office of the clerk of the court who shall issue a writ of certiorari directed to the commission commanding it, within thirty (30) days after service thereof, to certify to such court its entire record in the matter in which the appeal has been taken. The appeal shall thereupon be heard in due course by said court, without a jury, which shall review the record and make its determination of the cause between the parties.

(3) Any order, rule or decision of the commission or administrative hearing officer shall not take effect until after the time for appeal to *** the court *** has expired. *** If an appeal is taken by a defendant, such appeal *** shall act *** as a supersedeas and the court shall dispose of *** the appeal and enter its decision promptly. However, the commission may file a motion within ten (10) days of the date of the filing the notice of appeal and request the court to lift the supersedeas upon the commission's showing, by clear and convincing evidence, that immediate and irreparable harm will or may occur if the licensee or person aggrieved were to continue operating as a licensee.

(4) Any person taking an appeal shall post a satisfactory bond in the amount of Five Hundred Dollars (\$500.00) for the payment of any costs which may be adjudged against him.

(5) Actions taken by the commission in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section.

SECTION 3. Section 73-35-21, Mississippi Code of 1972, is amended as follows:

73-35-21. (1) The commission may, upon its own motion and shall upon the verified complaint in writing of any person, hold a hearing pursuant to Section 73-35-23 for the refusal of license or for the suspension or revocation of a license previously issued, or for such other action as the commission deems appropriate. The commission shall have full power to refuse a license for cause or to revoke or suspend a license where it has been obtained by false or fraudulent representation, or where the licensee in performing or attempting to perform any of the acts mentioned herein, is deemed to be guilty of:

(a) Making any substantial misrepresentation in connection with a real estate transaction;

(b) Making any false promises of a character likely to influence, persuade or induce;

(c) Pursuing a continued and flagrant course of misrepresentation or making false promises through agents or salespersons or any medium of advertising or otherwise;

(d) Any misleading or untruthful advertising;

(e) Acting for more than one (1) party in a transaction or receiving compensation from more than one (1) party in a transaction, or both, without the knowledge of all parties for whom he acts;

(f) Failing, within a reasonable time, to account for or to remit any monies coming into his possession which belong to others, or commingling of monies belonging to others with his own funds. Every responsible broker procuring the execution of an earnest money contract or option or other contract who shall take or receive any cash or checks shall deposit, within a reasonable period of time, the sum or sums so received in a trust or escrow account in a bank or trust company pending the consummation or termination of the transaction. "Reasonable time" in this context means by the close of business of the next banking day;

(g) Entering a guilty plea or conviction in a court of competent jurisdiction of this state, or any other state or the United States of any felony;

(h) Displaying a "for sale" or "for rent" sign on any property without the owner's consent;

(i) Failing to furnish voluntarily, at the time of signing, copies of all listings, contracts and agreements to all parties executing the same;

(j) Paying any rebate, profit or commission to any person other than a real estate broker or salesperson licensed under the provisions of this chapter;

(k) Inducing any party to a contract, sale or lease to break such contract for the purpose of substituting in lieu thereof a new contract, where such substitution is motivated by the personal gain of the licensee;

(l) Accepting a commission or valuable consideration as a real estate salesperson for the performance of any of the acts specified in this chapter from any person, except his employer who must be a licensed real estate broker;

(m) Failing to successfully pass the commission's background investigation for licensure or renewal as provided in Section 73-35-10; or

(n) Any act or conduct, whether of the same or a different character than hereinabove specified, which constitutes or demonstrates bad faith, incompetency or untrustworthiness, or dishonest, fraudulent or improper dealing. However, simple contact and/or communication with any mortgage broker or lender by a real estate licensee about any professional, including, but not limited to, an appraiser, home inspector, contractor, and/or attorney regarding a listing and/or a prospective or pending contract for the lease, sale and/or purchase of real estate shall not constitute conduct in violation of this section.

(2) No real estate broker shall practice law or give legal advice directly or indirectly unless said broker be a duly licensed attorney under the laws of this state. He shall not act as a public conveyancer nor give advice or opinions as to the legal effect of instruments nor give opinions concerning the validity of title to real estate; nor shall he prevent or discourage any party to a real estate transaction from employing the services of an attorney; nor shall a broker undertake to prepare documents fixing and defining the legal rights of parties to a transaction. However, when acting as a broker, he may use an earnest money contract form. A real estate broker shall not participate in attorney's fees, unless the broker is a duly licensed attorney under the laws of this state and performs legal services in addition to brokerage services.

(3) It is expressly provided that it is not the intent and purpose of the Mississippi Legislature to prevent a license from being issued to any person who is found to be of good reputation, is able to give bond, and who has lived in the State of Mississippi for the required period or is otherwise qualified under this chapter.

(4) In addition to the reasons specified in subsection (1) of this section, the commission shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

(5) Nothing in this chapter shall prevent an associate broker or salesperson from owning any lawfully constituted business organization, including, but not limited to, a corporation, limited liability company or limited liability partnership, for the purpose of receiving payments contemplated in this chapter. The business organization shall not be required to be licensed under this chapter and shall not engage in any other activity requiring a real estate license.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-35-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REAL ESTATE COMMISSION TO ESTABLISH A PILOT PROGRAM ALLOWING ADMINISTRATIVE HEARINGS ON CERTAIN LICENSING MATTERS UNDER ITS JURISDICTION; TO PROVIDE THAT ADMINISTRATIVE HEARING OFFICERS SHALL BE STAFF ATTORNEYS EMPLOYED BY THE ATTORNEY GENERAL; TO AMEND SECTION 73-35-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN APPEAL TAKE A DEFENDANT FROM AN ADVERSE RULING OR ORDER OF THE MISSISSIPPI REAL ESTATE COMMISSION SHALL ACT AS A SUPERSEDEAS; TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING AMENDMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Chris Caughman

Daniel H. Sparks

Chad McMahan

CONFEREES FOR THE HOUSE

Angela Cockerham

John Thomas "Trey" Lamar, III

Percy W. Watson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2624** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Blackwell, Carter. Total--2.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2638** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2638: Electronic documents; provide recording procedure for counties without electronic-recording capability.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 89-3-1, Mississippi Code of 1972, is amended as follows:

* * *

89-3-1. (1) A document concerning real property or conveying personal property may not be recorded unless, in the case of a paper document, it contains an original signature or signatures, or in the case of an electronic document, contains an electronic signature or signatures that comply with the Uniform Real Property Electronic Recording Act (Article 3, Chapter 5, Title 89, Mississippi Code of 1972). For purposes of this section, the terms "document," "paper document" and "electronic document" have the meaning

given in the Uniform Real Property Electronic Recording Act. A document concerning real property or conveying personal property which conforms to this subsection may be recorded if it is acknowledged or proved according to law, or in the case of a document that is an affidavit, verified upon oath or affirmation.

(2) (a) A tangible copy of an electronic document that is otherwise eligible for recording under the laws of this state may be recorded if the tangible copy of the electronic document has been certified to be a true and correct copy of the electronic document as required in paragraph (b) of this subsection (2).

(b) The certificate must be transmitted with and be recorded as a part of the tangible copy of the electronic document being recorded and must:

(i) Contain an original signature of a licensed attorney or custodian of the electronic document that is verified upon oath or affirmation;

(ii) Identify the jurisdiction in which the certification is performed;

(iii) Contain the title of the notarial officer;

(iv) Indicate the date of expiration, if any, of the notarial officer's commission; and

(v) Include an official seal of the notary public affixed to the certificate.

(c) The following form of certificate is sufficient for purposes of this subsection if completed with the information required in paragraph (b) of this subsection:

"CERTIFICATE OF ELECTRONIC DOCUMENT

I, _____, [a licensed attorney or the custodian of the electronic document], hereby certify that the attached document, _____ (insert title), on _____ (date), and containing _____ pages, is a true and correct copy of an electronic document printed by me or under my supervision. A false certification under this section shall be subject to any penalties provided by law for such.

(Signature of person making certification)

STATE OF _____

COUNTY OF _____

Signed and sworn to (or affirmed) before me on _____ (date) by _____
(name(s) of individual(s) making statement).

(Signature of Notarial Officer)

(Title of officer)

My commission expires:

(Affix official seal, if applicable)"

(d) All tangible copies of electronic documents eligible for recording under this subsection (2) are validly recorded when accepted for recording by the chancery clerk's office. Tangible copies of electronic documents recorded by a chancery clerk before the effective date of the Revised Mississippi Law on Notarial Acts shall be considered validly recorded with or without the certification provided in paragraph (b) of this subsection (2).

(e) The person making the certification provided in this section must:

(i) Confirm that the electronic document contains an electronic signature that is capable of independent verification and renders any subsequent changes or modifications to the electronic document evident;

(ii) Personally print or supervise the printing of the electronic document onto paper; and

(iii) Not make any changes or modifications to the electronic document other than the certification described in this subsection (2).

(f) If a certificate is completed with the information required by paragraph (b) of this subsection (2) and is attached to or made part of a tangible copy of an electronic document, the certificate is prima facie evidence that the requirements of paragraph (e) of this subsection (2) have been satisfied.

(g) This section does not apply to maps or plats that are subject to the requirements of Section 19-27-23, 19-27-25 or 19-27-27.

(** *3) The chancery clerk's office may refuse to record a document that does not satisfy ** * the requirements of this section. However, if a document does not satisfy subsection (1) or (2) of this section, but is otherwise admitted to record, then all persons shall be on constructive notice of the contents of the document.

(** *4) If the relative priorities of conflicting claims to real property were established before July 1, 2011, then the law applicable to those claims at the time those claims were established shall determine their priority.

(** *5) This section does not require the acknowledgement or verification upon oath or affirmation or prohibit the recording of any of the following filed for record under the Uniform Commercial Code or otherwise specially provided for by law:

(a) A financing statement;

(b) A security agreement filed as a financing statement; or

(c) A continuation statement.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 89-3-1, MISSISSIPPI CODE OF 1972, TO PROVIDE A RECORDING PROCEDURE FOR ELECTRONIC DOCUMENTS IN COUNTIES THAT DO NOT HAVE ELECTRONIC CAPABILITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Brice Wiggins

Tyler McCaughn

Angela Turner-Ford

CONFEREES FOR THE HOUSE

Angela Cockerham

Shane Aguirre

Thomas U. Reynolds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2638** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Caughman called up the following entitled nomination:

S. N. No. 80: Rhoshunda G. Kelly, Madison, Mississippi, Mississippi Department of Banking and Consumer Finance as the Commissioner of Banking and Consumer Finance, term effective immediately for the unexpired portion of a four year term expiring June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 80 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Wiggins moved that the rules be suspended for the immediate consideration of **H. B. No. 356**, and the motion prevailed.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 356** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-21-355, Mississippi Code of 1972, is amended as follows:

43-21-355. Any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, school attendance officer, public school district employee, nonpublic school employee, licensed professional counselor or any other person participating in the making of a required report pursuant to Section 43-21-353 or participating in * * * an investigation, evaluation or judicial proceeding resulting * * * from the report shall be presumed to be acting in good faith. Any person or institution reporting or participating in an investigation, evaluation or judicial proceeding resulting from the report in good faith shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed.

SECTION 2. Section 43-15-51, Mississippi Code of 1972, is amended as follows:

43-15-51. (1) The district attorneys, the Department of Human Services or the Department of Child Protection Services may initiate formal cooperative agreements with the appropriate agencies to create multidisciplinary child protection teams in order to implement a coordinated multidisciplinary team approach to intervention in reports involving alleged commercial sexual exploitation, human trafficking, or severe or potential felony child physical or sexual abuse, exploitation, or maltreatment. The multidisciplinary team also may be known as a child abuse task force. The purpose of the team or task force shall be to assist in the evaluation and investigation of reports and to provide consultation and coordination for agencies involved in child protection cases. The agencies to be included as members of the multidisciplinary team are: the district attorney's office, city and county law enforcement agencies, county attorneys, youth court prosecutors, the Human Trafficking Coordinator or his or her designee and other agencies as appropriate. The Department of Child Protection Services shall be included as a member of the multidisciplinary team if the department does not initiate creation of the team.

(2) Except as otherwise provided in Section 43-26-3, to implement the multidisciplinary child abuse team, the team or task force must be authorized by court order from the appropriate youth court. The court order will designate which agencies will participate in the cooperative multidisciplinary team.

(3) (a) Teams created under this section may invite other persons to serve on the team who have knowledge of and experience in child abuse and neglect and commercial sexual exploitation and human trafficking matters. These persons may include licensed mental and physical health practitioners and physicians, dentists, representatives of the district attorney's office and the Attorney General's office, experts in the assessment and treatment of substance abuse or sexual abuse, the victim assistance coordinator of the district attorney's office, staff members of a child advocacy center, sexual assault nurse examiners and experts in providing services to commercial sexual exploitation and human

trafficking victims. For purposes of this paragraph, the term "sexual assault nurse examiner" means a registered nurse who has received a documented forty (40) hours of training as a sexual assault nurse examiner.

(b) (i) A child advocacy center means an agency that advocates on behalf of children alleged to have been abused and assists in the coordination of the investigation of child abuse by providing a location for forensic interviews and promoting the coordination of services for children alleged to have been abused. A child advocacy center provides services that include, but are not limited to, forensic medical examinations, mental health and related support services, court advocacy, consultation, training for social workers, law enforcement training, and child abuse multidisciplinary teams, and staffing of multidisciplinary teams.

(ii) Child advocacy centers may provide a video-taped forensic interview of the child in a child friendly environment or separate building. The purpose of the video-taped forensic interview is to prevent further trauma to a child in the investigation and prosecution of child physical and sexual abuse cases. Child advocacy centers can also assist child victims by providing therapeutic counseling subsequent to the interview by a qualified therapist. Child advocacy centers can also assist law enforcement and prosecutors by acquainting child victim witnesses and their parents or guardians to the courtroom through child court school programs.

(4) A team or task force created under this section shall review records on cases referred to the team by the Department of Child Protection Services or law enforcement or the district attorney's office. The team shall meet at least monthly.

(5) No person shall disclose information obtained from a meeting of the multidisciplinary team unless necessary to comply with the Department of Child Protection Services regulations or conduct and proceeding in youth court or criminal court proceedings or as authorized by a court of competent jurisdiction.

(6) A child advocacy center or a member of the multidisciplinary team is not liable for civil damages while acting within the scope of official team duties if the center or member, in good faith, refers a report of alleged child abuse for investigation, conducts an investigation, makes an investigative judgment or disposition, or releases or uses information for the purpose of protecting a child. The limitation of civil liability does not apply if a child advocacy center or multidisciplinary team member is not acting in good faith. The limitation of liability provided by this subsection for a child advocacy center or member of the multidisciplinary team, shall only apply when the child advocacy center or the member is acting on behalf of or within the scope of duties for the multidisciplinary team as described in this section.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-21-355, MISSISSIPPI CODE OF 1972, TO EXPAND THE IMMUNITY FOR MAKING GOOD FAITH REPORTS OF CHILD ABUSE OR NEGLECT TO INCLUDE PERSONS WHO PARTICIPATE IN AN INVESTIGATION, EVALUATION OR JUDICIAL PROCEEDING RESULTING FROM THE REPORT; TO AMEND SECTION 43-15-51, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITED IMMUNITY FROM CIVIL LIABILITY TO CHILD ADVOCACY CENTERS AND MULTIDISCIPLINARY TEAM MEMBERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Nick Bain

Tom Miles

Dana McLean

CONFEREES FOR THE SENATE

Brice Wiggins

David Parker

Jenifer B. Branning

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 356** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--Norwood, Simmons D. T. (12th). Total--2.

Absent and those not voting--Fillingane. Total--1.

Senator Blackwell moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:00 AM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. R. No. 49: Commend Laurel High School "Lady Tornadoes" Girls Basketball Team for first-ever State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 50: Commend Hartfield Academy "Hawks" Boys Basketball Team for winning the MAIS Class 4A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 51: Congratulate Mattie Grace Morris for Miss Mississippi Teen USA for 2021. Title Sufficient. Do Be Adopted.

S. R. No. 52: Commend Clinton High School "Arrows" Basketball Team for Class 6A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 53: Commend Clinton Christian Academy Girls and Boys Basketball Teams for two State Championships. Title Sufficient. Do Be Adopted.

S. R. No. 54: Recognize the 40-year career of The Clarion Ledger Capitol Correspondent Jimmie Gates. Title Sufficient. Do Be Adopted.

H. C. R. No. 60: Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 21, 2021, as. Title Sufficient. Do Be Adopted.

H. C. R. No. 61: New Site Lady Royals Basketball Team; commend for winning the MHSAA Class 2A State Basketball Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2539: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HINDS COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR CONVICTIONS OBTAINED IN ITS JUSTICE, COUNTY AND CIRCUIT COURTS, TO BE USED TO FUND REPAIRS TO AND RENOVATIONS OF THE COURTHOUSES AND PRETRIAL DETENTION FACILITIES OF HINDS COUNTY; AND FOR RELATED PURPOSES.

S. B. No. 3072: AN ACT TO AMEND CHAPTER 953, LOCAL AND PRIVATE LAWS OF 2012, AS LAST AMENDED BY CHAPTER 941, LOCAL AND PRIVATE LAWS OF 2014, TO REQUIRE THE BOARD OF TRUSTEES OF THE LAFAYETTE COUNTY RESERVE AND TRUST FUND TO INVEST THE FUND IN ACCORDANCE WITH THE MISSISSIPPI UNIFORM PRUDENT INVESTOR ACT INSTEAD OF IN ANY OF THE INVESTMENTS AUTHORIZED FOR THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR RELATED PURPOSES.

S. B. No. 3080: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO ADOPT A VACANT COMMERCIAL BUILDING REGISTRATION ORDINANCE; AND FOR RELATED PURPOSES.

S. B. No. 3087: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CENTRAL MISSISSIPPI PREVENTION SERVICES, INC., VICKSBURG FAMILY DEVELOPMENT SERVICE, INC., TRIUMPH MINISTRIES, INC., WOMEN'S RESTORATION SHELTER OF MOUNTAIN OF FAITH MINISTRIES, GOOD SHEPHERD, INC., AND WE CARE COMMUNITY SERVICES, INC.; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 424: AN ACT TO DESIGNATE A SEGMENT OF HIGHWAY 44 LOCATED IN MARION COUNTY, MISSISSIPPI, AS THE "T.L. WALLACE MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 603 LOCATED IN HANCOCK COUNTY, MISSISSIPPI, AS THE "LIEUTENANT DEPUTY MICHAEL ANTHONY BOUTTE, SR., MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF

MISSISSIPPI HIGHWAY 63 LOCATED IN JACKSON COUNTY, MISSISSIPPI, AS THE "DEPUTY U.S. MARSHAL JOSIE LAMAR WELLS MEMORIAL HIGHWAY"; TO DESIGNATE A BRIDGE ON MISSISSIPPI HIGHWAY 609 IN JACKSON COUNTY, MISSISSIPPI, AS THE "MARK M. SEYMOUR, SR., MEMORIAL BRIDGE"; TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 35 IN SMITH COUNTY, MISSISSIPPI, AS THE "SENATOR BILLY H. THAMES MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 550: AN ACT TO AMEND SECTIONS 45-33-43, 63-1-5, 63-1-9, 63-1-10.1, 63-1-23, 63-1-35, 63-1-43 AND 63-1-47, MISSISSIPPI CODE OF 1972, TO DELETE ALL REFERENCES TO AN INTERMEDIATE DRIVER'S LICENSE; TO AMEND SECTION 63-1-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A REGULAR LICENSE HOLDER UNDER THE AGE OF 18 TO DRIVE UNSUPERVISED AT ANY TIME DIRECTLY TO OR FROM AN EDUCATIONAL OR EXTRACURRICULAR ACTIVITY; TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

H. B. No. 887: AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 82 LOCATED IN WEBSTER COUNTY, MISSISSIPPI, AS THE "CORPORAL WILLIAM JUSTIN COOPER MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

H. B. No. 1494: AN ACT TO AMEND CHAPTER 991, LOCAL AND PRIVATE LAWS OF 1998, AS AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2013, AS AMENDED BY CHAPTER 913, LOCAL AND PRIVATE LAWS OF 2019, TO AUTHORIZE THE WALNUT GROVE CORRECTIONAL AUTHORITY TO CONTRACT WITH THE STATE OF MISSISSIPPI FOR THE OPERATION OF THE WALNUT GROVE CORRECTIONAL FACILITY; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1335: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LINCOLN COUNTY, MISSISSIPPI, TO INCLUDE THE SALE OF FOOD SOLD AT THE COUNTY'S CIVIC CENTER AS RETAIL MERCHANDISE WHEN THE CIVIC CENTER PROCESSES ELECTRONIC PAYMENTS FOR SUCH SALES; AND FOR RELATED PURPOSES.

H. B. No. 1350: AN ACT TO AMEND CHAPTER 956, LOCAL AND PRIVATE LAWS OF 2008, AS AMENDED BY CHAPTER 919, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 925, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE DATE OF THE REPEALER FROM JULY 1, 2021, TO OCTOBER 1, 2026, ON THE ACT AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF RIPLEY, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF CERTAIN RESTAURANTS FOR THE PURPOSE OF GENERATING REVENUE TO ENHANCE TOURISM, FOR INDUSTRIAL AND ECONOMIC DEVELOPMENT AND FOR THE PROVISION OF PARKS AND RECREATION FACILITIES; AND FOR RELATED PURPOSES.

H. B. No. 1434: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY, MISSISSIPPI, TO MAKE AN ANNUAL CONTRIBUTION TO MID-STATE OPPORTUNITY, INC.; AND FOR RELATED PURPOSES.

H. B. No. 1438: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF PETAL, MISSISSIPPI, TO IMPOSE A TAX UPON THE GROSS SALES OF HOTELS, MOTELS, BARS AND RESTAURANTS IN AN AMOUNT NOT TO EXCEED THREE PERCENT FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM, PARKS AND RECREATION WITHIN THE CITY; TO PROVIDE FOR AN ELECTION ON WHETHER THE TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

H. B. No. 1453: AN ACT TO AMEND CHAPTER 940, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2025, THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF BOONEVILLE, MISSISSIPPI, TO LEVY AN ADDITIONAL SALES TAX OF NOT MORE THAN 2% UPON THE GROSS PROCEEDS OF SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION IN THE CITY; AND FOR RELATED PURPOSES.

H. B. No. 1465: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF MIZE, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE TOWN; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

H. B. No. 1466: AN ACT TO AMEND CHAPTER 938, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2020, TO MAKE A TECHNICAL CORRECTION CONCERNING A CERTAIN INTERNAL CODE REFERENCE REGARDING THE BOARD OF TRUSTEES OF THE CITY OF OXFORD MUNICIPAL RESERVE AND TRUST FUND TO INVEST THE FUND IN ACCORDANCE WITH THE MISSISSIPPI UNIFORM PRUDENT INVESTOR ACT; AND FOR RELATED PURPOSES.

H. B. No. 1479: AN ACT TO AMEND CHAPTER 916, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 910, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE FROM JULY 1, 2021, TO JULY 1, 2023, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF MCCOMB, MISSISSIPPI, TO IMPOSE A TOURISM TAX WITHIN THE CITY, AND TO EXPEND THE PROCEEDS OF THE TAX TO PROMOTE TOURISM, PARKS AND RECREATION; AND FOR RELATED PURPOSES.

H. B. No. 1482: AN ACT TO AMEND CHAPTER 931, LOCAL AND PRIVATE LAWS OF 2003, AS LAST AMENDED BY CHAPTER 928, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE FROM JULY 1, 2021, TO JULY 1, 2025, ON THE LAW THAT CREATES THE INDIANOLA TOURISM COMMISSION, PROVIDES FOR THE COMPOSITION OF THE COMMISSION, PRESCRIBES THE POWERS AND DUTIES OF THE COMMISSION AND AUTHORIZES THE GOVERNING AUTHORITIES TO LEVY A TAX TO FUND THE COMMISSION; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1483: AN ACT TO AMEND CHAPTER 913, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 915, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE REPEAL DATE FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF SENATOBIA, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS; AND FOR RELATED PURPOSES.

H. B. No. 1487: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO EXECUTE AN AGREEMENT WITH THE VICKSBURG WARREN COUNTY ECONOMIC DEVELOPMENT FOUNDATION TO MAKE CONTRIBUTIONS TO THE VICKSBURG WARREN ECONOMIC DEVELOPMENT FOUNDATION FOR THE BENEFIT OF THE THAD COCHRAN MISSISSIPPI CENTER FOR INNOVATION AND TECHNOLOGY PROJECT; AND FOR RELATED PURPOSES.

H. B. No. 1490: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF COAHOMA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO TRI-COUNTY WORKFORCE ALLIANCE; AND FOR RELATED PURPOSES.

H. B. No. 1491: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF COAHOMA COUNTY, MISSISSIPPI, TO CONTRIBUTE ANNUALLY TO THE FAMILY AND YOUTH OPPORTUNITIES DIVISION, A NONPROFIT CORPORATION; AND FOR RELATED PURPOSES.

H. B. No. 1493: AN ACT TO AMEND CHAPTER 814, LOCAL AND PRIVATE LAWS OF 1990, AS AMENDED BY CHAPTER 935, LOCAL AND PRIVATE LAWS OF 1996, TO REMOVE THE AUTHORITY OF THE CIVIL SERVICE COMMISSION FOR THE SHERIFF'S DEPARTMENT TO MAKE RULES PERTAINING TO THE MANNER OF CONDUCTING EXAMINATIONS, APPOINTMENTS, PROMOTIONS, TRANSFERS AND REINSTATEMENTS FOR THE DEPARTMENT; TO REMOVE THE AUTHORITY OF THE COMMISSION TO FORMULATE METHODS OF DETERMINING QUALIFICATIONS FOR THOSE SEEKING EMPLOYMENT WITH THE SHERIFF'S DEPARTMENT; AND FOR RELATED PURPOSES.

H. B. No. 1497: AN ACT TO AMEND CHAPTER 906, LOCAL AND PRIVATE LAWS OF 2017, AS AMENDED BY CHAPTER 933, LOCAL AND PRIVATE LAWS OF 2020, WHICH AUTHORIZES THE GOVERNING AUTHORITIES OF JACKSON COUNTY, MISSISSIPPI, TO CONTRIBUTE TO HOME OF GRACE, THE MARY C. O'KEEFE CULTURAL CENTER OF ARTS AND EDUCATION, AND THE PASCAGOULA RIVER AUDUBON CENTER, TO SPECIFY THAT CONTRIBUTIONS MADE TO THE MARY C. O'KEEFE CULTURAL CENTER OF ARTS AND EDUCATION ARE TO BE DIRECTED TO MANAGEMENT AND OPERATIONS OF THE CENTER; AND FOR RELATED PURPOSES.

H. B. No. 1498: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO P.E.A.R.L.S. MENTORING FOR GIRLS, INC.; AND FOR RELATED PURPOSES.

H. B. No. 1499: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE FANNIE LOU HAMER CANCER FOUNDATION; AND FOR RELATED PURPOSES.

H. B. No. 1500: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO TRANSFER FUNDS AND CERTAIN PROPERTY

TO THE HOLMES COUNTY ECONOMIC DEVELOPMENT DISTRICT FROM THE NONOPERATIONAL HOLMES COUNTY ECONOMIC DEVELOPMENT AUTHORITY; TO AMEND CHAPTER 814, LOCAL AND PRIVATE LAWS OF 1987, WHICH PERTAINS TO THE ESTABLISHMENT OF THE HOLMES COUNTY ECONOMIC DEVELOPMENT AUTHORITY, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Lamar as a conferee, the Speaker has named a new conferee on the following:

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Representatives Zuber and Powell remain as conferees and the Speaker has named Representative Steverson to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services.

H. B. No. 1392: Appropriation; Environmental Quality, Department of.

Andrew Ketchings, Clerk of the House of Representatives

Senator Hopson moved that the rules be suspended for the immediate consideration of calendar item 28, **H. B. No. 1384**, and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1384** be recommitted for further conference and the motion prevailed.

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services.

Senator Hopson moved that the rules be suspended for the immediate consideration of calendar item 32, **H. B. No. 1392**, and the motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1392** be recommitted for further conference and the motion prevailed.

H. B. No. 1392: Appropriation; Environmental Quality, Department of.

Senator McMahan moved that the rules be suspended for the immediate consideration of **S. B. No. 3090**, and the motion prevailed.

Senator McMahan called up the following House Amendment to **S. B. No. 3090** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Chapter 816, Local and Private Laws of 1991, as amended by Chapter 953, Local and Private Laws of 1996, as amended by Chapter 969, Local and Private Laws of 2000, as amended by Chapter 910, Local and Private Laws of 2003, as amended by Chapter 964, Local and Private Laws of 2007, as amended by Chapter 944, Local and Private Laws of 2011, as amended by Chapter 937, Local and Private Laws of 2014, as amended by Chapter 932, Local and Private Laws of 2017, is amended as follows:

Section 1. The Economic Development District of Washington County, created pursuant to Section 19-5-99, Mississippi Code of 1972, is hereby authorized and empowered, in its discretion, to create by resolution duly adopted and entered on its minutes, a committee entitled the "Washington County Convention and Visitors Committee," to be operated under the umbrella and authority of the Economic Development District of Washington County.

Section 2. The Economic Development District of Washington County may empower the committee upon approval of the district as follows:

(a) To exercise activities relating to establishing, promoting and developing tourism within the county;

(b) To furnish, equip, staff and operate any and all facilities and equipment necessary or useful in the promotion of tourism within the county;

(c) To receive and expend revenues from any sources, including, but not limited to, private enterprise and those revenues provided by this act;

(d) To lease or contract for any equipment useful and necessary in the promotion of tourism and convention business; and

(e) To have and exercise all powers necessary or convenient to effect any and all of the purposes for which the committee is organized, except that the committee may not own or sell real property, and further, to appoint and employ individuals and agencies acting in its behalf for any and all of the aforementioned powers and responsibilities.

Section 3. (1) For the purposes of providing funds to promote tourism and conventions in Washington County, the Board of Supervisors of Washington County is hereby authorized to levy and assess against and to collect from every person operating

a hotel, motel or restaurant or on-premises retailer's permit which are legal under the provisions of Chapter 1, Title 67, Mississippi Code of 1972, (hereinafter referred to as "taxable establishments") in Washington County an assessment in addition to all other taxes now imposed, which shall not exceed a sum equal to one percent (1%) of the gross proceeds of sales of such taxable establishments in Washington County, excluding any charges which are exempt from taxes levied under the Mississippi Sales Tax Law, Chapter 65, Title 27, Mississippi Code of 1972. Persons liable for the tax imposed herein shall add the amount of such tax to the sales price or gross income and, in addition, shall collect, insofar as practicable, the amount of the tax due by him from the purchaser at the time the sales price or gross income is collected. All words, terms and phrases used herein shall have the same meanings ascribed to them in Chapter 65, Title 27, Mississippi Code of 1972.

This tax shall not apply to restaurants that have gross proceeds of sales or gross income of less than One Hundred Thousand Dollars (\$100,000.00) per calendar year. In order to calculate gross proceeds of sales or gross income, the sales or income of all of the establishments owned, operated or controlled by the same person, persons or corporation shall be aggregated.

(2) For the purposes of this act, the words "hotel" and "motel" shall mean a place of lodging that at any one time will accommodate transient guests on a daily or weekly basis and that are known to the trade as such. Hotels and motels with ten (10) or less rental units are exempt.

(3) For the purposes of this act, "restaurant" means a place which is regularly engaged in serving cooked or prepared meals to customers for compensation for on- or off-premises consumption, including restaurants and lunch counters located in other retail establishments, but shall not include delicatessen departments of grocery and convenience stores which do not provide seating facilities for customers for on-premises consumption of meals. Restaurants and establishments selling alcoholic beverages operated by bona fide private clubs organized for some common object other than the sale of goods and alcoholic beverages are exempt from the tax authorized herein.

(4) The tax shall be collected by and paid to the Department of Revenue on a form prescribed by the Department of Revenue in the same manner that state sales taxes are computed, collected and paid and the full enforcement provisions and all other provisions of Chapter 65, Title 27, Mississippi Code of 1972, shall apply as necessary to the implementation and administration of this act.

(5) The proceeds of the tax less three percent (3%) to be retained by the Department of Revenue to defray the costs of collection shall be paid to the convention and visitors committee on or before the fifteenth day of the month following the month in which collected.

(6) The proceeds of the tax shall not be considered by Washington County or any municipality therein as general fund revenues, but shall be dedicated solely for the purpose of carrying out the programs and activities of the committee. The Washington County Convention and Visitors Committee shall allocate and pay annually an amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) per year to Washington County, Mississippi, in consideration of use of county facilities and support services.

Section 4. (1) The funds herein authorized shall be expended by the convention and visitors committee upon approval by the Economic Development District of Washington County. The committee shall be composed of nine (9) members to be appointed by the district as hereinafter provided. Five (5) members of the committee shall be the five (5) members appointed to the district by the board of supervisors and the presiding officer of the district shall appoint four (4) members of the committee. The four (4) members appointed by the presiding officer shall consist of one (1) member from the Greenville Area Chamber of Commerce, one (1) member from the alcoholic beverage

sales business, one (1) member from the hotel or motel business, and one (1) member from the restaurant business. In the selection of committee members, the district shall make every effort to select individuals who are knowledgeable of, or actively involved in, the tourism industry. The committee shall be appointed within sixty (60) days following the passage of this act, and the members shall serve for terms of three (3) years. The term of the member appointed by the presiding officer of the Economic Development District of Washington County from the alcoholic beverage sales business shall expire on the effective date of House Bill No. 1714, 2000 Regular Session, and from and after such date, such position on the Washington County Convention and Visitors Committee shall be filled by one (1) at-large member appointed by the presiding officer of the Economic Development District of Washington County.

From and after the effective date of House Bill No. 1528, 2021 Regular Session, the terms of the four (4) members appointed by the presiding officer shall expire on the effective date of House Bill No. 1528, 2021 Regular Session, and from and after such date, the presiding officer shall appoint four (4) members who shall consist of one (1) member from the Greenville Area Chamber of Commerce or one (1) member from the alcoholic beverage sales business or one (1) member from the hotel or motel business or restaurant business, and one (1) member from the Greenville Mississippi Travel Club, Inc., and one (1) member from the Hollandale High School Reunion Committee and one (1) member from the Leland High School Reunion Committee. The presiding officer shall make such appointments within thirty (30) days following the passage of House Bill No. 1528, 2021 Regular Session.

(2) Until January 1, 2012, all subsequent appointments shall be made for terms of three (3) years, except that the appointment to fill a vacancy shall be for the unexpired term only.

(3) From and after January 1, 2012, all appointments shall be made for terms of two (2) years and no appointments may serve more than two (2) consecutive terms on the committee.

(4) The members of the committee shall serve without compensation and shall elect officers and adopt rules and regulations. The committee shall further fix a regular meeting date, but may provide for special meetings. The committee shall keep minutes of its proceedings, as are necessary to carry out its responsibilities under this act. On the last day of each month, the committee shall file with the Chancery Clerk of Washington County a copy of its approved minutes and of its accounting of receipts and expenditures and any other financial statements pertaining to the committee's actions during that month. A quorum of the committee shall consist of five (5) members.

(5) Any member of the committee may be removed from office by the district for one (1) of the following reasons:

(a) Conviction of a felony; or

(b) Failure to attend three (3) consecutive meetings without just cause.

If a member of the committee is removed for one (1) of the above reasons, the vacancy shall be filled in the manner prescribed in this section.

Section 5. (1) The tax authorized in this act shall not be levied until the board of supervisors shall have adopted a resolution favoring the tax levy and fixing the amount of the tax levy and the date on which the tax levy is proposed to commence, which shall be the first day of a month, and the board shall have published notice of its intention to levy the tax. The notice shall be published once each week for at least three (3) consecutive weeks in a newspaper having a general circulation in the county. The first publication of such notice shall be made not less than twenty-one (21) days prior to the date fixed in the resolution on which the board proposes to levy such tax, and the last publication shall be

made not more than seven (7) days prior to such date. If, within the time of giving notice, twenty percent (20%) or fifteen hundred (1500), whichever is less, of the qualified electors of the county shall file a written petition against the levy of such tax then such tax shall not be levied unless authorized by a majority of the qualified electors of such county, voting at an election to be called and held for that purpose. Prior to the effective date of the tax levy approved as herein provided, the board of supervisors shall furnish to the Chairman of the Department of Revenue a certified copy of the resolution evidencing such tax levy.

(2) If the tax levied under this chapter was imposed without a vote of the electorate, the board of supervisors shall, within sixty (60) days after the effective date of Senate Bill No. 2957, 2014 Regular Session, by resolution spread upon its minutes, declare the intention of the board of supervisors to continue imposing the tax and describe the tax levy including the tax rate, annual revenue collections and the purposes for which the proceeds are used. The resolution shall be published once a week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the county, with the first publication to be made within fourteen (14) days after the board of supervisors adopt the resolution declaring their intention to continue the tax. If, on or before the date specified in the resolution for filing a written protest, which date shall be not less than forty-five (45) days and not more than sixty (60) days after the board of supervisors adopt the resolution, twenty percent (20%) or one thousand five hundred (1,500), whichever is less, of the qualified electors of the county file a written protest against the imposition of the tax, then an election upon the levy and assessment of the tax shall be called and held as in the manner provided for in subsection (1) of this section, with the election to be conducted at the next special election day as such is defined by Section 23-15-833, Mississippi Code of 1972, occurring more than sixty (60) days after the date specified in the resolution for filing a written protest. If the requisite number of qualified electors vote against the imposition of the tax, the tax shall cease to be imposed on the first day of the month following certification of the election results by the election commissioners of the county to the board of supervisors. The board of supervisors shall notify the Department of Revenue of the date of the discontinuance of the tax and shall publish sufficient notice thereof in a newspaper published or having a general circulation in the county. If no protest is filed, then the board of supervisors shall state that fact in their minutes and may continue the levy and assessment of the tax.

This subsection shall not apply if the revenue from the tax authorized by this chapter has been contractually pledged for the payment of debt incurred prior to the effective date of Senate Bill No. 2957, 2014 Regular Session, until such time as the debt is satisfied. Once the debt has been satisfied, the board of supervisors shall, within sixty (60) days, adopt a resolution declaring the intention of the board of supervisors to continue the tax which shall initiate the procedure described in subsection (1) of this section.

Section 6. Before the expenditure of funds herein prescribed, a budget reflecting the anticipated receipts and expenditures for such purposes as promotion, advertising and operation shall be approved by the board of supervisors. The first budget of receipts and expenditures shall cover the period beginning with the effective date of the tax and ending with the end of the county's fiscal year and, thereafter, the budget shall be on the same fiscal basis as the budget of Washington County.

Section 7. Accounting for receipts and expenditures of the funds herein described shall be made separately from the accounting of receipts and expenditures of the committee and the district and from the general fund and any other funds of Washington County. The records reflecting the receipts and expenditures of the funds prescribed herein shall be audited annually by an independent certified public accountant, and the accountant shall make a written report of his audit which shall be simultaneously delivered to the board of supervisors, the district and the committee. Such audit shall be made and completed as soon as practicable after the close of the fiscal year and the expenses of such audit may be paid from the funds derived pursuant to Section 3 of this act.

Section 8. The provisions of Sections 1 through 7 of this act shall be repealed on July 1, *** 2025.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 816, LOCAL AND PRIVATE LAWS OF 1991, AS LAST AMENDED BY CHAPTER 932, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW THAT ESTABLISHES THE WASHINGTON COUNTY CONVENTION AND VISITORS COMMITTEE AND AUTHORIZES A TAX ON HOTELS, MOTELS AND RESTAURANTS; TO REVISE THE COMPOSITION OF THE COMMITTEE; AND FOR RELATED PURPOSES.

Senator McMahan moved that the rules be suspended for the immediate consideration en bloc of calendar item 23, H. B. No. 1495 and calendar item 24, H. B. No. 1529, and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1495** and **H. B. No. 1529** passed the Senate and moved that the motion to reconsider be tabled:

The foregoing motion prevailed.

H. B. No. 1495: Tallahatchie County; authorize leasing of certain water well to City of Charleston.

H. B. No. 1529: Town of Como; extend repealer on authority to impose tourism tax on hotels, motels and restaurants.

Senator Simmons D. T. (12th) moved that the rules be suspended for the immediate consideration of calendar item 116, **H. B. No. 1245**, and the motion prevailed.

Senator Simmons D. T. (12th) offered the following report of the Conference Committee on **H. B. No. 1245** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1245: MDOT; require maintenance of rights-of-way of state highways inside municipal limits with 10,000 or less population.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE

Charles Busby

Larry Byrd

John G. Faulkner

CONFEREES FOR THE SENATE

Derrick T. Simmons

Jason Barrett

Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1245** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Younger moved that the rules be suspended for the consideration en bloc of S. N. No. 64, S. N. No. 65, S. N. No. 66 and S. N. No. 78 and the motion prevailed.

Senator Younger called up the following entitled nominations:

S. N. No. 64: Franklin Keith Davis, DVM, Hattiesburg, Mississippi, Mississippi Board of Veterinary Medicine, five year term beginning May 23, 2021 and ending May 22, 2026, representing the Second Supreme Court District.

S. N. No. 65: Thomas Kevin (Kevin) Smith, DVM, Carriere, Mississippi, Mississippi Board of Veterinary Medicine, term effective immediately and ending May 22, 2025, representing the Second Supreme Court District.

S. N. No. 66: Stuart G. Denman, Jr., DVM, Charleston, Mississippi, Mississippi Board of Veterinary Medicine, term effective immediately and ending April 22, 2024, representing the Third Supreme Court District.

S. N. No. 78: Betsy Anne Lum Lipscomb, DVM, Port Gibson, Mississippi, Mississippi Board of Animal Health as the beef cattle breeder and producer representative, four year term effective immediately and ending January 18, 2024.

YEAS AND NAYS on consideration en bloc of S. N. No. 64, S. N. No. 65, S. N. No. 66 and S. N. No. 78. On motion of Senator Younger, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

S. N. No. 93: Charles William (Bill) Cook, Jr., Oxford, Mississippi, Information Technology Services Authority, term effective immediately for the unexpired balance of a five year term ending June 30, 2022, vice Alan Lange. Do Advise and Consent.

POLK, Chairman

Senator Blackwell moved that the Senate stand in recess until 7:00 PM.

The motion prevailed, and at 2:10 PM, the Senate stood in recess.

The Senate resumed business at 7:00 PM, pursuant to recess, with President Hosemann presiding.

The President announced the appointment of the following conferees on the part of the Senate:

S. B. No. 3090: Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax.
Senators McMahan, Tate, Whaley.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

S. B. No. 3090: Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax.

Representatives Barton, Hines, Jackson

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Lamar as a conferee, the Speaker has named a new conferee on the following:

H. B. No. 1091: Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law.

Representatives Zuber and Powell remain as conferees and the Speaker has named Representative Steverson to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE GOVERNOR
March 29, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2031: City of Louisville; extend the hotel and motel tax repeal date to July 1, 2025. (March 25, 2021, 2:35 PM)

S. B. No. 2420: Temporary license for social workers; authorize to practice in nonprofit facilities. (March 25, 2021, 2:11 PM)

S. B. No. 2751: Mississippi Professional Massage Therapy Act; provide new requirements and extend the repealer thereon. (March 25, 2021, 2:35 PM)

S. B. No. 2776: Noxubee County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. (March 25, 2021, 2:36 PM)

S. B. No. 2881: City of Brookhaven; extend repeal date on the tax upon room rentals of hotels, motels and bed-and-breakfast establishments. (March 25, 2021, 2:37 PM)

S. B. No. 2882: Lowndes County; increase amount that may be contributed to the United Way for fiscal years 2021-2023, and extend repealer. (March 25, 2021, 2:38 PM)

S. B. No. 2974: City of Byram; extend repeal date on hotel and motel tax. (March 25, 2021, 2:40 PM)

S. B. No. 3032: City of Pascagoula; extend the repeal date on tourism tax authorized to be levied on prepared food sold at restaurants. (March 25, 2021, 2:40 PM)

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE GOVERNOR

SENATE JOURNAL
MONDAY, MARCH 29, 2021

March 29, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2750: Pharmacy practice; revise definition of "written guideline or protocol" regarding location of delegated prescribing functions. (March 29, 2021, 11:40 AM)

S. B. No. 2929: Appropriation; Chiropractic Examiners, Board of. (March 29, 2021, 11:41 AM)

S. B. No. 2930: Appropriation; Dental Examiners, Board of. (March 29, 2021, 11:42 AM)

S. B. No. 2931: Appropriation; Funeral Services Board. (March 29, 2021, 11:43 AM)

S. B. No. 2932: Appropriation; Massage Therapy, Board of. (March 29, 2021, 11:44 AM)

S. B. No. 2933: Appropriation; Pharmacy, Board of. (March 29, 2021, 11:45 AM)

S. B. No. 2934: Appropriation; Counselors, Board of Examiners for Licensed Professional. (March 29, 2021, 11:46 AM)

S. B. No. 2935: Appropriation; Veterinary Examiners, Board of. (March 29, 2021, 11:47 AM)

S. B. No. 2936: Appropriation; Architecture, Board of. (March 29, 2021, 11:47 AM)

S. B. No. 2938: Appropriation; Geologists, Board of Registered Professional. (March 29, 2021, 11:48 AM)

S. B. No. 2939: Appropriation; Motor Vehicle Commission. (March 29, 2021, 11:48 AM)

S. B. No. 2940: Appropriation; Accountancy, Board of Public. (March 29, 2021, 11:49 AM)

S. B. No. 2941: Appropriation; Contractors, Board of. (March 29, 2021, 11:50 AM)

S. B. No. 3076: Jackson County and the City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, Inc. (March 29, 2021, 11:51 AM)

S. B. No. 3079: City of Greenwood; extend the repeal date on the tourism tax and the Greenwood Tourism Commission. (March 29, 2021, 11:53 AM)

S. B. No. 3083: City of Vicksburg; extend repealers on authority to contribute to various organizations. (March 29, 2021, 11:53 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1379** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1379: Appropriation; Insurance, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 11,792,846.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi Department of Insurance which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022. \$ 180,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	141
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written

approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2022 Target
Performance Measures	
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, etc) Licenses Issued	152,000
Average Cost Per License Issued (\$)	35.00
Number of Agent's C/A's Issued	430,000
Average Cost Per Agent C/A Issued (\$)	40.00
Number of Requests for Assistance	12,660
Average Cost Per Customer I/C Addressed (\$)	53.00
Number of Fire Marshal Investigations	750
Cost Per Fire Marshal Investigation (\$)	550.00
Number of Fire Marshal Inspections	8,500
Average Cost Per Fire Marshal Inspection (\$)	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths due to Incidents Involving LCG	0
Number of Inspections	8,000
Average Cost Per Inspection (\$)	60.00
Number of Safety Training Schools/Seminars	170
Average Cost Per Safety Training School (\$)	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

SECTION 7. Of the funds appropriated under the provisions of Section 1, funds in the amount of Twenty Thousand Dollars (\$20,000.00) are provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding any project for which the Legislature has made funds available. Any signage regarding any public event or project shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

SECTION 11. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

SECTION 12. Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Propane Education and Research Program Fund, for the purpose of research and development of more cost effective uses of propane and on educational programs, safety programs, and market development of propane for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 130,000.00.

SECTION 13. Of the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Rural Fire Truck Acquisition Assistance Fund and/or the Supplemental Rural Fire Truck Fund, which was created in Section 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 2,000,000.00.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the special fund in the State Treasury to the credit of the Rural Fire Truck Acquisition Fund and/or the Supplementary Rural Fire Truck Fund, which was created in Section 152 of Chapter 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 2,280,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 15. Of the funds in Section 13, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Rural Fire

Truck Acquisition Assistance Fund and/or the Supplemental Rural Fire Truck Fund, which was created in Section 1, Laws of 2004, Third Extraordinary Session, to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 2,000,000.00.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. Of the funds appropriated under the provisions of Section 2, Fifty Thousand Dollars (\$50,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for the purchase of smoke alarms.

SECTION 18. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

Jason White

Charles Busby

CONFEREES FOR THE SENATE

W. Briggs Hopson III

J. Walter Michel

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1379** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1381** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1381: Appropriation; Legislative expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for

the purpose of paying salaries, mileage, insurance, matching funds and the daily expense allowance of the members of the Legislature for the Regular Session of 2022 and providing contingent funds for the House of Representatives and Senate for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as follows:

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the House of Representatives..... \$ 4,145,787.00.

For Contingent Fund for the

House of Representatives \$ 7,000,703.00.

Out of the above amount appropriated for the Contingent Fund for the House of Representatives, not more than Fifteen Thousand Dollars (\$15,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the Senate \$ 1,809,729.00.

For Contingent Fund for the Senate \$ 5,531,011.00.

Out of the above amount appropriated for the Contingent Fund for the Senate, not more than Ten Thousand Dollars (\$10,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For the joint legislative operations of the House of

Representatives and the Senate..... \$ 794,885.00.

For the expenses of the Joint Legislative

Budget Committee..... \$ 4,051,322.00.

For the expenses of the Joint Legislative

Committee on Performance Evaluation

and Expenditure Review..... \$ 2,451,611.00.

For the expenses of the Joint Legislative

Reapportionment Committee \$ 441,869.00.

For the expenses of the Joint Legislative

Code Committee..... \$ 400,000.00.

The Joint Legislative Reapportionment Committee shall prepare, publish and provide semiannual reports to each member of the Legislature and such reports shall provide a line-by-line detailed accounting of all receipts and expenditures of any and all monies appropriated by the Legislature to the Joint Legislative Reapportionment Committee. Any meetings of the Joint Legislative Reapportionment Committee shall be held in state offices or at publicly owned facilities.

SECTION 2. The following sums, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the monthly expense allowance of the members of the Legislature, as provided in Section 5-1-41, Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as follows:

For the House of Representatives..... \$ 2,616,026.00.

For the Senate..... \$ 1,135,992.00.

SECTION 3. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the state's share of various assessments for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 430,300.00.

Of the funds authorized in this section, the following distribution shall be made:

Southern States Energy Board..... \$ 29,077.00.

Interstate Cooperation..... \$ 324,873.00.

National Conference of Commissioners

on Uniform State Laws..... \$ 37,950.00.

The Energy Council \$ 38,400.00.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Joint Legislative Budget Committee for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 4,700,000.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the joint operations of the House of Representatives and the Senate not otherwise appropriated, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 50,000.00.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this Legislature for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. None of the funds appropriated under the provisions of this act may be used to pay or reimburse any expenses of out-of-state travel for any member or employee of the House of Representatives without prior approval of the House Management Committee or for any member or employee of the Senate without prior approval of the Senate Rules Committee.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the House of Representatives for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1692, 2020 Regular Session, for the fiscal year beginning July 1, 2021 and ending June 30, 2022 \$ 500,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2021.

SECTION 9. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Senate for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1692, 2020 Regular Session, for the fiscal year beginning July 1, 2021 and ending June 30, 2022 \$ 300,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2021.

SECTION 10. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the joint operations of the House of Representatives and the Senate for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1692, 2020 Regular Session, for the fiscal year beginning July 1, 2021 and ending June 30, 2022 \$ 500,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2021.

SECTION 11. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Reapportionment Committee for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1692, 2020 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022..\$ 270,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2021.

SECTION 12. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Budget Committee for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1692, 2020 Regular Session, for the fiscal year beginning July 1, 2021 and ending June 30, 2022 \$ 250,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2021.

SECTION 13. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Committee on Performance Evaluation and Expenditure Review for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1692, 2020 Regular Session, for the fiscal year beginning July 1, 2021 and ending June 30, 2022
\$ 75,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2021.

SECTION 14. Of the funds provided herein, the Clerk of the Mississippi House of Representatives and the Secretary of the Mississippi Senate may transfer funds between accounts for their respective chambers which are administered by the Mississippi House of Representatives and the Mississippi Senate.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2021, except for Section 14 which shall be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Jason White	John A. Polk
Richard Bennett	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1381** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McDaniel requested that the following explanation be placed in the journal.

EXPLANATION

Pursuant to Senate Rule 117, please find below a brief written statement stating how I would have voted on **HB 1381**:

It is inexcusable to increase spending at this stage of our history. The additional revenue in our budget, as compared to previous years, belongs to the people of Mississippi. It is their money, not ours. We should have utilized the additional revenue to provide tax relief for Mississippians. Accordingly, I would have voted NO.

Senator Sojourner requested that the following explanation be placed in the journal.

EXPLANATION

In accordance with Senate Rule 117, please find below a written statement stating how I would have voted on **HB 1381**:

It is unacceptable to increase spending at this stage. The additional revenue in our budget, as compared to previous years, is money that belongs to Mississippians. We should have utilized the additional revenue to provide tax relief for Mississippians. I would have voted NO.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1384** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 6,836,882.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi State Supreme Court which is comprised of special source funds collected by or otherwise available to the Mississippi State Supreme Court, for the purpose of

defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 937,470.00.

SECTION 3. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Mississippi State Supreme Court, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	70
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 26,322,941.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the trial judges, for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2021, and ending June 30, 2022. \$ 4,192,368.00.

SECTION 6. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of special judges, chancellors and circuit judges, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	109
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Of the funds appropriated and allocated herein, Eight Million Seven Hundred Twenty Thousand Dollars (\$8,720,000.00) is provided for the purpose of employing support staff in an amount not to exceed Eighty Thousand Dollars (\$80,000.00) per fiscal year per judge.

SECTION 7. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of funding the Administrative Office of Courts for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 11,203,352.00.

SECTION 8. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Administrative Office of Courts for the purpose of defraying the expenses of the Administrative Office of Courts and the Board of Certified Court Reporters for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 30,050,212.00.

SECTION 9. Of the funds appropriated under the provisions of this act for the purpose of funding the Administrative Office of Courts, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	39
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

SECTION 10. Of the funds in Section 8, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the match for youth court computer system for the Administrative Office of the Courts for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 141,000.00.

SECTION 11. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the Continuing Legal Education Fund, a special fund hereby created in the State Treasury, for the purpose of defraying the expenses of

providing continuing legal education programs to lawyers in Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 151,593.00.

It is the intention of the Legislature that interest earned from any investment or deposit to the Continuing Legal Education Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Continuing Legal Education Fund and shall not be paid into the General Fund of Mississippi.

SECTION 12. Of the funds appropriated under the provisions of this act for the purpose of providing continuing legal education programs, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	2
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

SECTION 13. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..\$ 4,493,144.00.

SECTION 14. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2021, and ending June 30, 2022 ..\$ 1,588,856.00.

SECTION 15. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Court of Appeals, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	58
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

SECTION 16. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Bar Admissions, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 349,724.00.

It is the intention of the Legislature that interest earned from any investment or deposit to the Board of Bar Admissions Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Board of Bar Admissions Fund and shall not be paid into the General Fund of Mississippi.

SECTION 17. Of the funds appropriated under the provisions of this act for the purpose of funding the Board of Bar Admissions, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	3
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 18. No part of the funds herein appropriated shall be used in the payment of attorney's fees, nor shall any of such funds be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or

selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 19. It is the intent of the Legislature that the Mississippi State Supreme Court shall charge the maximum amount allowable by law for services rendered where charges for such services are provided for by statute, and for any other services rendered, shall charge an amount consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Office of the Mississippi State Supreme Court.

SECTION 20. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the public space in the Law Library.

SECTION 21. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 22. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Million Twelve Thousand Five Hundred Dollars (\$2,012,500.00) may be provided for the Comprehensive Electronic Court Systems Fund administered by the Administrative Office of Courts.

SECTION 23. It is the intention of the Legislature that the Mississippi State Supreme Court shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 24. Of the funds appropriated under the provisions of this act, One Million Eight Hundred Seventy-five Thousand Dollars (\$1,875,000.00) shall be provided for the Youth Court Support Fund administered by the Administrative Office of Courts.

SECTION 25. Of the funds appropriated in Section 7, Six Million Five Hundred Thousand Dollars (\$6,500,000.00) is provided to defray the costs of the Drug Court Program.

SECTION 26. It is the intention of the Legislature that in the event there are not sufficient funds in the Judicial System Operation Fund created under Section 9-21-45, Mississippi Code of 1972, in any given year with which to pay the annual salary supplements set forth in HB 484, 2012 Regular Session, then the county treasury shall not be obligated to fund such salary supplements and the salary of county court judges shall be that in place prior to the passage of HB 484, 2012 Regular Session.

SECTION 27. Of the funds appropriated in Section 7, it is the intention of the Legislature that an amount of Six Million Seven Hundred Thousand Dollars (\$6,700,000.00) may be allocated for the programs supported from General Fund court assessments as follows:

Drug Courts	\$ 6,500,000.00
Civil Legal Assistance	\$ 200,000.00

SECTION 28. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 29. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Read

Jason White

Charles Jim Beckett

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Sollie B. Norwood

Jenifer B. Branning

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1384** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Not Voting--Bryan. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1385** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1385: Appropriation; Attorney General.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of the Attorney General for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 26,728,540.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Office of the Attorney General which is comprised of special source funds collected by or otherwise available to the office, for the purpose of defraying the expenses of the office for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 7,022,208.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	94
	Part Time	0
Time-Limited:	Full Time	243
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the Office of the Attorney General shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail

comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Supportive Services	
Cost of Support Services as Percentage of Budget (%) 2011-2012 Baseline: 5.10%	6.00
Training	
Ratings of Continuing Legal Education Training Presentation by Participants	95.00
Ratings of CRIMES System Training Presentation by Participants	95.00
Litigation	
Minimum Affirmations of Criminal Convictions (%) 2011-2012 Baseline: 90.00%	90.00
Minimum Affirmations of Death Penalty Appeals (%) 2011-2012 Baseline: 83.33%	70.00
Minimum Denial of Relief in Federal Habeas Corpus (%) 2011-2012 Baseline: 86.96%	95.00
Minimum Positive Results of Civil Cases (%) 2011-2012 Baseline: 96.00%	98.00
Percentage Change of Affirmations of Criminal Convictions Attained (%)	0.00
Percentage Change of Death Penalty Review Cases Affirmed (%)	5.00
Percentage of Change of Appeals for Relief in Federal Habeas Corpus Cases Denied (%)	0.00
Percentage Change of Positive Results from Civil Cases (%)	0.00
Opinions	
Assigned to Attorneys in 3 Days or Less (%) 2011-2012 Baseline: 100.00%	100.00
Opinions Completed in 30 Days or Less (%) 2011-2012 Baseline: 76.00%	75.00
Percentage Change of Opinion Requests Assigned to Attorneys Within 3 Days or Less (%)	0.00
Percentage Change of Opinion Requests Completed Within 30 Days or Less (%)	5.00
State Agency Contracts	
Good & Excellent Ratings for Legal Services (%) 2011-2012 Baseline: 94.00%	100.00
Percentage Change of Good/Excellent Ratings for Legal Services (%)	0.00
Insurance Integrity Enforcement	
Minimum Positive Results of Workers' Compensation Cases (%) 2011-2012 Baseline: 90.00%	99.00
Minimum Positive Results of Insurance Cases (%) 2011-2012 Baseline: 90.00%	99.00
Percentage Change of Positive Results of	

Workers' Compensation Insurance Fraud (%)	5.00
Percentage Change of Positive Results of Other Insurance Cases (%)	0.00
Other Mandated Programs	
Medicaid Fraud Convictions vs Dispositions (%) 2011-2012 Baseline: 100.00%	85.00
Medicaid Abuse Convictions vs Dispositions (%) 2011-2012 Baseline: 95.00%	98.00
Minimum Defendants Convicted after Indictments (PID) (%) 2011-2012 Baseline: 96.00%	90.00
Response to Consumer Complaints (Days) 2011-2012 Baseline: 3.14%	5
Average Number of Days to Respond to Consumer Complaints	5
Percentage Change of Medicaid Fraud Convictions vs Dispositions (%)	5.00
Percentage Change of Medicaid Abuse Convictions vs Dispositions (%)	5.00
Percentage Change of Defendants Convicted After Indictment (%)	0.00
Crime Victims Compensation	
Claims Processed in 12 Weeks or Less (%) 2011-2012 Baseline: 67.97%	57.88
Percentage Change of Claims Processed Timely (%)	0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. Of the funds appropriated under the provisions of Section 1, funds included therein which are derived from penalties and/or other funds collected by the Medicaid Fraud Control Unit shall be available for the purpose of providing the state match for federal funds available for the support of the unit, or for other lawful purposes as deemed appropriate by the Attorney General. Further, it is the intent of the Legislature that any penalties and/or other funds collected and/or expended shall be accounted for separately as to source and/or application of such funds.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the amount of One Million Dollars (\$1,000,000.00), or so much thereof as may be necessary, shall be made available for expenditure by the Prosecutors Training Division.

SECTION 8. No part of the money herein appropriated shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 9. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Attorney General that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, the sum of Six Hundred Eighty Thousand Dollars (\$680,000.00) is provided from the Department of Health for the Alcohol and Tobacco Enforcement Unit.

SECTION 12. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Million Six Hundred Ninety Thousand Three Hundred Forty-six Dollars (\$5,690,346.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Prosecutor Education.....	\$ 662,582.00
Crime Victims Compensation	\$ 1,901,332.00
Vulnerable Persons Training, Invest and	
Prosecution Trust	\$ 565,165.00
Child Support Prosecution Trust.....	\$ 128,475.00
Law Enforcement & Firefighters Disability	
Benefits Trust	\$ 133,666.00
Cyber Crime Unit	\$ 944,722.00
Domestic Violence Training.....	\$ 376,580.00
Children's Advocacy Centers	\$ 554,489.00
Crime Victims Compensation Admin	\$ 347,547.00
Motorcycle Officer Training	\$ 62,763.00
District Attorney Operations	\$ 13,025.00

It is the intention of the Legislature that the Attorney General's Office shall prepare and submit a quarterly report to the Chairmen of the Appropriation Committees of the Senate and House of Representatives that details the expenditures made for programs supported from General Fund court assessments allocated in this section.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Attorney General for the purpose of reauthorizing the expenditure of General Funds, as authorized in HB 1694, 2020 Regular Session to provide for Case Management System for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 646,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 14. Of the funds appropriated in this act, funds are provided to defray the expenses of litigation defending the constitutionality of Mississippi statutes.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

Jason White

Percy W. Watson

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Sollie B. Norwood

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1385** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1387** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1387: Appropriation; Education, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division..... \$ 153,453,928.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education
\$ 76,646,563.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972..... \$ 19,576,109.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program.....
\$ 2,053,829,447.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED

BY THIS SECTION BEING.....\$ 2,303,506,047.00.

SECTION 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the following paragraphs for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division\$ 1,965,301,707.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education
.....

\$ 21,692,238.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Adequate Education Program.....\$ 245,112,197.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED

BY THIS SECTION BEING\$ 2,232,106,142.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars (\$126,472.00), or so much of that sum as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund to the State Department of Education for the purpose of defraying the expenses of the department for the Mississippi Eye Screening Program for providing vision safety services.

SECTION 4. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment.....	\$ 6,805,774.00
Educable Child	\$ 7,000,000.00
Grants to school districts for capital facilities and buses	\$ 16,000,000.00
Instructional materials.....	\$ 20,000,000.00
Students with Special Needs	\$ 1,800,000.00
Implementing Performance-Based Data Collection and Accreditation Model.....	\$ 274,937.00
Testing	\$ 6,125,670.00
Mississippi School for Math and Science.....	\$ 125,000.00
Mississippi School for Fine Arts.	\$ 125,000.00
Early Learning Collaboratives	\$ 8,210,526.00
Early Learning Coaches	\$ 1,500,000.00
Math Coaches	\$ 5,000,000.00
WorkKeys, Advanced Placement, dual credit, International Baccalaureate, Cambridge, diploma endorsements	\$ 1,000,000.00
Mississippi Student Information System	\$ 7,649,540.00
Vocational Technical Grants	\$ 1,000,000.00
Mississippi School for the Deaf and Blind	\$ 1,207,037.00
TOTAL	\$ 83,823,484.00

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division.....
\$ 5,637,258.00.

(c) To the State Department of Education to provide funding for the Mississippi Adequate Education Program.....
.....\$ 225,112,197.00.

SECTION 5. Of the funds appropriated in this act, the following positions are authorized for the State Department of Education, excluding the expenses of the Vocational and Technical Education Division:

AUTHORIZED POSITIONS:

Permanent:	Full Time	314
	Part Time	3
Time-Limited:	Full Time	162
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year

2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in this act shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2022 Target
Performance Measures	
Special Education	
Special Education teachers (FTE) (Number of)	6,188
Gifted Education teachers (Number of)	805
Increase percentage of children with disabilities in general education early childhood programs while decreasing the	

percentage in self-contained special education early childhood classrooms (%)	76.00
General Administration	
Total Dollars Spent on General Administration (\$)	26,532,257.00
Total Budget Spent on General Administration (%)	18.58
Create a public-facing data system for all stakeholders (%)	100.00
Create a user-friendly website for the public and school districts to access data to make decisions (%)	100.00
Create a roadmap to improve the Mississippi Student Information System (%)	100.00
Publish research results to support improved student outcomes and teacher effectiveness (Number of)	9
Graduation & Career Readiness	
Increase the percentage of students graduating from high school ready for college or career in each subgroup (%)	86.43
Early Childhood Education	
Increase percentage of kindergarten students achieving end-of-year target score on Kindergarten Readiness post-test (%)	68.88
Increase the percentage of Early Learning Collaborative sites meeting required rate of readiness (%)	95.00
Increase number of students enrolled in Title I or locally funded pre-K classes (Number of)	8,022
Teacher Tng & Professional Dev	
Increase the percentage of districts reporting Professional Growth System (PGS) ratings for teachers and leaders (%)	80.00
Increase the number of licensed, diverse teachers and leaders (Number of)	31
Increase the percentage of teacher candidates passing licensure exams on the first attempt (%)	51.08
Reduce the proportion of inexperienced and non-certified teachers in schools that are High Poverty (%)	25.00
Reduce the proportion of inexperienced and non-certified teachers in schools that are High Minority (%)	24.00
Elementary Education	
Increase the percentage of students who pass the 3rd grade reading assessment at the first administration in each subgroup (%)	80.00
Secondary Education	
Increase the number of students participating in and passing Advanced Placement (AP), International Baccalaureate (IB) and Cambridge exams	

in each subgroup (Number of)	37.00
Increase the percentage of students ready for college as measured by meeting ACT benchmarks in each content area (public school class data, grade 11) (Number of)	11.00
Assessment & Development	
Increase the percentage of students proficient (levels 4 and 5) on statewide assessments (grades 3-8 and high school composite) in each subgroup	50.07
Decrease the percentage of students scoring levels 1-3 on statewide assessments in each subgroup	49.93
Increase percentage of pre-kindergarten students in public schools attaining kindergarten readiness on the pre-K end-of-year assessment	72.00
School Performance	
Increase the percentage of schools rated "C" or higher	77.00
Increase the percentage of districts rated "C" or higher	72.90
Increase the percentage of students demonstrating growth on statewide ELA assessments in each subgroup	65.63
Increase the percentage of students demonstrating growth on statewide Math assessments in each subgroup	64.43
Increase the percentage of students participating in dual credit in each subgroup	50.00
Increase the percentage of students passing dual credit in each subgroup	98.00
Increase the growth of D and F districts demonstrating growth, by improving the letter grade and/or increasing the number of points within a letter grade	76.00
Increase the growth of D and F schools demonstrating growth, by improving the letter grade and/or increasing the number of points within a letter grade	70.00
Increase the growth of Districts of Transformation by improving the letter grade and/or increasing the number of points within a letter grade	100.00
Increase the growth of schools under Districts of Transformation by improving the letter grade and/or increasing the number of points within a letter grade	100.00
Decrease the number of high schools rated D or F	55

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 7. No school district shall expend any funds, received under the School Ad Valorem Reduction Grant, unless such school district has specifically identified the amount of the grant within the published budget as required by Section 37-61-9, Mississippi Code of 1972. The published budget shall include the following

statement: "Ad Valorem taxes will be \$ _____ less as a result of the Ad Valorem Reduction Grants enacted by the Mississippi Legislature in 1992."

SECTION 8. Of the funds appropriated in Section 2, funds in the amount of One Million Dollars (\$1,000,000.00) shall come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi Constitution of 1890, and One Million Dollars (\$1,000,000.00) shall be used for the School for Math and Science.

SECTION 9. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

AUTHORIZED POSITIONS:

Permanent:	Full Time	48
	Part Time	0
Time-Limited:	Full Time	5
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board

pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 10. Of the funds appropriated in this act, an amount not to exceed Two Hundred Twenty-nine Thousand Six Hundred Eighty-four Dollars (\$229,684.00) is authorized for the support of vocational and technical education programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 11. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 1, transfer no more than Seventy-five Thousand Dollars (\$75,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 12. Of the funds appropriated in this act, no more than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 13. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Detention Centers	\$ 1,200,000.00.
Dubard School	\$ 627,000.00.
Dyslexia Program	\$ 225,000.00.
Jobs for MS Graduates, Inc.	\$ 600,000.00.
Stride \$ 600,000.00.	
Amplify Data Coaching	\$ 800,000.00.
Magnolia Speech School	\$ 800,000.00.
Principal Corp.	\$ 200,000.00.
Sight Savers	\$ 300,000.00.
Teach for America	\$ 1,250,000.00.
Teacher Corp	\$ 200,000.00.
Children's Center for Comm & Develop	\$ 734,000.00.
Vision Screening Research	\$ 225,000.00.
Algebra Nation	\$ 775,000.00.
Save the Children	\$ 125,000.00.
Mississippi Construction Education Program	\$ 212,500.00.
T. K. Martin Center	\$ 25,000.00.
Jumpstart ACT	\$ 200,000.00.
Mastery Prep	\$ 150,000.00.
Lighthouse Academy for Dyslexia	\$ 200,000.00.
Total \$ 9,448,500.00.	

SECTION 14. Of the funds appropriated in this act, an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM programs from the Career and Technical Education Division of the State Department of Education. All programs must meet Mississippi Science Standards and/or College and Career Standards.

Of the funds appropriated in this section, an amount not to exceed One Million Dollars (\$1,000,000.00) shall be distributed to the Mississippi State University Center for Cyber Education and used for computer science programs development and teacher training for elementary schools, middle schools, and high schools for the purpose of developing K-12 computer science curricula, including both academic and career and technical education programs, developing and delivering teacher training, and working with the State Board of Education and Institutions of Higher Learning in the state to develop teacher preparation programs for computer science endorsements. All programs must meet the 2018 Mississippi Computer Science Standards and/or Mississippi College and Career Standards.

SECTION 15. Of the funds appropriated in Section 1, the sum of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate sum

that the school districts in the Chickasaw Cession receive annually from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890, shall be deducted from the allocations to the school districts as provided in Section 29-3-137, Mississippi Code of 1972, and shall be distributed among the school districts in the Chickasaw Cession by the State Department of Education in the manner that those interest payments were distributed during Fiscal Year 1985.

SECTION 16. Of the funds provided in this act for the purpose of funding the Mississippi Adequate Education Program as determined under Section 37-151-7, Mississippi Code of 1972, the base student cost in Fiscal Year 2022 shall be Five Thousand Eight Hundred Seventy-four Dollars and Eight Cents (\$5,874.08).

SECTION 17. With the funds provided in this act, it is the intention of the Legislature that School Attendance Officers and academic teachers at the Mississippi School for the Deaf and the Mississippi School for the Blind shall receive their annual increment.

SECTION 18. It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget requests for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 19. Of the funds appropriated in Section 1(a) to the State Board of Education, not less than Twenty-three Million Eighty Thousand Dollars (\$23,080,000.00) shall be used for National Board Certification. Of this amount, Six Hundred Thousand Dollars (\$600,000.00) shall be used for the World Class Teacher Program providing instruction and assistance to teachers seeking National Board Certification.

SECTION 20. Of the funds appropriated in Section 1 and Section 4(a) not less than Fifteen Million Fifty-eight Thousand Dollars (\$15,058,000.00) shall be used for the Educable Child Program. It is the intention of the Legislature that the State Board of Education shall allocate funding for the Educable Child Program based upon a recalculated formula in a manner to include only those billable days funded through appropriation of state funds and not District funds. It is the intent of the Legislature that the Educable Child funds shall be exempt from budget cuts made to the Department of Education by the Legislature and/or the Office of the Governor.

SECTION 21. Of the funds appropriated in Section 1(a) and Section 4(a), not less than Three Million Dollars (\$3,000,000.00) shall be used for the Education Scholarship Account (ESA) Program. It is the intent of the Legislature that the Education Scholarship Account (ESA) funds shall not be reduced by the State Department of Education and/or the Office of the Governor.

SECTION 22. The public school districts of the state are authorized at their discretion to pay with local funds one hundred percent (100%) of the cost of the health insurance premiums of the State and School Employees Health Insurance Plan for all retired members of the Public Employees' Retirement System who are employed as school bus drivers by the school districts. It is the intention of the Legislature that no state funds shall be used for this purpose.

SECTION 23. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 24. Of the funds appropriated in Section 1, not less than Six Million Three Hundred Twenty-one Thousand Nine Hundred Twenty-seven Dollars (\$6,321,927.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

SECTION 25. Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Sixty Thousand Dollars (\$3,060,000.00) shall be used for

the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Sixty Thousand Dollars (\$3,060,000.00) is provided from the Department of Health.

SECTION 26. The State Department of Education shall contract with a Certified Public Accountant to calculate components of the Mississippi Adequate Education Program to include the base student cost, school district allocations, total program cost, add-on programs, and any other required components of Section 37-151-7, Mississippi Code of 1972. The contractor shall be responsible for calculating the estimates of these components due to the Legislative Budget Office and the Governor by August 1 and the final estimates due to the Legislative Budget Office and the Governor no later than January 2. A report detailing the funding of this contract shall be submitted by the State Department of Education to the Legislature no later than January 30, 2022.

SECTION 27. Of the funds appropriated in this act, it is the intention of the Legislature that Twenty Million Dollars (\$20,000,000.00) from the Public School Building Fund shall be used for the Mississippi Adequate Education Program.

SECTION 28. It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health Insurance Program. The amount of such fees shall be Five Hundred Dollars (\$500.00) for each semester.

SECTION 29. It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

SECTION 30. It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars (\$5,000,000.00), to any school district for the purpose of providing funds to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2021, and ending June 30, 2022. The school districts receiving these loans shall repay the Mississippi Department of Education the amount of the loan on or before June 30, 2022.

SECTION 31. Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars (\$700,000.00) shall be transferred to the Board of Health no later than December 31, 2021.

SECTION 32. Any school district receiving funds through Save the Children and Stride may provide a ten percent (10%) match from local funds for implementation of the program.

SECTION 33. Of the funds appropriated in Section 1(a), Two Million Dollars (\$2,000,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program. A portion of these funds not to exceed three percent (3%) may be used for training and administrative costs related to oversight and auditing of the program.

SECTION 34. Of the funds appropriated in Section 1(a) and Section 2(a), Sixteen Million Dollars (\$16,000,000.00) is provided for an Early Childhood Education Initiative program. The funding shall be provided to early learning collaboratives in Fiscal Year 2022 as follows: no less than Two Thousand Five Hundred Dollars (\$2,500.00) per student in a full-day program and no less than One Thousand Two Hundred Fifty Dollars (\$1,250.00) per student in a half-day program. Funds must be matched as provided by Section 37-21-51.

SECTION 35. Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred Dollars (\$15,094,500.00) shall be used for the Literacy Initiative and Assessment.

SECTION 36. Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

SECTION 37. Of the funds appropriated in Section 1(a), Two Million Six Hundred One Thousand Nine Hundred Eighteen Dollars (\$2,601,918.00) shall be used for the Mississippi School of the Arts and Three Million Seven Hundred Fifty-eight Thousand Seven Hundred Thirty-three Dollars (\$3,758,733.00) shall be used for the Mississippi

School for Mathematics and Science. It is the intention of the Legislature that of the funds appropriated in Section 1(a) for the Mississippi School of the Arts One Million Three Hundred Thousand Nine Hundred Fifty-nine Dollars (\$1,300,959.00) shall be paid to the school no later than July 10, 2021, and One Million Three Hundred Thousand Nine Hundred Five-nine Dollars (\$1,300,959.00) shall be paid no later than January 10, 2022. All funds appropriated from Section 4(a) for the Mississippi School of the Arts shall be paid to the school each month within ten (10) working days after such amount was received by the Department of Education. It is the intention of the Legislature that the State Board of Education shall not reduce the appropriated amounts provided in this act for the Mississippi School of the Arts and the Mississippi School for Mathematics and Science.

SECTION 38. Of the funds appropriated in Section 1(b) and Section 2(b), Five Hundred Thousand Dollars (\$500,000.00) is provided for career and technical grants to schools for qualified students as authorized by Section 37-153-15, Mississippi Code of 1972.

SECTION 39. Of the funds appropriated in this act, the following amounts shall be available to the Schools for the Blind and Deaf: \$9,697,547.00 from Section 1(a), \$1,207,037.00 from Section 4(a), and \$2,159,725.00 from Section 2(a).

SECTION 40. Of the funds appropriated in Section 1(a), an amount not to exceed Fifty-one Million Four Hundred Twenty Thousand Six Hundred Twenty-seven Dollars (\$51,420,627.00) shall be allocated for the purpose of providing funds to each public school district in the state for an annual salary increase of One Thousand Dollars (\$1,000.00) or One Thousand One Hundred Ten Dollars (\$1,110.00) as prescribed in the Minimum Salary Schedule in House Bill 852, 2021 Regular Session, for each state funded certified teacher, teacher assistant, reading and librarian aide, counselor and librarian, excluding non-instructional personnel and administrators, for the 2021-2022 school year, and school years thereafter.

SECTION 41. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Education for the purpose of reauthorizing the expenditure of General Fund, as authorized in HB 1700, 2020 Regular Session to provide for agency operations for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 4,700,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 42. Of the funds appropriated in this act, an amount not to exceed Four Million Five Hundred Ninety-four Two Hundred Ninety-one Dollars (\$4,594,291.00) is authorized to fully fund the contract between the Department of Education and the Research & Curriculum Unit at Mississippi State University to fund career and technical curricula, services to secondary schools and career and technical assessments.

SECTION 43. The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 44. It is the intent of the Legislature that each eligible professional school counselor employee who meets the year of teaching experience requirements under Section 37-151-5(m), Mississippi Code of 1972, shall be considered having a year of experience for purposes of the annual experience salary increment.

SECTION 45. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Richard Bennett
Manly Barton

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Dennis DeBar, Jr.
Sollie B. Norwood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1387** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1391** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1391: Appropriation; reappropriation, DFA - Bureau of Building; FY21.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3393100000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, for the purpose of reauthorizing the expenditure of funds previously appropriated for construction and/or repair and renovation projects at various state agencies and institutions, as authorized in House Bill No. 1705, 2020 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 62,940,672.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of special funds for construction and/or repair and renovation projects at various state agencies and institutions that had been authorized by the Legislature in prior fiscal years.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021, or change the purpose for which the funds were originally authorized.

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; SB 3015, 2017 Regular Session; SB 2911, 2016 Regular Session; SB 2902, 2014 Regular Session; and SB 2896, 2013 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 1,739,055.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at various state agencies and institutions.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021, or change the purpose of which the funds were originally authorized.

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 6,593,047.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at the Institutions of Higher Learning and Community and Junior Colleges and various state agencies and institutions.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021, or change the purpose of which the funds were originally authorized.

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493C00000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; and SB 3015, 2017 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 477,879.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in prior fiscal years for upgrades and renovation of the water treatment facility at the Alcorn State University and related purposes.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021, or change the purpose of which the funds were originally authorized.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 6493200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1705, 2020 Regular Session; and House Bill 1667, 2019 Regular Session for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 207,965.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for improvements for the Law Enforcement Officer's Training Academy.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021, or change the purpose of which the funds were originally authorized.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1705, 2020 Regular Session; and Senate Bill 3049, 2019 Regular Session for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 3,801,654.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense funds for construction and/or repair, renovation, and improvements of state-owned properties, universities and community colleges that had been authorized by the Legislature in a prior fiscal year.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021, or change the purpose of which the funds were originally authorized.

SECTION 7. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repair and renovation projects.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE
AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF SPECIAL
FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR
AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND
INSTITUTIONS, FOR FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Manly Barton
Karl Oliver

CONFEREES FOR THE SENATE

W. Briggs Hopson III
John A. Polk
Hillman Terome Frazier

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1391** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1392** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1392: Appropriation; Environmental Quality, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for

the support and maintenance of the Department of Environmental Quality for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 10,740,138.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Environmental Quality which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022...
\$ 257,296,241.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	271
	Part Time	0
Time-Limited:	Full Time	233
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary

which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the Department of Environmental Quality shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Pollution Control	
Days with Air Advisories (%)	5.00
Air Permits Modified/Issued in a Timely Manner (%)	50.00
Counties that Meet NAAQ Standards (%)	75.00
Air Facilities Inspected (%)	35.00
Air Facilities in Compliance with Regulatory Requirements (%)	85.00
Waste Permits Issued/Modified in a Timely Manner (%)	50.00
Waste Facilities Inspected (%)	55.00
Inspected Waste Facilities in Compliance with Regulatory Requirements (%)	93.00
Citizens Who Have Access to Recycling Programs (%)	55.00
Underground Storage Tanks in Compliance with Regulatory Requirements (%)	75.00
Contaminated Sites That Have Completed Assessment (%)	61.00
Contaminated Sites That Have Completed Remediation (%)	20.00
Waters That Have Acceptable Quality for Their Designed Use (%)	56.00
NPDES Permits Issued/Modified in a Timely Manner (%)	70.00
NPDES Majors Inspected Per Year (%)	50.00
NPDES Majors in Compliance (%)	66.00
Staff with Expertise in the National Incident Management System (%)	70.00
Construction Grants	
SRF Loan Recipients in Compliance with Loan Agreements (%)	90.00
Land & Water	
Annual Prioritized Water Resource Areas Adequately Characterized (%)	79.00
Groundwater Use Permits Issued/Modified (%)	95.00
Surface Water Use Permits Issued/Modified (%)	95.00
Water Use Reported (%)	80.00
High Hazard Dams with Emergency Action Plans (%)	75.00

Geology

Mining Facilities Inspected (%)	95.00
Inspected Mining Facilities in Compliance with Regulatory Requirements (%)	85.00

Administrative Services

Administration as a Percentage of Total Budget (%)	5.00
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A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 2, an amount no greater than Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Administrative Services for support of Legal Division environmental protection activities.

SECTION 8. Of the funds appropriated in Section 2, an amount no greater than One Hundred Thousand Dollars (\$100,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Pollution Control for support of the Household Hazardous Waste Collection Grants Program.

SECTION 9. The Department of Environmental Quality (DEQ) may request that the Mississippi Development Authority (MDA) staff shall provide an economic viability assessment for any complete application or group of related complete applications submitted to DEQ after July 1, 1999, for which DEQ estimates that DEQ will be required to devote extraordinary effort to process the application or group of related applications within the one hundred eighty (180) days required by Section 49-17-29(3)(c). For purposes of this paragraph, "extraordinary effort" means the constant dedication of more than three (3) full-time equivalent positions for a period of at least one hundred eighty (180) days. The economic viability assessment shall include, but not be limited to: (i) an analysis of the current and future market viability of the project concerning which application(s) has been made to DEQ; and (ii) an analysis of the applicant's economic ability to construct, develop, maintain and operate the project as described in the application(s) submitted to DEQ. If the economic viability assessment concludes that the project is not economically viable for any reason, DEQ shall suspend processing the permit application(s), notwithstanding the provisions of Section 49-17-29(3)(c). Within thirty (30) days of the decision of MDA staff, the permit applicant may present any additional information on its behalf to the Executive Director of MDA, and the Executive Director shall review the MDA staff assessment. If additional information is received in writing from the applicant, the Executive Director of MDA shall make a decision in review of the MDA staff decision within sixty (60) days of the staff decision, and the decision of the Executive Director of MDA shall be the final administrative action of MDA in the matter.

SECTION 10. It is the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Environmental Quality. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall submit written justification for the transfer to the Legislative Budget Office and the Department of

Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Of the funds appropriated herein, it is the intent of the Legislature that the Department of Environmental Quality shall pay debt service on bonds issued to provide state matching funds for the State Revolving Loan Fund with interest earnings derived from the fund.

SECTION 13. It is the intent of the Legislature that from the funds available to the Department of Environmental Quality, the agency may purchase and pay premiums on property damage insurance on its motor vehicles, boats, trailers, motors, and other equipment assigned to the South Regional Office.

SECTION 14. Of the funds appropriated in Section 2, an amount not greater than Two Hundred Thousand Dollars (\$200,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality to be used for dam and reservoir inspections, inventory, and reporting.

SECTION 15. It is the intention of the Legislature for the Department of Environmental Quality to continue with any agreements with Mississippi state agencies, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 16. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) is provided for the purpose of assessment, remediation, operation and maintenance, cost-sharing, oversight, and administration of water, land, and air contamination projects within the State of Mississippi pursuant to the 2020 settlement in The State of Mississippi ex rel. Lynn Fitch, Attorney General vs. EnPro, Inc., et.al.; Cause No. CV-2017-19-JMY2.

SECTION 17. With the funds appropriated herein, the Department of Environmental Quality is authorized to make payment to certain vendors for expenses incurred during 2019 to certain vendors as follows:

United States Geological Survey.....	\$ 3,212.86
United States Geological Survey.....	\$ 3,220.84
MS Department of Marine Resources	\$ 21,304.99
MS Department of Marine Resources	\$ 53,891.74
Quitman County Board of Supervisors	\$ 6,530.00
Mississippi State University.....	\$ 84,363.30

SECTION 18. Of the funds appropriated under the provisions of Section 2, One Million Dollars (\$1,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for the Mississippi Dam Safety Fund.

SECTION 19. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
C. Scott Bounds	Sampson Jackson II
Charles Jim Beckett	Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1392** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1393** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1393: Appropriation; Wildlife, Fisheries and Parks, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Wildlife, Fisheries and Parks for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 5,990,033.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Wildlife, Fisheries and Parks which is comprised of special source funds collected by or otherwise available to the department for the support and maintenance of the department, including the Museum of Natural Science and the Bureau of Parks and Recreation, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 77,023,000.00.

The following sum, which is included in the sum appropriated above in this section, is appropriated out of the state excise taxes upon gasoline, oil and other petroleum products to the Fisheries and Wildlife Fund for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 5,750,000.00.

The Department of Revenue is directed to set aside the amount of this appropriation or any part thereof at any time it sees fit, out of any collections of taxes upon gasoline, oil and other petroleum products, and to deduct the amounts so set aside from such funds before making distribution thereof. However, provisions shall first be

made for the Highway Bonds Sinking Fund, as required under the provisions of Chapter 130, Laws of 1938, and any amendments thereto, and Section 27-5-101, Mississippi Code of 1972.

Any funds available in the Wildlife Heritage Fund may be expended by the Commission on Wildlife, Fisheries and Parks as authorized by law. The department shall make a detailed report to the Legislature regarding the spending of the Wildlife Heritage funds by September 1 for the preceding fiscal year.

SECTION 3. Of the funds appropriated under the provisions of Section 2 to the Bureau of Wildlife and Fisheries, funds in the amount of One Hundred Twenty-five Thousand Three Hundred Thirty-five Dollars (\$125,335.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2022.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	634
	Part Time	0
Time-Limited:	Full Time	63
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 5. Each conservation officer and supervisor shall be furnished an allowance for uniforms not to exceed Five Hundred Fifty Dollars (\$550.00) per annum.

Provided further, when any personnel of the Bureau of Wildlife and Fisheries are transferred from one (1) county to another on a permanent assignment, the expense monies now paid on out-of-county duty shall not be applicable.

SECTION 6. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Support Services	
Hunting & Fishing Licenses Sold (Number Of)	450,000
Registration of Boats (Number Of)	46,000
Change in License Sales (%)	1.00
Change in Boat Registration (%)	1.00
Fisheries	
Fish Stock for Public Water (Fish)	2,000,000
Number of Customers of DWFP Lakes	65,000
Increase in Participation in Aquatic Education (%)	6,500.00
Number of Access Facilities Built or Maintained (Boat Ramps)	38
Wildlife	
MDWFP Management for Hunters & Non-consumptive Users (Man-days)	125,000
Research Projects Conducted to Sustain Healthy & Abundant Wildlife Populations	4
Acres of Forest Inventory	10,000
Acres of Prescribed Burning, Waterfowl Management, & Timber Management on WMA's to sustain Healthy and Abundant Wildlife	33,500
Change in Number of Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations(%)	0.00
Change in number of Private Land Acres Influenced (%)	0.00
Change in the number of Forest Inventories Conducted (%)	0.00
Law Enforcement	
Hunter Education (Participants)	10,000

Number of Hours Patrolled on Land	160,000
Number of Hours Patrolled on Water	72,000
Number of Criminal Investigations Conducted	8,000
Number of Shooting Sport Programs	840
Number of Boating Accidents	20
Number of Boating Fatalities	5
Cost per student for Hunter Education	48.00
Increase in Shooting Sports Program (%)	23.00
Change in number of Boating Accidents (%)	50.00
Change in Boating Related Fatalities (%)	50.00
Change in Public Contacts per Officer/per Day (%)	10.00
Special Projects	
Improve use of special funds (%)	0.20
Motor Vehicle Fund	
Vehicles Purchased	41
Used Vehicle Sold	41
Change in Number of Vehicles in the Fleet in Order to Maintain Efficient and Reliable Fleet of Vehicles (%)	3.00
Parks	
Overnight Accommodation (Cabins/Motels)	450,000
Overnight Accommodations (Camping)	745,000
Day Use Services (Persons)	300,000
Change in Day Use Services (%)	2.00
Change in the Prior Year of Occupancy Rate of Cabins (%)	1.00
Museum	
Statewide Education Programming (Participants)	100,000
Total Public Programming (Persons)	200,000
Number of Visitors to Exhibits	60,000
Number of Natural Heritage Records Entered	50,000
Increase in Students that Understand the Importance of Natural Resource Conservation (%)	15.00
Increase of Visitors to Exhibits (%)	5.00
Change in the number of Natural Heritage Records (%)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 8. Of the funds appropriated in Section 2, the following amount shall come from the Department of Wildlife, Fisheries and Parks Special Pearl River Timber Fund No. 3465, for the purpose of making improvements to the Pearl River Wildlife Management Area..... \$ 50,000.00.

SECTION 9. Of the funds appropriated within this act, the Commission on Wildlife, Fisheries and Parks may enter into cooperative agreements with the board of supervisors of any county or any group or combination of counties for the purpose of creating, improving or restoring parks, public game and fish habitat lying or to be situated wholly or partially within such county or in an adjoining county; and each county is empowered and authorized, in its discretion, to expend funds from the general county fund for such purposes from which fund they shall reimburse to the Commission on Wildlife, Fisheries and Parks the actual cost of all surveying and engineering projects incurred by the Department of Wildlife, Fisheries and Parks incidental thereto. Such boards of supervisors are further authorized and empowered, in their discretion, to enter into agreements necessary to carry out the purposes of this act with any other county, the United States Forest Service or any other agency if same should be necessary for the acquisition of land by lease or otherwise for such purposes.

SECTION 10. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 11. In order to be in compliance with Section 63-1-201 et seq., funds are herein provided and may be expended by the Department of Wildlife, Fisheries and Parks to pay the costs of commercial driver's licenses for specific employees and/or to reimburse such costs for specific employees who, in the course of their duties and responsibilities, are required to hold a valid Mississippi Commercial Driver's License.

SECTION 12. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Seventy-five Thousand Dollars (\$175,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a project specialist and related supportive cost.

SECTION 13. The department is authorized to spend up to sixty percent (60%) of revenue in the State Park Timber Endowment Fund, as needed, to operate and maintain the state parks.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) may be provided to fund the Youth Participation Initiative for the purpose of educating children in the areas of hunting, fishing, conservation, and safety.

SECTION 16. The fund created pursuant to Section 49-5-21, Mississippi Code of 1972, and known as the "Fisheries and Wildlife Fund" shall be treated as a special trust fund. All funds derived from the sale of licenses, fees, fines and other revenues received by the department as provided by law, shall be deposited in the Fisheries and Wildlife Fund. In addition, revenue derived from the sale of timber on wildlife management areas, refuges and preserves shall be deposited into an account established for such revenues under the Fisheries and Wildlife Fund. The interest and any investment income earned on the fund shall be credited by the State Treasurer to the Fisheries and Wildlife Fund and shall not be paid into the General Fund. Any unexpended funds remaining in the fund at the end of the fiscal year shall not lapse and shall remain in the fund. Nothing in this section shall prevent the use of said funds from maintenance and upgrade on wildlife management areas.

SECTION 17. It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars (\$1,300,000.00) be expended from the Motor Vehicle Fund for the purchase of any type of motor vehicle.

SECTION 18. The executive director of the Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with public or private entity to manage any park or parks within the state park system.

SECTION 19. It is the intent of the Legislature that no state-owned wildlife management area be closed and that to the greatest practicable extent, department land management decisions and actions may not result in any net loss of any acreage available for hunting opportunities that existed on July 1, 2006, as provided in Section 49-5-99(4). It is the intention of the Legislature that no state park be closed without legislative approval.

SECTION 20. It is the intent of the Legislature that the Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to enter into multi-year contracts for the purpose of placing a sign on such state park property under the department's domain, in accordance with any applicable rules and regulations. All proceeds generated from these activities shall remain with the department and shall be deposited into the proper special fund.

SECTION 21. It is the intent of the Legislature that from the funds available to the Department of Wildlife, Fisheries and Parks, the department may purchase and pay premium(s) on property damage insurance on its motor vehicles, boats, trailers, real property improvements, buildings, furnishings, and such other assets as may be appropriate or practical, and/or as required by a granting entity.

SECTION 22. Of the funds appropriated under the provisions of Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be designated for the purpose of defraying the operational expenses of Special Projects. None of these funds shall be used for "Personal Services".

SECTION 23. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from the Gulf and Wildlife Protection Fund, not to exceed Fifty Thousand Dollars (\$50,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.

SECTION 24. Of the funds appropriated under the provisions of Section 2, Four Hundred Thousand Dollars (\$400,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, is provided for the detection and prevention of Chronic Wasting Disease in deer populations across the state.

SECTION 25. Of the funds appropriated under the provisions of Section 2, Three Million One Hundred Thousand Dollars (\$3,100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, is provided for the purchase of land to provide public access to hunting, fishing, and outdoor activities.

SECTION 26. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 27. Of the funds appropriated in Section 1, it is the intention of the Legislature that Fifty-eight Thousand Five Hundred Ninety-three Dollars (\$58,593.00) may be allocated for the Hunter Education program supported from the General Fund court assessments.

SECTION 28. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 29. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS
FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

C. Scott Bounds

Charles Jim Beckett

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Sampson Jackson II

Angela Burks Hill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1393** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1396** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1396: Appropriation; Public Service Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Funds not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 4,355,157.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 493,431.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	61
	Part Time	6
Time-Limited:	Full Time	5
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal

Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Utility Regulatory Services	
Utility Docket Cases (Number of)	240
Utility Complaints (Number of)	4,560
Electric Complaints as a Percentage of Total (%)	48.00
Telecommunication Complaints as a Percentage of Total (%)	32.00
Water Complaints as a Percentage of Total (%)	10.00
Gas Complaints as a Percentage of Total (%)	8.00
Sewer Complaints as a Percentage of Total (%)	1.00
Average Cost per Utility Complaint (\$)	638.00
Time To Resolve Utility Complaints (Days)	3
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Investor-Owned Utilities (Cents/kWh)	0.11
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Electric Cooperatives (Cents/kWh)	0.11
Average Price of Electricity for	

Residential Customers in MS as a Percentage of the April 2016 National Average, 12.43 Cents/kWh - Investor Owned Utilities (%)	86.89
Average Price of Electricity for Residential Customers in MS as a Percentage of the April 2016 National Average, 12.43 Cents/kWh - Electric Cooperative (%)	95.14
Average Monthly Residential Electric Usage in MS (kWh)	1,200
Average Monthly Residential Electric Usage in MS as a Percentage of the 2015 National Average, 909 kWh (%)	135.00
Pipeline Inspections (Number of)	630
Average Cost per Pipeline Inspection (\$)	883.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. None of the funds herein appropriated by this act to the Public Service Commission shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Mississippi Public Service Commission that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the Public Service Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Service Commission to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 66,372.00.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Public Service Commission to administer the Mississippi Telephone Solicitation Act for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 287,121.00.

SECTION 9. Of the funds appropriated under the provisions of Section 8, Two Hundred Eighty-seven Thousand One Hundred Twenty-one Dollars (\$287,121.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for development of a new No-Call database system.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2022
Performance Measures	Target
Telephone "no-call"	
No-Call Complaints (Number of)	15,425

Average Cost per No-Call Complaint (\$) 20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2021. On or before August 1, 2021, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities Committee.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

C. Scott Bounds

Charles Jim Beckett

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Angela Turner-Ford

Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1396** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1398** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1398: Appropriation; Human Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 180,156,830.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 1,409,849,773.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, not more than the amounts set forth below shall be expended; however, notwithstanding any other provision in this act, it is the intent of the Legislature that any amount of funds and positions may be transferred between the Department of Human Services and the Department of Child Protection Services in order to comply with agreements made by the State of Mississippi with the United States District Court in reference to the Olivia Y., et al. lawsuit.

DEPARTMENT OF HUMAN SERVICES

FUNDING:

General Funds	\$ 68,328,575.00.
Special Funds	\$ 1,290,850,551.00.
Total	\$ 1,359,179,126.00.

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1,672
	Part Time	1
Time-Limited:	Full Time	472
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the

agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

DIVISION OF CHILD PROTECTION SERVICES

FUNDING:

General Funds	\$	111,828,225.00
Special Funds	\$	118,999,222.00
Total	\$	230,827,222.00

With the funds appropriated for this budget, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1,537
	Part Time	0
Time-Limited:	Full Time	417
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected

annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 5. It is the intention of the Legislature that the Department of Human Services and Department of Child Protection Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. Of the funds appropriated in Section 2 herein to Department of Human Services, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2021. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. The Department of Human Services and the Department of Child Protection Services are authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Support Services	
Percentage of Referred/Directed Investigative Audits Conducted (%)	100.00
Percentage of Special Investigations Conducted (%)	95.00
Percentage of Referred/Obtained Fraud Investigations Conducted Timely (%)	100.00
Percentage of Referred Administrative Disqualification Hearings & Fair Hearings Conducted Timely (%)	99.00
Percentage of Monitoring Reviews Conducted within Acceptable Timeframes (%)	98.00
Total Amount of Funds Recovered (\$)	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	28,975
Community Services - Age 60 + (Persons Served)	203,297
Congregate Meals (Number of)	491,685
Home Delivered Meals (Number of)	2,201,105
Substantiated Incidences of Abuse of Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction of Persons on Waiting list (%)	5.00
Child Support Enforcement	
Paternities Established (Number of)	15,500
Percent Change in Paternities Established (%)	3.30
Obligations Established (Number of)	16,000
Percent Change in Obligations Established (%)	12.50
Total Collections (\$)	378,000,000.00
Percent Change in Total Collections (%)	-2.50
Absent Parents Located (Number of)	68,000
Child Support Cases Current on Payments (%)	-2.53
Community Services	
Elderly Served by CSBG & LIHEAP (Number of)	20,352
Disabled Served CSBG/LIHEAP (Number of)	26,762
Households Achieving Self-Sufficiency CSBG/LIHEAP (Number of)	0
Increase in Rate of Household Attaining Self-Sufficiency (%)	0.00
Households Stabilized CSBG/LIHEAP (Number of)	0
Percent Increase in the Number of Households Stabilized (%)	0.00
Households Weatherized (Number of)	516
Early Childhood Care & Dev	
Children Served (Number of)	0
Assistance Payments	
Dollar Amount of Assistance (\$)	690,000.00
Food Assistance	
Average Monthly Households	225,000

Supplement Nutrition Assistance Program	
- SNAP (\$)	716,413,100.00
Percentage of Mississippi Households	
Receiving SNAP Benefits (%)	22.51
Tanf Work Program	
Average Monthly TANF Households (Number of)	4,600
Average Monthly Persons Served in TANF	
Work Program (Number of)	1,107
TANF Work Program Participation Rate (%)	60.00
Persons Employed Through the TANF Work	
Program for the Year (Number of)	720
Households Receiving TANF Benefits	
During the Year (Number of)	4,600
Percentage of Households Receiving TANF	
During the Year (%)	49.00
Percentage of TANF Participants in Job	
Training Who Enter Employment (%)	30.00
Percentage of TANF Participants in Job	
Training Who Enter Employment at a	
Salary Sufficient to be Ineligible for	
TANF (%)	19.00
Percentage of TANF Participants in Job	
Training Who Remain Employed for: One	
Year After Leaving the Program (%)	75.00
Percentage of TANF Participants in Job	
Training Who Remain Employed for: Five	
Years After Leaving the Program (%)	65.00
Social Services Block Grant	
Clients Served, Division of Family &	
Children's Services (Number of)	75,611
Clients Served, Aging & Adult Services	
(Number of)	21,178
Clients Served, Youth Services (Number of)	12,880
Youth Services	
Community Services (Children Served)	15,000
Institutional Component (Children Served)	300
Volunteers - Community	
Services/Institution (Number of)	0
Children Placed in Alternative Placement	
(Number of)	0
Children Diverted from Institutional	
Care (%)	95.00
Recidivism Rate (%)	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 11. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2022, the Executive Director of the Department of Human Services shall submit a report to the Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 12. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2021.

SECTION 14. Of the funds appropriated herein, to the Department of Human Services One Million Dollars (\$1,000,000.00), is provided for the support of the Home Delivered Meals Program and any additional funds that may be appropriated to this program.

SECTION 15. Of the funds provided in Section 1, herein to the Department of Human Services, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is provided to fund the Senior Olympics Program.

SECTION 16. Of the funds appropriated in Section 1, herein to the Department of Child Protection Services, it is the intention of the Legislature that Ninety-three Thousand Six Hundred One Dollars (\$93,601.00) shall be allocated to the Mississippi Children's Trust Fund supported from General Fund court assessments.

SECTION 17. It is the intention of the Legislature that the Governor's Office, Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 18. Of the funds appropriated by this act, pursuant to HB 571, 2019 Regular Session, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a coordinator to work with the Department of Public Safety, and to contract with outside agencies or service providers to organize for the provision of specialized services, including counseling services and other appropriate care to children who have been victims of commercial and sexual exploitation or human trafficking.

SECTION 19. As a condition of receiving and expending any funds appropriated under this act, the Department of Human Services:

(a) Shall use a competitive procurement process for entering into all TANF subgrant agreements with non-state entities when the federal government does not direct to whom the funds must be subgranted;

(b) Upon awarding of a grant to any subgrantee of the department, shall require the subgrantee to submit a monthly report to the department that contains, but is not limited to, all of the following:

(i) A listing of all costs incurred by the subgrantee during the previous month;

(ii) A listing of all clients served by the subgrantee, with an explanation of which services were provided to the clients;

(iii) A listing of all lower-tier subgrantees, who must be approved by the department before the execution of any such agreement by the prime subgrantee; and

(iv) Any other data required by the department to provide sufficient evidence of budgetary compliance;

(c) Shall not advance funds to a subgrantee for more than sixty (60) days; and

(d) Shall reimburse a subgrantee for expenses only after the required documentation is provided and is approved by the department.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as authorized in HB 1715, 2020 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 14,328,343.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 21. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the computer expenses of the Department of Human Services for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 5,000,000.00.

SECTION 22. It is the intent of the Legislature, that within the funds available, the Department of Human Services may provide any qualifying grants of CARES Act or American Rescue Act funding in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the three (3) regional food banks that serve

Mississippi, including Feed the Gulf Coast, Mid-South Food Bank, and Mississippi Food Network.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read

Sam C. Mims, V

Charles Jim Beckett

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Kevin Blackwell

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1398** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1399** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1399: Appropriation; Rehabilitation Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Rehabilitation Services for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 24,893,879.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 214,350,624.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars (\$3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal funds	\$ 2,782,590.00.
Independent Living Program which includes the State Attendant Care Program.....	\$ 854,903.00.
Deaf and hard of hearing	\$ 44,309.00.

SECTION 4. Of the funds appropriated under the provisions of Sections 1, 2 and 3, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	960
	Part Time	8
Time-Limited:	Full Time	205
	Part Time	1

The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars (\$500.00) of the funds appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. Of the funds appropriated herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Disability Determination Services	
Dispositions (Number of)	89,000
Processing Time (Days)	125
Special Disability Programs	
Clients Served (Number of)	3,054
Percentage Change in Persons Receiving HCBW Services Compared to Waiting List (%)	56.00
Ratio of Cost to HCBW Services per Person Compared to an Institutional Setting	38.00
Support Services	
Percentage of Total Budget (%)	2.00
Vocational Rehabilitation	
Clients Served (Number of)	19,000
Clients Rehabilitated (Number of)	2,800
Percentage Change of Persons Employed Compared to Total Persons Served (%)	14.00
Persons Employed with Pay Rate Greater Than Federal or State Minimum Wage	3,060
Persons with Significant Disabilities Leaving VR with Competitive, Self, or Bep Employment, Wage = or > Than Minimum	1,400
Spinal Cord & Head Injury Program	

Clients Served (Number of)	946
Percentage Change in Number of Spinal Cord & Brain Injuries per Year (%)	3.00
Voc Rehabilitation For The Blind	
Blind & Visually Impaired Served (Persons)	1,800
Persons Rehabilitated (Number of)	400
Independent Living (Number Served)	840
Percentage Change in Persons Employed Compared to Total Persons Served (%)	18.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 9. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Five Hundred Sixty-three Thousand Thirty-nine Dollars (\$1,563,039.00) shall be allocated to the Spinal Cord & Head Injury Trust supported from General Fund court assessments.

SECTION 10. Of the funds appropriated in Section 1, One Million Dollars (\$1,000,000.00) is provided for the support of the Independent Living Home and Community Based Waiver programs along with any additional funds that may be appropriated to these programs.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Rehabilitation Services, for the purpose of reauthorizing the expenditure of General Funds, as authorized in HB 1714, 2020 Regular Session to provide for agency operations for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 1,584,164.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF
REHABILITATION SERVICES FOR FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Sam C. Mims, V	Kevin Blackwell
C. Scott Bounds	Albert Butler

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1399** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1400** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1400: Appropriation; Medicaid, Division of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Governor's Office - Division of Medicaid for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, as provided in Section 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 836,685,748.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Medical Care Fund created by Section 43-13-143, Mississippi Code of 1972, for the purpose of providing medical assistance under the Mississippi Medicaid Law for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 366,702,314.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Governor's Office - Division of Medicaid which is comprised of special source funds collected by or otherwise available to the Division, for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 5,301,794,134.00.

Prior period recovery of funds may be maintained and expended by the division when the recovery is received or finalized. Any recoveries due to audits or third party recoveries may be used to offset the cost of such audits and third party recoveries and as such, the division may escalate Contractual Services as needed for these purposes.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, for the purpose of defraying the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 63,230,003.00.

The above funds shall be allocated as follows:

CHIP Program at up to 209% level of poverty \$ 9,000,000.00.

Medical Program Matching Funds..... \$ 54,230,003.00.

It is the intention of the Legislature that funds may be shifted among the above allocated line items where needed at the discretion of the Executive Director of Governor's Office - Division of Medicaid.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	979
	Part Time	9
Time-Limited:	Full Time	23
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 6. It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate

program. All Medicaid 1915 (C) Home and Community Based Services Waivers shall be presented as a budget program separate from the Medical Services Program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Administrative Services	
Admin as a % of Total Budget	4.23
Third Party Liability Cost Avoided (\$Thou)	1,355,362.00
% of Clean Claims Processed within 30 days of receipt	99.50
% of Clean Claims Processed within 90 days of receipt	100.00
Applications Processed within Std. of Promptness (%) - Medicaid	90.00
Third Party Funds Recovered	5,589,080.00
Providers Submitting Electronic Claims	31,500
Turnover Rate of Employees	15.00
Medical Services	
Medicaid Recipients - Enrolled (Persons)	682,500
% MSCAN Diabetic members aged 17-75 receiving HBA1c test	87.99
% Change in number of recipients enrolled from last year	0.37
% Change in number of providers from last year	-4.71
% MSCAN members with persistent asthma are appropriately prescribed medication	52.00
Costs of Emergency Room Visits (\$)	174,421,422.00
Number of Emergency Room Visits	626,368
Rate of EPSDT well child screening	75.00
Child Physical Exams (ages 0-20)	300,352
Adult Physical Exams (21-older)	2,919
Number of Fraud and Abuse Cases Investigated	250
Number of Medicaid Providers	36,893
Number of Medicaid beneficiaries assigned to a managed care company	450,000
Children's Health Insur Prg (CHIP)	
CHIP Enrollees	48,000
Applications Processed within Std. of Promptness (%) - CHIP	90.00
Home & Comm Based Waiver Prg	
Elderly & Disabled - Persons Served	19,580
Elderly & Disabled - Funded Slots	18,690
Elderly & Disabled - Total Authorized Slots	21,900
(E&D) Change in persons on waiting list (%)	10.00
Assisted Living - Persons Served	690
Assisted Living - Funded Slots	659
Assisted Living - Total Authorized Slots	1,000
(AL) Change in persons on waiting list (%)	10.00
Intellectual Disability - Persons Served	3,150
Intellectual Disability - Funded Slots	2,641
Intellectual Disability - Total	

Authorized Slots	3,650
(IDD) Change in persons on waiting list (%)	10.00
Independent Living - Persons Served	3,135
Independent Living - Funded Slots	2,993
Independent Living - Total Authorized Slots	5,725
(IL) Change in persons on waiting list (%)	10.00
Traumatic Brain Injury - Persons Served	1,045
Traumatic Brain Injury - Funded Slots	998
Traumatic Brain Injury - Total	
Authorized Slots	3,600
(TBI) Change in persons on waiting list (%)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. The Governor's Office - Division of Medicaid shall provide statistical and financial reports on a monthly basis to the Legislative Budget Office and the PEER Committee. These reports shall include, but are not limited to, an accounting of all funds spent in the medical program, the CHIP program, the Dialysis Transportation program, and each of the Home and Community Based Waiver programs, and an accounting of all funds spent in the administrative program, participant statistics and any other information requested by the Legislative Budget Office and the PEER Committee.

The Governor's Office - Division of Medicaid shall perform its cash flow projections on a predetermined monthly schedule and make this and any other information requested available, upon request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House and Senate Medicaid Committees, the House and Senate Appropriations Committees, the Legislative Budget Office and the PEER Committee. A summary of this cash flow projection shall also be presented in the report referenced in the above paragraph.

SECTION 10. Of the funds appropriated under the provisions of this act in an amount not to exceed, Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

SECTION 11. Of the funds appropriated in Sections 1 and 3, Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$398,550.00) General Funds and One Million One Hundred One Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds are provided for five (5) slots in the Assisted Living Waiver program for persons with Traumatic Brain Injury and in need of Cognitive Rehabilitation. The Division shall develop eligibility criteria for these additional slots.

SECTION 12. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for Fiscal Year 2022, which will be used as the baseline

levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2022 and later fiscal years:

- a. Comprehensive Diabetes Care (CDC) or successive measure.
- b. Medication Management for People with Asthma (MMA) or successive measure.
- c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.
- d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.

In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established for similar Medicaid recipients who are not enrolled in the MS-CAN program.

SECTION 13. Of the funds appropriated in Sections 1 and 4, One Million Dollars (\$1,000,000.00) shall be allocated to the Delta Health Alliance for the Mississippi Delta Medicaid Population Health Demonstration Project. Funds shall be transferred no later than July 31, 2021. A progress report on the Mississippi Delta Medicaid Population Health Demonstration Project shall be provided by Delta Health Alliance to the Chairmen of the Senate and House Public Health Committees, Senate and House Medicaid Committees and the Senate and House Appropriations Committees on or before December 31, 2021.

As a precondition to receiving such funds, the Delta Health Alliance shall:

- (i) establish a separate account into which funds provided by this section shall be deposited and accounted;
- (ii) establish performance measures that measure the ends to be achieved by each program activity implemented by the Alliance;
- (iii) cooperate with any firm or entity charged with the responsibility of auditing or evaluating the funds or program activities funded by this act;
- (iv) submit to the division on an annual basis reports that provide the following:
 - a) number of persons served by the Alliance;
 - b) amount of funds expended by the Alliance on approved activities;
 - c) names of staff employed by the Alliance by position title and annual salary; and
 - d) names of contractors used by the Alliance to provide services, including the amounts paid and a description of services rendered.

By December 1, 2023, and every three (3) years thereafter, the PEER Committee shall conduct an evaluation of the services provided by the Delta Health Alliance over the same period. In conducting evaluations required by this section, the PEER Committee shall have access to any and all records of the Alliance.

SECTION 14. It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 15. The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and community based services waiver to individuals who qualify for those services to avoid institutionalization or to transition an individual from an institution to any home and community based setting. Provision of such services shall not count against any limit imposed under this act. It is the intention of the Legislature that the cost of providing home and community based services shall not exceed the cost of nursing facility services, as determined by the Division.

SECTION 16. Of the funds appropriated in Section 1, an additional Eight Hundred Five Thousand Six Hundred Thirty Dollars (\$805,630.00) over the Division of Medicaid's FY 2021 appropriation is provided to fund additional slots in the Assisted Living Home and Community Based Waiver program and an additional One Million One Hundred Ninety-two Thousand Seven Hundred Seventy Dollars (\$1,192,770.00) over

the Division of Medicaid's FY 2021 appropriation is provided to fund additional slots in the Elderly and Disabled Home and Community Based Waiver program.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S
OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL
ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE
EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR
2022.

CONFEREES FOR THE HOUSE

John Read

Joey Hood

Sam C. Mims, V

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1400** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McDaniel requested that the following explanation be placed in the journal.

EXPLANATION

Pursuant to Senate Rule 117, please find below a brief written statement stating how I would have voted on **HB 1400**:

It is inexcusable to increase spending at this stage of our history. Medicaid needs reform, not expansion. The additional revenue in our budget, as compared to previous years, belongs to the people of Mississippi. It is their money, not ours. We should have utilized the additional revenue to provide tax relief for Mississippians. Accordingly, I would have voted NO.

Senator Sojourner requested that the following explanation be placed in the journal.

EXPLANATION

In accordance with Senate Rule 117, please find below a written statement stating how I would have voted on **HB 1400**:

Increasing spending to Medicaid is unacceptable. Medicaid needs real reform, not expansion. The additional revenue our state has this year should have utilized to provide tax relief for Mississippians. I would have voted NO.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1412** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1412: Appropriation; Marine Resources, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,079,426.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 92,536,490.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars (\$3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	104
	Part Time	0
Time-Limited:	Full Time	75
	Part Time	0

Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars (\$600.00) per annum.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception

of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2021, and ending June 30, 2022. \$ 12,226,497.00.

PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
Harrison County:		
FY22-P601-11	Eagle Point Park	
	- City of Biloxi	\$ 125,000.00
FY22-P601-08	Hiller Park Boat Launch	
	- City of Biloxi	\$ 150,000.00
FY22-P601-06	Kuhn St. Boat Launch	
	- City of Biloxi	\$ 450,000.00
FY22-P601-10	Causeway Park Floating Dock Project	
	- City of Biloxi	\$ 200,000.00
FY22-P603-06	Bernard Bayou James Hill Park	
	Site Improvements	
	-City of Gulfport	\$ 200,000.00
FY22-P603-04	Courthouse Rd Boat Launch	
	Maintenance Dredge	
	-City of Gulfport	\$ 250,000.00
FY22-P613-05	Long Beach Harbor Improvements	

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	-City of Long Beach.....	\$ 25,000.00
FY22-P600-03	West Small Craft Harbor Improvements	
	-City of Pass Christian.....	\$ 270,000.00
FY22-P511-07	D'Iberville Working Waterfront Harbor Marina Public Access	
	-City of D'Iberville.....	\$ 400,000.00
FY22-P999-07	Applications Maritime Classroom	
	-Harrison County Board of Supervisors	\$ 100,000.00
FY22-P999-04	MS Coastal Map	
	-Hancock County Board of Supervisors	\$ 150,000.00
Jackson County:		
FY22-P412-03	East Beach Accessibility Phase II	
	-City of Ocean Springs	\$ 234,000.00
FY22-P602-12	Racetrack Road Boat Launch	
	-Jackson County Board of Supervisors.....	\$ 150,000.00
FY22-P618-05	Shepard State Park Upgrades Project	
	- City of Gautier	\$ 250,000.00
FY22-P618-04	Mary Walker Bayou Parks Project	
	-City of Gautier	\$ 250,000.00
FY22-P604-08	Improvements to Point Park Boardwalk and Piers	
	-City of Pascagoula	\$ 400,000.00
FY22-P501-03	Highway 613 Sunset Pier and Sidewalk Extension	
	-City of Moss Point	\$ 403,450.00
FY22-P606-03	Estuarine Education Center Comfort Station	
	-Mississippi Gulf Coast Community College	\$ 100,000.00
FY22-M648-32	USM/GCRL Marine Education Center Pier and Kayak Launch	
	-University of Southern Mississippi	\$ 335,000.00
Hancock County:		
FY22-P401-03	Bayou La Croix Boat Launch Ward 6	
	-City of Bay St. Louis.....	\$ 200,000.00
FY22-P626-04	Boat Launch Marina Planning Assistance	
	-City of Waveland	\$ 300,000.00
FY22-P510-03	Diamondhead Noma Drive Public Access Improvements	
	-City of Diamondhead	\$ 400,000.00
FY22-P610-04	Clermont Harbor Pier Expansion	
	-Hancock County Board of Supervisors	\$ 451,000.00
Seafood Museum Hurricane Zeta Schooner Pier Repair		
	-City of Biloxi	\$ 241,000.00
Long Beach Pavilion, Harbor and Volleyball Area		
	-Harrison County Board of Supervisors	\$ 375,000.00
Marine Patrol Equipment		
	-Department of Marine Resources	\$ 200,000.00
Oceans Springs Sidewalk Project		
	-City of Ocean Springs	\$ 200,000.00
Total Public Access Projects		\$ 6,809,450.00
Total Management Projects		\$ 3,217,047.00
Bond Repayment		\$ 1,200,000.00

Prior Year Projects \$ 1,000,000.00
Total Tidelands Funds: \$12,226,497.00

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2021. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be allocated on a pro rata basis between projects listed in this section.

SECTION 6. It is the intention of the Legislature that the department shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 7. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.

SECTION 8. It is the intention of the Legislature that the Department of Marine Resources is hereby authorized to pay invoices submitted by the City of Long Beach, MS for reimbursement for prior fiscal year projects in an amount not to exceed Five Thousand Seven Hundred Fifty Dollars (\$5,750.00).

SECTION 9. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, Forty-Three Million One Hundred Eleven Thousand Five Hundred Ninety Dollars (\$43,111,590.00) is provided for the funding of the following Gulf of Mexico Energy Security Act (GOMESA) projects for FY 2022:

- (a) To assist the University of Southern Mississippi with the Ocean Enterprise Project \$ 4,990,274.00
- (b) To assist the Audubon of Mississippi through the Department of Marine Resources for the Audubon Mississippi Coastal Conservation project \$ 225,493.00
- (c) To assist the City of Biloxi with the East Biloxi Boardwalk \$ 1,901,538.00
- (d) To assist the City of Biloxi with the East Biloxi Boardwalk sand re-nourishment \$ 1,000,000.00
- (e) To assist the Department of Marine Resources with the Coffee Creek Outfall \$ 1,732,759.00
- (f) To assist the Department of Marine

Resources with the Coffee Creek water
quality\$ 509,764.00

(g) To assist the Department of Wildlife,
Fisheries and Parks with the Buccaneer
State Park \$ 1,957,424.00

(h) To assist the City of Biloxi with the
Bayview Avenue Boardwalk \$ 2,645,630.00

(i) To assist the City of Bay St. Louis with
the Ward 6 Boat Launch, Public Water Access
and Restroom Facility \$ 271,951.00

(j) To assist Harrison County with the Sea
Oats and Sand Dunes Creation \$ 105,000.00

(k) To assist the Department of Marine
Resources with the Infinity Science Center \$ 470,267.00

(l) To assist Mississippi State University
with the IMMS Evaluation Study \$ 803,657.00

(m) To assist Jackson County Board of
Supervisors with the Front Beach Erosion
Control \$ 1,742,568.00

(n) To assist the University of Southern
Mississippi with the Aquaculture Depth
Control Unit \$ 12,790.00

(o) To assist the Department of Marine
Resources with GOMESA project management,
development and mitigation \$ 218,516.00

(p) To assist the Department of Marine
Resources with an oyster plant \$ 2,000,000.00

(q) To assist the Department of Marine
Resources with the Shellfish Water
Quality Testing \$ 87,598.00

(r) To assist the Department of Marine
Resources with artificial reef Construction \$ 753,014.00

(s) To assist the Department of Marine
Resources with the oyster clutch \$ 503,384.00

(t) To assist the Department of Environmental
Quality with water quality \$ 996,285.00

(u) To assist Hancock County with Water
Sewer Force Crossing \$ 243,223.00

(v) To assist the Department of Marine
Resources with Bonnet Carre Response \$ 250,000.00

(w) To assist Jackson County with a Watershed
Development Plan \$ 450,000.00

(x) To assist the City of Diamondhead with
Marsh Erosion Prevention \$ 495,000.00

(y) To assist the City of Diamondhead with
Sewer Improvements \$ 831,600.00

(z) To assist the City of Pass Christian with
Sanitary Sewer Pump Station Repairs \$ 967,575.00

(aa) To assist Hancock County with Atlantic
Street Sewer Improvements \$ 2,721,150.00

(bb) To assist the City of Long Beach with
Small Craft Harbor SE Bulkhead Improvements \$ 2,188,000.00

(cc) To assist the Kiln Utility District with
the Jordan River Shores Sewer Force Main
Relocation \$ 410,000.00

(dd) To assist the City of Biloxi with
the Point Cadet Living Shoreline \$ 800,000.00

(ee) To assist the Department of Marine
Resources for Oyster Restoration and

Enhancement \$ 466,675.00
(ff) To assist the Department of Marine Resources with MS Reef Fish Monitoring and Assessment \$ 120,000.00
(gg) To assist Hancock County Utility Authority with Oak Harbor Sewer Improvements \$ 2,811,548.00
(hh) To assist Hancock County Port and Harbor Commission with Port Bienville Conservation Management \$ 510,200.00
(ii) To assist the City of Gautier with Water Quality and Infrastructure Sanitary Sewer \$ 2,668,265.00
(jj) To assist the City of Pascagoula with Buena Vista Area Drainage \$ 915,000.00
(kk) To assist the City of Pass Christian with Gravity Sewer System Improvements Phase I \$ 1,744,319.00
(ll) To assist the City of Pascagoula with Point Park Pier Repair/Improvements \$ 510,000.00
(mm) To assist the Department of Marine Resources with the Railroad Corner Beneficial Use Site \$ 236,900.00
(nn) To assist the University of Southern Mississippi with Collection of Fishery-Dependent information on Blue Crabs \$ 244,223.00
(oo) To assist the Department of Marine Resources with administrative expenses \$ 600,000.00

SECTION 12. It is the intent of the Legislature that the Department of Marine Resources shall have the authority to expend funds in an amount not to exceed Seventeen Million Dollars (\$17,000,000.00) from funds for the Gulf of Mexico Energy Security Act (GOMESA) that may become available to the agency in fiscal year 2022 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2022.

CONFEREES FOR THE HOUSE

John Read
Richard Bennett
Timmy Ladner

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Philip Moran
John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1412** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1413** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1413: Appropriation; Transportation, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Transportation Funds, for the purpose of defraying the administrative expenses of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,159,195,578.00.

SECTION 2. The following offices are supported by the funds appropriated in Section 1: The Office of Administrative Services, the Office of Highways, the Office of Aeronautics and Rails and the Office of Enforcement. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	3,384
	Part Time	9
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State

Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 3. Of the funds appropriated to the Mississippi Department of Transportation under the provisions of Section 1, the following amounts shall be available for expenditure in the program budgets as required by Section 27-103-127, Mississippi Code of 1972:

Administration and Other Expenses	\$ 60,613,653.00
Construction.....	\$ 754,520,005.00
Maintenance	\$ 211,244,935.00
Debt Service	\$ 78,782,972.00
Law Enforcement.....	\$ 16,964,654.00
Aeronautics, Rails and other	\$ 37,069,359.00

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Transportation shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated in Section 1, it is the intention of the Legislature that Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2022.

SECTION 6. Of the funds appropriated in Section 1 of this act, the Mississippi Department of Transportation shall expend such funds as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 7. None of the funds appropriated under the provisions of Section 1 of this act may be expended by the Department of Transportation for construction of new highways if such highway segment is less than ten (10) miles in length unless:

(a) The explanation and justification for letting such a contract for a length of less than ten (10) miles is entered upon the official minutes of the Transportation Commission;

(b) The commission, within ten (10) working days after entry of its explanation and justification upon its minutes, gives notice, by United States First Class Mail, and provides a copy of such entry upon its minutes, to the Chairman of the Transportation Committee of the Mississippi House of Representatives and the Chairman of the Mississippi Senate Highways and Transportation Committee.

SECTION 8. Of the funds appropriated to the Mississippi Department of Transportation, Three Hundred Thousand Dollars (\$300,000.00) shall be used for the Statewide Litter Prevention Program.

SECTION 9. Of the funds appropriated in Section 1, not less than Eighty Million Dollars (\$80,000,000.00) shall be expended for contracted maintenance overlay and pavement rehabilitation.

SECTION 10. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend with funds which were obligated in Fiscal Year 2021 for maintenance overlay projects and maintenance repair projects but not completed by the end of Fiscal Year 2021, in an amount not to exceed Ten Million Dollars (\$10,000,000.00).

SECTION 11. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to transfer between the various programs in an amount not to exceed ten percent (10%) of the amount allocated in Section 3, except that no transfers shall be authorized which increase the "Administrative and Other Expenses" Program or the "Law Enforcement" Program or which decrease the "Maintenance" Program.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend funds which were obligated in Fiscal Year 2021 but not expended in 2021 in the "Capital Outlay-Equipment" category in an amount not to exceed Two Million Dollars (\$2,000,000.00) as authorized in SB 2825, 2020 Regular Session, for Fiscal Year 2021.

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Thirty Million Dollars (\$30,000,000.00) received from other public or private entities as reimbursements for payments made on federal projects.

SECTION 14. With the funds appropriated in this act, the Mississippi Department of Transportation shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement of ceremony regarding the groundbreaking or

opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." Further, the signage shall state the four-year legislative term in which the project was funded.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The Mississippi Department of Transportation is authorized to dispose of or transfer used cell phones that are obsolete or inoperable to cell phone recycling programs dedicated to providing free phone access to United States military personnel.

SECTION 17. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Maintenance	
Total Number of Acres Mowed (First and Subsequent)	290,000
Increase of Acreage Mowed (%)	0.97
Slow the Expected Increases of Total Fatalities According to a 5 Year Rolling Average (697 or Less)	685.00
Decrease in State-Maintained Lane Miles Needing Repair or Rehabilitation (%)	1.50
Pavement Needs Met Annually (%)	0.05
Interstate Lane-miles With an Acceptable Payment Condition Rating (%)	38.00
4 Lane Highway Lane-miles With an Acceptable Pavement Condition Rating (%)	71.00
2 Lane Highway Lane-miles With an Acceptable Pavement Condition Rating (%)	54.00
Cost per Mile to Maintain State Highways (\$)	27,969.00
Number of Bridges in Poor Condition	190
Number of Bridges With Timber Components	145
Construction	
Miles of State Maintained Highways that Meet MDOT Thresholds for Congestion (%)	1.97
Miles of State Maintained Highways Requiring Additional Capacity (Num of Lane Miles)	219.08
Cost per Mile to Construct State Highways	13,940,000
Administration & Other	
Administration as a Percentage of Total Budget	5.23
GO-MDOT-Total Number of Page Views	838,650
Increase in Utilization of MDOTTRAFFIC.COM website (%)	5.00
Bonded Debt Service	
MDOT's Share of Annual Debt Service will not exceed 3.75% of Annual Budget	0.94
Law Enforcement	
Number of Trucks Weighed	6,800,000

Number of Trucks Over Axle	5,500
Number of Weight & Size Permits Authorized	175,000
Number of Trucks Over Gross	7,100
Vehicles Inspected Exceeding Restricted Weight Limits (%)	25.00

Aeronautics & Rails

Number of Airports Inspected	69
Number of Grade Crossings Inspected	2,800

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 18. It is the intention of the Legislature that the Mississippi Department of Transportation is hereby authorized to pay invoices submitted by Hampton Inn, Greenwood, MS, for services in prior fiscal years in an amount not to exceed One Hundred Twenty-eight Dollars and Fifty-two Cents (\$128.52).

SECTION 19. It is the intention of the Legislature that the Mississippi Department of Transportation is hereby authorized to pay invoices submitted by Holiday Inn Express Hotel and Suites, Ocean Springs, MS, for services in prior fiscal years in an amount not to exceed Ninety-three Dollars (\$93.00).

SECTION 20. It is the intention of the Legislature that the Mississippi Department of Transportation is hereby authorized to pay invoices submitted by Holiday Inn Express Hotel and Suites, Ocean Springs, MS, for services in prior fiscal years in an amount not to exceed Two Hundred Seventy-nine Dollars (\$279.00).

SECTION 21. Contingent upon passage of House Bill 2956, it is the intention of the Legislature, that the Mississippi Department of Transportation shall transfer all employees, equipment, inventory and resources of the Commercial Transportation Enforcement Division employed and used as law enforcement personnel to the Department of Public Safety on July 1, 2021. The transfer of personnel shall be commensurate with the number and classification of positions allocated to that law enforcement. The transfer shall also include direct support, clerical, data processing and communications positions allocated to that law enforcement.

SECTION 22. Of the funds appropriated in Section 1 and authorized for expenditure in Section 3, Sixteen Million Two Hundred Ten Thousand Five Hundred Forty-six Dollars (\$16,210,546.00) shall be provided from Fund No. 3941 in the State Treasury, contingent upon the passage of Senate Bill 2434, 2021 Regular Session.

SECTION 23. The Mississippi Department of Transportation is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Hundred Twenty-Five Million Dollars (\$125,000,000.00).

SECTION 24. It is the intention of the Legislature that of the Highway Infrastructure Program funds received by the state pursuant to the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and appropriated under authority of this act shall be spent on the following projects in the following amounts:

(1) To assist in paying costs for improvements to the interchange of Highway 463 and Stribling Road in Madison County to support access to the new sixth grade school to be constructed in that area \$ 500,000.00.

(2) To assist in paying costs for right-of-way acquisition, utility relocation, design and construction necessary to 4-lane that portion of Mississippi Highway 12 from the City of Durant in Holmes County, Mississippi, to the City of Kosciusko in Attala County, Mississippi..... \$ 4,500,000.00.

(3) To assist in paying costs for the planning, environmental studies and preliminary engineering as necessary to secure United States Department of Transportation approvals for Interstate 10 interchange modifications at Mississippi Highway 613 and Mississippi Highway 63 in Moss Point, Mississippi \$ 300,000.00.

(4) To assist Jackson County, Mississippi, with the replacement of the Roy Cumbeest Bridge over the Pascagoula River on Mississippi Highway 614 \$ 4,700,000.00.

(5) To assist in paying costs associated with right-of-way acquisition, utility relocation, design and construction necessary to add a center turning lane and upgrade the roadway on State Highway 4 from Interstate 55 to the campus of North West Mississippi Community College \$ 5,000,000.00.

SECTION 25. It is the Intention of the Legislature to Provide General Improvements, widening and/or overlay of the following:

(a) Highway 41 in Pontotoc County	\$ 250,000.00
(b) Old West Point Road in Lowndes County	\$ 250,000.00
(c) Highway 8 from Calhoun City to the intersection of Highway 9.....	\$ 500,000.00
(d) Intersection of Searcy Road and Highway 366 in Tishomingo County	\$ 500,000.00
(e) Highway 51 in Desoto County	\$ 500,000.00
(f) Highway 45 from Saltillo to Guntown for safety enhancements, including but not limited to deceleration lanes, red light, striping and lighting \$ 250,000.00	
(g) Intersection of Green Tea and Highway 51 in Desoto County.....	\$ 250,000.00
(h) County Road 600 in Corinth	\$ 250,000.00
(i) Highway 7 from Grenada to Greenwood.....	\$ 500,000.00
(j) Highway 7 at University Blvd in Oxford, Mississippi.....	\$ 250,000.00
(k) Highway 403 in Webster County.....	\$ 250,000.00
(l) Highway 51 in Tate County North of Highway 740	\$ 500,000.00
(m) Highway 6 in Quitman County	\$ 250,000.00
(n) Highway 49 in Greenwood, Mississippi.....	\$ 250,000.00
(o) Highway 25 in Monroe County.....	\$ 250,000.00
(p) Highway 16 West from Philadelphia to Carthage \$ 500,000.00	
(q) Canton/Madison corridor Highway 51 (repair, renovation, upgrades)	\$ 500,000.00
(r) Highway 80 from Trickham Bridge Road to I-20 \$ 500,000.00	
(s) Highway 463 Madison County at the Intersection of Stribling Road.....	\$ 250,000.00
(t) Hebron Christian Road in Clay County	\$ 250,000.00
(u) Highway 16 West between Dekalb and Philadelphia.....	\$ 500,000.00
(v) Intersection of Highway 15 and Broad Street in the Town of Decatur for upgrades to signal lights and poles	\$ 250,000.00
(w) Main Street, Town of Carthage	\$ 500,000.00
(x) State Highway 18, South of I-20 in Hinds County \$ 500,000.00	
(y) I-55 exit at Terry, Mississippi	\$ 250,000.00
(z) Highway 511, starting in Quitman toward Highway 45, in Lauderdale County	\$ 250,000.00
(aa) Old Highway 16 from Yazoo City to Canton \$ 250,000.00	
(bb) Highway 3 between 49 W and Highway 82.....	\$ 250,000.00
(cc) Highway 438 in Washington County.....	\$ 250,000.00
(dd) Intersection of Highway 57 and Ira Turner Road and High Street Road in Greene County	\$ 500,000.00
(ee) Intersection of Highway 43 North and Richardson Road in Picayune for caution lights and	

safety enhancement; for any remaining funds for
culverts under Highway 43 North during Hobolichitto

Creek	\$ 500,000.00	
(ff) Highway 603 in Hancock County		\$ 500,000.00
(gg) Highway 589/Purvis Oloh Road Intersection		
in Lamar County		\$ 500,000.00
(hh) Highway 11 at the I-59 Interchange		\$ 500,000.00
(ii) Highway 49 in Harrison County		\$ 500,000.00
(jj) Highway 605 at Dedeaux Road in Harrison		
County	\$ 500,000.00	
(kk) Highway 11 North starting at the		
Jones/Jasper County line going north		\$ 500,000.00
(ll) Highway 583 in Lincoln County		\$ 250,000.00
(mm) Highway 24/Main Street in Liberty,		
Mississippi		\$ 250,000.00
(nn) County Farm Road in Harrison County		\$ 500,000.00

SECTION 26. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Department of Transportation Funds not otherwise appropriated for the Mississippi Department of Transportation for the purpose of reauthorizing the expenditure of Transportation Funds, as authorized in HB 1727, 2020 Regular Session to provide funds to assist Jackson County, Mississippi, with the construction of a turn lane on Saracennia Road into the Helena Industrial Park for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 200,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 27. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 28. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2022;
AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Read
Charles Busby
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Jenifer B. Branning
John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1413** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger.
Total--50.

Nays--None.
Absent and those not voting--Fillingane. Total--1.
Voting Present--McMahan. Total--1.

Senator Hopson offered the following report of the Conference Committee on
S. B. No. 2904 (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2904: Appropriation; IHL - General support.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support, maintenance, affirmative action plan, interest funds and repairs at the state-supported institutions of higher learning; for support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 306,095,961.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of education and general operations of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 997,314,008.00.

SECTION 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Ayers Endowment Interest Fund, State Treasury Fund No. 3325800000, for the purposes as set out by the courts in the Ayers Case for the fiscal year beginning July 1, 2021, and ending June 30, 2022:

Alcorn State University.....	\$ 254,700.00
Jackson State University.....	\$ 390,600.00
Mississippi Valley State University	\$ 254,700.00

SECTION 4. Of the funds appropriated under the provisions of Section 2, the amount of One Million Four Hundred Thirty-nine Thousand Five Hundred Eighty-nine Dollars (\$1,439,589.00) shall be derived from unexpended balances in the Ayers program funds provided for the purpose in prior-year appropriations enacted by The Mississippi Legislature. These funds are to be allocated as follows:

Jackson State University	\$ 1,019,621.00
Mississippi Valley State University	\$ 419,968.00

SECTION 5. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2) or more institutions, the amount allocated to such centers shall be prorated

among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall insure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Forty-five Thousand Dollars (\$145,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities selection on a competitive basis from all Mississippi senior colleges and universities. The Mississippi Governor's School for the Gifted and Talented shall accept not less than one (1) high school student nominee from each accredited high school in Mississippi. The nominees, selected under criteria developed and adopted by the Board of Trustees of State Institutions of Higher Learning, shall be provided a two-week tuition-free program.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Forty-nine Thousand Two Hundred Dollars (\$349,200.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 8. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 9. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

- (a) For Mississippi State University as interest
on agricultural land script fund and
interest on sale of university land, the
sum of..... \$ 14,387.00
- (b) For the University of Mississippi as
interest on original seminary fund, the
sum of..... \$ 32,643.00
- (c) For the University of Mississippi as
interest on 1904 land grant fund, the
sum of..... \$ 9,965.00
- (d) For the University of Mississippi as
interest on LaBauve Fund, the sum
of \$ 1,420.00
- (e) For Mississippi University for Women
as interest on funds paid into the
State Treasury as proceeds of sale of
land donated to the Industrial Institute
and College by the United States
government, the sum of..... \$ 9,389.00
- (f) For Alcorn State University as interest
on land script and land sales funds,
the sum of..... \$ 12,592.00

SECTION 10. Of the funds appropriated in Section 2 of this act, the following amount shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

On-campus and off-campus support of Alcorn State University,
Delta State University, Jackson State University,
Mississippi State University, Mississippi University for
Women, Mississippi Valley State University, University
of Mississippi, and University of Southern Mississippi
for the sum of \$ 60,373,070.00.

SECTION 11. Of the funds appropriated under the provision of Section 2, the following sum, or so much necessary, is hereby appropriated out of any money in the

State Treasury to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....
\$ 13,239,631.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Alcorn State University	\$ 732,372.00
Delta State University	\$ 607,055.00
Jackson State University	\$ 1,175,025.00
Mississippi State University (including the Forest and Wildlife Research Center and the Division of Agriculture, Forestry and Veterinary Medicine)	\$ 3,819,858.00
Mississippi University for Women	\$ 534,143.00
Mississippi Valley State University	\$ 696,445.00
University of Mississippi	\$ 3,296,782.00
University of Southern Mississippi	\$ 2,377,951.00
Total	\$ 13,239,631.00

SECTION 12. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, Seven Million Six Hundred Thirty-three Thousand Dollars (\$7,633,000.00) shall be available to be expended by the Board of Trustees of State Institutions of Higher Learning for the purpose of defraying the costs associated with the implementation of the Ayers Settlement as follows:

Ayers-related programs at Alcorn State University, Jackson State University and Mississippi Valley State University

\$ 6,733,000.00	
Interest on the Ayers Endowment Fund	\$ 900,000.00

SECTION 13. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall first use special funds to the greatest extent possible to defray the costs of providing remediation at the state-supported institutions of higher learning.

SECTION 14. Of the funds appropriated under the provision of Section 2, One Million One Hundred Thirty-seven Thousand One Hundred Seventy-three (\$1,137,173.00), or so much necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office. These funds are provided unspent Ayers Program Funds by these respective schools from FY 2004 through FY 2008 and allocated as follows:

Alcorn State University	\$ 635,353.00
Jackson State University	\$ 153,481.00
Mississippi Valley State University	\$ 348,339.00

SECTION 15. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 16. It is the intention of the Legislature that the budget requests of the institutions for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 17. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning continue to review, and eliminate when possible, duplicating programs and degrees in the existing institutions of higher learning in this state.

SECTION 18. No state appropriations or student tuition and fee receipts, except those specifically charged for the provision of the services, shall be used to support

auxiliary enterprises, with the exception of intercollegiate athletics at a level designated by the board of trustees. It is the intent of the Legislature that auxiliary enterprises shall be self-supporting and that deficits not be taken from funds intended for instruction and academic programs.

SECTION 19. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 20. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 21. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Instruction	
Number of Undergraduate Degrees Awarded	12,221
Number of Graduate Degrees Awarded	4,592
Number of Degrees (Graduate & Undergraduate) Awarded in the Fields of STEM, Health & Education	5,083
Number of Undergraduate Degrees Awarded per 100 Undergraduate FTE Enrollment	20.10
Number of Graduate Degrees Awarded per 100 Graduate FTE Enrollment	44.20
Number of Students Completing 30 Hours	13,915
Number of Students Completing 60 Hours	10,132
Research	
Number of Patents Obtained in Emerging Technologies	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 22. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated equally to Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities....\$ 2,000,000.00.

SECTION 23. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch.....\$ 900,000.00.

SECTION 24. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 25. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Jackson State University E-Learning Center.....\$ 485,000.00.

SECTION 26. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center.....\$ 155,000.00.

SECTION 27. It is the intent of the Legislature that at the end of Fiscal Year 2022 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 28. None of the state general funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 29. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation

\$ 800,000.00.

SECTION 30. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred Ten Dollars (\$191,610.00) is provided for geospatial site licenses.

SECTION 31. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 32. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount shall be allocated to the Delta State University Delta Center for Culture and Learning..... \$ 100,000.00.

The funds allocated in this section shall only be used for the Delta Center for Culture and Learning.

SECTION 33. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to fund the Washington Center for Internships and Academic Seminars Mississippi Initiative Scholarship Program

\$ 75,000.00.

This program will provide opportunities for Mississippi's university and college students to gain real-life experience working in Washington, D.C. The funding will provide scholarships at Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, the University of Mississippi, and the University of Southern Mississippi. A written report shall be submitted listing the scholarship recipients by university to the Chairmen and members of the Senate and House Appropriations Committees.

SECTION 34. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 35. Of the funds appropriated under the provisions of Section 1 of this act, an amount not more than One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be allocated to implement university system efficiencies, including, but not limited to, academic, space, energy and any other system projects or expenditures that would lead to improved efficiency. Such funds may also be used to draw down other funds or as matching funds.

SECTION 36. Of the funds appropriated under the provisions of Section 1 of this act, Eighty-seven Thousand Three Hundred Dollars (\$87,300.00) shall be used to defray the expenses of the Children's Center for Communication and Development at the University of Southern Mississippi.

SECTION 37. Of the funds appropriated in Section 1 of this act, the amount of Two Hundred Forty-two Thousand Five Hundred Dollars (\$242,500.00) is provided for defraying the expenses of the DuBard School.

SECTION 38. Of the funds appropriated under the provisions of Section 1 of this act, the following sum is for the Southwest Mississippi Center Culture and Learning at Alcorn State University for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 266,750.00.

SECTION 39. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Eight Hundred Fifty Thousand Dollars (\$850,000.00) is

provided for the Engineer Research and Development Center in Vicksburg, Mississippi, for Research and Development opportunities in Science and Technology initiatives.

SECTION 40. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars (\$300,000.00) is provided for the Delta State University Delta Music Institute.

SECTION 41. It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately-owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State University shall not provide any water or sewer service to any new, privately-owned structures.

SECTION 42. Of the funds herein appropriated, Seven Hundred Twenty-nine Thousand Eight Hundred Ninety Dollars (\$729,890.00) shall be provided to the Charter School Authorizer Board. Of this amount, Two Hundred Twenty-nine Thousand Eight Hundred Ninety Dollars (\$229,890.00) shall be provided in General Funds and Five Hundred Thousand Dollars (\$500,000.00) shall be provided in Special Funds from the Charter School Authorizer Board Fund - Fund No. 3001700000.

SECTION 43. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 44. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 45. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Rita Potts Parks

Dennis DeBar, Jr.

CONFEREES FOR THE HOUSE

John Read

Charles Jim Beckett

C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2904** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2905** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2905: Appropriation; IHL - Subsidiary programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Law Research Institute, Jackson State University Urban Research Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, the Stennis Institute of Government, Gulf Coast Research Laboratory, Polymer Institute, Small Business Development Center, Stennis Center for Higher Learning, the Commission for Volunteer Services, the State Court Education Program, and the executive office of the board of trustees for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 34,585,035.00.

SECTION 2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Board of Trustees of State Institutions of Higher Learning for the purpose of support of Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Alcohol Safety Education Program, Stennis Institute of Government, Mississippi Law Research Institute, Mississippi Small Business Development Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, Stennis Space Center's Center for Higher Learning, Gulf Coast Research Laboratory, Polymer Institute, Jackson State University Urban Research Center, the Commission for Volunteer Services, and the executive office of the board of trustees for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 46,215,454.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Center for Advanced Vehicular Systems	\$ 4,480,637.00.
Supercomputer for the sum of	\$ 630,650.00.
Center for Manufacturing Excellence for the sum of	\$ 2,742,797.00.
Mississippi Mineral Resources Institute for the sum of	\$ 342,489.00.
State Court Education Program for the sum of	\$ 1,859,022.00.
Mississippi Law Research Institute for the sum of	\$ 818,324.00.
Executive Office of the Board of Trustees for the sum of	\$ 6,929,980.00.
Mississippi Polymer Institute for the sum of	\$ 667,563.00.
Mississippi Small Business Development Center for the sum of	\$ 269,582.00.
Stennis Space Center - Center for Higher Learning for the sum of	\$ 345,515.00.

Jackson State University Urban Research Center for the sum of	\$ 506,111.00.
Stennis Institute of Government for the sum of	\$ 741,318.00.
Commission for Volunteer Services for the sum of	\$ 694,976.00.
Gulf Coast Research Laboratory for the sum of	\$ 8,039,119.00.
Mississippi Water Resources Institute for the sum of	\$ 351,676.00.
Mississippi State Chemical Laboratory for the sum of	\$ 1,748,464.00.
Research Institute of Pharmaceutical Sciences for the sum of	\$ 3,416,812.00.
(b) From Special Funds, for the support of:	
Center for Advanced Vehicular Systems for the sum of	\$ 142,782.00.
Center for Manufacturing Excellence for the sum of	\$ 142,782.00.
Mississippi Mineral Resources Institute for the sum of	\$ 544,921.00.
Mississippi State University-Alcohol Safety for the sum of	\$ 1,816,761.00.
Mississippi Law Research Institute for the sum of	\$ 1,344,830.00.
Executive Office of the Board of Trustees for the sum of	\$ 20,465,376.00.
Mississippi Small Business Development Center for the sum of	\$ 1,368,396.00.
Commission for Volunteer Services for the sum of	\$ 5,083,677.00.
Gulf Coast Research Laboratory for the sum of	\$ 1,841,177.00.
Mississippi State Chemical Laboratory for the sum of	\$ 503,441.00.
Research Institute of Pharmaceutical Sciences for the sum of	\$ 12,961,311.00.

Of the funds appropriated under the provisions of Section 1 and allocated to the Gulf Coast Research Laboratory, the Board of Trustees of State Institutions of Higher Learning shall allocate One Hundred Seventy-five Thousand Dollars (\$175,000.00) for Sea Grants matching for the Fiscal Year 2022.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 if any charges for such services previously provided are more than ninety (90) days past due. After all such delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

SECTION 4. Of the funds appropriated in Section 2 and authorized for expenditure in Section 3(b), the following amounts shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

Center for Advanced Vehicular Systems.....\$	142,782.00.
Center for Manufacturing Excellence.....\$	142,782.00.
Gulf Coast Research Laboratory.....\$	142,782.00
Executive Office of the Board of Trustees	
for the sum of	\$ 402,396.00.
Total.....\$	830,742.00.

SECTION 5. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the budget requests of the individual institutes, laboratories and programs consolidated in this bill for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature any institution not in compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated, for the University of Mississippi - State Court Education Program for the purpose of reauthorizing the expenditure of General Funds for operational expenditures, as authorized in SB 2926, 2020 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 360,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2021.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Dennis DeBar, Jr.	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2905** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2906** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 6,311,173.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 119,322.00.

SECTION 3. Of the funds appropriated in Section 2, Sixty-nine Thousand Three Hundred Twenty-two Dollars (\$69,322.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. Of the funds appropriated under the provisions of Section 2, Fifty Thousand Dollars (\$50,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section

27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for operational expenditures.

SECTION 5. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries which are withdrawn and no longer available.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. Of the funds appropriated in Section 1, One Hundred Eighty-five Thousand Dollars (\$185,000.00) is provided for the Poultry Sciences Academic Research Center.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND	
MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL	
RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2022.	
CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Sarita Simmons	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2906** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2907** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 21,740,924.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 10,355,234.00.

SECTION 3. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2022 Regular Session of the Mississippi Legislature.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. Of the funds appropriated in Section 2, One Million Two Hundred Thirty-five Thousand Five Hundred Seventy-eight Dollars (\$1,235,578.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Plant Systems	
Number of Scientist FTE (Scientist Years)	52.35
Research Publications (Publications)	268
Appropriated Funds & Extramural Funds (Ratio)	1.12
Animal Systems	
Number of Scientist FTE (Scientist Years)	29.15
Research Publications (Publications)	262
Appropriated Funds & Extramural Funds (Ratio)	0.29

Health & Sustainable Communities

Number of Scientist FTE (Scientist Years)	43.83
Research Publications (Publications)	337
Appropriated Funds & Extramural Funds (Ratio)	0.26

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 8. Of the funds appropriated under the provisions of Section 2, Fifty Thousand Dollars (\$50,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for operational expenditures.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY
EXPERIMENT STATION FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Sarita Simmons	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2907** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2908** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2021, and ending

June 30, 2022 \$ 29,796,866.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 14,247,456.00.

SECTION 3. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Mississippi Cooperative Extension Service provide programs in the emphasis areas of Agriculture, Family and Consumer Education, Natural Resources and Environment, 4-H, and Business and Community Development in each county.

SECTION 5. No part of the funds appropriated or authorized to be expended hereby shall be spent directly or indirectly for payment of attorneys' fees for the services of any attorney who was not employed by the Mississippi Cooperative Extension Service pursuant to the express authorization of the Board of Trustees of State Institutions of Higher Learning prior to performance of such legal services.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2022 Regular Session of the Mississippi Legislature.

SECTION 8. Of the funds appropriated in Section 2, One Million Forty-five Thousand Two Hundred Forty-five Dollars (\$1,045,245.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures

FY2022
Target

Agriculture	
Published Information (Items)	300
Mass Media (Items)	4,500
Direct Educational Contacts (Persons)	270,000
Average Cost per Educational Contact	13.46
Family & Consumer Education	
Published Information (items)	150
Direct Educational Contacts (persons)	205,000
Average Cost per Educational Contact	9.34
Business & Community Dev	
Direct Educational Contacts (Persons)	88,000
Average Cost per Educational Contact	20.28
4-H Youth Development	
Direct Educational Contacts (Persons)	178,000
Average Cost per Educational Contact	11.66
Natural Resources & Environment	
Published Information (Items)	150
Mass Media (Items)	6,000
Total Contacts (Persons across all	
Delivery Methods/Events)	370,000
Average Cost per Educational Contact	27.75

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 10. Of the funds appropriated under the provisions of Section 2, Fifty Thousand Dollars (\$50,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for operational expenditures.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Rita Potts Parks
Bart Williams

CONFEREES FOR THE HOUSE

John Read
Charles Jim Beckett
C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2908** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2909** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of paying the expenses incurred in the operation and maintenance of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 5,501,910.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 1,264,064.00.

SECTION 3. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2022 Regular Session of the Mississippi Legislature.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. Of the funds appropriated in Section 2, Three Hundred Three Thousand Five Dollars (\$303,005.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated under the provisions of Section 2, Fifty Thousand Dollars (\$50,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for operational expenditures.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE
FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Charles Jim Beckett
Bart Williams	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2909** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2910** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning to be used for the operation of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 17,481,477.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 31,605,969.00.

SECTION 3. Any transfer shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. Of the funds appropriated in Section 2, Six Hundred Twenty-two Thousand Nine Hundred Twenty Dollars (\$622,920.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures		FY2022
Instruction		Target
.....Percentage of Year 4 DVM students		
passing NAVLE at graduation (%).....		95.00
.....Percentage of DVM graduates reporting		
employment in the field within 12 months		
.....		
of graduation.....		95.00
Research		
Number	of	grants/contracts awarded
55		
.....Percentage of graduate students		

reporting employment in the field within	
12 months of graduation (%)	95.00
Public Service - Animal Health Ctr	
Number of patient visits to AHC (AHC caseload managed)	29,677
Client satisfaction based on surveys (%)	98.00
Referring veterinarian satisfaction	
based on surveys (%)	95.00
Public Service - Diagnostic Lab	
Number of Lab Accessions (Test Requests)	
22,849	
Vet Research & Diagnostic Lab	
Diagnostic tests performed (Number)	
383,000	
Academic Support	
Percentage of vet campers and parents indicating "willing to recommend" on satisfaction surveys (%)	100.00
Percentage of alumni who report a satisfactory level of engagement with the college on surveys (%)	98.00
Operation & Maintenance	
Number of square feet O & M / Custodial Services	483,589
Cost per square foot Maintenance and Custodial Services	1.20

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be used for the purpose of testing, programming, and personnel-related expenses for Chronic Waste Disease.

SECTION 8. Of the funds appropriated under the provisions of Section 2, Fifty Thousand Dollars (\$50,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for operational expenditures.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Rita Potts Parks
Bart Williams

CONFEREES FOR THE HOUSE

John Read
Charles Jim Beckett
C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2910** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2911** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2911: Appropriation; IHL - Student Financial Aid.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 47,107,957.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized out of the proceeds derived from any federal funds, grants, donations,

fees, or other special source funds which are collected by or otherwise become available for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law including funds used as federal matching funds for the GEAR UP Mississippi Scholarship Program and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 3,336,000.00.

SECTION 3. None of the funds appropriated in this act shall be paid to or for the benefit of any student who applies for the first time, subsequent to July 1, 2021, for assistance through the Assistant Teacher Forgivable Loan established under the provisions of Section 37-106-35, the Southeast Asia POW/MIA Grant established under the provisions of Section 37-106-41, the Public Management Graduate Internship established under the provisions of Section 37-106-43, the State Medical Education Loan established under the provisions of Section 37-106-61, the State Dental Education Loan established under the provisions of Section 37-106-63, the Graduate and Professional Degree Forgivable Loan established under the provisions of Section 37-106-65, the Health Care Professions Forgivable Loan established under the provisions of Section 37-106-67, or the Family Protection Specialist Social Worker Forgivable Loan established under the provisions of Section 37-106-69.

SECTION 4. It is the intention of the Legislature that of the funds appropriated under the provisions of Section 1, the Board of Trustees of State Institutions of Higher Learning shall expend from the support of the out-of-state graduate and professional studies program an amount not exceeding the funding necessary, contingent upon the availability of qualified applicants, for nine (9) new entering optometry students and the number of returning optometry students who received funding under the program during the preceding school year.

SECTION 5. In the allocation of funds appropriated under the provisions of Sections 1 and 2, among the student financial aid programs included herein, it is the intention of the Legislature that priority shall be given and funds shall be first allocated to all students eligible for financial aid under the provisions of Section 37-106-39, Mississippi Code of 1972.

SECTION 6. All funds provided for in this act shall be accounted for in an annual report, which shall be submitted at the next regular session of the Legislature within ten (10) days after the convening thereof. The report should detail for each grant, scholarship, or loan program the number of recipients, the total amount of awards made, and the average award amount. The report shall include the number of students at each institution receiving financial assistance and the amount of such assistance. For loan programs, the report shall also include a summary of the repayment status and method of repayment for student cohorts as well as an accounting of the receipt of funds in repayment. Furthermore, all funds received and expended shall be reported and otherwise accounted for in accordance with the provisions of Section 37-106-11, Mississippi Code of 1972, except where individual identifying information must be withheld pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 USC Section 1232g 34 CFR Part 99.

No public or private institution of higher learning receiving funds under the respective provisions of this act, for the purpose of issuing scholarship grants or loans, shall issue any official transcripts for any persons who have any amount of repayment in arrears on the date such official transcript is requested.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1, an amount not to exceed Seventy Thousand Dollars (\$70,000.00) is provided for the Speech-Language Pathologists Loan Forgiveness Program established under the provisions of Section 37-106-73, Mississippi Code of 1972, and administered by the Mississippi Office of Student Financial Aid.

SECTION 11. Awards for the Higher Education Legislative Plan Grant Program, authorized by Section 37-106-75, shall be made to applicants meeting all program requirements and found to be in financial need according to the following definition:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00); or

(b) The family has annual adjusted gross income of less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

SECTION 12. Of the funds appropriated in Section 2, Two Million Dollars (\$2,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31 Mississippi Code of 1972. This amount shall be used for the William F. Winter and Jack Reed, Sr. Teacher Loan Repayment Program, HB 1179 2021 Regular Session.

SECTION 13. It is the intention of the Legislature that no student should receive undergraduate grant aid through more than one state-supported undergraduate grant program in the same term of enrollment. If a student is eligible for aid through multiple grant programs, the student shall be awarded from the program that awards the larger sum.

SECTION 14. It is the intention of the Legislature that all students must demonstrate eligibility at the conclusion of each term during the regular academic year in order to continue to receive state-supported aid.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE
W. Briggs Hopson III
Rita Potts Parks
Dennis DeBar, Jr.

CONFEREES FOR THE HOUSE
John Read
Charles Jim Beckett
C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2911** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.
Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2912** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 160,924,339.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of the proceeds derived from patient fees, student fees or any other special source funds which are collected by or otherwise become available, for the support and maintenance of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 1,661,705,977.00.

SECTION 3. With the funds appropriated and authorized for expenditure under the provisions of Section 1 and Section 2, the University of Mississippi Medical Center shall maintain the School of Medicine, the School of Dentistry, the School of Nursing, the School of Health Related Professions, the School of Population Health, the Teaching Hospital and the Medical Center Service Area. The University of Mississippi Medical Center shall prepare and make available to the Legislature an accounting of expenditures for each of the divisions listed in this section at the beginning of the legislative session.

SECTION 4. Due to critical nurse shortages and staffing, it is the intention of the Legislature to enhance recognition of excellence and expand the experience factor in attracting qualified registered nurses.

SECTION 5. Of the funds appropriated in Section 1, and the funds authorized to be expended in Section 2, none may be used to provide medical services on behalf of any state agency, institution or political subdivision, except to the extent that such agency, institution or political subdivision reimburses the hospital for the cost of the services provided. Upon the rendering of medical services to any such agency, institution or political subdivision, the hospital shall issue an invoice for the charges which shall be paid within ninety (90) days. In the event that payment is not made within ninety (90) days, the hospital shall discontinue providing services to that agency, institution or political subdivision until all outstanding charges have been paid.

SECTION 6. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the University of Mississippi Medical Center's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 8. Of the funds authorized for expenditure in Section 2, Six Million Eight Hundred Eighty-eight Thousand Twenty-nine Dollars (\$6,888,029.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 9. Of the funds appropriated under the provisions of Section 2, Two Million Three Hundred Eighty Thousand Four Hundred Thirty-one Dollars (\$2,380,431.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the University of Mississippi Medical Center.

SECTION 10. Of the funds appropriated under the provisions of Section 1, the sum of Three Hundred Fifteen Thousand Dollars (\$315,000.00) is hereby provided for scholarships for the Rural Dentists Scholarship Program as described in House Bill 776, 2013 Regular Session.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. Of the funds appropriated in Section 1 and Section 2, One Million Eight Hundred Thirty Thousand Dollars (\$1,830,000.00) is hereby provided for scholarships for the Rural Physicians' Scholarship Program as described in House Bill 1465, 2007 Regular Session. Of this amount, Thirty Thousand Dollars (\$30,000.00) is provided for a Psychiatrist Scholarship as described in Senate Bill 2524, 2019 Regular Session.

SECTION 13. Of the funds appropriated under the provisions of Sections 1 and 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) shall be derived from the State General Fund and Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000.00) shall be derived from any special source funds collected by or otherwise become available for the support and maintenance of the University of Mississippi Medical Center for the University of Mississippi Medical Center Cancer Institute.

SECTION 14. Of the funds appropriated in Section 2, Five Hundred Ninety-five Thousand Dollars (\$595,000.00) is hereby appropriated for A Comprehensive Tobacco (ACT) Center at the University of Mississippi Medical Center.

SECTION 15. Of the funds appropriated in Section 1 and Section 2, One Million Three Hundred Eighty-two Thousand Two Hundred Fifty Dollars (\$1,382,250.00) is provided for the Office of Mississippi Physician Workforce as described in House Bill 317, 2012 Regular Session.

SECTION 16. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research that kills or destroys an existing human embryo.

SECTION 17. Of the funds appropriated under the provisions of Section 1, One Million Three Hundred Forty-nine Thousand Nine Hundred Ninety-eight Dollars (\$1,349,998.00) shall be provided from General Funds and shall be provided to the Center of Excellence at the Blair E. Batson Hospital for Children for the care of abused and neglected children, and expended to improve, enlarge and/or construct the physical facilities of the Children's Safe Center and for support and maintenance of the center.

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 19. Of the funds appropriated in Section 1 and Section 2 of this act, Two Hundred Eighty Thousand Eight Hundred Forty-eight Dollars (\$280,848.00) is provided for the administration of the Rural Physicians' Scholarship Program and the Rural Dentists' Scholarship Program.

SECTION 20. Of the funds appropriated under the provisions of Section 1, Three Million Dollars (\$3,000,000.00) shall be provided to the MIND Center at the University of Mississippi Medical Center.

SECTION 21. Of the funds appropriated under the provisions of Section 2, One Million Two Hundred Sixty Thousand Three Hundred Sixty-nine Dollars (\$1,260,369.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for replacement, repair, renovation, and modernization of the UMMC grounds and infrastructure.

SECTION 22. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Five Hundred Thirty Dollars (\$3,681,530.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the Asylum Hill Project.

SECTION 23. It is the intention of the Legislature that any cash balances at the Office of Physician Workforce, the Children's Safe Center, and the MIND Center shall only be spent in support of those divisions.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Rita Potts Parks
Kevin Blackwell

CONFEREES FOR THE HOUSE

John Read
Charles Jim Beckett
C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2912** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2913** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 5,979,750.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Community College Board, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 120,817,960.00.

SECTION 3. Of the funds appropriated in Section 2, Three Hundred Fifty-six Thousand Dollars (\$356,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Proprietary School and College Registration, for the purpose of defraying the expenses incurred in the regulation and administration of the Mississippi Proprietary School and College Registration Law and the associated expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 574,386.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	52
	Part Time	0
Time-Limited:	Full Time	10
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 6. It is the intention of the Legislature that the budget requests of the administrative expenses of the Mississippi Community College Board for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. Of the funds appropriated herein, up to One Million Dollars (\$1,000,000.00) shall be expended from the Work Force Carryover Fund as created by House Bill No. 1271, 1995 Regular Session.

SECTION 8. Of the funds appropriated in Sections 1 and 2, funds in the amount of Fifty Million Eight Hundred Thirty-one Thousand Eight Hundred Two Dollars (\$50,831,802.00) are appropriated for the Workforce Education Program and Industrial Training. No funding obligation or commitment shall be made on behalf of the state for industrial training beyond the level of funding made available in this section. All industrial training program commitments made in Fiscal Year 2022 and future fiscal years shall be based only upon funds available in this section and any proposed commitments shall be approved by the Executive Director of the Mississippi Community College Board, or the Executive Director's designee prior to such commitment being finalized. Industrial training program commitments shall be made and based only upon

training services provided and not for a specific funding amount. Any expenditures of funds authorized in this section are limited to obligations made July 1, 2021, or after, and shall not be expended for obligations made prior to this date.

SECTION 9. Of the funds appropriated in Section 2, funds in the amount of Twenty-eight Million Dollars (\$28,000,000.00) shall be derived from unemployment compensation contributions deposited into the Mississippi Workforce Enhancement Training Fund and shall be utilized exclusively by the Mississippi Community College Board for workforce training in accordance with Senate Bill No. 2027, 2010 Regular Session. It is the intention of the Legislature that the Workforce Enhancement Training Fund shall have not less than Two Million Dollars (\$2,000,000.00) set aside as a carry-forward to begin the Fiscal Year 2023 Workforce Education Program.

SECTION 10. Of the funds appropriated in Section 2, funds in the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be derived from fees charged for the Workforce Online Training Program, and the Mississippi Virtual Community College and funds in the amount of Two Million One Hundred Forty-four Thousand Nine Hundred Fourteen Dollars (\$2,144,914.00) shall be transferred from the Community and Junior College Education Technology Fund for the purpose of defraying the costs of the Mississippi Virtual Community College, the Workforce Online Training Program and the administrative expenses of the Mississippi Community College Board.

SECTION 11. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be derived from fees charged for issuing duplicate transcripts and duplicate diplomas for the High School Equivalency Testing Program for the purpose of defraying the costs of administering the High School Equivalency Testing Program of the Mississippi Community College Board, in accordance with Senate Bill No. 2626, 2002 Regular Session.

SECTION 12. Of the funds appropriated in Section 2, funds in the amount of Thirty Million Dollars (\$30,000,000.00) shall be derived from the transfer of postsecondary vocational and technical funds from the Mississippi Department of Education to the Mississippi Community College Board for the purpose of managing the day-to-day operations of postsecondary career and technical education.

SECTION 13. Of the funds appropriated in Section 1, Five Hundred Forty-two Thousand Four Hundred Fifty-nine Dollars (\$542,459.00) is provided to the Mississippi Community College Board for the purpose of defraying the cost of the Greenville Higher Education Center.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be transferred to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 16. Of the funds appropriated in Section 1, Thirty-seven Thousand Six Hundred Twenty-six Dollars (\$37,626.00) is provided for geospatial site licenses.

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Hillman Terome Frazier
Michael McLendon

CONFEREES FOR THE HOUSE

John Read
Manly Barton
Richard Bennett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2913** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2914** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid and support of the public community and junior colleges for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 146,581,405.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, for the aid and support of public community and junior colleges for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 49,884,946.00.

SECTION 3. The funds appropriated in this act for the aid and support of the public and community junior colleges shall be apportioned in accordance with the following assigned weights:

Formula Section	FTE Formula
(a) Aid to Colleges:	
Base	15% prior year appropriation

Academic	1.0
Technical	1.0
MSVCC Shared Host	.75
MSVCC Shared Provider	.25
(b) Career	1.0
(c) Associate Degree Nursing	1.19
(d) Associate Degree Allied Health	1.19

Academic, Technical, Career, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for each public community and junior college student actually enrolled and in attendance the last day of the sixth week of each semester, or its equivalent, counting only students who reside within the State of Mississippi. However, associate degree nursing students who reside outside the State of Mississippi may be counted for pay purposes.

Mississippi Virtual Community College (MSVCC) shared hosted and provided courses may qualify for incentive funding on the basis of the prior year full-time equivalency (FTE) of MSVCC shared hours generated during the summer, fall and spring semesters. In addition, all provider MSVCC semester credit hours will be included in either the academic, technical or career sections of the formula at a weight of one (1.0).

The Director of the Mississippi Community College Board, or his designee, shall audit each public community and junior college and shall determine who shall be counted in each college and shall certify the number to the Mississippi Community College Board.

If, pending determination of the enrollment of students at the public community and junior colleges entitled to participate in this appropriation, as provided for in this section, the Mississippi Community College Board shall find and determine that any such public or community junior college does not have sufficient funds on hand for payment of the necessary expenses of its operation for the period commencing July 1, 2021, until distribution of the funds appropriated hereby, then, in that event, the Mississippi Community College Board is expressly authorized to make an advance to any such public community or junior college or colleges not having sufficient operating funds for such period from the funds appropriated hereby; provided, however, that the amount of any such advance to any one (1) public community or junior college shall not exceed thirty-three percent (33%) of the amount of state-appropriated funds received by such public community or junior college during the preceding fiscal year; and provided, further, that the amount of any such advance shall be deducted from the pro rata part of the funds appropriated hereby accruing to said public community or junior college when enrollment has been ascertained and distribution of funds is made.

SECTION 4. No part of the amount herein appropriated shall be used by the Mississippi Community College Board for administrative or other purposes except in the manner and to the extent authorized in the act making an appropriation for the expenses of the Mississippi Community College Board.

SECTION 5. The funds disbursed under the provisions of this act shall be accounted for through the Mississippi Community College Board.

SECTION 6. The following public community and junior colleges which qualify shall participate in the funds provided by Sections 1 and 2 of this act:

Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College District, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College District, Northeast Mississippi Community College, Northwest Mississippi Community College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 7. It is the intention of the Legislature that none of the General Funds appropriated herein shall be expended for the purpose of paying salaries, wages, and

fringe benefits of any public community and junior college employee who is serving as a member of the State of Mississippi Legislature.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid of the public community and junior colleges, to fund life and health insurance, for all employees of the public community and junior colleges for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 25,475,460.00.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan. Any funds appropriated in this section which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 9. In addition to funds appropriated in Section 8, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Insurance Carryover Fund No. 3295, for the purpose of fully funding life and health insurance through the State and School Employees' Life and Health Insurance Plan for all qualified community and junior college employees, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 400,000.00.

SECTION 10. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the public community and junior colleges, acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2021, and ending June 30, 2022..... \$ 8,000,000.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the public community and junior colleges as allocated herein:

Coahoma Community College	\$ 249,272.00.
Copiah- Lincoln Community College	\$ 365,103.00.
East Central Community College	\$ 271,878.00.
East Mississippi Community College	\$ 432,041.00.
Hinds Community College	\$ 1,313,066.00.
Holmes Community College	\$ 576,171.00.
Itawamba Community College	\$ 612,183.00.
Jones Junior College	\$ 555,906.00.
Meridian Community College	\$ 351,157.00.
Mississippi Delta Community College	\$ 323,680.00.
Mississippi Gulf Coast Community College	\$ 992,562.00.
Northeast Mississippi Community College	\$ 436,876.00.
Northwest Mississippi Community College	\$ 707,581.00.
Pearl River Community College	\$ 552,006.00.
Southwest Mississippi Community College	\$ 260,518.00.

SECTION 11. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of Workforce and Economic Development Support, including the operation of the Workforce Development Centers and Advanced Training Centers, providing start-up costs for new career and technical programs, and providing the necessary funding to replace outdated and obsolete equipment for existing career and technical programs at each of the public community and junior colleges for the fiscal year beginning July 1, 2021 and ending June 30, 2022
\$ 6,750,000.00.

SECTION 12. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of Sign Language Interpreter Training at the public community and junior colleges for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 179,050.00.

SECTION 13. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise

appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 7,099,160.00.

SECTION 14. A Mississippi Prepaid Affordable College Tuition (MPACT)

program beneficiary shall be considered a Mississippi resident for the purposes of participating in this appropriation regardless of the beneficiary's residence on the date of enrollment, as set out in Section 37-155-5(d)(iii), Mississippi Code of 1972.

SECTION 15. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022
Instruction	Target
Number of Total Degrees Awarded per 100 FTE Enrollment (%)	31.29
Number of Associate Degrees Awarded per 100 FTE Enrollment (%)	17.11
Number of Associate of Applied Science Degrees Awarded per 100 FTE Enrollment (%)	7.00
Number of Certificates Awarded per 100 FTE Enrollment (%)	9.50
Percentage of First-Time Entering, Part-time degree- seeking students (fall) who earned 24 credit hours by the end of year two (%)	18.50
Percentage of First-Time Entering, Full-time degree-seeking students (fall) who earned 42 credit hours by the end of year two (%)	46.82
Percentage of Associate Degree Nursing and Practical Nursing Licensure Exam Pass Rates (%)	42.51
Percentage of Total Student Success, which includes Graduates, Transfers, and Retention (those still enrolled) (%)	60.78
Percentage of Graduates (%)	33.50
Percentage of Transfers (%)	20.78
Percentage of Retention (%)	8.34
Percentage of Students Enrolled in Career/ Technical and Health Science Graduates (%)	23.50
Percentage of In-State Job Placements of Career/ Technical and Health Science Graduates (%)	90.10
Percentage of developmental English Students (unduplicated headcount) who enrolled in English Composition I who successfully completed English Composition I during the academic year (%)	70.00
Percentage of developmental Math students (unduplicated headcount) who enrolled in College Algebra who successfully completed College Algebra	

during the academic year (%)	68.00
Number of High School Equivalencies awarded	2,320

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 16. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Community College Board for the purpose of defraying the cost of the Associate Degree Nursing and Allied Health Programs, for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 2,556,922.00.

SECTION 17. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of continuing the dropout recovery initiative based on a successful program administered through the adult basic education program with the Mississippi Community College Board and to enroll low-skill adults in career pathways that combine high school equivalency, skills training and workforce credentials in an intensive program that produces adults who can compete for jobs for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 3,000,000.00.

Of the funds provided in this section, one-half (1/2) shall be allocated equally and the remaining half shall be allocated on the basis of the prior year headcount enrollment in Adult Education, MIBEST or other career pathway programs.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office a comprehensive report on the number of dropouts that have enrolled in a High School Equivalency and/or career program for each community and junior college during Fiscal Year 2021 on, or before, August 1, 2022.

SECTION 18. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 19. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 20. It is the intention of the Legislature that the support of community and junior colleges shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 21. Of the funds appropriated in Section 2, Five Million Dollars (\$5,000,000.00) is provided for the Career and Technical Advantage Program which will provide start-up costs for new career and technical programs, expansion of existing career and technical programs, and infrastructure for career and technical program equipment, lab upgrades, and renovations to sustain the programs at public community colleges. Fifteen percent (15%) of the funds appropriated in this section shall be distributed evenly to each community college and the remaining eighty-five percent (85%) of the funds shall be distributed on the basis of prior year career and technical full-time equivalency (FTE) hours generated during the summer, fall, and spring semesters for each public community college.

SECTION 22. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Hillman Terome Frazier
Scott DeLano

CONFEREES FOR THE HOUSE

John Read
Manly Barton
Richard Bennett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2914** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2915** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2915: Appropriation; Corrections, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 323,552,322.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the

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credit of the Mississippi Department of Corrections which is collected by or otherwise becomes available for the purpose of defraying the expenses of the department, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 30,045,036.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended:

CENTRAL OFFICE

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 24,400,295.00
Special Funds	9,593,670.00
Total	\$ 33,993,965.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	187
	Part Time	1
Time-Limited:	Full Time	8
	Part Time	0

FARMING OPERATIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 0.00
Special Funds	2,411,181.00
Total	\$ 2,411,181.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	8
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

PAROLE BOARD

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 701,010.00
Special Funds	0.00
Total	\$ 701,010.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	8
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

PRIVATE PRISONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 67,729,681.00
Special Funds	0.00
Total	\$ 67,729,681.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	0
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

MEDICAL SERVICES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds	\$ 75,343,375.00
Special Funds	261,487.00

Total \$ 75,604,862.00
 AUTHORIZED POSITIONS:
 Permanent: Full Time 0
 Part Time 0
 Time-Limited: Full Time 2
 Part Time 0

REGIONAL FACILITIES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
 General Funds \$ 43,850,472.00
 Special Funds 0.00
 Total \$ 43,850,472.00

AUTHORIZED POSITIONS:
 Permanent: Full Time 0
 Part Time 0
 Time-Limited: Full Time 0
 Part Time 0

LOCAL CONFINEMENT

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
 General Funds \$ 7,438,367.00
 Special Funds 0.00
 Total \$ 7,438,367.00

AUTHORIZED POSITIONS:
 Permanent: Full Time 0
 Part Time 0
 Time-Limited: Full Time 0
 Part Time 0

COMMUNITY CORRECTIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
 General Funds \$ 21,688,145.00
 Special Funds 12,863,909.00
 Total \$ 34,552,054.00

AUTHORIZED POSITIONS:
 Permanent: Full Time 561
 Part Time 0
 Time-Limited: Full Time 83
 Part Time 0

CENTRAL MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
 General Funds \$ 28,075,422.00
 Special Funds 1,446,152.00
 Total \$ 29,521,574.00

AUTHORIZED POSITIONS:
 Permanent: Full Time 609
 Part Time 1
 Time-Limited: Full Time 5
 Part Time 0

PARCHMAN

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:
 General Funds \$ 34,135,755.00

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Special Funds	2,015,439.00
Total	\$ 36,151,194.00
AUTHORIZED POSITIONS:	
Permanent: Full Time	635
Part Time	9
Time-Limited: Full Time	9
Part Time	0

SOUTH MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:	
General Funds	\$ 20,189,800.00
Special Funds	1,453,198.00
Total	\$ 21,642,998.00
AUTHORIZED POSITIONS:	
Permanent: Full Time	357
Part Time	0
Time-Limited: Full Time	4
Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan

beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
General Administration	
Support as a percent of total budget (%)	9.20
State prisoners per 100,000 population (includes only inmates sentenced to more than a year) (Number of)	619
Average annual incarceration cost per inmate (\$)	39.91
Offenders returning to incarceration with 3 years of release (%)	33.00
Farming Operations	
Annual income from farm sales (\$)	1,000,000.00
Parole Board	
Inmates paroled (Number of)	5,100
Private Prisons	
ABE program slots available (Number of)	572
VOC-ED program slots available (Number of)	221
A&D program slots available (Number of)	186
Medical Services	
Total inmate days in a hospital (Number of)	4,172
Regional Facilities	
ABE Program slots available (Number of)	585
VOC-ED program slots available (Number of)	700
A&D Program slots available (Number of)	424
Probation/parole	
Recidivism rate within 12 months of release to field supervision (%)	10.70
Recidivism rate within 36 months of release to field supervision (%)	14.00
Community Work Centers	
Recidivism rate within 12 months of release (%)	6.50
Recidivism rate within 36 months of release (%)	25.90
Restitution Centers	
Recidivism rate within 12 months (%)	16.80
Recidivism rate within 36 months (%)	35.50
Local Confinement	
Number of Inmates Housed in County Jails (Inmate Days)	260,626
Institutional Security	
Assault on inmates per 100 inmates (Number of)	7
Assaults on officers per 100 officers (Number of)	19
Youthful Offender School	
Recidivism rate within 12 months of	

release (%)	26.00
Recidivism rate within 36 months of release (%)	50.00
Evidenced Based Intervention	
Recidivism rate for inmates who complete the ABE program (%)	24.00
Recidivism rate for inmates who complete a vocational program (%)	16.00
Recidivism rate for inmates who complete the A&D program (%)	23.00
Offenders possessing GED Certificate or High School Diploma at time of release (%)	38.30
Offenders obtaining marketable job skills during incarceration (%)	3.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. Of the funds appropriated in Sections 1 and 2, none shall be expended for personnel housing under the jurisdiction of the Department of Corrections unless the department shall collect a reasonable rent, after a finding of fact as to what is a reasonable rent, and/or the cost of utilities furnished to said housing. The Department of Corrections shall not pay for the installation or monthly service of any telephone installed in a staff residence under its jurisdiction.

It is further the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane and cable services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 6. Of the funds appropriated in Sections 1 and 2, and authorized for expenditure in Section 3, payment may be authorized for court-ordered attorney fees and any accrued interest subject to the approval of the Office of the Attorney General.

SECTION 7. None of the money herein appropriated shall be paid to any person who by the provision of Section 47-5-47, Mississippi Code of 1972, as amended, is prohibited from being an employee of the Mississippi Department of Corrections. The State Department of Finance and Administration shall at least annually make a report to the Joint Legislative Committee on Performance Evaluation and Expenditure Review and to the Attorney General stating the name of any person prohibited under the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, from being an employee of the Mississippi Department of Corrections who has during the preceding year received any money herein appropriated. In the event that any such person prohibited as hereinabove provided from receiving funds herein appropriated should receive any of said funds, the Attorney General shall immediately commence action to recover the monies so paid to said person and to enjoin the further employment of said person at the Mississippi Department of Corrections.

SECTION 8. It is the intent of the Legislature that all prisoners at Parchman shall work a minimum of eight (8) hours per day, excluding prisoners with a physical disability or those incarcerated in maximum security.

SECTION 9. It is the intention of the Legislature that the per diem rates paid to regional facilities shall not exceed Thirty-one Dollars (\$31.00) per inmate. All regional facilities shall continue to receive the annual three percent (3%) increase in the per diem rate as authorized in Section 47-5-933, Mississippi Code of 1972, however, in no event shall any regional facility's per diem rate exceed Thirty-one Dollars (\$31.00) per inmate.

SECTION 10. The department or its contracted medical provider will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the

absence of a negotiated discounted fee schedule, medical care service providers will be paid by the department or its contracted medical service provider an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications provided to any and all incarcerated persons outside of the correctional or detention facility. None of the monies appropriated herein may be used to pay for cosmetic medical procedures for any prisoner. Cosmetic medical procedure means any medical procedure performed in order to change an individual's appearance without significantly serving to prevent or treat illness or disease or to promote proper functioning of the body.

SECTION 11. It is the intention of the Legislature that the Commissioner of the Mississippi Department of Corrections shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Corrections. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 12. The Commissioner of the Mississippi Department of Corrections is hereby authorized to transfer spending authority between and within budgets, both positions and funds, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund be placed in a treasury fund effective July 1, 2021. Of the amounts appropriated in Section 2, an amount not exceeding Six Million Dollars (\$6,000,000.00) shall be available for expenditure in the Inmate Welfare Fund. Of these funds, Five Hundred Thousand Dollars (\$500,000.00) shall be used to provide for transitional housing and post release reentry programs.

SECTION 15. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 16. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in accordance with Title 47 of the Mississippi Code of 1972, as amended.

SECTION 17. With the funds herein appropriated, it is the intent of the Legislature that upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs as provided for in Section 47-5-901(3)(b), Mississippi Code of 1972, as amended by House Bill No. 585, 2014 Regular Session.

SECTION 18. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2022, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars (\$20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where the value of the property taken is Five Hundred Dollars (\$500.00) or more but is equal to or less than One Thousand Dollars (\$1,000.00). A copy of the court abstract of record and the jail docket shall be provided to show the total number of days an individual was incarcerated in said jail facility. The reimbursement shall be payable back to the municipality upon receipt of required documentation and an invoice. Total reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00).

SECTION 19. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 20. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Hundred Ten Thousand Two Hundred Sixty-one Dollars (\$510,261.00) shall be allocated to Victim's Notification Programs supported by General Fund court assessments.

SECTION 21. Of the funds appropriated under the provisions of Section 2, Five Million Dollars (\$5,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary for repairs and renovation of the physical facilities of the Mississippi Department of Corrections.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR
FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Brice Wiggins

Jeff Tate

CONFEREES FOR THE HOUSE

John Read

Angela Cockerham

Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2915** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2916** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2916: Appropriation; Public Safety, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 107,455,881.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 126,720,218.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1,827
	Part Time	0
Time-Limited:	Full Time	95
	Part Time	3

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. The Commissioner of Public Safety may, on a case-by-case basis, within funds available, recommend that corrective salary adjustments be made to the compensation of employees of the Department of Public Safety where an inequity was created between employees of equivalent capacity by previous application of the agency appropriation acts. Any such corrective salary adjustment plan must have prior approval by the State Personnel Board. Such adjustments will not be retroactive.

Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within funds available.

SECTION 5. It is the intention of the Legislature, in accordance with House Bill 974, 2021 Regular Session, the Department of Finance and Administration shall transfer Six Million Six Hundred Thirty-two Thousand Two Hundred Fifteen Dollars (\$6,632,215.00), all employees, equipment, inventory and resources of the Capitol Police employed and used as law enforcement personnel to the Department of Public Safety on July 1, 2021. The transfer of personnel shall be commensurate with the number and classification of positions allocated to that law enforcement. The transfer shall also include direct support, clerical, data processing and communications positions allocated to that law enforcement.

SECTION 6. Contingent upon passage of Senate Bill 2956, 2021 Regular Session, it is the intention of the Legislature, that the Mississippi Department of Transportation shall transfer Sixteen Million Two Hundred Ten Thousand Five Hundred Forty-six Dollars (\$16,210,546.00), all employees, equipment, inventory and resources of the Commercial Transportation Enforcement Division employed and used as law enforcement personnel to the Department of Public Safety on July 1, 2021. The transfer of personnel shall be commensurate with the number and classification of positions allocated to that law enforcement. The transfer shall also include direct support, clerical, data processing and communications positions allocated to that law enforcement.

SECTION 7. Of the funds appropriated in Section 1 and Section 2, funds are provided for the implementation of House Bill 974, 2021 Regular Session and Senate Bill 2956, 2021 Regular Session.

SECTION 8. It is the intent of the Legislature that the local governments pay for part of the computer cost of the Mississippi Justice Information Center by maintaining their contribution to the Department of Public Safety.

SECTION 9. It is the intention of the Legislature that the Department of Public Safety designate certain employees to aid the Office of Forensics Laboratories in the billing and collecting of all fees charged for services rendered by the Office of Forensics Laboratories.

SECTION 10. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid with funds appropriated herein be transferred or assigned to any other state agency, department or officer for public relations, publicity, or publication activities of such office.

SECTION 11. It is the intention of the Legislature that the Department of Public Safety shall not issue citations for violations of speed limits on a quota basis. No funds expended under this act shall be used for such quota-based citations for violations of speed limits.

SECTION 12. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Enforcement	
Increased Enforcement - Citations (%)	6.30
Decrease Fatalities (%)	4.10
Increase in DUI Arrests (Includes Felony DUI) (%)	5.00
Criminal Investigations (Actions)	30,000
Highway Fatalities per 100 Million Vehicle Miles of Travel (#)	0.90
Alcohol Impaired Driving Fatalities per 100,000 Population (#)	1.40
Driving Under the Influence (DUI) Arrests per 100,000 Population (#)	230
Percentage Increase in Seatbelt/Child Restraint Citations	13.00
Driver Services	
Driver's License/ID Cards Issued (Items)	622,720
Cost per License Document Produced (\$)	24.00
Drivers Suspended (Persons)	40,549
Accident Reports Processed (Actions)	2,018
Average Wait Time (Minutes)	56
Number of Complaints (Documented)	27
Percentage Change in Wait Time (%)	-10.00
Percentage Change in Complaints (%)	-18.00
Increase in Regular & Commercial Driver Licenses Issued (%)	10.00
Support Services	
Number of Financial Transactions Processed	35,500
Number of Employees Supported	1,188
Forensic Analysis	
Reports Issued (Cases)	17,000
Court Testimonies (Cases)	200
Cost per Case Analyzed (\$)	500.00
Cost per Testimony (\$)	500.00
Percentage of Days for Reports Issued	30.00
DNA Analysis	
Known Felony Offender Samples in Database (Items)	137,000
Proficiency Samples (Items)	434
Casework Samples Examined (Items)	9,500
Cost per Sample (\$)	450.00
Maintain the Integrity of the CODIS Database	99.00
Forensic Pathology	
Deaths Investigated (Actions)	24,250
Autopsies Performed SME Office (Actions)	1,200
Cost per Autopsy Performed (\$)	1,800.00
% Change in the # of Deaths Investigated	2.00
% of Coroners Educated by ME's Office	30.00
% Change in the # of Autopsies Performed	

at SME Office	-6.00
Training Academy	
Basic Students to Graduate (Persons)	320
Basic Refresher Students to Graduate (Persons)	70
In-Service & Advanced Students to Graduate (Persons)	2,600
Percentage of Law Enforcement Officers Trained (%)	100.00
Drug Enforcement	
Number of Drug Suspects Arrested (Persons)	1,050
Number of Drug Cases Prosecuted (Actions)	900
Number of Drug Organization Disrupted &/or Dismantled	8
Percentage Change in Number of Drug Suspects Arrested	1.00
Percentage Change in Number of Drug Cases Prosecuted	1.00
Percentage Change in Number of Drug Organization Disrupted and/or Dismantled	1.00
Jail Officer Training	
Jail and Youth Detention Officers Certified	350
Certification Transactions (Actions)	3,850
Number of Administrative Review Actions	20
Percent of Appointed Jail and Youth Detention Officers Obtaining Certification (%)	75.00
Percent of Administrative Review Actions Taken Within One Year (%)	4.00
Law Enforcement Training	
Basic Law Enforcement Officers Certified (Persons)	550
Certification Transactions (Actions)	2,750
Training Quality Monitoring (Actions)	1,100
Percent of Appointed Law Enforcement Officers Obtaining Certification (%)	90.00
Percent of Appointed Part-Time, Reserve, and Auxiliary Officers Obtaining Certification (%)	85.00
Percent of Administrative Disciplinary Actions Taken Within One Year (%)	4.00
Highway Safety	
Number of Federal Applications Funded & Statewide Programs Supported	8
% decrease in the number of unrestrained passenger vehicle occupant fatalities by 5%	2.00
% decrease in the number of fatalities in crashes involving a driver or motorcycle operator with a bac of .08 and above	12.45
Justice	
Number of Juvenile Jail/Detention Alternatives (Alternatives)	0
Number of Hot Spots Policing Programs Funded	3
Emerg Telecommunications Tng	
Emergency Telecommunicators Certified (Persons)	500
Certification Transactions (Actions)	2,000

Percent of Appointed Emergency Telecommunicators Obtaining Certification	80.00
Percent of Appointed Emergency Telecommunicators Obtaining Recertification (%)	60.00
Percent of Administrative Review Actions Taken Within One Year (%)	3.00
Council On Aging	
Establish Triad Programs (Programs)	3
Conduct Training Programs (Programs)	1
Provide On-Site-Training	0
Percentage Change in the Number of Operational Triad Programs	10.00
Percentage Increase in Funding to Counties to Educate Senior Citizens	0.00
Juvenile Facility Monitoring Unit	
Number of Facilities Inspected (Items)	125
Strategic Plans Implemented (Items)	20
Percentage of Admin Review Actions Taken Within One Year	80.00
Homeland Security	
OHS Grants for Jurisdictions (Number)	107
First Responder Classes (Number)	118
Percentage increase in Emergency Task Force Responder Training and Exercises (%)	2.00
Percentage increase in Citizen and Community Preparedness Training and Exercises (%)	2.00
Percentage increase in Requests for Information (%)	2.00
Percentage increase in National Incident Management Training and Exercises (%)	2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 13. It is the intention of the Legislature that all divisions within the Mississippi Department of Public Safety shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 14. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 17. Of the funds provided herein, and in addition to the One Hundred Dollars (\$100.00) authorized in Section 45-3-7, Mississippi Code of 1972, Department of Public Safety Officers who are licensed commercial pilots shall receive an additional Nine Hundred Dollars (\$900.00), for a total of One Thousand Dollars (\$1,000.00), additional compensation for such service.

SECTION 18. It is the direction of the Legislature that all Fair Labor Standards Act (FLSA) nonexempt sworn officers of the Mississippi Highway Safety Patrol who are working one hundred seventy-one (171) hours in a twenty-eight-day work cycle be compensated based on the annual salary established by the State Personnel Board for a one-hundred-sixty-hour per month schedule divided by two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143), for an hourly rate, to be multiplied by two thousand two hundred twenty-three (2,223) or one hundred seventy-one (171) hours in a twenty-eight-day work cycle for a new annual salary. All hours worked over one hundred seventy-one (171) hours in a twenty-eight-day schedule shall be governed by the FLSA or other special compensation plan. All realignments after July 1, 2010, shall be calculated using this formula. This section shall be known as the "David R. Huggins Act."

SECTION 19. Of the funds appropriated in Sections 1 and 2, Four Hundred Ninety-five Thousand One Hundred Ninety Dollars (\$495,190.00) is appropriated out of any funds in the State Treasury to the credit of the Department of Public Safety for the purposes of paying for eleven (11) hours of compensatory time at an hourly rate based on two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143) hours per year for sworn officers who hold the rank of Lieutenant and above. The funds provided in this section to pay for the eleven (11) hours authorized in this section shall be expended only for this purpose.

SECTION 20. It is the intention of the Legislature that the Department of Public Safety shall provide an annual report to the Mississippi Legislature detailing any elected official or any other person who is not an employee of the Department of Public Safety who was transported in Highway Patrol aircraft during the fiscal year. The report shall be provided to each member of the Mississippi Legislature on or before January 15, 2022.

SECTION 21. The Commissioner of Public Safety shall have the authority to transfer any funds from any division within the Department of Public Safety to any other division of the Department of Public Safety Special Funds, including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars (\$20,000,000.00) collectively during Fiscal Year 2022. However, none of the funds appropriated by this act shall be expended unless the Department of Public Safety provides prior written notification of any transfer of funds provided in this section.

SECTION 22. The Bureau of Narcotics is authorized to expend a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00) from account No. 3371800000, for purposes of effectuating the provisions of House Bill 812, 2017 Regular Session, Section 1. Expenditures authorized by this section may include, but not be limited to, costs associated with contracting with one or more vendors, contractors or other persons or entities to create, operate and maintain the forfeiture website and to provide continuing support in relation thereto. In the event an amount less than Five Hundred Thousand (\$500,000.00) is required to effectuate the purposes of this section, the Bureau is authorized to expend the remainder of such authorized funds for the purchase of commodities, vehicles and/or other equipment necessary in the furtherance of the needs of the Bureau.

SECTION 23. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Million Three Hundred Twelve Thousand Six Hundred Two Dollars (\$4,312,602.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Crime Stoppers Fund.....	\$ 99,003.00.
Adult Driver Training.....	\$ 75,794.00.
Information Exchange Network Fund.....	\$ 264,007.00.
Forensics Lab MS – MS Forensics Lab – Implied Consent Law Fund.....	\$ 404,795.00.

Forensics Lab Forensics Laboratory – DNA Identification
Fund.....\$ 629,543.00.
Law Enforcement and Firefighters Death Benefits Trust
Fund.....\$ 191,361.00.
Law Enforcement Standards Training – Law Enforcement Officers
Training Fund.....\$ 2,276,404.00.
Drug Abuse/Driver's License Reinstatement.\$ 13,573.00.
Federal – State Alcohol Program Fund.....\$ 160,431.00.
MS Leadership Council on Aging Fund.....\$ 197,691.00.

SECTION 24. It is the intention of the Legislature that the Mississippi Bureau of Narcotics, Mississippi Department of Public Safety, shall have the authority to receive, budget and expend special funds from the Drug Evidence Disposition Funds (3372000000), not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 25. Of the funds appropriated by this act, pursuant to House Bill No 571, 2019 Regular Session, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the duties and operations of a Statewide Human Trafficking Coordinator and a data analyst within the Bureau of Investigation in the Department of Public Safety, who shall coordinate all statewide activities and work with the Department of Child Protection Services for all victims recovered.

SECTION 26. Of the funds appropriated by this act, pursuant to House Bill 1283, 2019 Regular Session, Two Hundred Forty-two Thousand Six Hundred Three dollars (\$242,603.00) is provided for the duties and operations associated with the Mississippi School Safety Act of 2019.

SECTION 27. Of the funds appropriated under the provisions of Section 2, One Million Five Hundred Thousand Dollars (\$1,500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for repairs and renovations at the Department of Public Safety Mississippi Law Enforcement Officers Training Academy.

SECTION 28. Of the funds appropriated under the provisions of Section 2, One Hundred Thousand Dollars (\$100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for Bullet Proof Vests at the Department of Public Safety.

SECTION 29. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 30. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Brice Wiggins	Angela Cockerham
Robert L. Jackson	John W. Hines, Sr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2916** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2918** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2918: Appropriation; Military Department.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the general expenses of the operation of the Mississippi National Guard for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 7,997,192.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated to the Mississippi National Guard, out of any money in the State Treasury to the credit of the Camp Shelby Timber Fund No. 3700, as created by Chapter 187, Laws of 1954, as amended; the Army National Guard Programs Fund No. 3701; the Camp Shelby Base Operations Fund No. 3705; and the Air National Guard Programs Fund No. 3709, for the purpose of carrying out the provisions of applicable statutes and federal/state agreements for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 152,899,498.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	886
	Part Time	0
Time-Limited:	Full Time	27
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 5. All funds authorized to be expended herein shall be expended and otherwise accounted for in accordance with the provisions of Section 27-104-1 et seq., Mississippi Code of 1972. If not needed for other purposes, the Adjutant General is hereby expressly authorized to invest any part of or all monies herein appropriated out of the Camp Shelby Timber Fund at the highest rate of interest obtainable and credit interest accruing on such investments to the respective fund. Such monies may be invested in any short-term bonds, notes or other direct obligations of the United States

of America or the State of Mississippi or any county or municipality of this state, which said county or municipal bonds have been approved by a reputable bonds attorney or have been validated by a decree of the court, and in any event the said bonds, notes or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for the refund or refunds herein provided for.

SECTION 6. Of the funds appropriated in Section 1, One Million Nine Hundred Twenty-eight Thousand Seventy-five Dollars (\$1,928,075.00) shall be provided for the support of the Youth Challenge Program at Camp Shelby.

SECTION 7. Of the funds provided under the provisions of this act, Six Hundred Twenty-six Thousand Five Hundred Five Dollars (\$626,505.00) is provided for the Armed Forces Military Museum located at Camp Shelby.

SECTION 8. Of the funds appropriated to be expended in this act, no General Funds shall be used to reimburse members and personnel of the Mississippi National Guard for the costs associated with attending authorized training. Any expenditure of funds for the purpose of compensation of such personnel and members for per diems and travel expenses shall be expended from any federal funds which are made available to the Mississippi National Guard for ancillary purposes.

SECTION 9. Of the funds provided under the provisions of this act, an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) is provided for the Sonny Montgomery Center for America's Veterans at Mississippi State University.

SECTION 10. Of the funds provided in Sections 1 and 2, Ten Thousand Dollars (\$10,000.00) is provided for the purchase of uniforms for the Youth Challenge Program staff.

SECTION 11. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds, to special funds, within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. Of the funds appropriated under the provisions of Section 2, Eight Hundred Thousand Dollars (\$800,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for repairs and renovation of the physical facilities of the Mississippi National Guard.

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2022.

SENATE JOURNAL
MONDAY, MARCH 29, 2021

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Scott DeLano
Tammy Witherspoon

CONFEREES FOR THE HOUSE

John Read
Mac Huddleston
Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2918** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Not Voting--DeBar. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2919** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2919: Appropriation; Veterans Affairs Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses and paying salaries of the Veterans Affairs Board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 5,507,083.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Veterans Affairs Board which is comprised of special source funds collected by or otherwise available to the board, for the support and maintenance of said board for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 53,145,609.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, not more than the amounts set forth below shall be expended; however, notwithstanding any other provision in this act, the Executive Director of the Veteran Affairs Board is hereby authorized to transfer spending authority between and within budgets, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate.

MISSISSIPPI VETERANS AFFAIRS

FUNDING:

General Funds.....	\$ 5,507,083.00
Special Funds.....	\$ 7,133,120.00
Total	\$ 12,640,203.00

With the funds appropriated for this budget, the following positions are authorized:

Permanent:	Full Time	34
	Part Time	0
Time-Limited:	Full Time	29
	Part Time	0

MISSISSIPPI STATE VETERANS HOMES SYSTEM

FUNDING:

General Funds.....	\$	0.00
Special Funds.....	\$	46,012,489.00
Total	\$	46,012,489.00

With the funds appropriated for this budget, the following positions are authorized:

Permanent:	Full Time	53
	Part Time	0
Time Limited:	Full Time	511
	Part Time	76

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board

pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2, funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) are provided to defray the cost of providing care to indigent/low-income Mississippi veterans and the nonveteran surviving spouses of Mississippi veterans if the surviving spouse was a resident of a state veterans home at the time of the veteran's death and who, subsequent to the veteran's death, meets the indigent/low-income criteria established by the State Veterans Affairs Board, in the state veterans homes. It is the intention of the Legislature that the provision pertaining to use of indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

SECTION 5. The Veterans Affairs Board shall have continued authority for all action related to planning, development, construction, and outfitting of the North Mississippi Veterans' Memorial Cemetery.

SECTION 6. It is the intention of the Legislature that the Veterans Affairs Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that the Veterans' Affairs Board is hereby authorized to escalate, budget and expend funds from fund number 3373200000, in an amount not to exceed Five Million Dollars (\$5,000,000.00), for the purpose of operating the state veterans homes as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. It is the intention of the Legislature for the Veterans' Affairs Board to set the compensation of two (2) Nursing Services Director PINs and two (2) Nurse Administrator PINs based on the education and experience of the incumbent not to exceed the end salary as established by the State Personnel Board.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. The Veterans Affairs Board shall have the authority to escalate and expend increased federal funds obtained by virtue of Public Law 109-461 (38 CFR Part 51).

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Scott DeLano
Philip Moran

CONFEREES FOR THE HOUSE

John Read
Mac Huddleston
Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2919** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2922** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2922: Appropriation; Employment Security, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Employment Security for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 1,400,000.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Employment Security, or its successor, for the purpose of defraying the expenses incurred by said department for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....

\$ 174,511,553.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	396
	Part Time	132
Time-Limited:	Full Time	54
	Part Time	150

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a

special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. Of the funds appropriated under the provisions of Section 2, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

(a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce information services. This includes, but is not limited to, the following activities:

(i) Staff for delivery of reemployment services to UI claimants, including group job search assistance and staff-assisted referrals to jobs.

(ii) Equipment and resources for resource rooms.

(iii) Payment for rent, utilities and maintenance of facilities, including common spaces such as resource rooms, reception areas, conference areas, etc.

(iv) Payment of shared costs for operation of local One-Stop Career Centers, including payment for One-Stop operators.

(v) Purchase of computer equipment, network equipment, telecommunications equipment, application development and other technology resources.

(vi) Training, technical assistance, and professional development of staff who deliver employment and workforce information services.

(vii) Access Improvement costs for individuals with disabilities, including remodeling or retrofitting One-Stop Career Centers and purchasing appropriate software, hardware, furniture and supplies.

(b) Administration of the Unemployment Compensation (UC) law and its public employment service (ES) offices. This includes, but is not limited to, the following uses:

(i) ES and UI automation. This includes purchases, modifications, or automation of computer-related systems and related costs.

(ii) UI and ES Performance Improvement costs.

(iii) Fraud and Abuse Reduction costs.

(iv) UI Claims Filing and Payment Methods Improvement costs.

(v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 33,047,000.00.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security from the Unemployment Trust Fund maintained by the Secretary of the Treasury of the United States as needed for the payment of obligations incurred under this appropriation, and such monies shall be deposited in the Employment Security Administration Fund in accordance with the provisions of Section 71-5-457, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2, the Mississippi Department of Employment Security is authorized to expend up to Three Million Dollars (\$3,000,000.00) from the State Workforce Investment Funds for the State Workforce Investment Board, collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in this act, a sum not to exceed Two Hundred Thousand Dollars (\$200,000.00) is made available for Pathways2Possibilities from the State Workforce Investment Funds collected.

SECTION 8. Of the funds appropriated under the provisions of Section 2, the Mississippi Department of Employment Security is authorized to expend up to Fifteen Million Dollars (\$15,000,000.00) from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 9. Of the funds appropriated in Section 1, an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000.00) is authorized for the Mississippi Integrated Education and Workforce State Longitudinal Data System (SLDS).

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT
SECURITY FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
J. Walter Michel
Brice Wiggins

CONFEREES FOR THE HOUSE

John Read
Karl Oliver
Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2922** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2923** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2923: Appropriation; Revenue, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Revenue, including the Homestead Exemption Division, the Motor Vehicle Comptroller functions, the Alcoholic Beverage Control Division and the Bureau of Telecommunications, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 42,095,644.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Revenue which are collected by or otherwise become available for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 22,842,849.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	820
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless

programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It shall be the duty of the Chairman of the Mississippi Department of Revenue, and he is hereby empowered to select in the manner provided by Section 27-3-13, Mississippi Code of 1972, such employees as may be necessary to the administration of all acts relating to the exemption of homesteads and the reimbursement of tax losses to the several taxing units of the state, and to assign them to the use of the Mississippi Department of Revenue.

SECTION 5. Of the funds appropriated under the provisions of Section 2, One Million Dollars (\$1,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for facility repairs.

SECTION 6. Of the funds appropriated under the provisions of Section 2, One Million One Hundred Forty Dollars (\$1,140,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as

determined by the Treasurer's Office. These funds are provided for IT equipment expenditures.

SECTION 7. The money herein appropriated may be used for any expenses which the commission may legally incur. Provided, however, that no part of the money herein appropriated shall be used for the payment of attorney's fees, except upon recommendation of the Governor with the approval of the Attorney General, nor shall any of said funds be used either directly or indirectly for the purpose of paying any clerk, stenographer, assistant, deputy or other employee who may be related by blood or marriage within the third degree, computed by the rule of civil law, to the official employing or having the right of employment or selection thereof, except that when the relationship is by affinity and the person is dead through whom the relationship was established, this rule shall not apply. In the event of any such payment, then the official or person approving and making such payment shall be liable to return to the State of Mississippi and to pay into the State Treasury to the credit of the General Fund three (3) times any such amount so paid to be recovered at suit by the Attorney General.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
General Administration	
Average Cost per Return Processed (\$)	4.32
ROI - Revenue Collected per Dollar of Expense	127.16
Tax Administration	
Cost per Unit of Work (Item/Case/Call) (\$)	13.70
Cost per Call Center Call Answered (\$)	3.30
Audit	
Cost per Audit (\$)	729.69
Tax Production per audit (\$)	5,661.00
Tax Enforcement	
Cost per Dollar Collected in Recovery Actions (\$)	0.06
Property & Motor Vehicle Services	
Cost per Homestead Exemption Application (\$)	3.50
Cost per Title Issued (\$)	2.79
Alcohol Beverage Control	
Cost per Case Shipped (\$)	1.65
ROI - GF Dollars Returned per Dollar of Cost	15.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Department of Revenue for the purpose of reimbursing the counties of the state, the road districts and school districts therein and the municipal separate school districts, for tax losses incurred by reason of the exemption of homes from certain ad valorem taxes under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 79,013,472.00.

SECTION 10. Each county, road district, school district and municipal separate school district which has incurred a tax loss that is reimbursable under Section 8 of this act shall be reimbursed a sum which is equivalent to the amount of tax loss produced by the application of tax rates annually fixed for maintenance and current expenses to the assessed value of homes, or so much thereof as has been lawfully authorized under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

The disbursements from the funds appropriated under the provisions of Section 8 shall be based upon the certificates required of the clerks of the county boards of supervisors and of the clerks of the municipalities, which certificates shall conform strictly in every respect to the requirements of the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

All disbursements from the funds appropriated under the provisions of Section 8 of this act shall be made strictly in accordance with the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, and no disbursements other than those clearly authorized by those sections shall be made, the provisions of any other law to the contrary notwithstanding.

SECTION 11. None of the funds appropriated under the provisions of Section 8 of this act may be distributed to any county, municipality, school district or other taxing district in which the assessed valuation of the taxing district has increased as a result of reappraisal of the property of the taxing district unless the governing board of the taxing district has published a notice in a newspaper having a general circulation in the taxing district, stating the lower millage rate that would produce the same amount of revenue from ad valorem taxation on property of the taxing district that was produced in the fiscal year before the property of the taxing district was reappraised.

SECTION 12. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Revenue – License Tag Commission from any other special source funds made available to the License Tag Commission, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 5,300,000.00.

(a) Of the funds appropriated in this section, Five Hundred Thousand Dollars (\$500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer, for the purpose of defraying the expenses of the Commission.

(b) Of the funds appropriated in this section, Four Million Eight Hundred Thousand Dollars (\$4,800,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Mississippi Department of Revenue – License Tag Commission, for the purpose of defraying the expenses of the Commission.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. None of the funds appropriated under the provisions of Sections 1 and 2 of this act shall be expended unless an advisory committee continues to coordinate, in an advisory capacity only, with the Department of Revenue in the determination of the collection of statistical data and information related to economic and tax policy. This advisory committee shall consist of the following members or their designees: the Director of the Legislative Budget Office, the Director of the Joint Legislative PEER Committee, the State Economist, the President of the Mississippi Economic Council and the Director of the Mississippi Economic Policy Center.

SECTION 15. It is the intention of the Legislature that the Mississippi Department of Revenue shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 16. None of the funds appropriated in Section 11 of this act shall be expended to purchase motor vehicle license tags made or manufactured by any department, agency or instrumentality of a state other than the State of Mississippi. None of the funds appropriated in this section shall be used for the purchase of bolts,

nuts or other fastening devices for attaching said motor vehicle license tags. Provided further, that all motor vehicles belonging to any state department, agency, commission, institution or any other division of state government shall have license tags which shall bear the words "Government" at the bottom of such license tags.

SECTION 17. Of the funds appropriated in this act, it is the intention of the Legislature that up to Eight Hundred Eleven Thousand Seven Hundred Forty Dollars (\$811,740.00) shall be allocated as follows: to the Municipal Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) and to the Justice Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) to be supported from General Fund court assessments.

SECTION 18. Of the funds appropriated by this act, it is the intention of the Legislature that the department make certain that funds required to be appropriated to defray rent expenses for the department's headquarters located in Clinton, Mississippi, do not exceed Two Million Five Hundred Ninety Thousand Dollars (\$2,590,000.00).

SECTION 19. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 20. It is the intention of the Legislature that the Mississippi Department of Revenue is hereby authorized to pay invoices submitted by Holiday Inn, Long Beach, MS, for services in prior fiscal years in an amount not to exceed Two Hundred Eighty-two Dollars (\$282.00).

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION, AND THE BUREAU OF TELECOMMUNICATIONS, FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

J. Walter Michel

Tyler McCaughn

CONFEREES FOR THE HOUSE

John Read

C. Scott Bounds

Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2923** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2926** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2926: Appropriation; Mental Health, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 214,082,403.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....\$ 410,087,618.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Eighteen Million Nine Hundred Fifty-one Thousand Eight Hundred Eighty-six Dollars (\$18,951,886.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the Department of Mental Health. The funds provided for in this section shall be allocated as follows:

\$ 16,797,843.00	Expenses of the Department of Mental Health, payment of Medicaid state share, or prepayment of Medicaid state share.
\$ 379,417.00	Alzheimer's disease services development and implementation of Senate Bill No. 2100, 1997 Regular Session.
\$ 636,374.00	Crisis Centers
\$ 1,138,252.00	Physician services at community mental health centers.
\$ 18,951,886.00	TOTAL

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	6,351
	Part Time	19
Time-Limited:	Full Time	460
	Part Time	9

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or

otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Services Management	
Number of on-site reviews conducted by the Division of Audit	58
Number of on-site reviews conducted for DMH certified provider agencies	190
Mental Health Services	
Percentage of population lacking access to community-based mental health care	31.00
Percentage of DMH clients served in the community versus in an institutional setting	98.00
Increase by at least 25% the utilization of alternative placement/treatment options for individuals who have had multiple hospitalizations and do not	

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respond to traditional treatment	25.00
Number served by the Program of Assertive Community Treatment (PACT), Intensive Community Outreach and Recovery Teams (ICORT), and Intensive Community Support Services (ICSS)	4,100
Number of individuals employed through supported employment	300
Increase access to crisis services by tracking the number of calls to Mobile Crisis Response Teams	37,663
Number referred from Mobile Crisis Response Teams to a Community Mental Health Center and scheduled an appointment	8,813
Number diverted from a more restrictive environment due to Mobile Crisis Response Teams	31,327
Increase the number of Certified Peer Support Specialists in the State	311
IDD Services	
Number of individuals on planning list for home and community-based services	2,800
Percentage of DMH institutionalized clients who could be served in the community	86.00
Percentage of DMH clients served in the community versus in an institutional setting	86.00
Number of people added from planning list to ID/DD Waiver services	50
Children & Youth Services	
Percentage of children with serious mental illness served by local Multidisciplinary Assessment and Planning (MAP) teams	1.20
Number served by MAP teams	550
Number of children and youth that are served by Wraparound Facilitation	2,288
3% Alcohol Tax-alcohol/drug Prg	
Number of residential beds made available statewide due to the Three Percent Tax supplements	226
Number receiving residential substance use disorder treatment	1,589
Crisis Stabilization Units	
Average length of time from mental health crisis to receipt of community mental health crisis service	1.50
Percentage of people receiving mental health crisis services who were treated at community mental health centers vs. institutions	98.00
Diversion rate of admissions to state hospitals (% of people)	90.00
Number of involuntary admissions	1,726
Number of voluntary admissions	1,804
MI - Institutional Care	
Number served adult acute psychiatric	1,985

Maintain readmission rates within national trends (%)	3.30
MI - Support Services	
Support as an overall percent of total budget	6.40
IDD - Institutional Care	
Number of people served in residential IID programs	791
Number of people transitioned from facility to ICF/IID community home	26
IDD - Group Homes	
Number of people served in the 10-bed ICF/IID community homes	609
Percentage of people served in the community versus in an institutional setting	86.00
IDD - Community Programs	
Number of people added from planning list to ID/DD Waiver Services	53
Number of people enrolled in the 1915i	955
IDD - Support Services	
Support as a percentage of total budget	3.70

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 6. The Department of Mental Health and its facilities shall have the authority, within funding and spending authority appropriated under the provisions of this act to transfer funds to the Division of Medicaid in payment of Medicaid match and designate that the funds thus transferred shall be applied to Medicaid match obligations arising in the subsequent fiscal year.

SECTION 7. Any person within the Department of Mental Health who must work on a statutory holiday or any holiday proclaimed by the Governor may, at the discretion of the Director of the Institution and the Executive Director of the Department of Mental Health and within available personnel funds, be paid "call-back pay" in lieu of "compensatory time credit."

SECTION 8. Of the funds appropriated to the "Service Budget," funds are included for the support of community mental health services for Fiscal Year 2022.

Provided, however, that none of the funds appropriated for the support of community mental health services shall be made available to any Regional Mental Health/Intellectual Disability Center which does not receive from each of its participating counties a dollar amount equivalent to what the proceeds of a three-fourths (3/4) mill tax on all taxable property in the county in Fiscal Year 1982 would have been or the amount of funds contributed to the center by the county in Fiscal Year 1984, whichever shall be greater. By means of performance contracts, the Department of Mental Health shall disburse the funds appropriated in this section for services for the mentally ill, intellectually disabled and alcohol/drug abusers. The State Board of Mental Health and the Department of Mental Health shall be responsible for selecting the types of services which shall be provided with the funds appropriated in this section, for developing and monitoring performance contracts and for holding contractors accountable for utilization of funds.

SECTION 9. Ellisville State School is authorized to draw up to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest earned on funds invested in Ellisville State School Client's Trust Fund for the purpose of supplementing the cost related to supplies, property, and equipment in direct care.

SECTION 10. The Department of Mental Health and its facilities shall have the express legal authority, within funding and spending authority appropriated under the provisions of this act to purchase land for use by residential facilities operated by the department, either directly or by means of transferring funds to the Bureau of Building, Grounds and Real Property Management, and to transfer such funds to the Bureau of

Building, Grounds, and Real Property Management for the purposes of constructing and equipping group homes for persons with mental illness, intellectual disability, and/or substance abuse; constructing and equipping such other buildings as may be required for treatment of persons with mental illness, intellectual disability, and/or substance abuse; repair and renovate existing buildings; and to construct, repair and/or renovate employee housing. Any intermediate care facilities for individuals with intellectual disabilities (ICF/IID) constructed with funds authorized in this section shall be authorized to participate in Medicaid funding available for such services.

SECTION 11. It is the intention of the Legislature that the Department of Mental Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the Executive Director of the Department of Mental Health shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Mental Health. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Mental Health shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration. None of the funds transferred with this section may be transferred to the Central Office for Personal Services.

SECTION 14. Of the funds appropriated under the provisions of this act, Twenty Million One Hundred Thousand Dollars (\$20,100,000.00) is provided to the Department of Mental Health to expand those community-based services that will improve the State of Mississippi's compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that the Department of Mental Health shall have the authority to transfer such sums from this source as are necessary to implement or improve those community services that are more appropriately addressed by the Mississippi Department of Education and/or the Mississippi Department of Rehabilitation Services to those agencies for that purpose. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2021, by the Mississippi Department of Mental Health shall be reappropriated for the same purpose during the fiscal year ending June 30, 2022. Further, it is the intention of the Legislature that the Department of Mental Health shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were expended. The Executive Director of the Department of Mental Health shall report any such reappropriation to the Legislative Budget Office no later than fifteen (15) days after the effective date of the reappropriation.

SECTION 15. Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a Community Mental Health Center, or suitable entities, for the purpose of operating the Crisis Intervention Center at Grenada.

Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a community health center to allow Region 14 to be served at the Crisis Stabilization Unit at Gulfport.

The Department of Mental Health, with approval by the board, may also contract with suitable entities for the purpose of operating the crisis intervention centers in

Batesville, Brookhaven, Cleveland, Corinth, Laurel and Newton. The department shall provide quarterly progress reports on the operation of the crisis intervention centers to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Department of Finance and Administration (DFA) shall transfer funds back to the Department of Mental Health, upon the request of the Department of Mental Health, where the funds received by DFA from the Department of Mental Health were special funds (neither general funds or bond funds) and where those funds are not required for the payment of costs already incurred on a building or repair project. For the purposes of this section, the term "special funds" includes any state source special funds including, but not limited to, funds from the Health Care Expendable Fund. The duty of DFA to transfer funds back to the Department of Mental Health under this section applies to any funds described in this section that were transferred to DFA, regardless of the year that the transfer was made by the Department of Mental Health.

SECTION 18. It is the intention of the Legislature that the Department of Mental Health may provide, upon the availability of funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope Village for Children Program.

SECTION 19. None of the funds provided in Section 1, 2, or 3 of this act shall be used to pay Medicaid match for the thirteen (13) Community Mental Health Centers.

SECTION 20. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for community-based mental health services for juveniles in detention.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Three Million Nine Hundred Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be allocated to the Crisis Intervention Mental Health Fund supported by General Fund court assessments.

SECTION 22. Of the funds appropriated in this act, the Department of Mental Health shall fund four (4) Programs of Assertive Community Treatment (PACT) Teams and provide supportive employment for individuals with intellectual and developmental disabilities.

SECTION 23. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Dollars (\$1,000,000.00) is provided as an increase over and above the Fiscal Year 2021 appropriation level of funding for eighty-three (83) ID/DD Home and Community Based Waiver slots.

SECTION 24. Of the funds in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Department of Mental Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022...\$ 600,000.00.

The purpose of these funds is to provide to The Department of Mental Health and community mental health centers funding to expand outpatient services and community-based services for former inmates of the Department of Corrections who are no longer incarcerated within a correctional institution of the Department of Corrections. The expanded outpatient services and community-based services shall be for such former inmates who were diagnosed with a mental illness while housed within a state correctional institution of the Mississippi Department of Corrections.

SECTION 25. With the funds appropriated herein, the Department of Mental Health is authorized to make payment for expenses incurred during Fiscal Years 2017 and 2019 as follows:

Vendor	Fiscal Year	Amount
Arjo, Inc.	2017	\$ 3,818.83
Arjo, Inc.	2019	\$ 832.25
Broadway Linen	2019	\$ 2,988.72

CDW Direct	2019	\$	500.22
Mobile Medic Service	2019	\$	2,266.24
Mobile Medic Service	2019	\$	360.50
Precision Healthcare	2019	\$	15,471.80

SECTION 26. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 27. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Burks Hill	Sam C. Mims, V
J. Walter Michel	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2926** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2928** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Tennessee-Tombigbee Waterway Development Authority for the purposes enumerated in Section 51-27-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 149,479.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the

Tennessee-Tombigbee Waterway Development Authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 215,755.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	2
	Part Time	1
Time-Limited:	Full Time	0
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the Tennessee-Tombigbee Waterway Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Jenifer B. Branning
Albert Butler

CONFEREES FOR THE HOUSE

John Read
Timmy Ladner
William Tracy Arnold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2928** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2942** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2942: Appropriation; Agriculture and Commerce, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support, Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building, for the fiscal year beginning July 1, 2021, and ending June 30, 2022.....
\$ 7,998,944.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds, which are collected by or otherwise become available for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support and Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 14,192,933.00.

The funds authorized for expenditure under the provisions of this section include subscription fees produced from the Market Bulletin and admission fees produced from the Mississippi Agriculture and Forestry Museum.

SECTION 3. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, shall be derived from the Mississippi Department of Agriculture and Commerce - Fruit and Vegetable Revolving Fund, for the purpose of defraying the expenses of the department..... \$ 600,000.00.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent: Full Time 235

	Part Time	38
Time-Limited:	Full Time	5
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 5. Of the funds appropriated in Section 2, Seventy-four Thousand Eight Hundred Five Dollars (\$74,805.00) shall be provided for the support of the Mississippi Egg Marketing Board.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures

FY2022
Target

Plant Industry	
Pesticide related inspections (Number of)	2,000
Marketplace Inspections in Full Compliance (Number of)	205
Dealer Inspections in Full Compliance (Number of)	110
Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance (Number of)	1,200
Agricultural and Non-Agricultural Record Inspections in Full Compliance (Number of)	350
Marketplace Inspections in Full Compliance (%)	85.00
Dealer Inspections in Full Compliance (%)	96.00
Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance (%)	93.00
Agricultural and Non-Agricultural Record Inspections in Full Compliance (%)	95.00
Museum	
Total Attendance (Number of)	125,000
Students in School Groups (Number of)	18,000
Private Revenue Generating Functions (Number of)	1,700
Change in Number of Private Revenue Generating Functions (%)	1.00
Change in Revenue from Private Functions (%)	1.00
Increase in Attendance from Prior Year (%)	2.00
Increase of School Students in Attendance from Prior Year (%)	2.00
Revenue Generated from Functions (\$)	312,000.00
Regulatory	
Retail Motor Fuel devices Inspected (Number of)	55,100
Food Sanitation Inspections (Number of)	5,000
Total Retail Motor Fuel Devices Inspected (%)	100.00
Total Retail Food Sanitation Inspections (%)	100.00
Consumer Complaints Answered within 48 Hours (%)	97.00
Marketing	
Persons Reached by Marketing Means (Number of)	1,138,150
Increase of Persons Reached by Marketing Means (%)	3.00
Administration	
Maintain Administrative Cost at 18% of Total Budget (%)	25.00
Livestock Theft	
Cases Investigated (Number of)	200
Cases cleared (Number of)	30
Cases Prosecuted (%)	20.00
Farmer's Market	
Retail Spaces Rented Based on Seasonal Availability of Produce (%)	85.00
Amount of Revenue Generated through Rental Space Rented (\$)	45,000.00
Seed Testing Lab	

Days to run cool test (Number of)	7
Official samples collected (Number of)	2,350
Days for Germination test (Number of)	
(Average Depending on Type of Seed)	20
Hours to evaluate TZ test (Number of)	1
Mississippi State Fairgrounds	
Event Days	520
Estimated Total Attendance	1,250,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 7. The funds appropriated and authorized to be expended under the provisions of this act shall be expended for the purpose of defraying all expenses incurred by the State Department of Agriculture and Commerce in the operation of all programs and activities (except operation of the State Lime Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine Inspection Stations and Fire Ant Program) authorized to be conducted and carried on by said department; including, but not limited to: the administration of the Feed, Fertilizer and Dairy Act; the Weights and Measures Act; the Meat Inspection Act of 1968; the Mississippi Pure Seed Law; and the following additional programs and activities: enforcement of the egg law; publication and distribution of the Mississippi Market Bulletin, agricultural statistics, market news service at Stoneville, Mississippi; and inspection, grading and certifying of fruits, vegetables, hay, grain, meat and meat products, milk and dairy products, pecans, seed and syrup.

SECTION 8. The Mississippi Department of Agriculture and Commerce, with the assistance of the State Department of Audit and the Department of Finance and Administration, shall establish nonbudgeted enterprise funds for all "for-profit" activities related to the Mississippi Agriculture and Forestry Museum. The funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Beaver Control Program or from any other special source funds made available to the Beaver Control Program, to the Department of Agriculture and Commerce for the support of the Beaver Control Program for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 1,100,000.00.

Of the special funds authorized in this section, Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be derived from funds received from the Mississippi Department of Transportation and from fees charged private persons/organizations, and Two Hundred Thousand Dollars (\$200,000.00) shall be derived from funds received from the State Forestry Commission. A county in order to participate must pay up to Seven Thousand Five Hundred Dollars (\$7,500.00) and if any county wishes to pay any additional funds than provided, those funds may be used only in said county.

SECTION 10. Of the funds provided by the provisions of this act, it is the intent of the Legislature that not more than Thirty Thousand Dollars (\$30,000.00) shall be expended for the Mississippi Senior Farmers' Market Nutrition Pilot Program, which shall be established by the State Department of Agriculture and Commerce to serve senior citizens above sixty (60) years of age who fall within one hundred thirty percent (130%) of the poverty level. The Commissioner of Agriculture may promulgate rules and regulations necessary to implement the Mississippi Senior Farmers' Market Nutrition Pilot Program.

SECTION 11. Of the funds appropriated under the provisions of Section 2, Six Hundred Thousand Dollars (\$600,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for equipment expenditures.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Department of Agriculture and Commerce shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE, FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Sampson Jackson II	Bill Pigott
Sarita Simmons	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2942** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2944** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2944: Appropriation; Animal Health, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 1,299,501.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Board of Animal Health, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 1,061,671.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	22
	Part Time	0
Time-Limited:	Full Time	5
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency

heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The Mississippi Board of Animal Health is authorized to accept and expend any grant, donation, or contribution from any individual, public or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 6. Of the funds appropriated under the provisions of Section 2, Forty Eight Thousand Seven Hundred and Forty-one Dollars (\$48,741.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for equipment expenditures.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF
ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
BOARD FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
Sampson Jackson II
Benjamin Suber

CONFEREES FOR THE HOUSE

John Read
Bill Pigott
Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2944** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2948** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2948: Appropriation; Finance and Administration, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 34,347,303.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred in the operation of the various offices of the department for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 98,755,987.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	375
	Part Time	3
Time-Limited:	Full Time	1
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Tort Claims Trust Fund not otherwise appropriated, for the purpose of defraying the expenses of the Tort Claims Board in the administration of the Tort Claims Act for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 6,549,647.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	8
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Commission on the Status of Women for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 39,995.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Commission on the Status of Women for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 7,265.00.

This appropriation is made for the purpose of providing funds to defray the expense of the Mississippi Commission on the Status of Women as established pursuant to Sections 43-59-1 through 43-59-14, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Sections 6 and 7, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	1
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception

of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the Department of Finance and Administration shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 10. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is hereby expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repairs and renovation projects. The Bureau of Building, Grounds and Real Property Management of the Office of General Services shall not use any of the funds authorized in this section to pay salaries. For the purposes of this section, the Bureau of Building, Grounds and Real Property Management of the Office of General Services does not have the authority to escalate from the Capital Expense Fund or the Working Cash-Stabilization Reserve Fund.

SECTION 13. Of the funds appropriated in Section 2, it is the intention of the Legislature that an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) is authorized to be expended for the purpose of transferring funds to the Bureau of Building, Grounds and Real Property Management for the administration of projects for the repair and maintenance of state-owned buildings.

SECTION 14. A report based on expenditures incurred during the current and immediate past fiscal years shall be provided to the Legislative Budget Office each regularly scheduled legislative session. This report should reflect expenditures as a result of the operation of the Robert E. Lee Building, the Woolfolk State Office Building, the Gartin and Sillers Buildings, the Capitol Buildings, the Central High School Building, the Robert G. Clark, Jr. Building and other state buildings, and this report should contain any steps taken to reduce operating costs.

SECTION 15. It is the intention of the Legislature that no state-owned aircraft shall be utilized by any person except for official business only.

SECTION 16. Of the funds appropriated in Section 2, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is authorized to be expended to defray any shortfall in the Master Lease Purchase Program as defined in Section 31-7-10, Mississippi Code of 1972.

SECTION 17. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of State Property Insurance for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 11,010,438.00.

SECTION 18. Of the funds herein appropriated, it is the intention of the Legislature that two (2) of the allotted Full-Time Permanent Positions in Section 3 of this bill may be used for performing related administrative duties of the State Property Insurance program.

SECTION 19. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing a grant to the Mississippi Home Corporation, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 1,810,227.00.

SECTION 20. The funds appropriated herein shall be targeted to individuals with disabilities or individuals with serious mental illnesses who:

(1) Are being discharged from a state psychiatric hospital after a stay of more than ninety (90) days; or, nursing facility, or intermediate care facility for individuals with intellectual disabilities after a stay of more than ninety (90) days; or

(2) Have been discharged from a state psychiatric hospital within the last two (2) years; and

(a) Had multiple hospital visits in the last year due to mental illness; or

(b) Are known to the mental health or state-housing agency to have been arrested or incarcerated in the last year due to conduct related to mental illness; or

(c) Are known to the mental health or state-housing agency to have been homeless for one (1) full year or have had four (4) or more episodes of homelessness in the last three (3) years.

(3) Lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resides in an emergency shelter or a place not meant for human habitation immediately before entering that institution.

Any funds appropriated herein to hire additional staff or employ staff shall only be used to implement this housing program.

SECTION 21. It is the intention of the Legislature that an annual financial report based upon the state's fiscal year shall be provided to the Attorney General, the Chairman of Senate Appropriations, the Chairman of House Appropriations, and the Legislative Budget Office.

SECTION 22. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Mississippi Home Corporation (MHC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, MHC board member, or person who has been a member of the MHC within the last year.

SECTION 23. Of the funds appropriated in Section 2, Twelve Million Dollars (\$12,000,000.00) shall be expended from the Capitol Complex Improvement District Project Fund, as established in Section 29-5-215, Mississippi Code of 1972.

SECTION 24. Of the funds appropriated under the provisions of this act, the department is authorized to enter into a contract for use by state agencies to establish a pilot program for Fleet Management Services, to include vehicle leasing and disposal, without being subject to the provisions of law otherwise applicable to fleet management.

SECTION 25. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 26. It is the intention of the Legislature, in accordance with House Bill 974, 2021 Regular Session, the Department of Finance and Administration shall transfer all employees, equipment, inventory and resources of the Capitol Police employed and used as law enforcement personnel to the Department of Public Safety on July 1, 2021. The transfer of personnel shall be commensurate with the number and classification of positions allocated to that law enforcement. The transfer shall also include direct support, clerical, data processing and communications positions allocated to that law enforcement.

SECTION 27. In addition to all sums otherwise appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of the Coronavirus Local Fiscal Recovery Fund created in House Bill No. 109, 2021 Regular Session, to the Department of Finance and Administration for the purpose of allocating funds to non-entitlement units of local government in accordance with the provisions applicable to the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines for the period upon passage and through June 30, 2022.....

\$ 260,000,000.00

SECTION 28. In addition to all other funds herein appropriated, the following sum, or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, for the repair, renovation, and improvements of state-owned properties, universities, and community colleges.....

\$16,600,000.00.

Any amounts allocated to a project that are in excess of that needed to complete the project may be used for general repairs and renovations at state-owned facilities, universities and community colleges at the discretion of the Department of Finance and Administration.

SECTION 28. Of the funds appropriated under the provisions of Section 2, Fifty-seven Million Seven Hundred Twenty-three Thousand Eight Hundred Dollars (\$57,723,800.00) or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer. These funds are provided for such purposes as follows:

(a) To assist the City of Hattiesburg in paying the costs associated with the 12th Circuit Community Service Inmate Program

\$ 125,000.00

(b) To assist the City of Heidelberg in paying the costs associated with repairs to Magnolia Street and East Poplar Street

\$ 100,000.00

(c) To assist Marshall County in paying the costs associated with improvements to Barringer Road

\$ 1,200,000.00

(d) To assist the City of Byram in paying the costs associated with Flood Control Project

\$ 400,000.00

(e) To assist Hinds County in paying the costs associated with the District Attorney's Office

\$ 150,000.00

(f) To assist the City of Shannon in paying the costs associated with the construction/improvements to its Community Center.....

\$ 400,000.00

(g) To assist the Windows of Amory, a non-profit corporation, for expenses related to improvements and operations of the Old Christian Church in Amory, Mississippi known in paying the costs associated with Windows of Amory

\$ 200,000.00

(h) To assist the City of Hazlehurst in paying the costs associated with Reflective

Signs \$ 75,000.00

(i) To assist Rankin County and the City of Richland in paying the costs associated with Flood Control District..... \$ 2,000,000.00

(j) To assist the City of Winona in paying the costs associated with the construction and replacement of historic clock tower..... \$ 100,000.00

(k) To assist the City of Leakesville in paying the costs associated with infrastructure upgrades \$ 500,000.00

(l) To assist the Jackson County Economic Development Foundation for infrastructure Upgrades \$ 500,000.00

(m) To assist the Town of Sumrall in paying the costs associated with Phase II of Sportsplex..... \$ 600,000.00

(n) To assist Rankin County in paying the costs associated with improvements to Andrew Chapel Road \$ 1,000,000.00

(o) To assist the City of Brandon in paying the costs associated with its downtown revitalization project \$ 1,250,000.00

(p) To assist the Pearl River Valley Water Supply District in paying the costs associated with Dredging \$ 500,000.00

(q) To assist Rankin County in paying the costs associated with improvements to Gunter Road \$ 750,000.00

(r) To assist City of Picayune in paying the costs associated with police station repairs \$ 500,000.00

(s) To assist the City of Vicksburg in paying the costs associated with the Levee Street Road Truck Route..... \$ 5,000,000.00

(t) To assist Hinds Community College in paying the costs associated with the Maritime Center \$ 1,000,000.00

(u) To assist the Warren County Port Commission in paying the costs associated with conducting a port study \$ 325,000.00

(v) To assist the Mississippi State University in paying the costs associated with construction/improvements of Kinesiology Building \$ 5,000,000.00

(w) To assist the City of Marks in paying the costs associated with renovations to the City Hall \$ 300,000.00

(x) To assist the City of Scooba in paying the costs associated with renovation of a baseball field \$ 30,000.00

(y) To assist the Perry County in paying the costs associated with extension of natural gas line \$ 1,000,000.00

(z) To assist Leflore County in paying the costs associated with the construction of an Emmett Till Monument..... \$ 150,000.00

(aa) To assist the City of Pearl in paying the costs associated with Intermodal Connector..... \$ 2,000,000.00

(bb) To assist the City of Forest in paying the costs associated with paving and

infrastructure	\$ 300,000.00
(cc) To assist Newton County in paying the costs associated with the paving of entrance into Mississippi State Veterans Cemetery	\$ 150,000.00
(dd) To assist the City of Hernando in paying the costs associated with repairs to its streets \$ 250,000.00	
(ee) To assist Sandcreek Wastewater Authority in paying the costs associated with the construction of a new wastewater facility in Northeast Mississippi.....	\$ 1,000,000.00
(ff) To assist Lee County in paying the costs associated with land acquisition for the Richmond Volunteer Fire Department.....	\$ 50,000.00
(gg) To assist the City of Madison in paying the costs associated with construction of a road to Madison City Centre	\$ 500,000.00
(hh) To assist the City of Southaven in paying the costs associated with repairs to its streets \$ 350,000.00	
(ii) To assist the City of Farmington in paying the costs associated with police station upgrades \$ 150,000.00	
(jj) To assist the City of Purvis in paying the costs associated with the construction of a new city hall.....	\$ 700,000.00
(kk) To assist the City of Greenville in paying the costs associated with downtown park improvements.....	\$ 500,000.00
(ll) To assist the University of Southern Mississippi – Ocean Enterprise.....	\$ 2,500,000.00
(mm) To assist Chickasaw County in paying the costs associated with renovations to the courthouse	\$ 350,000.00
(nn) To assist Lauderdale County in paying the costs associated with reconstruction of the Long Creek Reservoir Dam	\$ 300,000.00
(oo) To assist City of Rolling Fork in paying the costs associated with Civic and Event Center improvements	\$ 200,000.00
(pp) To assist the Yazoo County in paying the costs associated with the Health Department	\$ 100,000.00
(qq) To assist the City of Pass Christian in paying the costs associated with the Pass Christian Downtown Redevelopment Initiative.....	\$ 500,000.00
(rr) To assist the City of Holly Springs in paying the costs associated with the repair of Cuba Street and Hill Street	\$ 600,000.00
(ss) To assist the City of Magnolia in paying the costs associated with infrastructure upgrades \$ 250,000.00	
(tt) To assist Department of Finance and Administration in paying the costs associated with the LeFleur's Bluff Master Plan.....	\$ 100,000.00
(uu) To assist the Town of Lula, Mississippi, in paying costs associated with park improvements.....	\$ 75,000.00
(vv) To assist in paying costs associated with the purchase of a fire truck for the Cairo Volunteer Fire Department in Prentiss County,	

Mississippi.....	\$ 100,000.00
(ww) To assist the Town of Centreville, Mississippi, in paying costs associated with repair, upgrades and improvements to the town's electrical system and related infrastructure.....	\$ 25,000.00
(xx) To assist the City of Scooba, Mississippi, in paying costs associated with making improvements to sports and athletic fields and related facilities in the City of Scooba.....	\$ 50,000.00
(yy) To assist the Nanih Waiya Water Association in paying costs associated with painting the association's water tank.....	\$ 50,000.00
(zz) To assist in paying costs associated with acquisition of a digital hand printing machine for the Neshoba County Sheriff's Department.....	\$ 30,000.00
(aaa) To assist in paying costs associated with construction, furnishing and equipping of the Tibbee Development Club, Inc., community center in West Point, Mississippi.....	\$ 50,000.00
(bbb) To assist the Town of Mathiston, Mississippi, in paying costs associated with construction, repair, renovation, upgrades and improvements to the town's baseball park and related facilities. \$ 50,000.00	
(ccc) To assist in paying costs associated with repair and renovation of the VFW building in the Town of Eupora, Mississippi.....	\$ 25,000.00
(ddd) To assist the Town of Ashland, Mississippi, in paying costs associated with upgrades and improvements to Veterans Park in the Town of Ashland.....	\$ 50,000.00
(eee) To assist the City of McComb, Mississippi, in paying costs associated with the purchase of a fire truck. \$ 250,000.00	
(fff) To be deposited into the Ross Barnett Reservoir Dredging Fund.....	\$ 200,000.00
(ggg) To assist the City of Ellisville, Mississippi, in paying costs associated with the purchase of a fire truck.....	\$ 150,000.00
(hhh) To assist the Town of Blue Mountain, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department.....	\$ 75,000.00
(iii) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department.....	\$ 75,000.00
(jjj) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department.....	\$ 50,000.00
(kkk) To assist the Town of Falkner, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department.....	\$ 75,000.00
(lll) To assist in paying costs associated with the purchase of equipment for the Gravestown Volunteer Fire Department in Tippah County, Mississippi.....	\$ 25,000.00
(mmm) To assist in paying costs associated with the purchase of equipment for the Mitchell Volunteer Fire Department in Tippah County, Mississippi.....	\$ 25,000.00
(nnn) To assist in paying costs associated with the purchase of equipment for the Spout Springs Volunteer Fire Department in Tippah County,	

Mississippi.....	\$ 25,000.00
(ooo) To assist in paying costs associated with the purchase of equipment for the Three Forks Volunteer Fire Department in Tippah County, Mississippi.....	\$ 25,000.00
(ppp) To assist in paying costs associated with the purchase of equipment for the Dry Creek Volunteer Fire Department in Tippah County, Mississippi.....	\$ 25,000.00
(qqq) To assist Ripley Main Street Association in paying costs associated with various projects. \$ 50,000.00	
(rrr) To assist the Ripley Arts Council in paying costs associated with repair and renovation of and upgrades and improvements to the Dixie Theater in the City of Ripley.....	\$ 25,000.00
(sss) To assist in paying costs associated with the purchase of a fire truck for the Wheeler Volunteer Fire Department in Prentiss County, Mississippi.....	\$ 100,000.00
(ttt) To assist in paying costs associated with repair and renovation of and upgrades and improvements to Mississippi Craft Center.....	\$ 100,000.00
(uuu) To provide funds for the GRAMMY® Museum Mississippi for use as matching funds for infrastructure and infrastructure related purposes and other purposes.....	\$ 2,500,000.00
(vvv) To assist in paying costs associated with repair and renovation of and upgrades to buildings and facilities for the Edwards Volunteer Fire Department.....	\$ 100,000.00
(www) To assist in paying costs associated with repair, upkeep and maintenance of streets in the Town of Sardis.....	\$ 150,000.00
(xxx) To assist in paying costs associated with repair, upkeep and maintenance of streets in the Town of Como.....	\$ 150,000.00
(yyy) To the Mississippi Department of Education for use in the Emergency Assistance for Non-Public Schools (EANS)Program.....	\$ 1,000,000.00
(zzz) To assist the City of Jackson with capitol improvements at the JH Fewell Water Treatment Plant for corrosion control, plant generator and filter replacement.....	\$ 3,000,000.00
(aaaa) To assist Kipling Water Association for a running water line Creating a running water line from Mitch Mosely Camp House down a logging road to nearby local community to provide adequate water to residents \$ 300,000.00	
(bbbb) To assist the Fannie Lou Hamer Cancer Center in Ruleville, Mississippi.....	\$ 1,500,000.00
(cccc) For the paving of sidewalks on beaches in Ocean Springs, Mississippi.....	\$ 1,000,000.00
(dddd) For the maintenance of facilities at Long Beach High School.....	\$ 500,000.00
(eeee) For maintenance and repair of the Mary C. O'Keefe Cultural Center in Ocean Springs, Mississippi.....	\$ 500,000.00
(ffff) For improvements and development of Town Commons in Gautier, Mississippi.....	\$ 1,000,000.00
(gggg) To assist the Department of Finance and	

Administration with the purchase of the real property and any improvement thereon, located in the City of Jackson, Mississippi, as authorized by Chapter 405, Laws of 2018, demolition of buildings and other structures on such property, and construction of additional facilities on such property for the Mississippi Fairground Complex and for purchasing other personal property as allowed by statute \$10,200,000.00

(hhhh) For roof repair and replacement of the VFW in Eupora, Mississippi..... \$ 25,000.00
(iiii) For the repair and maintenance of the Ballpark in Mathiston, Mississippi \$ 50,000.00
(jjjj) To assist the Department of Wildlife, Fisheries and Parks in paying the costs associated with park enhancements..... \$ 3,500,000.00
(kkkk) To assist George County with intersection upgrades at Highway 98 and Old Highway 63 \$ 400,000.00
(llll) For repaving of the Jones County Industrial Park \$ 913,800.00
(mmmm) To assist Department of Finance and Administration in paying the costs associated with the following:

(1) Space optimization \$ 1,500,000.00
(2) Capitol Site \$ 3,000,000.00
(3) Ladner Building renovation \$ 250,000.00
(4) Statewide Critical \$ 5,000,000.00
(5) War Memorial \$ 5,000,000.00
(6) Capitol Complex \$ 2,000,000.00
(7) National Guard \$ 5,000,000.00
(8) Department of Health..... \$ 6,000,000.00
(9) Mississippi School for Blind & Deaf..... \$ 1,000,000.00
(10) Department of Health - Clean Water..... \$ 3,200,000.00
(11) Mississippi School for the Arts \$ 1,000,000.00
(12) Mississippi School for Math and Science \$ 1,000,000.00

(nnnn) To assist with the purchase of a fire truck for Madison County Board of Supervisors for the Madison County Super Site \$ 750,000.00
(oooo) To assist the City of Canton for flood control projects..... \$ 250,000.00
(pppp) To assist Issaquena County Board of Supervisors with road improvements and maintenance..... \$ 150,000.00

SECTION 29. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 30. This act shall take effect and be in force from and after July 1, 2021, except for Section 27 shall be enacted from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III
John A. Polk
Kevin Blackwell

CONFEREES FOR THE HOUSE

John Read
Manly Barton
Karl Oliver

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2948** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2949** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2949: Appropriation; Governor's Office and Mansion.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for expenses of the Executive Department, being the Governor's office and staff, and for expenses incidental to the proper operation of the Governor's Mansion and residence of the Governor for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 2,657,214.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in Special Funds in the State Treasury to the credit of the Governor's office for the purpose of defraying the expenses incurred by the Executive Department, being the Governor's office and staff, for the fiscal year beginning July 1, 2021, and ending June 30, 2022

\$ 666,555.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	38
	Part Time	1
Time-Limited:	Full Time	7
	Part Time	0

Any escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Executive Department shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Jason White
Hillman Terome Frazier	Richard Bennett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2949** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2951** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2951: Appropriation; Development Authority, Mississippi.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not

otherwise appropriated, to defray the expenses of the Mississippi Development Authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 21,620,702.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority or the appropriate special fund for the purpose of defraying the expenses incurred in the operation of the various divisions of the authority for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 146,088,496.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	212
	Part Time	2
Time-Limited:	Full Time	56
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board

pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Global Business	
National recruitment contacts	1,000
International investment contracts	1,800
International trade contacts	1,000
Qualified national prospects	225
Return on investment (ROI)	10.00
Number of new businesses - Global contacts	15
Number of new jobs from Global contacts	3,000
Minority & Small Business Dev	
Minority & Small Business contacts	8,000
Minority Business certification applications processed	150
Technical assistance to disadvantaged contacts	2,300
State contracting with Minority Businesses (\$)	45,000,000.00
Financial Resources	
Requests for financing or incentives	250
Existing Industry & Business	
Interactions with interested businesses	2,500
Number of qualified contacts	750
Number of expansions	30
Jobs created from expansions	3,000
Energy	
Energy Efficiency & Renewable Energy Direct Contacts	12,000
Community Services	
Awarded Grants and Loans for Community and Economic Development (\$)	50,000,000.00
Number of grants and loans awarded	100
Support Services	
Administration as a percent of Total Budget	9.50
Tourism	
Number of tourist inquiries generated	37,875
Number of visitors per year	25,000,000
Travel Revenue (Billions)	6.80
Welcome Centers	
Tourist Registered (Persons)	2,226,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 5. Of the funds appropriated in Section 2, the amount of Eight Hundred Thousand Dollars (\$800,000.00) shall be provided from the Mississippi Department of Transportation to defray the expenses of the Mississippi Development Authority in operating the state welcome centers.

SECTION 6. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year

2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

SECTION 7. Of the funds appropriated in Sections 1 and 2, the amount of Four Million Eight Hundred Seventy-six Thousand Two Hundred Ninety-eight Dollars (\$4,876,298.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2022, and shall not be expended for any type of cultural exchange program. Of the funds appropriated herein and allocated within this section, Two Hundred Ninety-nine Thousand Dollars (\$299,000.00) is provided for Tourism Grant Development Awards.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Delta National Heritage Areas.

SECTION 11. Of the funds appropriated in Section 1, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Hills National Heritage Area.

SECTION 12. Of the funds appropriated under the provisions of Section 2, Four Hundred Fifty Thousand Dollars (\$450,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for such purposes as follows:

Skills Foundation of Mississippi.....	\$ 400,000.00
Mississippi Book Festival	\$ 50,000.00

SECTION 13. Of the funds appropriated under the provisions of Section 2, Ten Million Dollars (\$10,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds shall be provided to the MDA Site Development Grant Program Fund and are for the purpose of making grants to assist eligible entities with site development and site infrastructure.

SECTION 14. It is the intention of the Legislature that the Mississippi Development Authority is hereby authorized to escalate, budget, and expend funds from any source not to exceed Ten Million Dollars (\$10,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 15. It is the intention of the Legislature that the Mississippi Development Authority shall submit a notification of any General Fund Transfers out of the major category Subsidies into any other major categories to the Legislative Budget Office.

SECTION 16. Of the funds appropriated in Section 1, Twenty Thousand Twenty-five Dollars (\$20,025.00) shall be provided for the support of the Mississippi River Parkway Commission.

SECTION 17. Of the funds appropriated in Section 1, Five Hundred Fifty Thousand Dollars (\$550,000.00) shall be transferred to Innovate Mississippi.

SECTION 18. Of the funds appropriated in Section 1, One Hundred Fifty-six Thousand Dollars (\$156,000.00) is provided for the Energy High School Academy, established by Senate Bill 2928, 2019 Regular Session.

SECTION 19. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Air Service Development Act, as authorized in SB 2977, 2020

Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 321,579.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance of June 30, 2021.

SECTION 20. Of the funds appropriated under the provisions of Section 2, Fifty-two Million Seven Hundred Ninety-three Thousand Dollars (\$52,793,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Gulf Coast Restoration Fund, as created in Section 57-119-1, Mississippi Code of 1972. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities. These funds will be reappropriated each year until the project is completed.

Of the funds appropriated in this section the following sums are provided for projects:

(a) To assist the Mississippi State

University Mississippi Cyber Center..... \$ 13,500,000.00

(b) To assist the University of Southern

Mississippi Ocean Enterprise \$ 4,500,000.00.

(c) To assist Stone County Board of

Supervisors with the Piney Wood Pellet Mill
road, rail and bypass \$ 2,500,000.00.

(d) To assist the Gulfport Redevelopment

Commission for Phase I of a planned 3-phase
project of downtown redevelopment to be used on
a public use project so as to leverage public
and private investment. \$ 2,500,000.00.

(e) To assist the City of Ocean Springs

and the OHOS Development LLC with a
Public/Private Development..... \$ 6,000,000.00.

(f) To assist the Pascagoula Redevelopment

with downtown revitalization project..... \$ 3,000,000.00.

(g) To assist Long Beach High School with

the Long Beach High School Career and Technical
Education Center..... \$ 2,500,000.00.

(h) To assist the City of Diamondhead with

the Town Center District – Commercial District
Project \$ 2,000,000.00.

(i) To assist Stone County School District

with the Stone County High School Career and
Technical Education Center..... \$ 3,200,000.00.

(j) To assist Hancock County Port and

Hanger Assault Landing Strip..... \$ 2,500,000.00.

(k) To assist the City of Gulfport with the

Forest Heights Project..... \$ 2,100,000.00.

(l) To assist the City of Moss Point with

the Interstate 10 Frontage Roads, North and

South	\$ 2,000,000.00.
(m) To assist the City of Picayune with the Friendship Park Revitalization Project	\$ 1,900,000.00.
(n) To assist Pearl River Community College PRCC Aviation Aerospace Academy	\$ 1,900,000.00.
(o) To assist the City of Bay St. Louis with the Court Street Parking facility, expansion and improvements	\$ 1,000,000.00.
(p) To assist the Walter Anderson Museum with Phase 3 and Phase 4	\$ 636,000.00.
(q) To assist the City of Lucedale with Ventura Drive Improvements	\$ 577,000.00.
(r) To assist George County with the Scott Road Project, widening and infrastructure	\$ 480,000.00.

SECTION 21. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in SB 2977, 2020 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$59,687,545.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

Of the funds reappropriated in this section, the following sums are provided for projects recommended by the department and projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist the City of Gautier with the Gautier Town Center Development	\$ 3,500,000.00.
(b) To assist Power Dynamics Innovations, LLC with Equipment and Facility Upgrades	\$ 1,550,000.00.
(c) To assist the City of Bay St. Louis with the Old Town Police Department	\$ 1,000,000.00.
(d) To assist the City of Bay St. Louis with the Old Town Depot Revitalization District	\$ 1,500,000.00.
(e) To assist the City of Diamondhead with the Commercial District Transformation Project	\$ 1,500,000.00.
(f) To assist the Stone County School District with the Stone County High School Career and Technical Education Center	\$ 3,200,000.00.
(g) To assist the University of Southern Mississippi with the Ocean Enterprise Phase I	\$ 7,000,000.00.
(h) To assist the Walter Anderson Museum Creative Complex Phase I and begin Phase II	\$ 750,000.00.
(i) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development	\$ 2,000,000.00.
(j) To assist the Gulfport School with a STEM Exploration Lab	\$ 100,000.00.
(k) To assist the City of Biloxi with downtown revitalization at the Saenger Theater	\$ 2,000,000.00.
(l) To assist Hancock County Port and Harbor Commission with the multi-user aero strip at Stennis Airport	\$ 2,500,000.00.

Of the funds appropriated in this section, the following sums are provided for projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Harrison County with
the Harrison County Law Enforcement

Training Academy	\$ 3,000,000.00.
(b) To assist George Regional Health System with a multi-specialty medical office complex.....	\$ 2,157,035.00.
(c) To assist George Regional Health System with a cafeteria expansion and renovation	\$ 1,080,510.00.
(d) To assist Mississippi State University with the Mississippi Cyber Center	\$ 3,500,000.00.
(e) To assist the Port of Pascagoula with the North Rail Connector.....	\$ 6,600,000.00.
(f) To assist Jackson County Economic Development Foundation with site development and related support of a defense supplier.....	\$ 1,400,000.00.
(g) To assist the Pascagoula Redevelopment Authority with the Innovation Center	\$ 1,000,000.00.
(h) To assist the Pascagoula Redevelopment Authority with the City Center	\$ 4,000,000.00.
(i) To assist the Institute for Marine Mammal Studies with Educational Classrooms and Dorms.....	\$ 3,000,000.00.
(j) To assist the City of Pass Christian with redevelopment and revitalization	\$ 750,000.00.
(k) To assist the City of Long Beach with development and revitalization	\$ 2,000,000.00.
(l) To assist the city of Long Beach with the Quarles House	\$ 2,000,000.00.
(m) To assist George County with a rail connection project: (1) George County rail and highway improvements for Enviva project.....	\$ 1,600,000.00.
(2) Mississippi Export Railroad for the Enviva project.....	\$ 1,000,000.00.

SECTION 22. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in SB 2977, 2020 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$5,500,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

Of the funds reappropriated in this section the following sums are provided for the following programs:

(a) For the Mississippi Development Authority and the Air Service Development Incentive Program	\$2,500,000.00.
(b) For the Mississippi Development Authority and the Quality of Place Incentives Program	\$3,000,000.00.

Of these funds, One Million Dollars (\$1,000,000.00) is provided for the development of a South Mississippi defense and space industry strategy for small companies to compete for defense related contracts to include government, industry and academia.

SECTION 23. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in SB 2977, 2020 Regular Session, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$500,000.00.

These funds are provided for Mississippi Development Authority's administrative expenses as outlined in Section 57-119-7, Mississippi Code of 1972. Prior to expending any funds in this section, the Mississippi Development Authority shall implement a

project management system that provides for full tracking and reporting of the amounts appropriated, reappropriated and expended for each project funded by the Gulf Coast Restoration Fund in this act. The Mississippi Development Authority shall provide quarterly reports on the status of these projects to the Legislative Budget Office and the Department of Finance and Administration. The Mississippi Development Authority shall provide the Joint Legislative Budget Committee a detailed report and other such related information on each project's expenditures with the subsequent fiscal year's budget submission.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 24. It is the intention of the Legislature that the Mississippi Development Authority may provide operational support to any park operated by the United States National Park Service in Mississippi during the event of a government shutdown that materially affects the operations of such park.

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 26. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Brice Wiggins

CONFEREES FOR THE HOUSE

John Read

Richard Bennett

Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2951** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Carter, Moran. Total--2.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2953** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2953: Appropriation; Secretary of State.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Secretary of State for the fiscal year beginning July 1, 2021, and ending June 30, 2022
\$ 12,137,258.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Secretary of State for the fiscal year beginning July 1, 2021, and ending June 30, 2022\$ 15,673,069.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	97
	Part Time	0
Time-Limited:	Full Time	13
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2023 do not exceed Fiscal Year 2022 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2022 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. Absent a special situation or circumstance approved by the State Personnel Board, or unless otherwise authorized by this act, no state agency shall take any action to promote or otherwise award salary increases through reallocation or realignment. If the State Personnel Board determines a special situation or circumstance exists and approves an action, then the agency and the State Personnel Board shall provide a monthly report of each action approved by the State Personnel Board to the chairmen of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairmen of the Appropriations Committees of the Senate and House of Representatives. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2022 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2022 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022, and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a 3% annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

SECTION 4. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Secretary of State that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 5. No part of the funds appropriated herein shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy, or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. Of the funds appropriated in Section 1, the Secretary of State may use funds appropriated for the purposes of defraying litigation expenses associated with the enforcement of the Mississippi Securities Act, the Regulation of Charitable Solicitations Act, and the administration of the Public Trust.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2022 Target
Business Services	
Answer at Least 95% of Business Services Customer Phone Calls	95.00
Elections	
Poll Workers to Successfully Complete the Online Training Program (Number of)	82
Voter Registrations Updated via Secure Online Website (Number of)	50
Poll Workers who Successfully Complete the Online Poll Manager Training on their First Attempt (%)	60.00
Publications	
Visits to the Secretary of State's Website (Number of)	11,000,000
Public Lands	
Tax-Forfeited Properties Sold (Number of)	500
Support Services	
Support Services as a Percentage of Total Agency Expenditures (%)	27.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2023.

SECTION 8. Of the funds appropriated in Section 1, no more than Five Hundred Thousand Dollars (\$500,000.00) is provided for paying principal and interest on bond issues for county voting systems.

SECTION 9. Of the funds appropriated in Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Land Records Maintenance Fund, for the purpose of making distributions to local governments for taxes owed during the fiscal year.

SECTION 10. Of the funds appropriated in Section 2, One Million Five Hundred Thousand Dollars (\$1,500,000.00) or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Elections Support Fund, for the purpose of acquiring, upgrading, maintaining, or repairing voting equipment, systems, and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems and training election officials during the fiscal year.

SECTION 11. Of the funds appropriated in Section 2, Eleven Million Two Hundred Twenty-six Thousand Four Hundred Ninety-seven Dollars (\$11,226,497.00) or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Trust Tidelands Fund, and is authorized to be transferred by the Secretary of State to the Mississippi Department of Marine Resources.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State General Fund not otherwise appropriated for the Secretary of State for the purpose of reauthorizing the expenditure of State General Funds, as authorized in SB 2974, 2020 Regular Session, to provide matching funds for a statewide voting administration program under the Help America Vote Act, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 950,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State General Fund not otherwise appropriated for the Secretary of State for the purpose of reauthorizing the expenditure of State General Funds, as authorized in SB 2974, 2020 Regular Session, to provide funds for 3 year support renewals for site hosting, storage, and digital security infrastructure, for the fiscal year beginning July 1, 2021, and ending June 30, 2022 \$ 150,000.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2021.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2022.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Bart Williams

CONFEREES FOR THE HOUSE

John Read

Richard Bennett

Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2953** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2955** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2955: Appropriation; Debt Service-Gen. Obli.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying service charges to banks for acting as agents of the State of Mississippi in paying bonds and interest on the full faith and credit bonds of the state, this appropriation to be available from the effective date of this act until such bonds shall be paid or until June 30, 2022, whichever shall first occur; and for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2022..... \$ 439,069,629.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2022.....
\$ 30,514,951.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby authorized to expend any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the revenue bonds of the State of Mississippi falling due during Fiscal Year 2022..... \$ 35,618,100.00.

SECTION 4. The several items covering maturing bonds and interest as evidenced by coupons on the bonds shall be paid out of the State Treasury as and when provided by law and according to the schedule of interest payments in the several issues of full faith and credit bonds or revenue bonds on which principal and interest is due and payable between the dates of July 1, 2021, and June 30, 2022.

SECTION 5. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend any excess funds which become available from interest earnings on bond proceeds or from loan repayments received pursuant to bond documents. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 6. Of the funds appropriated in Section 1 hereof, the sum of Five Hundred Thousand Dollars (\$500,000.00), or so much thereof as may be necessary, is herein appropriated for paying bank service charges. Itemized statements of banks making service charges shall be attached to requisitions of the State Treasurer.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2022, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2022.

CONFEREES FOR THE SENATE
W. Briggs Hopson III
John A. Polk
Kevin Blackwell

CONFEREES FOR THE HOUSE
John Read
Jason White
Charles Jim Beckett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2955** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Senator McDaniel requested that the following explanation be placed in the journal.

EXPLANATION

Pursuant to Senate Rule 117, please find below a brief written statement stating how I would have voted on **SB 2955**:

It is unfathomable how much we spend to service the state's existing debt. I support paying the debt, of course. But as a matter of principle, I oppose adding more debt each year through our much-abused bonding process. We must reform our bonding process. Accordingly, as a way to object to additional borrowing, I would have voted NO.

Senator Sojourner requested that the following explanation be placed in the journal.

EXPLANATION

In accordance with Senate Rule 117, please find below a written statement stating how I would have voted on **SB 2955**:

The third largest line item in our state budget the service of our the state's existing debt. I support paying the debt. But I oppose adding more debt each year through our often abused bonding process. I would have voted NO.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2956** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2956: Appropriations; additional appropriations for various state agencies.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning July 1, 2020, and ending June 30, 2021..\$ 1,102,066.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) State of Mississippi v. Dale Partners Architects P.A.; Earl Walls Associates aka NTH, Inc.; Eldridge & Associates; Environmental Management Plus; in the Circuit Court of Hinds County, Mississippi, Civil Action Number 14-666\$ 31,449.00.

(b) Settlement between the United States Environmental Protection Agency and State of Mississippi; Chemfax Inc., Superfund Site, Gulfport, Harrison County, Mississippi, Site/Spill ID Number: 04JF, CERCLA ID Number: MSD008154486, Settlement Agreement for the Recovery of Response Costs, Docket No. CERCLA-04-2014-3756...\$ 17,492.00.

(c) Express Oil Change, LLC and TE, LLC d/b/a Tire Engineers v. Mississippi State Board of Licensure for Professional Engineers and Surveyors, et al. 3:16cv414-HTW-LRA \$ 192,533.00.

(d) Mann Agency, LLC v. Mississippi Department of Public Safety Claimant\$ 43,672.00.

(e) Joseph Thomas. Vernon Avers. and Melvin Lawson v. Tate Reeves Civil Action No. 3:18-cv-00441-CWR-FKB (S.D. Miss).....\$ 401,920.00.

(f) Larry Ruffin Estate v. State of Mississippi, Circuit Court of Forrest County, Mississippi, Claimant No. CI-11-0238\$ 50,000.00.

(g) Jimmie Bass v. State of Mississippi, Circuit Court of Bolivar County, Mississippi, Claimant No. 2011-0009.....\$ 50,000.00.

(h) Rolland Glen Anderson v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Claimant No. 251-09-640CIV.....

\$ 50,000.00.

(i) Tyler Edmonds v. State of Mississippi, Circuit Court of Oktibbeha County, Mississippi, Cause No. 2009-0457-CV
\$ 50,000.00.

(j) Natasha Orlantha Stewart v. State of Mississippi, Circuit Court of Hinds County, Mississippi, Civil Action No. 25C11:17-cv-00349 \$ 50,000.00.

(k) Curtis Flowers v. State of Mississippi, Circuit Court of Montgomery County, Mississippi, Case No. 1:20-cv-00150
\$ 50,000.00.

(l) Curtis Flowers v. State of Mississippi, Circuit Court of Montgomery County, Mississippi, Case No. 1:20-cv-00150 (attorney fees) \$ 50,000.00.

(m) Harvill Payne Richardson, Circuit Court of Harrison County, Mississippi, Cause No. A2402-2020-87 \$ 50,000.00.

(n) Harvill Payne Richardson, Circuit Court of Harrison County, Mississippi, Cause No. A2402-2020-87 00150 (attorney fees)
\$ 15,000.00.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements incurred by the Office of the Attorney General for the period beginning upon passage of this act, and ending June 30, 2022 \$ 751,735.00.

Of the funds appropriated in this section, the following amounts are provided:

(a) Olivia Y., et al v. Phil Bryant, as Governor of the State of Mississippi and the Department of Human Services, United States District Court for the Southern District of Mississippi, Jackson Division, Cause No.3:03cv251(L)(N) \$ 62,500.00.

(b) Amos et al. v. Taylor et al. 20-cv-00007-DMB-JMV (N.D. Miss); Lang, et al. v. Cain, et al., 4:20-cv-030-DMB RP (N.D. Miss); Brittany Waddell, et al. v. Taylor, et al., Civil Action No. 3:20-cv-340-TSL-RHW (S.D. Miss.) \$ 509,519.00.

(c) Jackson Women's Health Organization et al v. Dobbs et al., 3:18-cv-00171-CWR-FKB (S.D. Miss) \$ 75,000.00.

(d) United States v. State of Mississippi, 3:16-cv-622-CWR-FKB (S.D. Miss) \$ 83,794.00.

(e) Special Master as Required by Order of the Federal Court regarding United States v. State of Mississippi 3:16-cv-00622-CWR-FKS (S.D. Miss) \$ 10,000.00.

(f) IRS Representation vs State Agencies \$ 10,922.00.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 8,225,975.00.

This additional appropriation is for the purpose of defraying medical program expenses.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 5,310,823.00.

This additional appropriation is for the purpose of defraying regional facilities expenses.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 5,507,734.00.

This additional appropriation is for the purpose of defraying private prison facility expenses.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 2,626,170.00.

This additional appropriation is for the purpose of defraying local confinement facility expenses.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 1,522,743.00.

This additional appropriation is for the purpose of defraying expenses of an additional Highway Patrol Trooper School class.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 375,000.00.

This additional appropriation is for the purpose of defraying the expenses for special judge appointments.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Veterans' Affairs Board for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 5,250,000.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 331,057.00.

This additional appropriation is for the purpose of defraying expenses of contractual obligations for system maintenance.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Emergency Management Agency for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 6,818,328.00.

This additional appropriation is for the purpose of providing funding to the Disaster Trust Fund.

SECTION 12. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Mental Health and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Mental Health for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 20,000,000.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 13. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Department of Information Technology Services and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the department for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 700,000.00.

This additional appropriation is for the purpose of providing services to support state agencies as needed.

SECTION 14. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit

of the Secretary of State and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Secretary of State for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 267,479.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 15. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the State Department of Agriculture and Commerce and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the State Department of Agriculture and Commerce for the fiscal year beginning July 1, 2020, and ending June 30, 2021

\$ 76,120.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 16. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Finance and Administration and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2020, and ending June 30, 2021

\$ 124,370.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 17. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Department of Revenue and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Department of Revenue for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 554,193.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 18. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Governor's Office - Division of Medicaid and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2020, and ending June 30, 2021

\$ 199,710,000.00.

This additional appropriation is for the purpose of providing additional federal matching funds for mandated Medicaid medical services.

SECTION 19. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Board of Animal Health and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 15,000.00.

This additional appropriation is for the purpose of providing spending authority for a non-federal grant received for disease control to purchase equipment.

SECTION 20. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the State Board of Medical Licensure and allocated in a manner as determined by the Treasurer's Office to defray the expenses of the State Board of Medical Licensure for the fiscal year beginning July 1, 2020, and ending June 30, 2021 \$ 75,000.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 21. This act shall take effect and be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2021 AND FISCAL YEAR 2022; THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2021; THE

DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; MISSISSIPPI STATE SUPREME COURT FOR FISCAL YEAR 2021; THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2021; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2021; MISSISSIPPI EMERGENCY MANAGEMENT AGENCY FOR FISCAL YEAR 2021; THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2021; THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2021; THE SECRETARY OF STATE FOR FISCAL YEAR 2021; THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2021; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; THE DEPARTMENT OF REVENUE FOR FISCAL YEAR 2021; THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR FISCAL YEAR 2021; THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR FISCAL YEAR 2021; THE STATE BOARD OF MEDICAL LICENSURE FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Dennis DeBar, Jr.

CONFEREES FOR THE HOUSE

John Read

Angela Cockerham

Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2956** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--None.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Hill. Total--1.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 88, **S. B. No. 2971**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2971** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2971: Bonds; authorize issuance for state institutions of higher learning.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded

semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		\$ 5,675,000.00
Phase I of repair and		
renovation of and		
upgrades and improvements		
to campus dormitories.....		\$ 5,675,000.00
Delta State University		\$ 10,800,000.00
Renovation and expansion		
of and upgrades,		
improvements and additions		
to the Robert E. Smith		
School of Nursing		
Building and related		
facilities.....		\$ 7,800,000.00
Repair, renovation		

and upgrading of

campus buildings

and facilities.....\$ 3,000,000.00

Jackson State University \$ 6,500,000.00

Phase III of repair,

renovation and

upgrading of campus

buildings, facilities,

and infrastructure.....\$ 6,000,000.00

Preplanning for

construction, furnishing

and equipping of a new

dining facility and

related facilities.....\$ 500,000.00

Mississippi State University \$ 15,000,000.00

Phase I of construction,

furnishing and equipping

of a new building and

related facilities to

house the College of

Architecture, Art

and Design.....\$ 15,000,000.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary Medicine \$ 8,000,000.00

Repair and renovation of

and upgrades and

improvements to Dorman Hall

and related facilities.....\$ 8,000,000.00

Mississippi University for Women \$ 2,750,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 2,750,000.00

Mississippi Valley State University..... \$ 500,000.00

Preplanning for repair,

renovation, furnishing

and equipping of the

Charles Lackey

Recreation Center.....\$ 500,000.00

University of Mississippi \$ 12,000,000.00

Construction, furnishing

and equipping of a new

mechanical and power

plant building and related

facilities.....\$ 12,000,000.00

University of Mississippi Medical Center..... \$ 8,000,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 8,000,000.00

University of Southern Mississippi \$ 10,750,000.00

Repair and renovation

of Hickman Hall and

related facilities.....\$ 10,000,000.00

Preplanning and

construction, furnishing

and equipping of a new

science research facility...\$ 750,000.00

University of Southern Mississippi/Gulf

Coast Campuses \$ 5,800,000.00

Construction, furnishing

and equipping of

Executive Education

and Conference Center

and related facilities

on the Gulf Park

Campus.....\$ 4,800,000.00

Repair, renovation

life safety, and

ADA code upgrades,

furnishing and equipping

of campus buildings

and facilities

at the Gulf Coast

Research Laboratory,

Halstead Campus.....\$ 1,000,000.00

IHL Education and Research Center \$ 600,000.00

Planning, repair, renovation,

life safety and ADA code

upgrades of buildings,
facilities and infrastructure,
including the Paul B. Johnson
Tower, Edsel E. Thrash
Universities Center and
the Mississippi Public

Broadcasting Building.....\$ 600,000.00

TOTAL \$ 86,375,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission.

Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Three Hundred Seventy-five Thousand Dollars (\$86,375,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds

created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest

earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this act.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma	\$ 1,601,497.00
Copiah-Lincoln	1,914,389.00
East Central	1,788,372.00
East Mississippi.....	2,070,016.00
Hinds 3,858,858.00	
Holmes.....	2,670,171.00
Itawamba	2,436,346.00
Jones 2,354,904.00	
Meridian	1,932,245.00
Mississippi Delta.....	1,801,892.00
Mississippi Gulf Coast	3,410,539.00
Northeast Mississippi.....	2,052,257.00
Northwest Mississippi.....	2,937,492.00
Pearl River	2,456,481.00
Southwest Mississippi	1,714,541.00
GRAND TOTAL.....	\$35,000,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The

total amount of bonds issued under this section shall not exceed Thirty-five Million Dollars (\$35,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special funds created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 3. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 State Agencies Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

STATE AGENCIES	\$ 5,250,000.00
Department of Mental Health	\$ 5,250,000.00
Phase II of repair	
and replacement of	
plumbing systems	
at the Mississippi	
State Hospital.....	\$ 750,000.00
Phase II of repair	
and restoration	
of, or replacement	
of windows, waterproofing,	
repointing, sealing and	
repainting of buildings	
at the Mississippi	
State Hospital.....	\$ 750,000.00
Phase II of repair	
and renovations	
for ADA compliance	
for buildings and facilities	
at Ellisville State School....	\$ 750,000.00
Planning, repair	
and renovation, furnishing	
and equipping of the	
Beechwood Building at	
Hudspeth Regional Center.....	\$ 1,500,000.00
Phase II of repair	
and renovation, furnishing	
and equipping of cottages at	
Hudspeth Regional Center.....	\$ 750,000.00
Planning, repair	
and replacement of	
roofing at campus	
buildings and facilities	
at South Mississippi	
Regional Center.....	\$ 750,000.00
TOTAL	\$ 5,250,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the agency or institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an agency that are in excess of that needed to complete the projects at such agency that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the agency.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Million Two Hundred Fifty Thousand Dollars (\$5,250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special funds created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers

upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all

duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 4. Section 1, Chapter 492, Laws of 2020, is amended to read as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2020 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		\$ 3,650,000.00
Campus safety and security project, including open space development, sprinkler systems for dormitories, security camera installation, card access systems, street lighting, and emergency kiosks.....		\$ 3,650,000.00

Alcorn State University/Division of Agriculture	\$ 2,635,000.00
Phase II of repair, renovation, furnishing, equipping and expansion of and additions to the Child Development Learning Center.....	\$ 2,635,000.00
Delta State University	\$ 3,000,000.00
Repair, renovation, and upgrading of campus buildings and facilities.....	\$ 3,000,000.00
Jackson State University	\$ 5,260,000.00
Phase III of repair, renovation, and upgrading of campus buildings, facilities, and infrastructure.....	\$ 5,260,000.00
Mississippi State University	\$ 10,000,000.00
Phase III of construction, furnishing and equipping of a new building and related facilities to house the Kinesiology Department.....	\$ 10,000,000.00
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine	\$ 7,935,000.00
Phase II of repair and renovation, replacement and/or demolition of Ballew Hall and related facilities.....	\$ 7,535,000.00
Pre-planning for repair and renovation of Dorman Hall and related facilities.....	\$ 400,000.00
Mississippi University for Women	\$ 13,000,000.00
Phase II of construction, furnishing and equipping of a new building and related facilities to house the Culinary Arts Program.....	\$ 13,000,000.00
Mississippi Valley State University.....	\$ 13,435,000.00
Phase II of Student Union improvements and planning, repair, renovation, life safety and ADA code upgrades, furnishing and equipping and expansion of and additions to campus buildings, facilities, and infrastructure.....	\$ 13,435,000.00
University of Mississippi	\$ 13,530,000.00
Phase II of repair, renovation, furnishing, equipping and expansion of and additions to the Data Center Building and related facilities.....	\$ 13,530,000.00
University of Mississippi Medical Center	\$ 5,680,000.00
Replacement of HVAC systems, boilers and	

related equipment, infrastructure and controls.....\$	5,680,000.00	
University of Southern Mississippi	\$	6,500,000.00
Phase II of repair and renovation of the Kinesiology Building and related facilities.....\$	6,000,000.00	
Pre-planning for repair and renovation of Hickman Hall and related facilities.....\$	500,000.00	
University of Southern Mississippi/Gulf Coast Campuses.....	\$	700,000.00
Pre-planning for design of Executive Education and Conference Center and related facilities on the Gulf Park campus.....\$	200,000.00	
Planning, repair, renovation, life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.....\$	500,000.00	
IHL Education and Research Center	\$	1,400,000.00
Planning, repair, renovation, life safety and ADA code upgrades of buildings, facilities and infrastructure, including the Paul B. Johnson Tower, Edsel E. Thrash Universities Center and the Mississippi Public Broadcasting Building.....\$	1,400,000.00	
TOTAL	\$	86,725,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Seven Hundred Twenty-five Thousand Dollars (\$86,725,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 5. Section 15, Chapter 492, Laws of 2020, is amended to read as follows:

Section 15. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2020 Chickasaw Heritage Center Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Chickasaw Inkana Foundation in paying the costs associated with the construction, furnishing and equipping of the Chickasaw Heritage Center in Tupelo, Mississippi. It is the intention of the Legislature that all bond funds dedicated for this project up to Sixteen Million Dollars (\$16,000,000.00) be matched by the Chickasaw Inkana Foundation. In addition, all funds authorized and disbursed by the state will be spent equally with funds matched by the Chickasaw Inkana Foundation.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The

total amount of bonds issued under this section shall not exceed * * * Six Million Dollars (\$6,000,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(c) No bonds may be issued under this section until the Chickasaw Inkana Foundation has broken ground in construction of the Chickasaw Heritage Center.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of such signing, but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become

due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants. The Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 6. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Million Dollars (\$5,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of

Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Community Heritage Preservation Grant Fund created in Section 39-5-145, and the proceeds of such bonds shall be disbursed for the purposes provided in Section 39-5-145, Mississippi Code of 1972.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated

place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 7. Section 39-5-145, Mississippi Code of 1972, is amended as follows:

39-5-145. (1) A special fund, to be designated the "Mississippi Community Heritage Preservation Grant Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any monies designated for deposit therein from any source, including proceeds of any state general obligation bonds designated for deposit therein. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of monies deposited into the fund shall be under the direction of the Department of Finance and Administration, based upon recommendations of the Board of Trustees of the Department of Archives and History, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration. Monies deposited into such fund shall be allocated and disbursed according to the provisions of this section. If any monies in the special fund are derived from proceeds of state general obligation bonds and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Department of Finance and Administration shall provide an accounting of such unused monies to the State Bond Commission.

(2) Monies deposited into the fund shall be allocated and disbursed as follows:

(a) (i) * * * Fifty-one Million Two Hundred Thousand Dollars (\$51,200,000.00) shall be allocated and disbursed as grants on a reimbursable basis through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service in helping pay the costs incurred in preserving, restoring, rehabilitating, repairing or interpreting 1. historic county courthouses, 2. historic school buildings, and/or 3. other historic properties identified by certified local governments. Where possible, expenditures from the fund shall be used to match federal grants or other grants that may be accessed by the Department of Archives and History, other state agencies, county governments or municipal governments, school districts or nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service. Any properties, except those described in paragraphs (b) and (d) of this subsection, receiving monies pursuant to this section must be designated as "Mississippi Landmark" properties prior to selection as projects for funding under the provisions of this section.

(ii) One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be allocated and disbursed as grants through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments in helping pay the costs of historically appropriate restoration, repair and renovation of historically significant county courthouses. Grants to individual courthouses under this paragraph (a)(ii) shall not exceed Eight Hundred Seventy-five Thousand Dollars (\$875,000.00).

(b) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Amory Regional Museum in Amory, Mississippi, to pay the costs of capital improvements, repair, renovation, furnishing and/or equipping of the museum. The Department of Finance and Administration is directed to transfer Two Hundred Fifty Thousand Dollars (\$250,000.00) from the fund to the city on or before December 31, 2004, and the city shall place the funds into an escrow account. The city may expend the funds from the account only in an amount equal to matching funds that are provided from any source other than the state for the project. As the funds are withdrawn from the escrow account, the city shall certify to the Department of Finance

and Administration the amount of the funds that have been withdrawn and that the funds withdrawn are in an amount equal to matching funds required by this paragraph.

(c) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to the Jacinto Foundation, Inc., to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the courthouse and related facilities in Jacinto, Mississippi, and to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping other buildings and facilities near the courthouse.

(d) Four Hundred Twenty-five Thousand Dollars (\$425,000.00) shall be allocated and disbursed as grant funds to the Oxford-Lafayette County Heritage Foundation to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing, equipping and/or acquiring the L.Q.C. Lamar Home in Oxford, Mississippi.

(e) One Million Four Hundred Twenty-five Thousand Dollars (\$1,425,000.00) shall be allocated and disbursed as grant funds to the City of Columbus, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Columbus City Hall building and related facilities.

(f) One Million Dollars (\$1,000,000.00) shall be allocated and disbursed as grant funds to the Town of Wesson, Mississippi, to pay the costs of restoration and renovation of the Old Wesson School.

(g) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Town of Shubuta, Mississippi, to assist in paying the costs associated with construction, reconstruction, refurbishing, repair, renovation and restoration of the Shubuta Town Hall building and related facilities.

(h) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the City of Okolona, Mississippi, to assist in paying costs associated with the purchase, repair, renovation, furnishing and equipping of a building and related facilities on Main Street in the City of Okolona, for the purpose of establishing a welcome center in which historical information relating to the City of Okolona will be displayed, including, but not limited to, information relating to the furniture, banking, retail and farming industries; education; historical collections owned by individuals and organizations; genealogy; Okolona College; and the Battle of Okolona and the War Between the States.

(i) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Tallahatchie County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Tallahatchie County Courthouse.

(j) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to Wayne County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Wayne County Courthouse.

(k) Three Hundred Thousand Dollars (\$300,000.00) shall be allocated and disbursed as grant funds to assist in paying the cost of rehabilitation and restoration of Winterville Indian Mounds in Washington County, Mississippi.

(l) Five Hundred Thousand Dollars (\$500,000.00) shall be allocated and disbursed as grant funds to the City of Kosciusko, to assist the City of Kosciusko, Mississippi, in paying costs associated with (i) repair, renovation, furnishing, equipping, additions to and expansion of the Kosciusko Natchez Trace Visitor Center in the City of Kosciusko, Mississippi, and (ii) repair, renovation, furnishing, equipping, additions to and expansion of the historic Strand Theater in the City of Kosciusko, Mississippi.

(m) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Jefferson County, Mississippi, to assist in paying costs associated with repair, renovation, upgrades and improvements to the confederate cemetery and related properties and facilities in the county.

(n) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Tate County, Mississippi, to assist in paying costs associated with painting, refurbishment and historical restoration and renovation of the Tate County Courthouse.

(o) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Humphreys County, Mississippi, to assist in paying costs associated with repair and renovation of and upgrades and improvements to the Humphreys County Courthouse.

(p) Monies in the Mississippi Community Heritage Preservation Grant Fund which are derived from proceeds of state general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Department of Archives and History in providing assistance directly related to a project described in paragraph (a) of this subsection for which funding is provided under this section. Reimbursement may be made only until such time as the project is completed. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Mississippi Department of Archives and History. Reimbursement of reasonable actual and necessary costs for a project shall not exceed three percent (3%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) (a) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service for projects associated with the preservation, restoration, rehabilitation, repair or interpretation of (i) historic courthouses, (ii) historic school buildings, and/or (iii) other historic properties identified by certified local governments. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(ii), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (2)(h) and (2)(j) of this section.

(b) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments for projects associated with historically appropriate restoration, repair and renovation of historically significant county courthouses. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(i), (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(4) The Department of Archives and History shall publicize the Community Heritage Preservation Grant Program described in this section on a statewide basis, including the publication of the criteria and standards used by the department in selecting projects for funding. The selection of a project for funding under the provisions of this section shall be made solely upon the deliberate consideration of each proposed project on its merits. The board shall make every effort to award the grants in a manner that will fairly distribute the funds in regard to the geography and cultural diversity of the state. This subsection shall not apply to projects described in subsection (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(5) With regard to any project awarded funding under this section, any consultant, planner, architect, engineer, exhibit contracting firm, historic preservation specialist or other professional hired by a grant recipient to work on any such project shall be approved by the board before their employment by the grant recipient.

(6) Plans and specifications for all projects initiated under the provisions of this section shall be approved by the board before the awarding of any contracts. The plans and specifications for any work involving "Mississippi Landmark" properties shall be developed in accordance with "The Secretary of the Interior's Standards for the Treatment of Historic Properties."

SECTION 8. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the

interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-701. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Million Dollars (\$3,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Site Development Grant Fund created pursuant to Section 57-1-701. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The

commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Site Development Grant Fund created in Section 57-1-701. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of,

premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 9. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned; and/or

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned.

(c) "MDA" means the Mississippi Development Authority.

(d) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; land reclamation; water supply (storage, treatment and distribution); aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, * * * Section 4 of Chapter 492, Laws of 2020, or Section 8 of this act, may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

(i) A description of the eligible expenditures for which assistance is requested;

- (ii) The amount of assistance requested;
- (iii) The amount and type of matching funds to be provided by the eligible entity; and
- (iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 10. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-16. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Twenty Million Dollars (\$20,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the ACE Fund created pursuant to Section 57-1-16. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers

upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ACE Fund created in Section 57-1-16. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all

duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 11. Section 57-61-25, Mississippi Code of 1972, is amended as follows:

57-61-25. (1) The seller is authorized to borrow, on the credit of the state upon receipt of a resolution from the Mississippi Development Authority requesting the same, monies not exceeding the aggregate sum of * * * Three Hundred Ninety-seven Million Five Hundred Thousand Dollars (\$397,500,000.00), not including monies borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this chapter. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this chapter, general or limited obligation bonds of the state shall be issued, from time to time, to provide monies necessary to carry out the purposes of this chapter for such total amounts, in such form, in such denominations payable in such currencies (either domestic or foreign, or both) and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than thirty (30) years from date thereof.

(3) All bonds and notes issued under authority of this chapter shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this chapter may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenues derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest, as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and secretary of the seller.

(7) The seller is authorized to provide, by resolution, for the issuance of refunding bonds for the purpose of refunding any debt issued under the provisions of this chapter and then outstanding, either by voluntary exchange with the holders of the

outstanding debt or to provide funds to redeem and the costs of issuance and retirement of the debt, at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the duties of the issuing officials in respect to the same shall be governed by the provisions of this section, insofar as they may be applicable.

(8) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

(9) The proceeds of bonds issued under this chapter after April 9, 2002, may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 12. Section 57-61-36, Mississippi Code of 1972, is amended as follows:

57-61-36. (1) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Fourteen Million Five Hundred Thousand Dollars (\$14,500,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants to municipalities through a Development Infrastructure Grant Fund to complete infrastructure related to new or expanded industry.

(2) [Repealed]

(3) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize the monies transferred from the Housing Development Revolving Loan Fund and not more than * * * One Hundred Four Million One Hundred Thousand Dollars (\$104,100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making grants or loans to municipalities through an equipment and public facilities grant and loan fund to aid in infrastructure-related improvements as determined by the Mississippi Development Authority, the purchase of equipment and in the purchase, construction or repair and renovation of public facilities. Any bonds previously issued for the Development Infrastructure Revolving Loan Program which have not been loaned or applied for are eligible to be administered as grants or loans. In making grants and loans under this section, the Mississippi Development Authority shall attempt to provide for an equitable distribution of such grants and loans among each of the congressional districts of this state in order to promote economic development across the entire state.

The requirements of Section 57-61-9 shall not apply to any grant made under this subsection. The Mississippi Development Authority may establish criteria and guidelines to govern grants made pursuant to this subsection.

(4) [Repealed]

(5) (a) The Mississippi Development Authority may establish a Capital Access Program and may contract with any financial institution to participate in the program upon such terms and conditions as the authority shall consider necessary and proper. The Mississippi Development Authority may establish loss reserve accounts at financial institutions that participate in the program and require payments by the financial institution and the borrower to such loss reserve accounts. All monies in such loss reserve accounts is the property of the Mississippi Development Authority.

(b) Under the Capital Access Program a participating financial institution may make a loan to any borrower the Mississippi Development Authority determines to be qualified under rules and regulations adopted by the authority and be protected against losses from such loans as provided in the program. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit claims for the reimbursement for losses incurred as a result of default on loans by qualified borrowers.

(c) Under the Capital Access Program a participating financial institution may make a loan that is secured by the assignment of the proceeds of a contract

between the borrower and a public entity if the Mississippi Development Authority determines the loan to be qualified under the rules and regulations adopted by the authority. Under such rules and regulations as may be adopted by the Mississippi Development Authority, a participating financial institution may submit an application to the authority requesting that a loan secured pursuant to this paragraph be funded under the Capital Access Program.

(d) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority may utilize not more than One Million Five Hundred Fifty Thousand Dollars (\$1,550,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of making payments to loan loss reserve accounts established at financial institutions that participate in the Capital Access Program established by the Mississippi Development Authority; however, any portion of the bond proceeds authorized to be utilized by this paragraph that are not utilized for making payments to loss reserve accounts may be utilized by the Mississippi Development Authority to advance funds to financial institutions that participate in the Capital Access Program pursuant to paragraph (c) of this subsection.

(6) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Hundred Thousand Dollars (\$200,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting Warren County, Mississippi, in the continuation and completion of the study for the proposed Kings Point Levee.

(7) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars (\$100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of developing a long-range plan for coordinating the resources of the state institutions of higher learning, the community and junior colleges, the Mississippi Development Authority and other state agencies in order to promote economic development in the state.

(8) Notwithstanding any other provision of this chapter to the contrary, the Mississippi Development Authority shall use not more than One Hundred Fifty Thousand Dollars (\$150,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of providing assistance to municipalities that have received Community Development Block Grant funds for repair, renovation and other improvements to buildings for use as community centers. Assistance provided to a municipality under this subsection shall be used by the municipality to match such Community Development Block Grant funds. The maximum amount of assistance that may be provided to a municipality under this subsection shall not exceed Seventy-five Thousand Dollars (\$75,000.00) in the aggregate.

(9) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than Two Million Dollars (\$2,000,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting in paying the costs of constructing a new spillway and related bridge and dam structures at Lake Mary in Wilkinson County, Mississippi, including construction of a temporary dam and diversion canal, removing existing structures, removing and stockpiling riprap, spillway construction, dam embankment construction, road access, constructing bridges and related structures, design and construction engineering and field testing.

(10) Notwithstanding any provision of this chapter to the contrary, the Mississippi Development Authority shall utilize not more than One Hundred Thousand Dollars (\$100,000.00) out of the proceeds of bonds authorized to be issued in this chapter for the purpose of assisting the City of Holly Springs, Mississippi, in providing water and sewer and other infrastructure services in the Marshall, Benton and Tippah Counties area.

SECTION 13. Section 65-4-25, Mississippi Code of 1972, is amended as follows:

65-4-25. The Mississippi Development Authority, acting through its executive director, is authorized, at one time or from time to time, to declare by resolution the necessity for issuance of negotiable general obligation bonds of the State of Mississippi to provide funds for the Economic Development Highway Fund established in Section 65-4-15, Mississippi Code of 1972. Upon the adoption of a resolution by the Executive

Director of the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, the executive director shall deliver a certified copy of his resolution or resolutions to the State Bond Commission. Upon receipt of the resolution, the State Bond Commission, in its discretion, shall act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The principal amount of bonds issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, shall not exceed * * * Three Hundred Ninety-one Million Five Hundred Thousand Dollars (\$391,500,000.00) in the aggregate. However, an additional amount of bonds may be issued under Sections 65-4-25 through 65-4-45, Mississippi Code of 1972, in an amount not to exceed Seven Million Dollars (\$7,000,000.00), and the proceeds of any such additional bonds issued shall be used to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(vi), Mississippi Code of 1972. An additional amount of bonds may be issued under Sections 65-4-25 through 65-4-45, in an amount not to exceed One Million Dollars (\$1,000,000.00), the proceeds of which shall be used to provide funding for a high economic benefit project as defined in Section 65-4-5(1)(c)(v).

SECTION 14. Section 25, Chapter 533, Laws of 2010, as amended by Section 4, Chapter 30, Laws of 2010 Second Extraordinary Session, as amended by Section 1, Chapter 301, Laws of 2011, as amended by Section 6, Chapter 480, Laws of 2011, as amended by Section 1, Chapter 1, Laws of 2011 First Extraordinary Session, as amended by Section 8, Chapter 421, Laws of 2019, is amended as follows:

Section 25. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-221. Upon the adoption of a resolution by the Mississippi Development Authority, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Five Hundred Four Million Dollars (\$504,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Industry Incentive Financing Revolving Fund created pursuant to Section 57-1-221. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature

absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Industry Incentive Financing Revolving Fund created in Section 57-1-221. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall

become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 15. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Lawrence County N.A. Sandifer Road Bridge Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Board of Supervisors of Lawrence County, Mississippi, in paying costs associated with repairs and improvements to the N.A. Sandifer Road Bridge.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in

paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Hundred Thousand Dollars (\$300,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the

commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all

public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 16. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Marshall County Emergency Response Center Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Board of Supervisors of Marshall County, Mississippi, in paying costs associated with building a full-time emergency response center, including ambulance service, a fire station and a sheriff's department substation, to serve the growing area in and around the Chickasaw Trail Industrial Park.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes

described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 17. Section 5, Chapter 454, Laws of 2019, as amended by Section 130, Chapter 492, Laws of 2020, is amended to read as follows:

Section 5. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2019 Concourse Workforce Training Center," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with the repair, renovation and other improvements to buildings and related facilities in the City of Batesville, Mississippi, to house the Concourse Workforce Training Center.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this section after July 1, 2023.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall

be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one * * * time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code

of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 18. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Longleaf Trace Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Pearl and Leaf Rivers Rails-to-Trails Recreational District with trail overlay or bridge repairs on the Longleaf Trace between Hattiesburg, Mississippi, and Prentiss, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance

and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 19. Section 106, Chapter 492, Laws of 2020, is amended to read as follows:

Section 106. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2020 East Metro Corridor Project Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the East Metropolitan Corridor Commission in paying the costs associated with land acquisition and implementation of the East Metro Corridor project in Rankin County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Five Million Five Hundred Thousand Dollars (\$5,500,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such

restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 20. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Yazoo County Highway 49 Frontage Road Repair Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Board of Supervisors of Yazoo County, Mississippi, in paying costs associated with repairs and improvements to the U.S. Highway 49 Frontage Road.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Three Hundred Thousand Dollars (\$1,300,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained

in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all

duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 21. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Commerce Park Connector Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying the costs associated with the preconstruction, design, engineering, land acquisition, right-of-way acquisition, construction and development of the Commerce Park Connector project from Lake Harbour Drive to Highland Colony Parkway in Madison County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the

commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of such signing, but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants. The Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 22. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate,

compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Yellow Creek Port Medical Clinic Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Yellow Creek State Inland Port in paying costs associated with the construction of a medical clinic.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 23. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Prentiss County Bridge Replacement Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Board of Supervisors of Prentiss County, Mississippi, in paying costs associated with the replacement of Bridges 114 and 115 on County Road 4050 and Bridge 147 on County Road 5250.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be

applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Six Hundred Fifty Thousand Dollars (\$650,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 24. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 West Point Street Paving Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of West Point, Mississippi, in paying costs associated with the paving of city streets.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act

as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 25. Section 112, Chapter 492, Laws of 2020, is amended to read as follows:

Section 112. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2020 Lowndes County Manufactures Drive Extension Fund" is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Board of Supervisors of Lowndes County, Mississippi, in paying costs associated with the extension of Manufactures Drive from its current southern terminus to extend first to the east and then northward to interconnect with Artesia Road at a location east of the current intersection of Manufactures Drive and Artesia Road, provided that such funds may also be used to fund the acquisition of any right-of-way, if necessary, for such roadway extension, together with any striping and/or signage associated therewith.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed * * * Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if

any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The

notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 26. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Neshoba County Road 210 Bridge Repairs and Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Board of Supervisors of Neshoba County, Mississippi, in paying costs associated with repairs and improvements to the County Road 210 bridge.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance

and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 27. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 City of Starkville Hospital Road and Stark Road Extension Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Starkville, Mississippi, in paying the costs associated with the extension of Hospital Road and Stark Road.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates

(not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds have been signed by the officials designated to sign the bonds who were in office at the time of such signing, but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those

proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants. The Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 28. Section 57-1-221, Mississippi Code of 1972, is amended as follows:

57-1-221. (1) As used in this section:

(a) "Approved business enterprise" means any project that:

(i) Locates or expands in this state and creates a minimum of two hundred fifty (250) new, full-time jobs with a total capital investment in the state of a minimum of Thirty Million Dollars (\$30,000,000.00) in Tier 1 or Tier 2 counties;

(ii) Locates or expands in this state and creates a minimum of one hundred fifty (150) new, full-time jobs with a total capital investment in the state of a minimum of Fifteen Million Dollars (\$15,000,000.00) in areas federally designated as low-income census tracts;

(iii) Locates or expands in this state and creates a minimum of one thousand (1,000) new, full-time jobs;

(iv) Is a manufacturer of high-end kitchen appliances having at least four hundred (400) employees working at its Mississippi facilities on January 1, 2015, and with a capital investment of at least Five Million Dollars (\$5,000,000.00) made after July 1, 2014, through four (4) years after July 1, 2015, that expands in this state, and retains a minimum of four hundred (400) jobs; or

(v) Locates or expands in this state with significant regional impact as determined by MDA.

(b) "MDA" means the Mississippi Development Authority.

(c) "Facility related to the project" means and includes any of the following, as they may pertain to the project:

(i) Facilities to provide potable and industrial water supply systems, sewage and waste disposal systems and water, natural gas and electric transmission systems to the site of the project;

(ii) Building facilities and equipment necessary to operate the facility;

(iii) Rail lines;

(iv) Airports, airfields, air terminals and port facilities;

(v) Highways, streets and other roadways; and

(vi) Fire protection facilities, equipment and elevated water tanks.

(d) "Project" means any industrial, commercial, research and development, warehousing, distribution, transportation, processing, mining, United States government or tourism enterprise together with all real property required for construction, maintenance and operation of the enterprise that is approved by the MDA.

(2) (a) There is created a special fund in the State Treasury to be known as the Mississippi Industry Incentive Financing Revolving Fund which shall consist of monies from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Except as otherwise provided, monies in the fund shall be disbursed by the Mississippi Development Authority for the purposes authorized in subsection (3) of this section. The Mississippi Development Authority shall allocate and disburse Thirty Million Dollars (\$30,000,000.00) from the fund as a grant to Mississippi State University for the construction, furnishing and equipping of a high-performance computing data center that is home to federally designated centers of computing excellence. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall allocate and disburse Three Million Dollars (\$3,000,000.00) from the fund as a grant to Delta Health System for capital costs related to hospital systems expansion. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall disburse such funds to Delta Health System not later than thirty (30) days after the effective date of this act.

(b) Monies in the fund that are derived from the proceeds of general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a program to make grants or loans from the Mississippi Industry Incentive Financing Revolving Fund to local governments, including, but not limited to, counties, municipalities, industrial development authorities and economic development districts, and approved business enterprises to construct or otherwise provide facilities related to the project. Local governments are authorized to accept grants and enter into loans authorized under the program, and to sell, lease or otherwise dispose of a project or any property related to the project in whole or in part.

(4) (a) Except as otherwise provided in this section, any business enterprise or local government desiring a grant or loan under this section shall submit an application to the MDA which shall include, at a minimum:

(i) Evidence that the business or industry meets the definition of an approved business enterprise;

(ii) A description, including the cost, of the requested assistance;

(iii) A description of the purpose for which the assistance is requested; and

(iv) Any other information required by the MDA.

(b) Except as otherwise provided in this section, the MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this section and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(c) Upon receipt of the application from a business enterprise or local government for a grant or loan under this section, the MDA shall determine whether the enterprise meets the definition of an approved business enterprise and determine whether to provide the assistance requested in the form of a grant or a loan.

(d) Except as otherwise provided in subsection (2)(a) of this section, the MDA shall have sole discretion in providing grants or loans under this section. The terms of a grant or loan provided under this section and the manner of repayment of any loan shall be within the discretion of the MDA. Repayments of loans made under this section shall be deposited to the credit of the Mississippi Industry Incentive Financing Revolving Fund until the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00). Once the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00), repayments of loans under this section shall be deposited to the credit of Fund No. 3951 in the State Treasury to pay debt service on bonds until such time as the uncommitted balance in the fund falls below Fifty Million Dollars (\$50,000,000.00).

(e) The MDA shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the approval of any grant or loan application thirty (30) days prior to the disbursement of any monies for the loan or grant from the Mississippi Industry Incentive Financing Revolving Fund. The notification shall identify the applicant and the purposes for which the loan or grant is made.

(5) (a) Contracts, by local governments, including, but not limited to, design and construction contracts, for the acquisition, purchase, construction or installation of a project shall be exempt from the provisions of Section 31-7-13 if:

(i) The MDA finds and records such finding on its minutes, that because of availability or the particular nature of a project, it would not be in the public interest or would less effectively achieve the purposes of this section to enter into such contracts on the basis of Section 31-7-13; and

(ii) The approved business enterprise that is involved in the project concurs in such finding.

(b) When the requirements of paragraph (a) of this subsection are met:

(i) The requirements of Section 31-7-13 shall not apply to such contracts; and

(ii) The contracts may be entered into on the basis of negotiation.

(6) It is the policy of the MDA and the MDA is authorized to accommodate and support any enterprise that receives a loan under this section for a project defined in Section 17-25-23 that wishes to have a program of diversity in contracting, and/or that wishes to do business with or cause its prime contractor to do business with Mississippi companies, including those companies that are small business concerns owned and controlled by socially and economically disadvantaged individuals. The term "socially and economically disadvantaged individuals" shall have the meaning ascribed to such term under Section 8(d) of the Small Business Act (15 USCS 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for the purposes of this subsection.

(7) The MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, for the implementation of this section.

SECTION 29. Section 57-119-9, Mississippi Code of 1972, is amended as follows:

57-119-9. (1) Applicants who are eligible for assistance under this section include, but are not limited to, local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports,

public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities. Projects that are eligible for assistance under this section are projects that have the potential to generate increased economic activity in the region, as described in Section 57-119-11(3).

(2) MDA shall establish criteria, rules, and procedures for accepting and reviewing applications for assistance under this section. MDA, with advice from the Gulf Coast Restoration Fund Advisory Board, shall review, compile and score all timely received applications, and shall present the applications and its recommendations for assistance to individual projects under this section to the Legislature no later than December 1 of the year. The Legislature shall determine individual projects that will be funded under this section by separate line items in an appropriation bill.

(3) Applications for assistance under this section will be received through web portals set up by MDA. MDA shall set criteria for the web portal which may include protection of the confidentiality of any or all of the applications.

(4) The project described in paragraph (m) of Section 18, Chapter 106, Laws of 2020 (Senate Bill No. 2977), to assist George County with a rail connection project, shall not be required to meet the criteria established by the Mississippi Development Authority for the selection and recommendation of projects under this section in order to receive the funds allocated for that project under Chapter 106.

SECTION 30. (1) For any incentive program for which the Department of Revenue audits, verifies or otherwise reviews information submitted by an applicant, program participant or other entity for the purposes of the incentive program and eligibility for any incentive under the program, the applicant, program participant or other entity may employ a qualified accountant to perform a third-party audit, verification or other review of such information, in lieu of the Department of Revenue doing so, for the purposes of the incentive program and eligibility for any incentive under the program. The applicant, program participant or other entity shall be responsible for all costs associated with such purposes, and the qualified accountant shall provide the third-party audit, verification or other review of information to the Department of Revenue. The Department of Revenue shall accept and approve the third-party audit, verification or other review of information for the purposes of the incentive program and eligibility for any incentive under the program and shall notify the applicant, program participant or other entity of such acceptance and approval within thirty (30) days after receipt of the third-party audit, verification or other review of information. If the Department of Revenue does not notify the applicant, program participant or other entity of such acceptance and approval within thirty (30) days after receipt of the third-party audit, verification or other review of information, then the third-party audit, verification or other review of information shall be automatically approved and valid for the purposes of the incentive program and eligibility for any incentive under the program. The State of Mississippi shall not be liable for or otherwise responsible for any actions of a qualified accountant.

(2) For the purposes of this section, the term "qualified accountant" means a certified public accountant (CPA) who: (a) maintains an active unrestricted original certified public accountant license, (b) maintains a current Mississippi certified public accountant firm permit, (c) actively participates in a peer review program approved by the State Board of Certified Public Accountants of Mississippi, (d) completes twenty (20) active hours of continuing professional education in approved courses for each reporting cycle, and (e) is capable of conducting two (2) levels of review within the CPA firm or, if not within the firm, then through a cooperative endeavor with another CPA for the review of a verification report prior to its issuance.

SECTION 31. Section 27-7-22.41, Mississippi Code of 1972, is amended as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

- (i) Licensed by or under contract * * * with the Mississippi Department of Child Protection Services and provides services for:
1. The prevention and diversion of children from custody with the Department of Child Protection Services,
 2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or
 3. The express purpose of creating permanency for children through adoption; or
- (ii) Certified by the department as:
1. * * * An educational services charitable organization and provides services to:
 - * * *a. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,
 - * * *b. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or
 - * * *c. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education * * *; or
 2. A Scholarship Granting Organization (SGO) administered by the Midsouth Association of Independent Schools to provide needs-based scholarships to economically, physically, or intellectually disadvantaged children.
- (2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit also is allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.
- (b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.
- (c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.
- (3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.
- (4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.
- (5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:
- (a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, * * * the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00), and for calendar year 2022, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars (\$16,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of

the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. For calendar year 2022, and for each calendar year thereafter, of the amount of tax credits that may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, fifteen percent (15%) of the tax credits shall be available solely for allocation for contributions to eligible charitable organizations described in subsection (1)(b)(ii)2; however, any such tax credits not allocated before April 1 of a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii)1 of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than five percent (5%) of such credits may be allocated for contributions to a single eligible charitable organization. However, for calendar year 2022, of the additional amount of tax credits authorized under this section, as amended by Senate Bill No. 2971, 2021 Regular Session, for allocation for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, Two Million Dollars (\$2,000,000.00) of the tax credits shall be available solely for allocation for contributions to Magnolia Speech School; however, any such tax credits not allocated before April 1, 2022, may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section.

SECTION 32. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 LeFleur's Bluff State Park Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with construction and development of and upgrades and improvements to property, roadways, infrastructure, facilities and structures at LeFleur's Bluff State Park, in Jackson, Mississippi, for the purpose of enhancing and developing the entrance to the Mississippi Children's Museum and the Mississippi Museum of Natural Science, and areas and amenities related to the museums.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of

any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for

payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 33. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Indianola Street Improvement Projects Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Indianola, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads in the City of Indianola.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not

have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action,

mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 34. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Alcorn County - County Courthouse Repair and Renovation Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Alcorn County, Mississippi, in paying costs associated with repair and renovation of and replacement of roofing for the Alcorn County Courthouse.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of

any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for

payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 35. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Jacinto Courthouse Improvement Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to provide funds to the Jacinto Foundation, Inc., to pay costs associated with capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the Jacinto Courthouse and related facilities in Alcorn County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated

to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 36. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 East Corinth Elementary School Renovation Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with repair and renovation of and upgrades and improvements to East Corinth Elementary School to provide enhanced career technical training to Corinth students in advanced technology skills.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes

described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 37. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Tishomingo County Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Tishomingo County, Mississippi, in paying cost associated with repairs, upgrades, resurfacing and improvements to County Road 961.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Seven Hundred Thousand Dollars (\$700,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated

to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 38. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 George County - Evanston Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist George County, Mississippi, in paying costs associated with construction, reconstruction, repairs, resurfacing, upgrades and improvements to Evanston Road at and near the main entrance to the George County Industrial Park in George County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes

described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eight Hundred Fifty Thousand Dollars (\$850,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 39. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Bruce Sewer System Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Bruce, Mississippi, in paying costs associated with expansion of and repairs, upgrades and improvements to the town's sewer system, sewage lagoon and related infrastructure and facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such

officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The

notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 40. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Bruce - Vardaman Street Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Bruce, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to Vardaman Street in the Town of Bruce.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of

Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 41. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Bruce - Calhoun Street Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Bruce, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to Calhoun Street in the Town of Bruce.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Thousand Dollars (\$200,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated

to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 42. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Jackson Pete Brown Golf Course Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Jackson, Mississippi, in paying costs associated with the following purposes at the Pete Brown Golf Course in the City of Jackson:

1. Repair and renovation of and upgrades and improvements to the clubhouse and related facilities;

2. Upgrades and improvements to the golf course and related grounds;

3. Development of and improvements to cart paths and walking paths; and

4. Purchase of golf carts.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be

applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of

Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated

place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 43. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Tougaloo Senior Center Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with repair, renovation, furnishing and equipping of the Tougaloo Senior Center.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 44. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Pascagoula Redevelopment Authority - Flagship District Projects Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Pascagoula Redevelopment Authority with the Flagship District Projects.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be

completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Million Four Hundred Thousand Dollars (\$4,400,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale

of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this

section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 45. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "Mississippi Highway 4 Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist right-of-way acquisition, utility relocation, design and construction necessary to add a center turning lane and upgrade the roadway on State Highway 4 from Interstate 55 to the campus of North West Mississippi Community College.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 46. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Forrest County Bridge Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Forrest County, Mississippi, in paying the costs associated with the repair and/or replacement of the bridge on Temple Road over Reese Creek and the repair and/or replacement of the bridge on Brooklyn-Janice Road over Chaney Branch Creek in Forrest County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after

the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized

under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such

warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 47. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 West Lauderdale Athletic Complex Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with site preparation and construction of the West Lauderdale Athletic Complex in Lauderdale County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature

absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall

become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 48. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Jackson Public School District - Career Development Center Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson, Mississippi.

(b) Amounts deposited into such special funds shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with

the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 49. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Wilkinson County - Jackson Point Road Bridge Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Wilkinson County, Mississippi, in paying costs associated with replacement of the Jackson Point Road Bridge in Wilkinson County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date

or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 50. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Jackson State University School of Public Health Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay costs associated with

construction, furnishing, and equipping of and relocation of the Jackson State University School of Public Health to the main campus of the university.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and

sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 51. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Union County Bridge Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Union County, Mississippi, in paying costs associated with repair and/or replacement of a bridge on County Road 81 in Union County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Hundred Fifty Thousand Dollars (\$450,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds

issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed

solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 52. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Jackson Livingston Park Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Jackson, Mississippi, in paying costs associated with construction, repair, renovation, replacement and improvement of facilities and infrastructure at Livingston Park in the City of Jackson.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 53. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Brookhaven - Brookway Boulevard Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Brookhaven, Mississippi, in paying costs associated with reconstruction, repairs, resurfacing, upgrades and improvements to Brookway Boulevard in the City of Brookhaven.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 54. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 West Oxford Loop Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of

the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Lafayette County, Mississippi, in paying the costs associated with the extension of West Oxford Loop in Lafayette County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) (i) Subject to the provisions of this section, the commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring that funds have been irrevocably dedicated in the amount required under subparagraph (ii) of this paragraph (a) and declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(ii) No bonds may be issued under this section until the Department of Finance and Administration is provided proof that funds from private, local and/or federal sources have been irrevocably dedicated to assist in paying the costs of the project described in subsection (2)(a) of this section in an amount equal to the amount of bonds to be issued to provide funds for such purposes.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained

in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all

duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 55. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Oxford Park Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Oxford, Mississippi, in paying costs associated with construction and development of Oxford Square Park and related facilities in the City of Oxford.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act

as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 56. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate,

compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Horn Lake Filtration System Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Horn Lake, Mississippi, in paying costs associated with acquisition and installation of a pressure filtration system on the well head providing water for the system providing water service to the Twin Lakes Subdivision area in the City of Horn Lake.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers

upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under

this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 57. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of D'Iberville - Mallet Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of D'Iberville, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to Mallet Road in the City of D'Iberville.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the

commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 58. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate,

compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 3 Mile Corner Volunteer Fire Department Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with acquisition of a fire truck for the 3 Mile Corner Volunteer Fire Department in Kemper County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Twenty Thousand Dollars (\$120,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes

and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all

duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 59. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Lake Hico Park and Northgate Park Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with construction, repair, renovation, replacement and improvement of facilities, equipment, grounds and infrastructure at Lake Hico Park and Northgate Park in Hinds County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the

commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 60. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate,

compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Clay County - Road Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Clay County, Mississippi, in paying costs associated with the overlay of North Beasley Road and South Beasley Road in Clay County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained

in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all

duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 61. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Monroe County Road Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Monroe County, Mississippi, in paying costs associated with repairs, upgrades and improvements to Chapel Grove Road and Bishop Road in Monroe County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act

as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Hundred Thousand Dollars (\$300,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the

State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 62. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Byram - Clinton Parkway Project Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Hinds County, Mississippi, in paying costs associated with construction and development of the Byram-Clinton Parkway project in Hinds County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such

bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 63. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Flora Water and Sewer Systems Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Flora, Mississippi, in paying costs associated with improvements to the town's water system and sewer system infrastructure.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for

sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature

are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 64. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "Madison County Bozeman Road," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Madison County, Mississippi, in paying costs associated with making improvements to Bozeman Road in Madison County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 65. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Clinton Road and Street Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Clinton, Mississippi, in paying costs associated with repairs, resurfacing and other improvements and upgrades to Arrow Drive and Northside Drive in the City of Clinton.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total

amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 66. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-731. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds authorized under this section shall be issued after July 1, 2025.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Ports Improvements Fund created pursuant to Section 57-1-731. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Ports Improvements Fund created in Section 57-1-731. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 67. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 DeSoto County - Getwell Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist DeSoto County, Mississippi, in paying costs associated with five-laning the portion of Getwell Road from Lester to Pleasant Hill Road in DeSoto County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 68. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Claiborne County - ASU Foundation, Inc., Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the ASU Foundation, Inc., in paying costs associated with repairing, renovating, restoring, rehabilitating, preserving, upgrading, improving, furnishing and/or equipping the Historic Oakland Memorial Chapel, Belles Lettres Hall, the Old President's Home, and the Historic Oakland Memorial Cemetery in Claiborne County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be

completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale

of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this

section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 69. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Hazlehurst - Community Center/Emergency Storm Shelter Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Hazlehurst, Mississippi, in paying costs associated with construction of a community center/emergency storm shelter and related facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue,

be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 70. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Louisville Access Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Louisville, Mississippi, in paying the costs associated with constructing a road and other transportation infrastructure in the City of Louisville that will provide and improve access to land owned by the city designated for an economic development project on or near the location of Winston Plywood & Veneer.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after

the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Hundred Thousand Dollars (\$300,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The

commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of,

premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 71. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Eupora Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Eupora, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads in the Town of Eupora.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Hundred Thousand Dollars (\$400,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 72. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of French Camp Sewer System Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of French Camp, Mississippi, in paying costs associated with repairs and other improvements to the town's sewer system, sewer lagoon and related infrastructure.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be

completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of

Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated

place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 73. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Choctaw County - Sturgis Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Choctaw County, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to Sturgis Road in Choctaw County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Twenty-five Thousand Dollars (\$225,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 74. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Chester - Tomnolen Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Webster County, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to Chester - Tomnolen Road in Webster and Choctaw County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be

completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Hundred Thousand Dollars (\$300,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of

Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated

place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 75. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Grenada County - Business/Industrial Park Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Grenada County, Mississippi, in paying costs associated with preplanning, construction and development of, Business/Industrial Park Road in Grenada County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 76. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Pontotoc County Courthouse Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Pontotoc County, Mississippi, in paying costs associated with repair and renovation of and upgrades and improvements to the Pontotoc County Courthouse.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be

completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Hundred Fifty Thousand Dollars (\$450,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale

of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this

section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 77. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Pontotoc County - W.A. Grist Building Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Pontotoc County, Mississippi, in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the W. A. Grist building.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 78. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Pontotoc County Chancery Court Building and Youth Court Facility Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Pontotoc County, Mississippi, in paying costs associated with repair and renovation of and upgrades and improvements to the Chancery Court building and Youth Court facility.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in

paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale

of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this

section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 79. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Shelby - Martin Luther King, Jr., Drive Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Shelby, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to Martin Luther King, Jr., Drive in the City of Shelby.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 80. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Belwood Levee Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Adams County, Mississippi, in paying the costs related to the completion of the Belwood Levee in Adams County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be

completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of

Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated

place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 81. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Hancock County Fairgrounds Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Hancock County, Mississippi, in paying costs associated with repair, renovation, upgrades, improvements and additions to the Hancock County Fairgrounds.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 82. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Hickory Flat Road Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Hickory Flat, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads in the Town of Hickory Flat.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with

the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Hundred Thousand Dollars (\$400,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 83. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Marshall County Bridge Replacement Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Marshall County, Mississippi, in paying costs associated with replacement of the Bethlehem Waterford Bridge over Tippah River in Marshall County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall

be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code

of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 84. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Hattiesburg Infrastructure Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with

the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 85. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Noxubee County Emergency Operations Center Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Noxubee County, Mississippi, in paying costs associated with construction, furnishing and equipping of a county emergency operations center and related facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall

be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code

of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 86. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Morton Road Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Morton, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads around Morton High School and surrounding areas in the City of Morton.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 87. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Scenic Rivers Development Alliance and Land Acquisition Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Scenic Rivers Development Alliance in paying costs associated with the acquisition of approximately one hundred fifty (150) acres of land from the United States Department of Agriculture and located in Franklin County, Mississippi, and related road and other infrastructure improvements, including the repayment of debt incurred by Scenic Rivers Development Alliance for such purposes before the effective date of this act.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue,

be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 88. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Pike County Courthouse Complex Repair and Renovation Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Pike County, Mississippi, in paying costs associated with repair and renovation of and upgrades and improvements to the Pike County Courthouse Complex buildings and related facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be

completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale

of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this

section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 89. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Marion County Courthouse Square Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Columbia, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads and other infrastructure improvements to and near the Marion County Courthouse Square.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 90. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Columbia - Walter Payton Field Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with repair, renovation and replacement of Walter Payton Field and related facilities at Columbia High School in the City of Columbia.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be

completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale

of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this

section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 91. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Baldwin Municipal Buildings Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Baldwin, Mississippi, in paying costs associated with repair and renovation and upgrades and improvements to the city's municipal buildings and related facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such

resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 92. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Tate County Chromcraft Lake Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Tate County, Mississippi, in paying costs associated with construction and development of infrastructure improvements and recreational trails at Chromcraft Lake in Tate County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be

completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of

Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated

place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 93. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Attala County Courthouse Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Attala County, Mississippi, in paying costs associated with repair and renovation of and upgrades and improvements to the Attala County Courthouse.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 94. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Kosciusko - Hugh Ellard Park Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Kosciusko, Mississippi, in paying costs associated with repairs, upgrades and improvements to Hugh Ellard Park in the City of Kosciusko.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with

the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 95. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Kosciusko School District Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with the administration, development and operation of the Kosciusko School District Pre-Kindergarten Program.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 96. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Leake County - HooperMill Creek Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Leake County, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to Hooper Mill Creek Road in Leake County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with

the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Four Hundred Fifty Thousand Dollars (\$450,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of

Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated

place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 97. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Tunica County - Battle Arena Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Tunica County, Mississippi, in paying costs associated with repair and renovation of and upgrades and improvements to Battle Arena.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 98. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Itawamba School District Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with repair and renovation of and upgrades and improvements to Itawamba County School District buildings and facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with

the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 99. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Itawamba County - 911 Center Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Itawamba County, Mississippi, in paying costs associated with constructing, furnishing and equipping of a county 911 center.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Hundred Thousand Dollars (\$300,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall

be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code

of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 100. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Fulton Natural Gas System Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Fulton, Mississippi, in paying costs associated with expansion of the city's natural gas system and related infrastructure.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall

be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 101. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Long Beach School District Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with construction, furnishing and equipping of a technology education center for the Long Beach School District.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 102. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Kossuth Volunteer Fire Department Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with construction of a new firehouse for the Kossuth Volunteer Fire Department in Alcorn County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with

the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 103. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Gautier Amphitheater/Museum Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Gautier, Mississippi, in paying costs associated with construction of an amphitheater and a song writers' museum.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall

be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code

of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 104. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Laurel Park Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Laurel, Mississippi, in paying costs associated with construction and development of a park and walking trail.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Thousand Dollars (\$200,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall

be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 105. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of D'Lo Fire Station Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of D'Lo, Mississippi, in paying costs associated with construction of a fire station.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if

any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The

notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 106. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Tate County - Courthouse Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Tate County, Mississippi, in paying costs associated with parking lot reconstruction for the Tate County Courthouse.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of

Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall

be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 107. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Senatobia Lighting Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Senatobia, Mississippi, in paying costs associated with lighting repairs at the Interstate 55/Mississippi Highway 740 interchange.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall

be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code

of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 108. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Tate County Tate - Panola Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Tate County, Mississippi, in paying costs associated with resurfacing Tate - Panola Road in Tate County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Hundred Thousand Dollars (\$300,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall

be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 109. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 U.S. Highway 51 Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Mississippi Department of Transportation in paying costs associated with the construction of additional lanes for U.S. Highway 51 north of Mississippi Highway 740 in Tate County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 110. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Greenwood Cemetery Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Greenwood Cemetery Association in paying costs associated with repairs to Greenwood Cemetery in Jackson, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with

the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 111. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Port of Vicksburg Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Warren County Port Commission in paying costs associated with upgrades and improvements to the Port of Vicksburg in Warren County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 112. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(d) "Project" means any enterprise that will own and operate one or more indoor hydroponic facilities (i) for which construction begins not later than January 1, 2022, (ii) which will be located in a county having a population of less than ten thousand (10,000) according to the latest federal decennial census, in which eighty percent (80%) or more of such population is African-American and in which thirty percent (30%) or more of such population is at or below the federal poverty level according to the latest official data compiled by the United States Census Bureau and (iii) which will create at least thirty (30) direct jobs and twenty (20) indirect jobs not later than July 1, 2022.

(2) (a) (i) A special fund, to be designated as the "2021 Hydroponic Facilities Project Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the enterprise

owning and operating a project in paying costs associated with construction and equipping of one or more hydroponic facilities. Before disbursing any monies for such purposes, the Department of Finance and Administration shall require that binding commitments be entered into requiring that:

1. Minimum requirements for jobs for the project shall be met; and

2. If such requirements are not met, all or a portion of the funds provided by the state for the project may, as determined by the Department of Finance and Administration, be subject to repayment by such enterprise, together with any penalties or damages required by the department in connection therewith.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 113. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Philadelphia - Philadelphia Utilities Levee System Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Philadelphia, Mississippi, in paying costs associated with maintenance, repairs, upgrades and improvements to the levee system protecting the Philadelphia Utilities wastewater treatment plant and related facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue

and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become

due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 114. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 City of Pearl Bridge Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 115. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Carrollton Drainage Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Carrollton, Mississippi, in paying costs associated with construction of stormwater drainage culverts and other infrastructure improvements for the purpose of improving drainage and reducing the risk of flooding in the Town of Carrollton.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary

and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 116. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Montgomery County - Fisher Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Montgomery County, Mississippi, in paying costs associated with the overlay of Fisher Road from U.S. Highway 51 to Willette Lane in Montgomery County.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 117. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Winona Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Winona, Mississippi, in paying costs associated with overlaying roads and streets in the City of Winona.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total

amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 118. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Duncan Community Park Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Duncan, Mississippi, in paying costs associated with site grading, playground improvements and acquisition of playground equipment for the town's community park.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 119. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Walthall County Courthouse Renovation Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Walthall County, Mississippi, in paying the costs associated with the renovation of the Walthall County Courthouse.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The

total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 120. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Tylertown Building Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Tylertown, Mississippi, in paying costs associated with repair, renovation, restoration, furnishing and equipping of and upgrades and improvements to the former Walthall Hotel building and related facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 121. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Charleston Shade Street Health Complex Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Charleston, Mississippi, in paying costs associated with constructing, furnishing and equipping the City of Charleston Shade Street Health Complex.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total

amount of bonds issued under this section shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 122. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Tallahatchie County Solid Waste Collection Transfer Station Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Tallahatchie County, Mississippi, in paying costs associated with the acquisition of a solid waste collection transfer station.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such

bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 123. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Oakland Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Oakland, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads in the Town of Oakland.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue

and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature

are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 124. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Starkville Road Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Starkville, Mississippi, in paying costs associated with the extension of Stark Road and Hospital Road in the City of Starkville.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such

bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 125. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Sebastopol Community Center Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Sebastopol, Mississippi, in paying costs associated with renovation of and upgrades and improvements to a building that will be the town's multipurpose community center.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue

and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Thousand Dollars (\$200,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become

due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 126. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Union Police Department Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Union, Mississippi, in paying costs associated with the acquisition of two (2) motor vehicles and equipment for such motor vehicles, tasers and other safety equipment for the City of Union Police Department.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 127. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Seminary Water and Sewer Systems Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Seminary, Mississippi, in paying costs associated with construction and expansion of and upgrades and improvements to the town's water system infrastructure and/or sewer system infrastructure.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary

and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Hundred Thousand Dollars (\$300,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 128. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 City of Brandon City Hall Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Brandon, Mississippi, in paying costs associated with repair, renovation and upgrades of and improvements to its City Hall building and related facilities and construction of an additional parking and related facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Hundred Thousand Dollars (\$300,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such

bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 129. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Tippah County Hospital Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist Tippah County, Mississippi, in paying costs associated with the purchase of equipment at the Tippah County Hospital.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue

and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become

due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 130. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Ripley Fire Department Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Ripley, Mississippi, in paying costs associated with the purchase of equipment for the city's fire department.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 131. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Town of Artesia Drainage Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Artesia, Mississippi, in paying costs associated with construction of and other improvements to storm water structures and facilities for the purposes of improving drainage and reducing the risk for flooding in the Town of Artesia.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things

necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become

due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 132. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Jackson State University Stadium Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist in paying costs associated with a study regarding the location for the construction of a sports stadium in downtown Jackson, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies

and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 133. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Town of Plantersville Infrastructure and Park Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Plantersville, Mississippi, in paying costs associated with infrastructure improvements and park improvements.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total

amount of bonds issued under this section shall not exceed One Hundred Thousand Dollars (\$100,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 134. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2021 Camp Kamassa Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Mississippi's Toughest Kids Foundation in paying the costs associated with:

1. Design, preplanning, construction, furnishing and equipping of buildings and related facilities at Camp Kamassa in Copiah County, Mississippi; and
2. Design, preplanning, construction and development of infrastructure at Camp Kamassa in Copiah County, Mississippi.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes

and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all

duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 135. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 City of Ocean Springs Water and Sewer Systems Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements to the city's water system and sewer system infrastructure and drainage infrastructure.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the

commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Million Dollars (\$1,000,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 136. Section 41, Chapter 492, Laws of 2020, is amended as follows:

Section 41. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the

interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated the "2020 Town of Wesson - Wesson Old School Visitor Center Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to assist the Town of Wesson, Mississippi, in paying costs associated with * * * the renovation, furnishing and equipping of the Wesson Old School Visitor Center.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Three Hundred Thousand Dollars (\$300,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers

upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under

this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 137. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING, COMMUNITY AND JUNIOR COLLEGES, AND STATE AGENCIES; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE STATE INSTITUTIONS OF HIGHER LEARNING EDUCATION AND RESEARCH CENTER MAY BE USED; TO AMEND SECTION 15, CHAPTER 492, LAWS OF 2020, TO INCREASE BY \$3,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS TO ASSIST THE CHICKASAW INKANA FOUNDATION IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION, FURNISHING AND EQUIPPING OF THE CHICKASAW HERITAGE CENTER IN TUPELO, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO AND TO ALLOW THE MONIES IN THE FUND TO BE DISBURSED AS GRANTS FOR UNIVERSITIES, COMMUNITY COLLEGES AND STATE AGENCIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$3,000,000.00 TO PROVIDE FUNDS FOR THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$20,000,000.00 FOR THE ACE FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES

THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$7,000,000.00 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AUTHORIZE AN ADDITIONAL \$1,000,000.00 IN BONDS TO BE USED TO PROVIDE FUNDING FOR A HIGH ECONOMIC BENEFIT PROJECT AS DEFINED IN SECTION 65-4-5(1)(C)(V); TO AMEND SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 8, CHAPTER 421, LAWS OF 2019, TO INCREASE BY \$36,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF LAWRENCE COUNTY IN PAYING COSTS ASSOCIATED WITH REPAIRS AND IMPROVEMENTS TO THE N.A. SANDIFER ROAD BRIDGE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF MARSHALL COUNTY IN PAYING COSTS ASSOCIATED WITH BUILDING A FULL-TIME EMERGENCY RESPONSE CENTER TO SERVE THE GROWING AREA IN AND AROUND THE CHICKASAW TRAIL INDUSTRIAL PARK; TO AMEND SECTION 5, CHAPTER 454, LAWS OF 2019, AS AMENDED BY SECTION 130, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH THE REPAIR, RENOVATION AND OTHER IMPROVEMENTS TO BUILDINGS AND RELATED FACILITIES IN THE CITY OF BATESVILLE TO HOUSE THE CONCOURSE WORKFORCE TRAINING CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE PEARL AND LEAF RIVERS RAILS-TO-TRAILS RECREATIONAL DISTRICT WITH TRAIL OVERLAY OR BRIDGE REPAIRS ON THE LONGLEAF TRACE BETWEEN HATTIESBURG AND PRENTISS; TO AMEND SECTION 106, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST THE EAST METROPOLITAN CORRIDOR COMMISSION IN PAYING COSTS ASSOCIATED WITH LAND ACQUISITION AND IMPLEMENTATION OF THE EAST METRO CORRIDOR PROJECT IN RANKIN COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF YAZOO COUNTY IN PAYING COSTS ASSOCIATED WITH REPAIRS AND IMPROVEMENTS TO THE U.S. HIGHWAY 49 FRONTAGE ROAD; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH PRECONSTRUCTION, DESIGN, ENGINEERING, LAND ACQUISITION, RIGHT-OF-WAY ACQUISITION, CONSTRUCTION AND DEVELOPMENT OF THE COMMERCE PARK CONNECTOR PROJECT FROM LAKE HARBOUR DRIVE TO HIGHLAND COLONY PARKWAY IN MADISON COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE YELLOW CREEK STATE INLAND PORT IN PAYING COSTS ASSOCIATED WITH THE CONSTRUCTION OF A MEDICAL CLINIC; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF PRENTISS COUNTY IN PAYING COSTS ASSOCIATED WITH THE REPLACEMENT OF BRIDGES 114 AND 115 ON COUNTY ROAD 4050 AND BRIDGE 147 ON COUNTY ROAD 5250; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WEST POINT IN PAYING COSTS ASSOCIATED WITH THE PAVING OF CITY STREETS; TO AMEND SECTION 112, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF LOWNDES COUNTY IN PAYING COSTS ASSOCIATED WITH THE EXTENSION OF MANUFACTURES DRIVE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF

SUPERVISORS OF NESHOPA COUNTY IN PAYING COSTS ASSOCIATED WITH REPAIRS AND IMPROVEMENTS TO THE COUNTY ROAD 210 BRIDGE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF STARKVILLE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE EXTENSION OF HOSPITAL ROAD AND STARK ROAD; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND, TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL DISBURSE A PORTION OF MONIES IN THE FUND TO DELTA HEALTH SYSTEM TO USE FOR CERTAIN PURPOSES; TO AMEND SECTION 57-119-9, MISSISSIPPI CODE OF 1972, TO EXEMPT A PROJECT FROM THE CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO RECEIVE FUNDING FROM THE GULF COAST RESTORATION FUND; TO PROVIDE THAT FOR ANY INCENTIVE PROGRAM FOR WHICH THE DEPARTMENT OF REVENUE AUDITS, VERIFIES OR OTHERWISE REVIEWS INFORMATION SUBMITTED BY AN APPLICANT, PROGRAM PARTICIPANT OR OTHER ENTITY FOR THE PURPOSES OF THE INCENTIVE PROGRAM AND ELIGIBILITY FOR ANY INCENTIVE UNDER THE PROGRAM, THE APPLICANT, PROGRAM PARTICIPANT OR OTHER ENTITY MAY EMPLOY A QUALIFIED ACCOUNTANT TO PERFORM A THIRD-PARTY AUDIT, VERIFICATION OR OTHER REVIEW OF SUCH INFORMATION, IN LIEU OF THE DEPARTMENT OF REVENUE DOING SO, FOR THE PURPOSES OF THE INCENTIVE PROGRAM AND ELIGIBILITY FOR ANY INCENTIVE UNDER THE PROGRAM; TO PROVIDE THAT THE APPLICANT, PROGRAM PARTICIPANT OR OTHER ENTITY SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH SUCH PURPOSES, AND THAT THE DEPARTMENT OF REVENUE SHALL ACCEPT AND APPROVE THE THIRD-PARTY AUDIT, VERIFICATION OR OTHER REVIEW OF INFORMATION FOR THE PURPOSES OF THE INCENTIVE PROGRAM AND ELIGIBILITY FOR ANY INCENTIVE UNDER THE PROGRAM AND SHALL NOTIFY THE APPLICANT, PROGRAM PARTICIPANT OR OTHER ENTITY OF SUCH ACCEPTANCE AND APPROVAL WITHIN THIRTY DAYS AFTER RECEIPT OF THE THIRD-PARTY AUDIT, VERIFICATION OR OTHER REVIEW OF INFORMATION; TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, TO EXPAND THE DEFINITION OF "ELIGIBLE CHARITABLE ORGANIZATION" UNDER THE CHILDREN'S PROMISE ACT FOR THE PURPOSES OF RECEIVING AN INCOME TAX CREDIT FOR CONTRIBUTIONS MADE TO SUCH ORGANIZATIONS; TO PROVIDE FOR AN AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE TO SUCH ORGANIZATIONS; TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL DISBURSE FUNDS TO THE LOCAL TAX COLLECTORS FOR THE AMOUNT OF THE TAX CREDITS APPLIED AGAINST AD VALOREM TAXES; TO INCREASE THE MAXIMUM AGGREGATE AMOUNT OF TAX CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT UNDER THIS SECTION DURING A CALENDAR YEAR; TO PROVIDE THAT A CERTAIN PORTION OR AMOUNT OF TAX CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT UNDER THIS SECTION SHALL BE AVAILABLE SOLELY FOR ALLOCATION FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF AND UPGRADES AND IMPROVEMENTS TO PROPERTY, ROADWAYS, INFRASTRUCTURE, FACILITIES AND STRUCTURES AT LEFLEUR'S BLUFF STATE PARK, IN JACKSON, MISSISSIPPI, FOR THE PURPOSE OF ENHANCING AND DEVELOPING THE ENTRANCE TO THE MISSISSIPPI CHILDREN'S MUSEUM AND THE MISSISSIPPI MUSEUM OF NATURAL SCIENCE, AND AREAS AND AMENITIES RELATED TO THE MUSEUMS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF INDIANOLA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST ALCORN COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND REPLACEMENT OF

ROOFING FOR THE ALCORN COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO THE JACINTO FOUNDATION, INC., TO PAY COSTS ASSOCIATED WITH CAPITAL IMPROVEMENTS, REPAIRING, RENOVATING, RESTORING, REHABILITATING, PRESERVING, FURNISHING AND/OR EQUIPPING THE JACINTO COURTHOUSE AND RELATED FACILITIES IN ALCORN COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO EAST CORINTH ELEMENTARY SCHOOL TO PROVIDE ENHANCED CAREER TECHNICAL TRAINING TO CORINTH STUDENTS IN ADVANCED TECHNOLOGY SKILLS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TISHOMINGO COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO COUNTY ROAD 961 IN TISHOMINGO COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST GEORGE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, RECONSTRUCTION, REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO EVANSTON ROAD AT AND NEAR THE MAIN ENTRANCE TO THE GEORGE COUNTY INDUSTRIAL PARK IN GEORGE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF BRUCE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH EXPANSION OF AND REPAIRS, UPGRADES AND IMPROVEMENTS TO THE TOWN'S SEWER SYSTEM, SEWAGE LAGOON AND RELATED INFRASTRUCTURE AND FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF BRUCE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO VARDAMAN STREET; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF BRUCE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO CALHOUN STREET; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH MAKING IMPROVEMENTS AT THE PETE BROWN GOLF COURSE IN THE CITY OF JACKSON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, FURNISHING AND EQUIPPING OF THE TOUGALOO SENIOR CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE PASCAGOULA REDEVELOPMENT AUTHORITY WITH THE FLAGSHIP DISTRICT PROJECTS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST JACKSON COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO MISSISSIPPI HIGHWAY 4; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST FORREST COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND/OR REPLACEMENT OF THE BRIDGE ON TEMPLE ROAD OVER REESE CREEK AND THE REPAIR AND/OR REPLACEMENT OF THE BRIDGE ON BROOKLYN-JANICE ROAD OVER CHANEY BRANCH CREEK IN FORREST COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH SITE PREPARATION AND CONSTRUCTION OF THE WEST LAUDERDALE ATHLETIC COMPLEX IN LAUDERDALE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, FURNISHING AND EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE JACKSON PUBLIC SCHOOL DISTRICT'S CAREER DEVELOPMENT CENTER IN JACKSON, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST WILKINSON COUNTY, MISSISSIPPI, IN PAYING

COSTS ASSOCIATED WITH REPLACEMENT OF THE JACKSON POINT ROAD BRIDGE IN WILKINSON COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST UNION COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND/OR REPLACEMENT OF A BRIDGE ON COUNTY ROAD 81 IN UNION COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, REPAIR, RENOVATION, REPLACEMENT AND IMPROVEMENT OF FACILITIES AND INFRASTRUCTURE AT LIVINGSTON PARK IN THE CITY OF JACKSON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF BROOKHAVEN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH RECONSTRUCTION, REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO BROOKWAY BOULEVARD; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST LAFAYETTE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE EXTENSION OF WEST OXFORD LOOP IN LAFAYETTE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF OXFORD, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF OXFORD SQUARE PARK AND RELATED FACILITIES IN THE CITY OF OXFORD; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HORN LAKE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH ACQUISITION AND INSTALLATION OF A PRESSURE FILTRATION SYSTEM FOR THE WELL HEAD PROVIDING WATER FOR THE SYSTEM PROVIDING WATER SERVICE TO THE TWIN LAKES SUBDIVISION AREA IN THE CITY OF HORN LAKE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF D'IBERVILLE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO MALLET ROAD; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH ACQUISITION OF A FIRE TRUCK FOR THE 3 MILE CORNER VOLUNTEER FIRE DEPARTMENT IN KEMPER COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, REPAIR, RENOVATION, REPLACEMENT AND IMPROVEMENT OF FACILITIES, EQUIPMENT, GROUNDS AND INFRASTRUCTURE AT LAKE HICO PARK AND NORTHGATE PARK IN HINDS COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST CLAY COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE OVERLAY OF NORTH BEASELY ROAD AND SOUTH BEASELY ROAD IN CLAY COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST MONROE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, UPGRADES AND IMPROVEMENTS TO CHAPEL GROVE ROAD AND BISHOP ROAD IN MONROE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST HINDS COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF THE BYRAM-CLINTON PARKWAY PROJECT IN HINDS COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF FLORA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO THE TOWN'S WATER SYSTEM AND SEWER SYSTEM INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO BOZEMAN ROAD IN MADISON COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CLINTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING AND OTHER IMPROVEMENTS AND UPGRADES TO ARROW

DRIVE AND NORTHSIDE DRIVE IN THE CITY OF CLINTON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI PORTS IMPROVEMENTS FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST DESOTO COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH FIVE-LANING THE PORTION OF GETWELL ROAD FROM LESTER TO PLEASANT HILL ROAD IN DESOTO COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE ASU FOUNDATION, INC., IN PAYING COSTS ASSOCIATED WITH REPAIRING, RENOVATING, RESTORING, REHABILITATING, PRESERVING, UPGRADING, IMPROVING, FURNISHING AND/OR EQUIPPING THE HISTORIC OAKLAND MEMORIAL CHAPEL, BELLES LETTRES HALL, THE OLD PRESIDENT'S HOME, AND THE HISTORIC OAKLAND MEMORIAL CEMETERY IN CLAIBORNE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HAZLEHURST, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF A COMMUNITY CENTER/EMERGENCY STORM SHELTER AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF LOUISVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH CONSTRUCTING A ROAD AND OTHER TRANSPORTATION INFRASTRUCTURE IN THE CITY OF LOUISVILLE THAT WILL PROVIDE AND IMPROVE ACCESS TO LAND OWNED BY THE CITY DESIGNATED FOR AN ECONOMIC DEVELOPMENT PROJECT ON OR NEAR THE LOCATION OF WINSTON PLYWOOD & VENEER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF EUPORA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS IN THE TOWN OF EUPORA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF FRENCH CAMP, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS AND OTHER IMPROVEMENTS TO THE TOWN'S SEWER SYSTEM, SEWER LAGOON AND RELATED INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST CHOCTAW COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STURGIS ROAD IN CHOCTAW COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST WEBSTER COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO CHESTER - TOMNOLEN ROAD IN WEBSTER COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST GRENADA COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF BUSINESS/INDUSTRIAL PARK ROAD IN GRENADA COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PONTOTOC COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE PONTOTOC COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PONTOTOC COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, FURNISHING AND EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE W. A. GRIST BUILDING; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PONTOTOC COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE CHANCERY COURT BUILDING AND YOUTH COURT FACILITY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF SHELBY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO MARTIN LUTHER KING, JR. DRIVE; TO AUTHORIZE THE

ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST ADAMS COUNTY, MISSISSIPPI, IN PAYING THE COSTS RELATED TO THE COMPLETION OF THE BELWOOD LEVEE IN ADAMS COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST HANCOCK COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, UPGRADES, IMPROVEMENTS AND ADDITIONS TO THE HANCOCK COUNTY FAIRGROUNDS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF HICKORY FLAT, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS IN THE TOWN OF HICKORY FLAT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST MARSHALL COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPLACEMENT OF BETHLEHAM WATERFORD BRIDGE IN MARSHALL COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HATTIESBURG, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS IN INFRASTRUCTURE IN THE MIDTOWN AREA OF THE CITY, INCLUDING, BUT NOT LIMITED TO, ROADS, BRIDGES, WATER, SEWER, DRAINAGE, SIDEWALKS, STORMWATER DETENTION, LAND ACQUISITION, UTILITY RELOCATION AND LIGHTING; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST NOXUBEE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, FURNISHING AND EQUIPPING OF A COUNTY EMERGENCY OPERATIONS CENTER AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF MORTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS AROUND MORTON HIGH SCHOOL AND SURROUNDING AREAS IN THE CITY OF MORTON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST SCENIC RIVERS DEVELOPMENT ALLIANCE IN PAYING COSTS ASSOCIATED WITH THE ACQUISITION OF APPROXIMATELY ONE HUNDRED FIFTY ACRES OF LAND FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE AND LOCATED IN FRANKLIN COUNTY, MISSISSIPPI, AND RELATED ROAD AND OTHER INFRASTRUCTURE IMPROVEMENTS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PIKE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE PIKE COUNTY COURTHOUSE COMPLEX BUILDINGS AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF COLUMBIA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS AND OTHER INFRASTRUCTURE IMPROVEMENTS TO AND NEAR THE MARION COUNTY COURTHOUSE SQUARE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION AND REPLACEMENT OF WALTER PAYTON FIELD AND RELATED FACILITIES AT COLUMBIA HIGH SCHOOL IN THE CITY OF COLUMBIA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST WITH CONSTRUCTION OF A BRIDGE EXTENDING FROM THE INTERSECTION OF THE EXTENSION OF WARE STREET AND RELOCATED ST. AUGUSTINE STREET TO PEARSON ROAD IN THE CITY OF PEARL, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF CARROLLTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF STORMWATER DRAINAGE CULVERTS AND OTHER INFRASTRUCTURE IMPROVEMENTS FOR THE PURPOSE OF IMPROVING DRAINAGE AND REDUCING THE RISK OF FLOODING IN THE TOWN OF CARROLLTON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION

BONDS TO PROVIDE FUNDS TO ASSIST MONTGOMERY COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE OVERLAY OF FISHER ROAD FROM U.S. HIGHWAY 51 TO WILLETTE LANE IN MONTGOMERY COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WINONA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH OVERLAYING ROADS AND STREETS IN THE CITY OF WINONA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF DUNCAN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH SITE GRADING, PLAYGROUND IMPROVEMENTS AND ACQUISITION OF PLAYGROUND EQUIPMENT FOR THE TOWN'S COMMUNITY PARK; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST WALTHALL COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE RENOVATION OF THE WALTHALL COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF TYLERTOWN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, RESTORATION, FURNISHING AND EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE FORMER WALTHALL HOTEL BUILDING AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CHARLESTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTING, FURNISHING AND EQUIPPING THE CITY OF CHARLESTON SHADE STREET HEALTH COMPLEX; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TALLAHATCHIE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE ACQUISITION OF A SOLID WASTE COLLECTION TRANSFER STATION; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF OAKLAND, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS IN THE TOWN OF OAKLAND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF STARKVILLE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE EXTENSION OF STARK ROAD AND HOSPITAL ROAD IN THE CITY OF STARKVILLE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF SEBASTOPOL, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO A BUILDING THAT WILL BE THE TOWN'S MULTIPURPOSE COMMUNITY CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF UNION, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE ACQUISITION OF TWO MOTOR VEHICLES AND EQUIPMENT FOR SUCH MOTOR VEHICLES, TASERS AND OTHER SAFETY EQUIPMENT FOR THE CITY OF UNION POLICE DEPARTMENT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF SEMINARY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND EXPANSION OF AND UPGRADES AND IMPROVEMENTS TO THE TOWN'S WATER SYSTEM INFRASTRUCTURE AND/OR SEWER SYSTEM INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF BRANDON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION AND UPGRADES OF AND IMPROVEMENTS TO ITS CITY HALL BUILDING AND RELATED FACILITIES AND CONSTRUCTION OF AN ADDITIONAL PARKING AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TIPPAAH COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE PURCHASE OF EQUIPMENT AT THE TIPPAAH COUNTY HOSPITAL; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF RIPLEY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE PURCHASE OF EQUIPMENT FOR THE CITY'S FIRE DEPARTMENT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL

OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF ARTESIA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF AND OTHER IMPROVEMENTS TO STORM WATER STRUCTURES AND FACILITIES FOR THE PURPOSES OF IMPROVING DRAINAGE AND REDUCING THE RISK FOR FLOODING IN THE TOWN OF ARTESIA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH A STUDY REGARDING THE CONSTRUCTION OF A SPORTS STADIUM FOR JACKSON STATE UNIVERSITY IN DOWNTOWN JACKSON, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF PLANTERSVILLE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH INFRASTRUCTURE IMPROVEMENTS AND PARK IMPROVEMENTS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE MISSISSIPPI'S TOUGHEST KIDS FOUNDATION IN PAYING THE COSTS ASSOCIATED WITH DESIGN, PREPLANNING, CONSTRUCTION, FURNISHING AND EQUIPPING OF BUILDINGS AND RELATED FACILITIES AT CAMP KAMASSA IN COPIAH COUNTY, MISSISSIPPI, AND DESIGN, PREPLANNING, CONSTRUCTION AND DEVELOPMENT OF INFRASTRUCTURE AT CAMP KAMASSA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF OCEAN SPRINGS, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO THE CITY'S WATER SYSTEM AND SEWER SYSTEM INFRASTRUCTURE AND DRAINAGE INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST ATTALA COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE ATTALA COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF KOSCIUSKO, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, UPGRADES AND IMPROVEMENTS TO HUGH ELLARD PARK IN THE CITY OF KOSCIUSKO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH THE ADMINISTRATION AND OPERATION OF THE KOSCIUSKO SCHOOL DISTRICT PRE-KINDERGARTEN PROGRAM; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST LEAKE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO HOOPER MILL CREEK ROAD IN LEAKE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TUNICA COUNTY, MISSISSIPPI, IN PAYING COSTS WITH ASSOCIATED REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO BATTLE ARENA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO ITAWAMBA COUNTY SCHOOL DISTRICT BUILDINGS AND FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST ITAWAMBA COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTING, FURNISHING AND EQUIPPING OF A COUNTY 911 CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF FULTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH EXPANSION OF THE CITY'S NATURAL GAS SYSTEM AND RELATED INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, FURNISHING AND EQUIPPING OF A TECHNOLOGY EDUCATION CENTER FOR THE LONG BEACH SCHOOL DISTRICT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF A NEW FIREHOUSE FOR THE KOSSUTH VOLUNTEER FIRE DEPARTMENT IN ALCORN COUNTY, MISSISSIPPI; TO AUTHORIZE THE

ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GAUTIER, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF AN AMPHITHEATER AND A SONG WRITERS' MUSEUM; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF LAUREL, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF A PARK AND WALKING TRAIL; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF D'LO, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF A FIRE STATION; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH PARKING LOT RECONSTRUCTION FOR THE TATE COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF SENATOBIA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH LIGHTING REPAIRS AT THE INTERSTATE 55/MISSISSIPPI HIGHWAY 740 INTERCHANGE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH RESURFACING TATE - PANOLA ROAD IN TATE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION IN PAYING COSTS ASSOCIATED WITH THE CONSTRUCTION OF ADDITIONAL LANES FOR U.S. HIGHWAY 51 NORTH OF MISSISSIPPI HIGHWAY 740; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE GREENWOOD CEMETERY ASSOCIATION IN PAYING COSTS ASSOCIATED WITH REPAIRS TO GREENWOOD CEMETERY IN JACKSON, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST ENTERPRISES OWNING AND OPERATING CERTAIN HYDROPONIC FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF BALDWIN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION AND UPGRADES AND IMPROVEMENTS TO THE CITY'S MUNICIPAL BUILDINGS AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF INFRASTRUCTURE IMPROVEMENTS AND RECREATIONAL TRAILS AT CHROMCRAFT LAKE IN TATE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH UPGRADES AND IMPROVEMENTS TO THE PORT OF VICKSBURG IN WARREN COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF PHILADELPHIA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH MAINTENANCE, REPAIRS, UPGRADES AND IMPROVEMENTS TO THE LEVEE SYSTEM PROTECTING THE PHILADELPHIA UTILITIES WASTEWATER TREATMENT PLANT AND RELATED FACILITIES; TO AMEND SECTION 41, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE TOWN OF WESSON, MISSISSIPPI, IN PAYING CERTAIN COSTS ASSOCIATED WITH THE WESSON OLD SCHOOL VISITOR CENTER, MAY BE USED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Josh Harkins
Chris Johnson
Dean Kirby

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III
Jody Steverson
Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2971** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--49.

Nays--Carter. Total--1.

Absent and those not voting--Fillingane. Total--1.

Voting Present--Hill. Total--1.

Senator McDaniel requested that the following explanation be placed in the journal.

EXPLANATION

Pursuant to Senate Rule 117, please find below a brief written statement stating how I would have voted on **SB 2971**:

Mississippi's bonding indebtedness is far too high. It is inexcusable to continue adding debt to future generations. Emergency borrowing for critical infrastructure is occasionally understandable. Borrowing for nonessential pork projects, however, is not acceptable. I would have voted NO.

Senator Sojourner requested that the following explanation be placed in the journal.

EXPLANATION

In accordance with Senate Rule 117, please find below a written statement stating how I would have voted on **SB 2971**:

Mississippi's bonding indebtedness is at record levels. It is inexcusable to further add such a large debt level to our future generations. If we were to make such borrowing it should only be done occasionally for critical infrastructure. Borrowing for nonessential projects is not acceptable. I would have voted NO.

On request of Senator Harkins, unanimous consent was granted to make the following corrections in **S. B. No. 2971**:

Unanimous consent of the House and Senate is requested to make the following changes to the Conference Report on Senate Bill No. 2971:

- On Line 4400, insert after "assist" the following: "the City of Ridgeland, Mississippi," and on line 4404, delete "in Madison County, Mississippi" and amend title to conform on lines 69 and 73.
- On line 5608, change "City of Starkville Hospital Road and Stark Road Extension" to "Oktibbeha County Oktoc Road Improvements"
- On lines 5618 through 5620, delete the language starting with "City" up to the period, and insert in lieu thereof the following: "Board of Supervisors of Oktibbeha County,

Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to Oktoc Road" and amend title to conform on lines 92 through 94.

- On line 5790, insert after the last comma, "as amended by House Bill No. 1230, 2021 Regular Session," and amend title to conform on line 95.
- On lines 5795, 5799, 5804 and 5813, insert after "state" the following: ", including any federal Indian reservation located within the geographical boundary of this state,"
- On line 5811, insert after the comma the following: "including any federal Indian reservation located within the geographical boundary of this state,"
- Delete lines 6075 through 6078, delete "1." on line 6060, and revert technical changes on lines 6068, 6071 and 6074. Amend the title to conform by deleting the language beginning with "TO EXPAND" on line 120 through the semicolon on line 123.
- On lines 7815, 7824 and 7826, change "Bruce" to "Vardaman" and amend title to conform on line 172.
- On lines 8009, 8018 and 8020, change "Bruce" to "Calhoun City" and amend title to conform on line 176.
- On line 8801, insert "in paying costs associated with" after "to assist" and amend title on line 188 by deleting "JACKSON COUNTY, MISSISSIPPI,"
- On line 11541, insert before the period the following: ", with no more than One Hundred Thousand Dollars (\$100,000.00) being used for Northgate Park, and no more than Fifty Thousand Dollars (\$50,000.00) being used for Lake Hico Park"
- On line 12500, insert "Fund" after "Bozeman Road"
- On line 12509, insert after "assist" the following: "the Board of Supervisors of" and on lines 12510 and 12511, delete "in Madison County" and insert in lieu thereof the following: ", beginning at its intersection with Mississippi Highway 463 and proceeding north" and amend the title to conform on lines 258 and 259.
- On line 14435 insert after "Mississippi," the following: "and Choctaw County, Mississippi," and amend the title on line 298 to conform.
- On line 14437 insert after "Webster" the word "County" and amend the title on line 300 to conform.
- On line 18712 insert a space between "Hooper" and "Mill"

- On lines 22851 and 22852, delete "Five Hundred Thousand Dollars (\$500,000.00)" and insert in lieu thereof the following: "One Million Dollars (\$1,000,000.00)"

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Charles Perniciaro and Elsie Otnott of Bay St. Louis, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Elaine Lafontaine of Lakeshore, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Jason Bond and Donald Ray Necaïse of Kiln, MS.

Senator Moran moved that when the Senate adjourns, it adjourn in memory of Sandra Lee of Picayune, MS.

Senators Chism and Boyd moved that when the Senate adjourns, it adjourn in memory of Wayne Lathan Warren of Oxford, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Jack Alan Hudson and James Edward Young of Myrtle, MS.

Senator Chism moved that when the Senate adjourns, it adjourn in memory of Michael Cobb of New Albany, MS.

Senator Turner-Ford moved that when the Senate adjourns, it adjourn in memory of Dr. Johnnie Earl Rasberry of West Point, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Charles Guy "Dinkey" Evans of Wiggins, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Cheryl Lamey of Latimer Community, MS.

Senators Sojourner and Barrett moved that when the Senate adjourns, it adjourn in memory of Chadwick "Chad" Leigh Vaughn of Brookhaven, MS.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of William K. "Billy" Pyron, Jr. of Madison, MS.

Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Louis "Jim" McCray of Greenville, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Jimmie Dee McCormick, Mary Doris Lenard, Dorthia Cook Baker, Larry Scott Starks and Rowena Rounsaville Cain of Bruce, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Ruby Crawford, Euel Parker, Jr. and Debra Ann Hudson West of Calhoun City, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Winnie Dee Hawks and Randy Yancy of Vardaman, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Patricia Joan Starks of Derma, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Elton McCammon of Coffeeville, MS.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 525: Corrections omnibus bill; enact.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 82: Community or junior colleges; authorize to administer construction contracts of \$1,000,000.00 or less, and exempt certain oversight.

H. B. No. 330: Uninsured motorist coverage law; revise to prohibit insurance policy from paying certain losses if another insurance policy must pay for such.

H. B. No. 359: Municipally-owned utilities; may use accounting system accommodation for uncollectible customer indebtedness.

H. B. No. 425: Ad valorem tax; revise certain provisions regarding when an application for change of property assessment may be made.

H. B. No. 594: Coastal Wetlands Protection Act; revise definitions to include "ordinary high water mark".

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

H. B. No. 754: Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan.

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to.

H. B. No. 1135: Alcoholic beverages; create delivery service permit.

H. B. No. 1174: Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness.

H. B. No. 1179: William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create.

H. B. No. 1296: Historic property income tax credit; revise certain provisions regarding.

H. B. No. 1312: State Board of Cosmetology; extend repealer on.

H. B. No. 1356: Income tax and sales tax; revise deduction for depreciation, exempt sales of certain aircraft.

H. B. No. 1378: Appropriation; District attorneys and staff.

H. B. No. 1380: Appropriation; Fire Academy.

H. B. No. 1382: Appropriation; Capital Post-Conviction Counsel, Office of.

H. B. No. 1383: Appropriation; State Public Defender, Office of.

H. B. No. 1386: Appropriation; Archives and History, Department of.

H. B. No. 1388: Appropriation; Educational Television, Authority for.

H. B. No. 1389: Appropriation; Arts Commission.

H. B. No. 1390: Appropriation; Library Commission.

H. B. No. 1394: Appropriation; Grand Gulf Military Monument Commission.

H. B. No. 1395: Appropriation; Oil and Gas Board.

H. B. No. 1397: Appropriation; Public Utilities Staff.

H. B. No. 1401: Appropriation; Health, Department of.

H. B. No. 1402: Appropriation; Foresters, Board of Registration for.

H. B. No. 1403: Appropriation; Forestry Commission.

H. B. No. 1404: Appropriation; Soil and Water Conservation Commission.

H. B. No. 1408: Appropriation; Tombigbee River Valley Water Management District.

H. B. No. 1410: Appropriation; Public Employees' Retirement System.

H. B. No. 1446: Income tax; allow deduction for Back to Business Mississippi Grant Program eligible expenses.

Adopted: 03/28/21

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state.

S. B. No. 2569: Urine; create the crime of selling or tampering with urine.

S. B. No. 2621: Task Force; establish to study domestic law matters.

S. B. No. 2623: Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act.

S. B. No. 2638: Electronic documents; provide recording procedure for counties without electronic-recording capability.

S. B. No. 2832: Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026.

S. B. No. 2850: Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership.

S. B. No. 2872: Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area.

S. B. No. 2917: Appropriation; Emergency Management Agency.

S. B. No. 2920: Appropriation; Ethics Commission.

S. B. No. 2921: Appropriation; Judicial Performance Commission.

S. B. No. 2924: Appropriation; Tax Appeals Board.

S. B. No. 2925: Appropriation; Workers' Compensation Commission.

S. B. No. 2927: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

S. B. No. 2937: Appropriation; Gaming Commission.

S. B. No. 2945: Appropriation; Fair and Coliseum Commission - Livestock shows.

S. B. No. 2946: Appropriation; Audit, Department of.

S. B. No. 2947: Appropriation; Banking and Consumer Finance, Department of.

S. B. No. 2950: Appropriation; Information Technology Services, Department of.

S. B. No. 2952: Appropriation; Personnel Board.

S. B. No. 2954: Appropriation; Treasurer's Office.

Adopted: 03/28/21

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

S. B. No. 3088: City of Baldwyn; authorize to expand and operate natural gas distribution system to serve certain areas of Tippah County.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate adjourn until 10:00 AM, Tuesday, March 30, 2021.

The motion prevailed, and at 9:06 PM, the Senate stood adjourned in memory of Charles Perniciaro, Elsie Otnott, Dr. Johnnie Earl Rasberry, Charles Guy "Dinkey" Evans, Cheryl Lamey, Chadwick "Chad" Leigh Vaughn, William K. "Billy" Pyron, Jr., Louis "Jim" McCray, Jimmie Dee McCormick, Mary Doris Lenard, Dorthia Cook Baker, Larry Scott Starks, Elaine Lafontaine, Rowena Rounsaville Cain, Ruby Crawford, Euel Parker, Jr., Debra Ann Hudson West, Winnie Dee Hawks, Randy Yancy, Patricia Joan Starks, Elton McCammon, Jason Bond, Sandra Lee, Wayne Lathan Warren, Jack Alan Hudson, Michael Cobb, James Edward Young and Donald Ray Necaise.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR MONDAY, MARCH 29, 2021

S. R. No. 55: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LAFAYETTE HIGH SCHOOL BOYS BOWLING TEAM AND COACH KELLIE SUMRALL FOR THEIR THIRD CONSECUTIVE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS II STATE CHAMPIONSHIP.

By Senator(s) Boyd

S. R. No. 56: Rules

A RESOLUTION TO DECLARE THE INTENT OF THE MISSISSIPPI SENATE RELATIVE TO THE PROMOTION OF RACE OR SEX STEREOTYPING OR SCAPEGOATING IN VIOLATION OF THE FOURTEENTH AMENDMENT

By Senator(s) Hill

S. R. No. 57: Rules

A RESOLUTION RESPECTFULLY URGING THE PRESIDENT OF THE UNITED STATES TO DESIGNATE A STATE FUNERAL FOR THE LAST SURVIVING MEDAL OF HONOR RECIPIENT FROM WORLD WAR II.

By Senator(s) Sojourner

S. R. No. 58: Rules

A RESOLUTION URGING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO INCLUDE AIRGUNS AND AIRBOWS WITH OTHER METHODS OF TAKE AS ITEMS TAXED THROUGH THE FEDERAL WILDLIFE RESTORATION PROGRAM (PITTMAN-ROBERTSON ACT).

By Senator(s) Blackwell, Whaley, Younger

EIGHTY-FIFTH DAY, TUESDAY, MARCH 30, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Polk. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Frazier.

Senator Williams led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 49, S. R. No. 50, S. R. No. 51, S. R. No. 52, S. R. No. 53, S. R. No. 54, H. C. R. No. 60 and H. C. R. No. 61 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. R. No. 49: Commend Laurel High School "Lady Tornadoes" Girls Basketball Team for first-ever State Championship.

S. R. No. 50: Commend Hartfield Academy "Hawks" Boys Basketball Team for winning the MAIS Class 4A State Championship.

S. R. No. 51: Congratulate Mattie Grace Morris for Miss Mississippi Teen USA for 2021.

S. R. No. 52: Commend Clinton High School "Arrows" Basketball Team for Class 6A State Championship.

S. R. No. 53: Commend Clinton Christian Academy Girls and Boys Basketball Teams for two State Championships.

S. R. No. 54: Recognize the 40-year career of The Clarion Ledger Capitol Correspondent Jimmie Gates.

H. C. R. No. 60: Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 21, 2021, as.

H. C. R. No. 61: New Site Lady Royals Basketball Team; commend for winning the MHSAA Class 2A State Basketball Championship.

YEAS AND NAYS on consideration en bloc of S. R. No. 49, S. R. No. 50, S. R. No. 51, S. R. No. 52, S. R. No. 53, S. R. No. 54, H. C. R. No. 60 and H. C. R. No. 61. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Unanimous consent was granted to add Senator Blount as co-author of **S. R. No. 52.**

Unanimous consent was granted to add Senators Blount and Caughman as co-authors of **S. R. No. 53.**

Unanimous consent was granted to add Senators Blount and Frazier as co-authors of **S. R. No. 54.**

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 374** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 374: Distinctive motor vehicle license tag; authorize issuance to supporters of Mississippi Theatre Association, Inc.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Mississippi Theatre Association, Inc. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Executive Director of Mississippi Theatre Association, Inc., may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Mississippi Theatre Association, Inc.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of 82 Strong. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of 82 Strong, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to 82 Strong.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 3. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Indianola Academy. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the principal of Indianola Academy, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under

this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to North Yalobusha Charities, Inc.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 4. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Humphreys County High School. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the principal of Humphreys County High School, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The

application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to North Yalobusha Charities, Inc.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 5. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount

provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Sigma Gamma Rho Sorority. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Sigma Gamma Rho Sorority, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty Dollars and Forty Cents (\$20.40) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi Sigma Gamma Rho Sorority Scholarship Fund.

(b) Three Dollars and Sixty Cents (\$3.60) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi Association of Educators.

(c) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(d) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(e) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 6. (1) Beginning with any registration year commencing on or after July 1, 2021, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Dessert of Mississippi Shriners and Daughters AEAONMS, PHA. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Dessert of Mississippi Shriners and Daughters AEAONMS, PHA, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Forty-four Dollars (\$44.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Dessert of Mississippi Shriners and Daughters AEAONMS, PHA.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 7. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Children's Tumor Foundation. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Children's Tumor Foundation, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Children's Tumor Foundation.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 8. (1) Any owner of a motor vehicle who is a serving or retired judge of the federal or state court system in this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag bearing the word "judiciary" for any motor vehicle registered in his name. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Supreme Court, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Judicial System Operation Fund created in Section 9-21-45.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 9. (1) Beginning with any registration year commencing on or after July 1, 2021, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Wildlife Mississippi. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Wildlife Mississippi, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee

in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Wildlife Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 10. (1) Beginning with any registration year commencing on or after July 1, 2021, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Cedarhill Animal Sanctuary in Caledonia, Mississippi. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Cedarhill Animal Sanctuary, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Cedarhill Animal Sanctuary.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 11. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration

fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the South Pike School District. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the South Pike School District, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the South Pike School District.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 12. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Picayune Maroon Tide Touchdown Club. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Picayune Maroon Tide Touchdown Club, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Picayune Maroon Tide Touchdown Club.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 13. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Mississippi Wildlife Federation. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Wildlife Federation, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi Wildlife Federation.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 14. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Foundation for Moral Law. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Foundation for Moral Law, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Foundation for Moral Law.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 15. Section 27-19-56.524, Mississippi Code of 1972, is amended as follows:

27-19-56.524. (1) (a) In recognition of the patriotic service rendered by Mississippians who are honorably discharged veterans who served in the United States Armed Forces, any such person is privileged to obtain distinctive motor vehicle license plates or tags for each motor vehicle registered in his name identifying his status as a veteran. The distinctive plates or tags shall be of a color and design designated by the Department of Revenue with concurrence by the Mississippi Veterans Affairs.

(b) (i) The distinctive license plates shall be prepared by the Department of Revenue and shall be issued through the tax collectors of the counties in the same manner as are other motor vehicle license plates or tags. An additional annual tag fee of Thirty Dollars (\$30.00) shall be collected by the tax collector for such license plates or tags and shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The additional fee is due and payable at the time the original application is made for a distinctive tag under this subsection (1) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. The Department of Revenue shall deposit such fee to the credit of a fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who

are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.12 before July 8, 2020, may renew the plate under this subsection (1) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (1). However, the person shall not be required to provide the written evidence required in paragraph (c) of this subsection (1). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in this subsection (1).

(c) An applicant for such distinctive plates shall present to the issuing official written evidence of the veteran's service. Such evidence shall include a copy of the applicant's DD-214 form, a Report of Separation from Military Service, a military discharge document, or a written certification of military service from the Mississippi Veterans Affairs. The distinctive license plates or tags so issued shall be used only upon a personally or jointly owned private passenger vehicle (to include station wagons, recreational motor vehicles and pickup trucks) registered in the name, or jointly in the name, of the person making application therefor, and when issued to such person shall be used upon the vehicle for which issued in lieu of the standard license plate or license tag normally issued for such vehicle.

(d) The distinctive license plates shall not be transferable between motor vehicle owners; and in the event the owner of a vehicle bearing a distinctive plate shall sell, trade, exchange or otherwise dispose of the vehicle, such plate shall be retained by such owner and returned to the tax collector.

(2) (a) (i) In recognition of the patriotic services rendered by Mississippians who are recipients of the Bronze Star, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (2), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his name identifying him as a recipient of the Bronze Star.

(ii) A person who is privileged to obtain a distinctive motor vehicle license plate or tag identifying such person as a recipient of the Bronze Star and who is eligible to obtain a special license plate under Section 27-19-56 is privileged to obtain one (1) distinctive motor vehicle license plate or tag bearing the International Symbol of Access adopted by Rehabilitation International in 1969 at its Eleventh World Congress on Rehabilitation of the disabled and identifying such person as a recipient of the Bronze Star.

(iii) Except as otherwise provided in subparagraph (ii) of this paragraph (a), the tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, shall prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is a recipient of the Bronze Star; however, if the person is applying for a distinctive tag pursuant to paragraph (a)(ii) of this subsection (2), the applicant shall also meet the requirements of Section 27-19-56. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (2) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (2), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (2) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.62 before July 8, 2020, may renew the plate or tag under this subsection (2) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (2). The person shall not be required to provide the written proof required in paragraph (b) of this subsection (2); however, if the person is applying for renewal of a distinctive tag described in paragraph (a)(ii) of this subsection (2), the applicant shall also meet the requirements of Section 27-19-56. The additional fee collected from the renewal of such a distinctive plate or tag shall be distributed in the manner provided in paragraph (d) this subsection (1).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (2) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (2) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (2) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (2) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (2) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (2). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (2). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (2), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (2), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund

five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (2).

(3) (a) In recognition of the patriotic service rendered by Mississippians who are honorably discharged veterans who served in the United States Armed Forces during the Vietnam Conflict and were awarded a Vietnam Service Ribbon, any such person is privileged to obtain distinctive motor vehicle license plates or tags for each motor vehicle registered in his name identifying his status as a Vietnam veteran. The distinctive plates or tags shall be of a color and design designated by the Department of Revenue with concurrence by the Mississippi Veterans Affairs.

(b) (i) The distinctive license plates shall be prepared by the Department of Revenue and shall be issued through the tax collectors of the counties in the same manner as are other motor vehicle license plates or tags. An additional annual tag fee of Thirty Dollars (\$30.00) shall be collected by the tax collector for such license plates or tags and shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The additional fee is due and payable at the time the original application is made for a distinctive tag under this subsection (3) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. The Department of Revenue shall deposit such fee to the credit of a fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.85 before July 8, 2020, may renew the plate or tag under this subsection (3) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (3). However, the person shall not be required to provide the written evidence required in paragraph (c) of this subsection (3). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in subparagraph (i) of this paragraph (b).

(c) An applicant for such distinctive plates shall present to the issuing official written evidence of the veteran's service. Such evidence shall include a copy of the applicant's DD-214 form, a Report of Separation from Military Service, a military discharge document, or a written certification of military service from the Mississippi Veterans Affairs. The distinctive license plates or tags so issued shall be used only upon a personally or jointly owned private passenger vehicle (to include station wagons, recreational motor vehicles and pickup trucks) registered in the name, or jointly in the name, of the person making application therefor, and when issued to such person shall be used upon the vehicle for which issued in lieu of the standard license plate or license tag normally issued for such vehicle.

(d) The distinctive license plates shall not be transferable between motor vehicle owners; and in the event the owner of a vehicle bearing a distinctive plate shall sell, trade, exchange or otherwise dispose of the vehicle, such plate shall be retained by such owner and returned to the tax collector.

(4) (a) In recognition of the patriotic service rendered by Mississippians who are veterans of the United States Armed Forces, beginning with any registration year commencing on or after July 1, 2020, any such person is privileged to obtain distinctive motorcycle license plates or tags for each motorcycle registered in his name identifying his status as a veteran. The distinctive plates or tags shall be of a color and design designated by the Department of Revenue with concurrence by the Mississippi Veterans Affairs.

(b) (i) The distinctive license plates shall be prepared by the Department of Revenue and shall be issued through the tax collectors of the counties in the same manner

as are other motor vehicle license plates or tags. An additional annual tag fee of Thirty Dollars (\$30.00) shall be collected by the tax collector for such license plates or tags and shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The additional fee is due and payable at the time the original application is made for a distinctive tag under this subsection (4) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. The Department of Revenue shall deposit such fee to the credit of a fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veteran homes and the support of the operations of the state veterans homes and cemeteries.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.125 before July 8, 2020, may renew the plate or tag under this subsection (4) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (4). However, the person shall not be required to provide the written proof required in paragraph (c) of this subsection (4). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in subparagraph (i) of this paragraph (b).

(c) An applicant for the distinctive plates shall present to the issuing official written evidence of the veteran's service. The evidence shall include a copy of the applicant's DD-214 form, a Report of Separation from Military Service, a military discharge document, a written certification of military service from the Mississippi Veterans Affairs or a valid military identification card; however, a distinctive license plate or tag shall not be issued under this subsection (4) to any person who was dishonorably discharged from the United States Armed Forces. The distinctive license plates or tags so issued shall be used only upon a personally or jointly owned private motorcycle registered in the name, or jointly in the name, of the person making the application, and when issued to the person shall be used upon the motorcycle for which issued in lieu of the standard license plate or license tag normally issued for the motorcycle.

(d) The distinctive license plates shall not be transferable between motorcycle owners; and in the event the owner of a motorcycle bearing a distinctive plate shall sell, trade, exchange or otherwise dispose of the motorcycle, the plate shall be retained by the owner and returned to the tax collector.

(5) (a) There shall be issued beginning July 1, 2020, special motor vehicle license tags honoring the family members of service members who have died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war. The license tag shall be officially designated as the Gold Star license plate.

(b) Except as otherwise provided in this subsection (5), any owner of a motor vehicle who is a resident of this state and a family member of a service member who has died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in paragraph (e) of this subsection (5), shall be issued a Gold Star license tag for any motor vehicle registered in his name. The distinctive license tag shall be of such color and design as the Department of Revenue, with the advice of supporters of this license tag, may prescribe; however, the license tag shall bear in a conspicuous place a gold star with blue fringe on a white background with a red border that is the symbol for a fallen service member and shall have the words "Gold Star Family" and the branch of the United States Armed Forces in which the family member served displayed on it.

(c) One (1) Gold Star license tag issued to the mother of the service member who died while serving on active duty in the Armed Forces of the United States while the

United States was engaged in hostile activities or a time of war after September 11, 2001, and one (1) Gold Star license tag issued to the unremarried spouse of the service member who died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war after September 11, 2001, shall be exempt from ad valorem taxes, privilege taxes and all other taxes and fees.

(d) Application for the distinctive license tags authorized by this subsection (5) shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (5) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(e) (i) Except as otherwise provided in this subsection (5), beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (5) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (5), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (5) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(ii) A person issued a distinctive tag under Section 27-19-56.162 before July 8, 2020, may renew the tag under this subsection (5) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (5). However, the person shall not be required to provide the documentation and proof required in paragraph (i) of this subsection (5). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (f) of this subsection (1).

(f) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this subsection (5) from the issuance or renewal of the distinctive license tags issued or renewed under this subsection (5). The State Treasurer shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (5) shall be deposited to the credit of a fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (5) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (5) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (5) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(g) A Gold Star license tag issued pursuant to this subsection (5) may be personalized in the manner provided for in Section 27-19-48 upon payment of the additional fee prescribed in that section.

(h) In order to qualify as a family member, the person must be directly related to the fallen service member as their unremarried spouse, child, stepchild, legal mother or father, sibling related by blood or legal adoption, step-sibling, grandparent, grandchild, aunt, uncle or stepparent who is currently married to the mother or father of the fallen service member.

(i) Whether a service member is deemed to have died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war shall be determined by the classification of death as listed by the United States Department of Defense and may be verified from documentation directly from the Department of Defense or from its subordinate agencies such as the Coast Guard, Reserve or National Guard. A classification of having died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war by the Department of Defense shall be prima facie evidence that the service member died in such manner. Documentation of the fact that the service member died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war and proof of relationship to the service member shall be required by the county tax collector before issuing a Gold Star license plate. The county tax collector may waive the documentation if he or she has actual knowledge of the family relationship and that the service member died while serving on active duty in the Armed Forces of the United States while the United States was involved in hostile activities or a time of war.

(j) The Gold Star license plate shall be issued only to family members of service members that resided in Mississippi at the time of the death of the service member.

(k) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (5). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (5). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (5), which will expire the same month and year as the regular license tag.

(l) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (5), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (5).

(6) (a) In recognition of the patriotic services rendered by Mississippians who are recipients of the Southwest Asia Service Medal, the Iraq Campaign Medal, the Global War on Terrorism Expeditionary Medal, the Armed Forces Expeditionary Medal or the Inherent Resolve Campaign Medal for service in, or in support of operations in, Iraq, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (6), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his or her name identifying him or her as an Iraq veteran. The tags

shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is a recipient of the Southwest Asia Service Medal, the Iraq Campaign Medal, the Global War on Terrorism Expeditionary Medal, the Armed Forces Expeditionary Medal or the Inherent Resolve Campaign Medal for service in, or in support of operations in, Iraq. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (6) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (6), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (6) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.186 before July 8, 2020, may renew the plate or tag under this subsection (6) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (6). However, the person shall not be required to provide the written proof required in paragraph (b) of this subsection (6). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (d) of this subsection (6).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (6) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (6) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (6) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (6) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (6) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (6). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (6). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (6), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (6), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (6).

(7) (a) In recognition of the patriotic services rendered by Mississippians who are recipients of the Southwest Asia Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Expeditionary Medal or the Armed Forces Expeditionary Medal for service in, or in support of operations in, Afghanistan, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (7), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his or her name identifying him or her as an Afghanistan veteran. The tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is a recipient of the Southwest Asia Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Expeditionary Medal or the Armed Forces Expeditionary Medal for service in, or in support of operations in, Afghanistan. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (7) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (7), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (7) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(ii) A person issued a distinctive tag under Section 27-19-56.187 before July 8, 2020, may renew the tag under this subsection (7) in the manner provided for the issuance and renewal of a distinctive tag under this subsection (2). However, the person shall not be required to provide the written proof required in paragraph (b) of this subsection (7). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (d) of this subsection (7).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (7) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (7) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (7) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (7) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (7) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (7). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (7). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (7), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (7), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (7).

(8) (a) In recognition of the patriotic services rendered by Mississippians who are recipients of the Navy and Marine Corps Medal, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (8), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his name identifying him as a recipient of the Navy and Marine Corps Medal. The tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, shall prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is a recipient of the Navy and Marine Corps Medal. The application and the additional

fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (8), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (8) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(ii) A person issued a distinctive tag under Section 27-19-56.199 before July 8, 2020, may renew the tag under this subsection (8) in the manner provided for the issuance and renewal of a distinctive tag under this subsection (8). However, the person shall not be required to provide the written proof required in paragraph (b) of this subsection (8). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (d) of this subsection (8).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (8) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (8) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (8) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (8) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (8) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (8). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (8). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (8), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (8), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such

application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (8).

(9) (a) In recognition of the patriotic services rendered by Mississippians who served in combat in the United States Armed Forces, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (9), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his or her name identifying him or her as a combat veteran. The tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag. The Department of Revenue, with the advice of the Mississippi Veterans Affairs, shall develop decals to be affixed to the license tag indicating the type of military service.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant served in combat in the United States Armed Forces. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this subsection (9) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (9), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (9) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(ii) A person issued a distinctive plate or tag under Section 27-19-56.450 before July 8, 2020, renew the plate or tag under this subsection (9) in the manner provided for the issuance and renewal of a distinctive plate or tag under this subsection (9). However, the person shall not be required to provide the written proof required in paragraph (b) of this subsection (9). The additional fee collected from the renewal of such a distinctive plate shall be distributed in the manner provided in paragraph (d) of this subsection (9).

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (9) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (9) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (9) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (9) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (9) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (9). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (9). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (9), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (9), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (9).

(10) (a) In recognition of the patriotic services rendered by Mississippians who are honorably discharged veterans who served in the United States Armed Forces in Operation Desert Storm or Operation Desert Shield, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in paragraph (c) of this subsection (10), shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his or her name identifying him or her as a veteran of Operation Desert Storm or Operation Desert Shield. The tags shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Veterans Affairs, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(b) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. Applicants for such distinctive license tags shall present to the issuing official written proof that the applicant is an honorably discharged veteran who served in the United States Armed Forces in Operation Desert Storm or Operation Desert Shield. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(c) (i) Beginning with any registration year commencing on or after July 1, 2021, any person applying for a distinctive license tag under this subsection (10) shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this subsection (10), which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the

vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this subsection (10) and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(d) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this subsection (10) to the State Treasurer who shall distribute such collections as follows:

(i) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this subsection (10) shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(ii) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (10) shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(iii) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (10) shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(iv) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this subsection (10) shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(e) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this subsection (10). The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this subsection (10). The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this subsection (10), which will expire the same month and year as the regular license tag.

(f) In the case of loss or theft of a distinctive license tag issued or renewed under this subsection (10), the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this subsection (10).

SECTION 16. Section 27-19-56.5, Mississippi Code of 1972, is amended as follows:

27-19-56.5. (1) (a) In recognition of the patriotic service rendered by Mississippians who survived the attack on Pearl Harbor and by Mississippians who are recipients of the Purple Heart Medal, any such person is privileged to obtain two (2) distinctive motor vehicle license plates or tags identifying such person as a Pearl Harbor survivor or not more than * * * five (5) distinctive motor vehicle license plates or tags and one (1) distinctive motorcycle license plate or tag identifying such person as a Purple Heart Medal recipient.

(b) A person who is privileged to obtain a distinctive motor vehicle license plate or tag identifying such person as a Purple Heart Medal recipient and who is eligible to obtain a special license plate under Section 27-19-56, is privileged to obtain one (1) distinctive motor vehicle license plate or tag bearing the International Symbol of Access adopted by Rehabilitation International in 1969 at its Eleventh World Congress on Rehabilitation of the disabled and identifying such person as a Purple Heart Medal recipient.

(c) Except as otherwise provided in paragraph (b) of this subsection, the distinctive plates or tags shall be of a color and design designated by the Department of Revenue.

(2) (a) The distinctive license plates shall be prepared by the Department of Revenue and shall be issued through the tax collectors of the counties in the same manner as are other motor vehicle license plates or tags.

(b) A tag fee of Fifteen Dollars (\$15.00), in addition to all other taxes and fees, shall be collected by the tax collector for the Pearl Harbor distinctive tag.

(c) The first distinctive tag issued to Purple Heart Medal recipients under the provisions of this section shall be exempt from ad valorem taxes, privilege taxes and all other taxes and fees. There shall be no exemption from ad valorem taxes, privilege taxes or other taxes and fees for the issuance of an additional distinctive tag to Purple Heart Medal recipients. However, the surviving spouse of a deceased person who was issued a Purple Heart Medal distinctive license plate or tag under this section shall be entitled to apply for or retain one (1) such license tag and may continue annually to renew registration for such distinctive license plate or tag for as long as the spouse remains unmarried. At the time of application or renewal registration, a surviving spouse who desires to retain such distinctive plate or tag shall file with the county tax collector a sworn statement that the spouse is unmarried, and any such vehicle when so registered shall be exempt from ad valorem taxes, privilege taxes and all other taxes and fees.

(d) The tax collector shall monthly forward the additional fee of Fifteen Dollars (\$15.00) charged for issuance of a Pearl Harbor distinctive tag to the Department of Revenue which shall deposit such fee to the credit of the State General Fund.

(e) An applicant for a distinctive tag under this section shall present to the issuing official either:

(i) Written proof that the applicant is an honorably discharged former member of one (1) of the Armed Forces of the United States and, while serving in the Armed Forces of the United States, was present during the attack on the Island of Oahu, Territory of Hawaii, on December 7, 1941, between the hours of 7:55 a.m. and 9:45 a.m., Hawaii time; or

(ii) Written proof that the applicant is a Purple Heart Medal recipient; however, if the person is applying for a distinctive tag pursuant to subsection (1)(b) of this section, the applicant shall also meet the requirements of Section 27-19-56.

(f) The distinctive license plates or tags so issued shall be used only upon a personally or jointly owned private passenger vehicle (to include station wagons, recreational motor vehicles and pickup trucks) or motorcycle registered in the name, or jointly in the name, of the person making application therefor, and when issued to such person shall be used upon the vehicle for which issued in lieu of the standard license plate or license tag normally issued for such vehicle.

(3) The distinctive license plates shall not be transferable between motor vehicle owners; and in the event the owner of a vehicle bearing a distinctive plate shall sell, trade,

exchange or otherwise dispose of the vehicle, such plate shall be retained by such owner and returned to the tax collector.

(4) A vehicle that displays a distinctive license plate issued under this section may park free of charge in any state parking space or state parking facility when the person to whom the license plate was issued is operating or occupying the vehicle.

(5) Any person evading or violating any of the provisions of this section, or attempting to secure benefits under this section to which he or she is not entitled, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand Dollars (\$1,000.00) or imprisoned in the county jail for not less than six (6) months, or both.

SECTION 17. Section 27-19-53, Mississippi Code of 1972, is amended as follows:

27-19-53. (1) (a) (i) Any legal resident of the State of Mississippi who is a veteran of service in the Armed Forces of the United States, and who is rated as having one hundred percent (100%) permanent service-connected disability by the Veterans' Administration is privileged to purchase annually under this subsection two (2) motor vehicle license plates or tags in his or her county of legal residence, for the sum of One Dollar (\$1.00) in total cost for each plate or tag, regardless of make or model of motor vehicle. The registration year of such motor vehicle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31.

(ii) Any legal resident of the State of Mississippi who is a veteran of service in the Armed Forces of the United States, and who is rated as having one hundred percent (100%) permanent service-connected disability by the Veterans' Administration is privileged to purchase annually under this subsection one (1) motorcycle license plate or tag in his or her county of legal residence, for the sum of One Dollar (\$1.00) in total cost for each plate or tag. The registration year of such motorcycle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31.

(**b) Not more than two (2) such motor vehicle license plates or tags shall be issued under this subsection to each such qualified veteran. Not more than one (1) such motorcycle license plate or tag shall be issued under this subsection to each such qualified veteran.

(**c) This section pertains only to taxes or plates for private passenger motor vehicles or pickup trucks or motorcycles.

(**d) Proof of ownership of a particular motor vehicle or motorcycle for which a license plate or tag is requested must be shown at time of application for such plate or tag.

(**e) Vehicles and motorcycles owned by such veterans are exempt under this subsection from all ad valorem and privilege taxes; however, the surviving spouse of a deceased person who was issued a license plate or tag under this subsection shall be entitled to apply for or retain a license tag issued under this subsection and may continue annually to renew registration for two (2) motor vehicle license plates or tags and one (1) motorcycle license plate or tag under this subsection for as long as the spouse remains unmarried. In addition, if a deceased person who was eligible to be issued a license plate or tag under this subsection did not apply for or was not issued a license plate or tag, the surviving spouse of such deceased person shall be entitled to apply for and be issued a license plate or tag under this subsection and may continue annually to renew registration for two (2) motor vehicle license plates or tags and one (1) motorcycle license tag or plate under this subsection for as long as the spouse remains unmarried. At the time of application or renewal registration, a surviving spouse who desires to retain a distinctive plate or tag issued under this subsection shall file with the county tax collector

a sworn statement that the spouse is unmarried. Any such vehicle or motorcycle when so registered shall be exempt from all ad valorem and privilege taxes.

(2) Any person who is entitled to obtain license tags under subsection (1) of this section may be issued one (1) additional such license tag for any other vehicle registered in his or her name upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as otherwise prescribed by law for the particular vehicle.

(3) The Department of Revenue is directed to furnish each veteran obtaining a license tag under this section an emblem, which the veteran shall attach securely to the tag, showing that the tag was issued to a disabled American veteran.

(4) A license issued under this section shall not be transferable to any other person.

(5) Any person evading or violating any of the provisions of this section, or attempting to secure benefits under this section to which he is not entitled, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand Dollars (\$1,000.00) or imprisoned in the county jail for not less than ninety (90) days, or both.

SECTION 18. Section 27-51-41, Mississippi Code of 1972, is amended as follows:

27-51-41. (1) The exemptions from the provisions of this chapter shall be confined to those persons or property exempted by this chapter or by the provisions of the Constitution of the United States or the State of Mississippi. No exemption as now provided by any other statute shall be valid as against the tax levied by this chapter. Any subsequent exemption from the tax levied hereunder shall be provided by amendment to this section which shall be inserted in the bill at length.

(2) The following shall be exempt from ad valorem taxation:

(a) All motor vehicles, as defined in this chapter, and including motor-propelled farm implements and vehicles, while in the hands of bona fide dealers as merchandise and which are not being operated upon the highways of this state.

(b) All motor vehicles belonging to the federal government or the State of Mississippi or any agencies or instrumentalities thereof.

(c) All motor vehicles owned by any school district in the state.

(d) All motor vehicles owned by any fire protection district incorporated in accordance with Sections 19-5-151 through 19-5-207 or by any fire protection grading district incorporated in accordance with Sections 19-5-215 through 19-5-241.

(e) All motor vehicles owned by units of the Mississippi National Guard.

(f) All motor vehicles which are exempted from highway privilege taxes under Section 27-19-1 et seq.

(g) All motor vehicles operated in this state as common and contract carriers of property, private commercial carriers of property, private carriers of property and buses, all of which have a gross weight in excess of ten thousand (10,000) pounds.

(h) Antique automobiles as defined in Section 27-19-47, and antique pickup trucks as provided for under Section 27-19-47.2, Mississippi Code of 1972.

(i) Street rods as defined in Section 27-19-56.6.

(j) (i) Two (2) motor vehicles owned by a disabled American veteran, or by the spouse of a deceased disabled American veteran, who is entitled to purchase a distinctive license plate or tag in accordance with Section 27-19-53, regardless of the license plate or tag issued to the disabled American veteran or the veteran's spouse if the disabled American veteran is deceased.

(ii) One (1) motorcycle owned by a disabled American veteran, or by the spouse of a deceased disabled American veteran, who is entitled to purchase a distinctive license plate or tag in accordance with Section 27-19-53, regardless of the license plate or tag issued to the disabled American veteran or the veteran's spouse if the disabled American veteran is deceased.

(k) One (1) motor vehicle owned by the unremarried surviving spouse of a member of the Armed Forces of the United States who, while on active duty, is killed or dies and one (1) motor vehicle owned by the unremarried surviving spouse of a member of a reserve component of the Armed Forces of the United States or of the National Guard who, while on active duty for training, is killed or dies.

(l) Motor vehicles owned by recipients of the Congressional Medal of Honor or by former prisoners of war, or by spouses of such deceased persons, in accordance with Section 27-19-54.

(m) (i) One (1) private carrier of passengers, as defined in Section 27-19-3, owned by any religious society, ecclesiastical body or any congregation thereof which is used exclusively for such society and not for profit.

(ii) All motor vehicles owned by any such religious society or any educational institution having a seating capacity greater than seven (7) passengers and used exclusively for transporting passengers for religious or educational purposes and not for profit.

(n) All motor vehicles primarily used as rentals under rental agreements with a term of not more than thirty (30) continuous days each and under the control of persons who are engaged in the business of renting such motor vehicles and who are subject to the tax under Section 27-65-231.

(o) Antique motorcycles as defined in Section 27-19-47.1.

(p) One (1) motor vehicle owned by a recipient of the Purple Heart, and one (1) motor vehicle owned by the unremarried surviving spouse of a recipient of the Purple Heart, as provided in Section 27-19-56.5.

(q) Motor vehicles that are eligible to display an authentic historical license plate as provided for in Section 27-19-56.11.

(r) Motor vehicles that are (i) designed or adapted to be used exclusively in the preparation and loading of chemicals or other material for aerial agricultural application to crops; and (ii) only incidentally used on public roadways in this state.

(s) One (1) motor vehicle owned by the mother of a service member who died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war after September 11, 2001, as provided for in Section 27-19-56.162 or Section 27-19-56.524(5).

(t) One (1) motor vehicle owned by the unremarried spouse of a service member who died while serving on active duty in the Armed Forces of the United States while the United States was engaged in hostile activities or a time of war after September 11, 2001, as provided for in Section 27-19-56.162 or Section 27-19-56.524(5).

(u) Buses and other motor vehicles that are (a) owned and operated by an entity that has entered into a contract with a school board under Section 37-41-31 for the purpose of transporting students to and from schools and (b) used by the entity for such transportation purposes. This paragraph (u) shall apply to contracts entered into or renewed on or after July 1, 2010.

(v) One (1) motor vehicle owned by a recipient of the Silver Star, and one (1) motor vehicle owned by the unmarried surviving spouse of a recipient of the Silver Star, as provided in Section 27-19-56.284.

(w) One (1) motor vehicle owned by a person who is a law enforcement officer and who (i) was wounded or otherwise received intentional or accidental bodily injury, regardless of whether occurring before or after July 1, 2014, while engaged in the performance of his official duties, provided the wound or injury was not self-inflicted, (ii) was required to receive medical treatment for the wound or injury due to the nature and extent of the wound or injury, and (iii) is eligible to receive a special license plate or tag under Section 27-19-56 as a result of such wound or injury, regardless of whether the person obtains such a plate or tag. Application for the exemption provided in this paragraph (w) may be made at the time of initial registration of a vehicle and renewal of registration. In addition, an applicant for the exemption must provide official written documentation that (i) the applicant is a law enforcement officer who was wounded or otherwise received intentional or accidental bodily injury while engaged in the performance of his official duties and that the wound or injury was not self-inflicted along with official written documentation verifying receipt of medical treatment for the wound or injury and the nature and extent of the wound or injury, and (ii) the applicant is eligible to receive a special license plate or tag under Section 27-19-56 as a result of such wound or injury, regardless of whether the person obtains such a plate or tag.

(x) One (1) motor vehicle owned by an honorably discharged veteran of the Armed Forces of the United States who served during World War II, and one (1) motor vehicle owned by the unmarried surviving spouse of such veteran, as provided in Section 27-19-56.438.

(3) Any claim for tax exemption by authority of the above-mentioned code sections or by any other legal authority shall be set out in the application for the road and bridge privilege license, and the specific legal authority for such tax exemption claim shall be cited in said application, and such authority cited shall be shown by the tax collector on the tax receipt as his authority for not collecting such ad valorem taxes, and the tax collector shall carry forward such information in his tax collection reports.

(4) Any motor vehicle driven over the highways of this state to the extent that the owner of such motor vehicle is required to purchase a road and bridge privilege license in this state, yet the legal situs of such motor vehicle is located in another state, shall be exempt from ad valorem taxes authorized by this chapter.

(5) If a taxpayer shall sell, trade or otherwise dispose of a vehicle on which the ad valorem and road and bridge privilege taxes have been paid in any county in the state, he shall remove the license plate from the vehicle. Such license plate must be surrendered to the issuing authority with the corresponding tax receipt, if required, and credit shall be allowed for the taxes paid for the remaining tax year on like privilege or ad valorem taxes due on another vehicle owned by the seller or transferor or by the seller's or transferor's spouse or dependent child. If the seller or transferor does not elect to receive such credit at the time the license plate is surrendered, the issuing authority shall issue a certificate of credit to the seller or transferor, or to the seller's or transferor's spouse or dependent child, or to any other person, business or corporation, at the direction of the seller or transferor, for the remaining unexpired taxes prorated from the first day of the month following the month in which the license plate is surrendered. The total of such credit may be used by the person or entity to whom the certificate of credit is issued, regardless of the relative amounts attributed to privilege taxes or to county, school or municipal ad

valorem taxes. Any credit allowed for taxes due or any certificate of credit issued may be applied to like taxes owed in any county by the person to whom the credit is allowed or by the person possessing the certificate of credit. No credit, however, shall be allowed on the charge made for the license plate. Such license plates surrendered to the tax collector shall be retained by him, and in no event shall such license plate be attached to any vehicle after being surrendered to the tax collector, nor shall any license plate be transferred from one (1) vehicle to any other vehicle.

(6) If the person owning a vehicle subject to taxation under the provisions of this chapter does not operate such vehicle on the highways of this state from the date of acquisition or, if previously registered, from the end of the anniversary month of the tag and decals to the date on which he makes application for a current license tag or decals, he shall pay such ad valorem tax for a period of twelve (12) months beginning with the first day of the month in which he applies for a current license tag or decals under Chapter 19, Title 27, Mississippi Code of 1972. The owner shall submit an affidavit with an application attesting to the fact that the vehicle was not operated on the highways of this state from the date of acquisition or, if previously registered, from the end of the anniversary month of the tag and decals to the date on which he makes application for the current license tag or decals.

(7) Any person found violating any of the provisions of this section shall be arrested and tried, and if found guilty shall be fined in an amount double the total amount of taxes involved.

SECTION 19. Section 27-19-56.490, Mississippi Code of 1972, is amended as follows:

27-19-56.490. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name, which shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Department of Archives and History, may prescribe. The * * * Mississippi state flag shall be featured prominently on the license tag. The Department of Revenue shall prescribe such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2019, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify the

total fees collected under this section to the State Treasurer who shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the special fund created in subsection (7) of this section.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) There is established in the State Treasury a special fund which shall consist of monies deposited therein under subsection (4) of this section. Monies in the fund may be expended by the Mississippi Department of Archives and History, upon appropriation by the Legislature, for the operation and maintenance of the Mississippi Museum of History and the Mississippi Civil Rights Museum. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 20. Section 27-19-56.415, Mississippi Code of 1972, is amended as follows:

27-19-56.415. (1) Beginning with any registration year commencing on or after July 1, 2021, any owner of a motor vehicle, who is a resident of this state, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in subsection (3) of this section, shall be issued a special license tag for each motor vehicle registered in his name identifying such person as a supporter of the GRAMMY® Museum Mississippi. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the GRAMMY® Museum Mississippi, may prescribe, and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) * * * Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be disbursed to the GRAMMY® Museum Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed proportionately in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2024.

SECTION 21. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI THEATRE ASSOCIATION, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF 82 STRONG; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF SIGMA GAMMA RHO SORORITY; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF INDIANOLA ACADEMY; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF HUMPHREYS COUNTY HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF DESSERT OF MISSISSIPPI SHRINERS AND DAUGHTERS AEAONMS, PHA; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE CHILDREN'S TUMOR FOUNDATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SERVING AND RETIRED JUDGES IN THE FEDERAL AND STATE COURT SYSTEMS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF WILDLIFE MISSISSIPPI, CEDARHILL ANIMAL SANCTUARY, THE SOUTH PIKE SCHOOL DISTRICT, THE PICAYUNE MAROON TIDE TOUCHDOWN CLUB, THE MISSISSIPPI WILDLIFE FEDERATION AND THE FOUNDATION FOR MORAL LAW; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; TO AMEND SECTION 27-19-56.524, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE HONORABLY DISCHARGED VETERANS WHO SERVED IN THE UNITED STATES ARMED FORCES IN OPERATION DESERT STORM OR OPERATION DESERT SHIELD; TO AMEND SECTION 27-19-56.5, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS THAT MAY BE ISSUED TO A PERSON IDENTIFYING SUCH PERSON AS A RECIPIENT OF THE PURPLE HEART MEDAL; TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE VETERANS OF THE ARMED FORCES OF THE UNITED STATES AND RATED AS HAVING ONE HUNDRED PERCENT PERMANENT SERVICE-CONNECTED DISABILITY, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTORCYCLE LICENSE TAGS TO SUCH PERSONS; TO PROVIDE THAT A MOTORCYCLE FOR WHICH A DISTINCTIVE MOTORCYCLE TAG IS ISSUED SHALL BE EXEMPT FROM AD VALOREM AND PRIVILEGE TAXES; TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 27-19-56.490, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE MISSISSIPPI STATE FLAG AS THE FLAG TO BE FEATURED ON THE DISTINCTIVE MOTOR VEHICLE LICENSE TAG ISSUED FOR THE BENEFIT OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY FOR THE OPERATION AND MAINTENANCE OF THE MISSISSIPPI MUSEUM OF HISTORY AND THE MISSISSIPPI CIVIL RIGHTS MUSEUM; TO AMEND SECTION 27-19-56.415, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF GRAMMY® MUSEUM MISSISSIPPI; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Henry Zuber III

Shane Aguirre

CONFEREES FOR THE SENATE

Josh Harkins

Neil S. Whaley

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 374** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 520** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 520: Use tax; revise certain provisions regarding funds distributed to municipalities/counties for road improvements.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Daniel H. Sparks

Derrick T. Simmons

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 520** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniell, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1091** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1091: Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-71-301, Mississippi Code of 1972, is amended as follows:

27-71-301. When used in this article the words and terms hereafter mentioned shall have the following definitions:

(a) "State Auditor" means the State Auditor of Public Accounts of the State of Mississippi or any legally appointed deputy, clerk or agent.

(b) "Person" includes all natural persons or corporations, a partnership, an association, a joint venture, an estate, a trust, or any other group or combination acting as a unit and shall include the plural as well as the singular unless an intention to give another meaning thereto is disclosed in the context.

(c) "Consumer" means a person who comes into the possession of beer, light spirit product or light wine, the sale of which is authorized by Chapter 3 of Title 67, Mississippi Code of 1972, for the purpose of consuming it, giving it away or otherwise disposing of it in any manner except by sale, barter or exchange.

(d) "Retailer" means any person who comes into the possession of such light wines, light spirit products or beer for the purpose of selling it to the consumer, or giving it away, or exposing it where it may be taken or purchased or acquired in any other manner by the consumer. The term "retailer" shall include small craft breweries and microbreweries; however, the term "retailer" shall not include a person who offers and provides beer on the premises of a brewery for the purpose of tasting or sampling as authorized in Section 67-3-47.

(e) "Wholesaler" means any person who comes into possession of such light wine, light spirit product or beer for the purpose of selling, distributing, or giving it away to retailers or other wholesalers or dealers inside or outside of this state.

(f) "Commissioner" means the Commissioner of Revenue of the Department of Revenue or his duly appointed agents or employees.

(g) "Sale" includes the exchange of such light wines, light spirit products or beer for money, or giving away or distributing any such light wines, light spirit products or beer for anything of value; however, the term "sale" shall not include beer offered and provided on the premises of a brewery for the purpose of tasting or sampling as authorized in Section 67-3-47.

(h) "Light wines, light spirit products or beer" means beer, light spirit products and light wines legalized for sale by the provisions of Chapter 3 of Title 67, Mississippi Code of 1972.

(i) "Distributor" includes every person who receives either from within or from without this state, from a brewery, a winery or any other source, light wines, light spirit products or beer as defined in Chapter 3 of Title 67, Mississippi Code of 1972, for the purpose of distributing or otherwise disposing of such light wines, light spirit products or beer to a wholesaler or retailer of such light wines, light spirit products or beer.

(j) "Brewpub" means the premises of any location in which light wine, light spirit product or beer is manufactured or brewed, for retail sale if the total amount of light wine, light spirit product or beer produced on the premises does not exceed the production limitation imposed in Section 67-3-22, and the light wine, light spirit product or beer is produced for consumption on the premises, although without prohibition on sales for off-premises consumption.

(k) "Hospitality cart" means a mobile cart from which alcoholic beverages and light wine, light spirit product and beer are sold on a golf course and for which a hospitality cart permit has been issued under Section 67-1-51.

(l) "Small craft brewery" shall have the meaning ascribed to such term in Section 67-3-3.

(m) "Manufacturer" means a person who brews beer at a brewery; however, the term does not include "brewpubs."

(n) "Microbrewery" shall have the meaning ascribed to such term in Section 67-3-3.

SECTION 2. Section 27-71-303, Mississippi Code of 1972, is amended as follows:

27-71-303. Upon each person approved for a permit to engage in the business of selling light wines, light spirit products or beer there is hereby imposed, levied and assessed, to be collected and paid as herein provided, annual privilege taxes in the following amounts:

(a) Retailers--for each place of
business.....\$ 30.00

(b) Wholesalers or distributors--for each
county\$ 100.00

(c) Manufacturers--for each place of
business.....\$1,000.00

(d) Brewpubs--for each place of

business.....\$1,000.00

(e) Microbrewery--for each place of

business.....\$1,000.00

(f) Small craft brewery--for each

place of business.....\$1,000.00

Upon each person operating an airline, bus, boat or railroad car upon which light wines, light spirit products or beer may be sold there is hereby imposed, levied and assessed, to be collected and paid, annual privilege taxes of Thirty Dollars (\$30.00) for each airplane, bus, boat or railroad car so operated in this state.

Provided, however, the amount of the privilege tax to be paid for a permit issued for a period of less than twelve (12) months shall be that proportionate amount of the annual privilege tax that the number of months, or part of a month, remaining until its expiration date bears to twelve (12) months, but in no case shall the privilege tax be less than Ten Dollars (\$10.00).

SECTION 3. Section 27-71-307, Mississippi Code of 1972, is amended as follows:

27-71-307. (1) (a) In addition to the specific tax imposed in Section 27-71-303, there is hereby imposed, levied, assessed and shall be collected, as hereinafter provided, an excise or privilege tax upon each person engaged or continuing in the business of wholesaler or distributor of light wines, light spirit products or beer equivalent to Forty-two and Sixty-eight One-hundredths Cents (42.68¢) per gallon upon all light wines, light spirit products and beer acquired for sale or distribution in this state. The excise or privilege tax is also imposed at the same rate upon each gallon of light wine, light spirit product or beer manufactured by brewpubs, each of which shall accurately and reliably measure the quantity of light wine, light spirit product and beer produced by using a measuring device such as a meter or gauge glass or any other suitable method approved by the commissioner. The excise or privilege tax is also imposed at the same rate upon each gallon of light wine, light spirit product or beer provided by a small craft brewery or microbrewery for sale as authorized under Section 67-3-48 and upon each gallon of light wine, light spirit product or beer provided for tasting or sampling under Section 67-3-47. The tax is hereby imposed as an additional tax for the privilege of engaging or continuing in business.

(b) The excise tax imposed in this section shall be paid to the Department of Revenue monthly on or before the fifteenth day of the month following the month in which the beer, light spirit product or light wine was manufactured or received in this state. Monthly report forms shall be furnished by the commissioner to the wholesalers, distributors, brewpubs, microbreweries and small craft breweries.

(c) Provided that persons operating a railroad dining car, club car or other car in interstate commerce upon which light wines, light spirit products or beer may be sold and who are licensed under the provisions of Section 67-3-27 and any other law relating to the sale of such beverages shall keep such records of the sales of such light wines, light spirit products and beer in this state as the commissioner shall prescribe and shall submit monthly reports of such sales to the commissioner within fifteen (15) days after the end of each month on a form prescribed therefor by the commissioner, and shall pay the tax due under the provisions of this section at the time such reports are filed.

No official crowns, lids, labels or stamps with the word "MISSISSIPPI" or "MS" imprinted thereon or any other evidence of tax payment is required by this section, or may be required under rule or regulation promulgated by the commissioner, to be affixed on or to any part of a beer, light wine, light spirit product or malt cooler bottle, can or other light wine, light spirit product or malt cooler container. For purposes of this section, malt cooler products shall be defined as a flavored malt beverage made from a

base of malt beverage and flavored with fruit juices, aromatics and essences of other flavoring in quantities and proportions such that the resulting product possesses a character and flavor distinctive from the base malt beverage and distinguishable from other malt beverages.

(2) A licensed wholesaler or distributor of beer, light spirit product or light wine may not import beer, light spirit product or light wine from any source other than a brewer or importer authorized by the commissioner to sell such beer, light spirit product or light wine in Mississippi. Any person who violates the provisions of this subsection, upon conviction thereof, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court and shall be subject to license forfeiture following an appropriate hearing before the Department of Revenue.

(3) The wholesaler, distributor, microbrewery or small craft brewery shall be allowed credit for tax paid on beer, light spirit product or light wine which is no longer marketable and which is destroyed by same when such destruction is witnessed by an agent of the commissioner and when the amount of the excise tax exceeds One Hundred Dollars (\$100.00). No other loss will be allowed.

A brewpub shall be allowed credit for light wine, light spirit product or beer which has passed through the meter, gauge glass or other approved measuring device and which has been soured or damaged. The brewpub shall record the removal of sour or damaged light wine, light spirit product or beer and may take credit after the destruction is witnessed by an agent of the commissioner and when the amount of excise tax exceeds Twenty-five Dollars (\$25.00). No other loss shall be allowed.

(4) All manufacturers, brewers and importers of beer, light spirit product or light wine shall file monthly reports as prescribed by the commissioner listing sales to each wholesaler or distributor by date, invoice number, quantity and container size, and any other information deemed necessary.

(5) All small craft breweries and microbreweries shall file monthly reports as prescribed by the commissioner regarding the sale of light wine, light spirit product or beer authorized under Section 67-3-48.

(6) Manufacturers who offer and provide limited amounts of beer for tasting or sampling under Section 67-3-47 shall file monthly reports as prescribed by the commissioner regarding the beer provided for such tasting or sampling.

(7) All administrative provisions of the Mississippi Sales Tax Law, including those which fix damages, penalties and interest for nonpayment of taxes and for noncompliance with the provisions of such chapter, and all other requirements and duties imposed upon taxpayers, shall apply to all persons liable for taxes under the provisions of this chapter, and the commissioner shall exercise all the power and authority and perform all the duties with respect to taxpayers under this chapter as are provided in the sales tax law except where there is conflict, then the provisions of this chapter shall control.

SECTION 4. Section 27-71-509, Mississippi Code of 1972, is amended as follows:

27-71-509. It shall be unlawful for any brewer, manufacturer, distributor or retailer of light wines, light spirit products or beer to whom a permit has been issued under the provisions of Sections 67-3-15 and 67-3-23, Mississippi Code of 1972, to write or print on any label or container of either of the above-named commodities any matter relating to the alcoholic content of such beverage or beverages, except a statement, to the effect that the contents of the vessel or container in which light wine shall be sold does not contain alcohol in excess of five percent (5%) of the contents thereof, by weight, that the contents of the vessel or container in which light spirit product shall be sold does not contain alcohol in excess of * * * six percent (6%) of the contents thereof, by weight, and that the contents of the vessel or container in which beer shall be sold does not contain alcohol in excess of eight percent (8%) of the contents thereof, by weight. It shall be unlawful for any such brewer, wholesaler, distributor or retailer to sell any such commodity with any statement in conflict with the provisions of this section, with reference to the alcoholic content of such beverage or beverages, except that a statement of alcoholic content may be expressed on any light wine, light spirit product or

beer label in terms of volume or weight, at the manufacturer's option; and such statement, if by volume, shall be subject to the same permitted tolerance allowed for wine containing fourteen percent (14%) alcohol by volume or less by Section 4.36(b)(1) of the Federal Labeling Requirements for Wine, 27 CFR Part 4, subpart D, and Section 7.71(c) 27 CFR Part 7, subpart G, and, if by weight, shall be subject to an equivalent permitted tolerance, determined in terms of alcohol by weight.

SECTION 5. Section 67-3-3, Mississippi Code of 1972, is amended as follows:

67-3-3. When used in this chapter, unless the context indicates otherwise:

(a) "Commissioner" means the Commissioner of Revenue of the Department of Revenue of the State of Mississippi, and his authorized agents and employees.

(b) "Person" means one or more persons, a company, a corporation, a partnership, a syndicate or an association.

(c) "Brewpub" shall have the meaning ascribed to such term in Section 27-71-301.

(d) "Beer" means a malt beverage as defined in the Federal Alcohol Administration Act and any rules and regulations adopted pursuant to such act of an alcoholic content of not more than eight percent (8%) by weight.

(e) "Light wine" means wine of an alcoholic content of not more than five percent (5%) by weight.

(f) "Small craft brewery" means a person having a permit under this chapter to manufacture or brew light wine, light spirit product or beer in this state and who manufactures or brews not more than sixty thousand (60,000) barrels of light wine, light spirit product or beer at all breweries that such person or its affiliates, subsidiary or parent company owns or controls or with whom such person contracts with for the manufacture of light wine, light spirit product or beer. For purposes of this paragraph, contract-brewed beer manufactured by a person having a permit under this chapter to manufacture or brew light wine, light spirit product or beer shall be included in the sixty-thousand-barrel limitation.

(g) "Growler" means a sealed container that holds not more than one hundred twenty-eight (128) ounces of light wine, light spirit product or beer. A growler must have a label on it stating what it contains.

(h) "Manufacturer" shall have the meaning ascribed to such term in Section 27-71-301.

(i) "Contract-brewed beer" means beer brewed by a manufacturer who:

(i) Makes the beer pursuant to a written contract with another beer manufacturer, and neither entity has a controlling interest in the other entity;

(ii) Makes the beer in accordance with a recipe that is a trade secret of the beer manufacturer having its beer made under contract; and

(iii) Has no right to sell the beer to any other beer manufacturer, importer or wholesaler other than the beer manufacturer who contracted for the beer.

(j) "Light spirit product" means a beverage of an alcoholic content of not more than * * * six percent (6%) by weight and containing one or more distilled spirits, as defined in Section 67-1-5.

(k) "Microbrewery" means a person having a permit under this chapter to manufacture or brew light wine, light spirit product or beer in this state and who manufactures or brews not more than three thousand (3,000) barrels of light wine, light spirit product or beer at its permitted location.

SECTION 6. Section 67-3-48, Mississippi Code of 1972, is amended as follows:

67-3-48. (1) A small craft brewery may sell at retail light wine, light spirit product or beer produced at its brewery for consumption on the premises of the brewery and consumption off the premises of the brewery if the sales are made on the premises of the brewery and the light wine, light spirit product or beer products offered for sale are also made available for sale to wholesalers.

(2) (a) A small craft brewery shall not sell at retail more than * * * twenty-five percent (25%) of the light wine, light spirit product or beer produced annually at its brewery or more than * * * two thousand five hundred (2,500) barrels of light wine, light spirit product or beer produced at the brewery annually, whichever is the lesser amount. For purposes of this subsection, contract-brewed beer shall not be included in the

amount of beer produced annually at the brewery. The light wine, light spirit product or beer must be sold at a price approximating retail prices generally charged for identical beverages in the county where the brewery is located.

(b) A small craft brewery shall not make retail sales of more than * * * six hundred seventy (670) ounces, in the aggregate, of light wine, light spirit product or beer to any one (1) individual for consumption off the premises of the brewery within a twenty-four-hour period.

(c) The limits on sales provided for in this subsection shall not apply to beer provided pursuant to Section 67-3-47.

(d) A microbrewery shall not sell at retail more than eighty percent (80%) of light wine, light spirit product or beer produced annually at its brewery. The light wine, light spirit product or beer must be sold at a price approximating prices generally charged for identical beverages in the county where the microbrewery is located.

(3) A small craft brewery or microbrewery shall take commercially reasonable steps to ensure that light wine, light spirit product or beer products sold for consumption off the premises of the brewery are being sold for personal use and not for resale and are not being sold to anyone holding a retail permit for the purpose of resale in their establishment.

(4) A small craft brewery or microbrewery shall not make retail sales of contract-brewed beer.

(5) A small craft brewery or microbrewery shall not mail or ship light wine, light spirit product or beer to a consumer.

SECTION 7. Section 67-3-49, Mississippi Code of 1972, is amended as follows:

67-3-49. (1) Except as otherwise provided in this section, it shall be unlawful for any brewer or manufacturer or distributor or wholesale dealer of or in light wines, light spirit products and/or beer to manufacture or knowingly bring upon his premises or keep thereon * * * any light spirit product of an alcoholic content of more than * * * six percent (6%) by weight, any beer of an alcoholic content of more than eight percent (8%) by weight * * *. Any person that shall add to or mix with any beer, light spirit product or light wine any alcoholic or other liquid, or any alcohol cube or cubes, or any other ingredient or ingredients that will increase or tend to increase the alcoholic content of such liquor, or any person that shall knowingly offer for sale any liquor so treated, shall be guilty of a misdemeanor and punished as hereinafter provided in this chapter. The commissioner shall take any action he considers necessary to ensure that light wine, light spirit product and/or beer manufactured at a brewpub complies with the provisions of this section.

(2) A brewer or manufacturer of light wine, light spirit product or beer may manufacture and keep upon his premises beer of an alcoholic content of more than eight percent (8%) by weight if the beer is manufactured for legal sale in another state.

SECTION 8. Section 67-3-45, Mississippi Code of 1972, is amended as follows:

67-3-45. No manufacturer, distributor or wholesale dealer to whom or to which this chapter applies shall:

(a) Make any loan, directly or indirectly, or furnish any fixtures of any kind, directly or indirectly, to any retail dealer in light wines, light spirit products and/or beer;

(b) Have any interest, direct or indirect, in the business of or in the furnishings or fixtures or in the premises used by any such retail dealer in connection with his or its business;

(c) Have any lien on any such property of any such retail dealer; or

(d) Sell light wines, light spirit products and/or beer to any such retail dealer on credit.

This section shall not apply to a brewpub licensed pursuant to Article 3, Chapter 71, Title 27, Mississippi Code of 1972, and shall not prohibit a microbrewery or small craft brewery licensed under Article 3, Chapter 71, Title 27, Mississippi Code of 1972, from being eligible to obtain a retail permit for the sale of beer, light wine or light spirit products on its premises.

SECTION 9. Section 67-3-55, Mississippi Code of 1972, is amended as follows:

67-3-55. (1) Except as otherwise provided in Section 67-1-41, it shall be unlawful for any retailer to possess for purpose of sale, to sell, or to offer to sell any light wine, light spirit product or beer which was not purchased from a wholesaler in this state who has a permit to sell such light wine, light spirit product or beer, except for beer, light

spirit product or light wine that was brewed on the premises of the retailer who holds a permit as a brewpub pursuant to Article 3, Chapter 71, Title 27, Mississippi Code of 1972.

(2) It shall be unlawful for any wholesaler to possess for purpose of sale, to sell, or to offer to sell any light wine, light spirit product or beer which was not purchased from a manufacturer or importer of a foreign manufacturer authorized to sell such light wine, light spirit product or beer in this state.

(3) This section shall not apply to:

(a) Beer offered and provided on the premises of a brewery for the purpose of tasting or sampling as authorized in Section 67-3-47; or

(b) Light wine, light spirit product or beer sold on the premises of a small craft brewery or microbrewery as authorized in Section 67-3-48.

SECTION 10. Section 67-1-51, Mississippi Code of 1972, as amended by House Bill No. 1135, 2021 Regular Session, House Bill No. 1288, 2021 Regular Session, Senate Bill No. 2606, 2021 Regular Session, Senate Bill No. 2435, 2021 Regular Session and House Bill No. 572, 2021 Regular Session, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and native spirits, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed

premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit

issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket

sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of

Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate-10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph (s).

(* * * t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 1 of House Bill No. 1135, 2021 Regular Session, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit

does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section 67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at the southeast corner of Ward and Tate Streets in the City of Senatobia, Mississippi.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 11. Section 67-3-9, Mississippi Code of 1972, as amended by House Bill No. 945, 2021 Regular Session, is amended as follows:

67-3-9. Any city in this state, having a population of not less than two thousand five hundred (2,500) according to the latest federal decennial census; or any city in this state having a population of not less than one thousand five hundred (1,500) according to the latest federal decennial census and located within three (3) miles of a city or county that permits the sale, receipt, storage and transportation for the purpose of sale of beer, light spirit product or light wine; or any city or town in this state having a population of not less than one thousand (1,000) according to the latest federal decennial census and located in a county that has no city or town with a population of more than two thousand five hundred (2,500); or any city, town or village that is a county seat and has voted to come out from under the dry law under Section 67-1-14; at an election held for the purpose, under the election laws applicable to such city, may either prohibit or permit, except as otherwise provided under Section 67-9-1, the sale and the receipt, storage and transportation for the purpose of sale of beer, light spirit product and light wine. An election to determine whether such sale shall be permitted in cities wherein its sale is prohibited by law shall be ordered by the city or town council or mayor and board of aldermen or other governing body of such city or town for such city or town only, upon the presentation of a petition for such city or town to such governing board containing the names of twenty percent (20%) or fifteen hundred (1,500), whichever number is the lesser, of the duly qualified voters of such city or town asking for such election. In like manner, an election to determine whether such sale shall be prohibited in cities wherein its sale is permitted by law shall be ordered by the city council or mayor and board of aldermen or other governing board of such city for such city only, upon the presentation of a petition to such governing board containing the names of twenty percent (20%) of the duly qualified voters of such city asking for such election. No election on either question shall be held by any one (1) city more often than once in five (5) years.

Thirty (30) days' notice shall be given to the qualified electors of such city or town in the manner prescribed by law upon the question of either permitting or prohibiting such sale, and the notice shall contain a statement of the question to be voted on at the election. The tickets to be used in the election shall have the following words printed thereon: "For the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than * * * six percent (6%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight"; and the words "Against the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than * * * six percent (6%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight," next below. In making up his or her ticket the voter shall make a cross (X) opposite the words of his choice.

If in the election a majority of the qualified electors voting in the election shall vote "For the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than * * * six percent (6%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight," then the city or town council or mayor and board of aldermen or other governing body shall pass the necessary order permitting the legal sale of such light wine, light spirit product and beer in such city or town. If in the election a majority of the qualified electors voting in the election shall vote "Against the legal sale of light wine of an alcoholic content of not more than five percent (5%) by weight, light spirit product of an alcoholic content of not more than * * * six percent (6%) by weight, and beer of an alcoholic content of not more than eight percent (8%) by weight," then the city council or mayor and board of aldermen or other governing body shall pass the necessary order prohibiting the sale of such light wine, light spirit product and beer in such city.

All laws or parts of laws in conflict with this section are hereby repealed to the extent of such conflict only, this section being cumulative and supplementary.

SECTION 12. Section 67-3-17, Mississippi Code of 1972, is amended as follows:

67-3-17. (1) Any person desiring to engage in any business taxable under Sections 27-71-303 through 27-71-317, Mississippi Code of 1972, either as a retailer, or as a wholesaler or distributor, or as a manufacturer, of light wines, light spirit products or beer, shall file with the commissioner an application for a permit allowing him to engage in such business. The application for a permit shall contain a statement showing the name of the business, and if a partnership, firm, association or limited liability company, the name of each partner or member, and if a corporation the names of two (2) principal officers, the post office address, and the nature of business in which engaged. In case any business is conducted at two (2) or more separate places, a separate permit for each place of business shall be required. The commissioner shall prescribe the form of the application and designate who is required to sign the application. The application shall be signed under penalty of perjury.

(2) The application shall include a statement that the applicant will not, except as otherwise authorized in this chapter, allow any alcoholic beverages as defined in Section 67-1-5, any beer having an alcoholic content of more than eight percent (8%) by weight, any spirit product having an alcoholic content of more than * * * six percent (6%) by weight, or any wine having an alcoholic content of more than five percent (5%) by weight, to be kept, stored or secreted in or on the premises described in such permit or license, and that the applicant will not otherwise violate any law of this state, or knowingly allow any other person to violate any such law, while in or on such premises.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 13. Section 67-3-28, Mississippi Code of 1972, is amended as follows:

67-3-28. (1) Any person desiring to engage in business as a brewpub shall file with the commissioner, along with the application required by Section 67-3-17, Mississippi Code of 1972, a certificate issued by a licensed testing laboratory indicating that such laboratory has tested a sample of the applicant's beer, light spirit product or light wine, or a combination thereof, and that the alcohol content of such sample of beer does not exceed eight percent (8%) by weight, and the alcohol content of such sample of light spirit product does not exceed * * * six percent (6%) by weight, and the alcoholic content of such sample of light wine does not exceed five percent (5%) by weight.

(2) Every brewpub shall be required to submit to random testing by the commissioner to determine whether any beer being manufactured, sold, kept, stored or secreted by the license holder contains an alcohol content greater than eight percent (8%) by weight, and light spirit product being manufactured, sold, kept, stored or secreted by the license holder contains an alcoholic content greater than * * * six percent (6%) by weight, and any light wine being manufactured, sold, kept, stored or secreted by the license holder contains an alcoholic content greater than five percent (5%) by weight. The commissioner shall establish and administer testing standards and procedures to be used in such random testing. The brewpub licensee shall be responsible for all costs incurred by the commissioner in conducting random testing under this section.

SECTION 14. Section 67-1-5, Mississippi Code of 1972, as amended by Senate Bill No. 2606, 2021 Regular Session, and House Bill No. 572, 2021, Regular Session, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than * * * six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not

limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

- (i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;
- (ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;
- (iii) Maintained by its members through the payment of annual dues;
- (iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;
- (v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and
- (vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages;

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no

public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

- a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,
- b. For a fee is used to host events such as weddings, reunions and conventions,
- c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and
- d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

- a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen (18) hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,
- b. Used for the purpose of providing meals and hosting events, and
- c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

- a. Consist of at least eight thousand (8,000) square feet being heated and cooled,
- b. For a fee is used to host events,
- c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen (18) hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

* * * A. In a county that has voted to come out from under the dry law,

* * * B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

* * * C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located * * *;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84 * * *;

23. Any tracts of land in Oktibbeha County, situated * * * west of Mississippi * * * Highway 12, north of Coliseum Boulevard * * *, east of * * *

George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning * * *; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities offering alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities offering alcoholic beverages for sale may be located;

25. A municipality through which run Mississippi Highway 35 and Interstate 20; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities offering alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities offering alcoholic beverages for sale may be located;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi; and

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in subparagraph (iii) of this paragraph (o) as qualified resort areas does not require any declaration of same by the department.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this chapter unless on the date of the initial application for a license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

SECTION 15. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-71-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "RETAILER" AND TO DEFINE THE TERM "MICROBREWERY" FOR PURPOSES OF THE LAWS THAT RELATE TO LICENSE AND EXCISE TAXES ON LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER; TO AMEND SECTION 27-71-303, MISSISSIPPI CODE OF 1972, TO IMPOSE A PRIVILEGE TAX ON HOLDERS OF MICROBREWERY AND SMALL CRAFT BREWERY PERMITS; TO AMEND SECTION 27-71-307, MISSISSIPPI CODE OF 1972, TO IMPOSE AN EXCISE TAX ON LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PROVIDED BY MICROBREWERIES; TO AMEND SECTION 27-71-509, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT FOR LIGHT SPIRIT PRODUCTS THAT MAY BE MANUFACTURED, DISTRIBUTED AND SOLD; TO AMEND SECTION 67-3-3, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT PERTAINING TO THE DEFINITION OF THE TERM "LIGHT SPIRIT PRODUCT," AND TO DEFINE THE TERM "MICROBREWERY" FOR PURPOSES OF THE LAWS REGULATING THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER; TO AMEND SECTION 67-3-48, MISSISSIPPI CODE OF 1972, TO REVISE THE AMOUNT OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PRODUCED AT A SMALL CRAFT BREWERY THAT THE BREWERY MAY SELL AT RETAIL; TO LIMIT THE AMOUNT OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PRODUCED AT A MICROBREWERY THAT THE MICROBREWERY MAY SELL AT RETAIL; TO AMEND SECTION 67-3-49, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT FOR LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER THAT MAY BE LAWFULLY MANUFACTURED AND DISTRIBUTED; TO AMEND SECTION 67-3-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROHIBITIONS IN SUCH SECTION SHALL NOT PROHIBIT A MICROBREWERY OR SMALL CRAFT BREWERY FROM BEING ELIGIBLE TO OBTAIN A RETAIL PERMIT FOR THE SALE OF BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCTS ON ITS PREMISES; TO AMEND SECTION 67-3-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROHIBITIONS RELATING TO THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER SHALL NOT APPLY TO LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER SOLD ON THE PREMISES OF A MICROBREWERY; TO AMEND SECTION 67-1-51,

MISSISSIPPI CODE OF 1972, TO AUTHORIZE SMALL CRAFT BREWERIES AND MICROBREWERIES TO OBTAIN ON-PREMISES RETAILER'S PERMITS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTIONS 67-3-9, 67-3-17 AND 67-3-28, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE INCREASED ALCOHOL CONTENT FOR LIGHT SPIRIT PRODUCTS; TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "DISTILLED SPIRITS"; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Jody Steverson
Henry Zuber III
Brent Powell

CONFEREES FOR THE SENATE

Josh Harkins
Nicole Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1091** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Nays--Branning, Chism, Frazier, Norwood, Parker, Tate. Total--6.

Absent and those not voting--Polk. Total--1.

Voting Present--Jackson S. (32nd). Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1095** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1095: Department of Revenue; authorize to compromise and settle certain tax liabilities.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Commissioner of Revenue shall develop procedures for the receipt and consideration of offers to compromise and settle doubtful claims as defined in Section 31-19-27. If the commissioner makes a determination that a finally determined tax liability is a doubtful claim as defined in Section 31-19-27 and should be settled and compromised, that recommendation shall be made to the Governor as provided in Section 31-19-29.

(2) Upon the advice of the Attorney General, the Commissioner of Revenue is authorized to enter into an agreement with a taxpayer under which a finally determined tax liability that is a doubtful claim is settled and compromised. The settlement agreement shall be binding and a taxpayer's liabilities for taxes, interest and penalties will be fully and finally compromised. If the Commissioner of Revenue later determines that the taxpayer misrepresented, whether intentionally or not, the financial condition of the taxpayer or any property belonging to the taxpayer or other person liable for the tax, all compromised liabilities may be reestablished without regard to any statute of limitations that otherwise may be applicable.

(3) The Commissioner of Revenue and the Department of Revenue may discuss with and provide the Attorney General or his designated representative with information related to an offer to compromise and settle any doubtful claim under this section. Such discussions shall be subject to the confidentiality requirements of Sections 27-3-73, 27-7-83, 27-13-57 and/or 27-65-81, as the case may be.

(4) The Commissioner of Revenue shall have all powers necessary to implement and administer this section, and shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 2. Section 31-19-27, Mississippi Code of 1972, is amended as follows:

31-19-27. (1) A doubtful claim of the state, or of the county, city, town, village, or levee board is one for which judgment has been rendered and for the collection of which the ordinary process of law has been ineffectual; debts due by drainage districts or other taxing districts or sinking funds to counties under the Rehabilitation Act of 1928, being Chapter 88 * * *, Laws of 1928, and Chapter 16 of the Acts of the Special Session of 1931; those debts due counties by drainage districts, which the Reconstruction Finance Corporation has heretofore refused to refinance; debts due for sixteenth section township school fund loans made to churches, where the board of supervisors finds that the value of the security given therefor is insufficient or inadequate to pay or satisfy the principal and interest of said loan, and when the church repays the principal of said loan; and debts due by counties and townships to drainage districts for drainage district assessments or taxes levied and assessed upon sixteenth section lands.

(2) For the purposes of Section 1 of this act, a doubtful claim is one for which a notice of tax lien has been enrolled in the Uniform State Tax Lien registry for a finally determined tax liability and for the collection of which the ordinary process of law has been ineffectual.

SECTION 3. Section 31-19-29, Mississippi Code of 1972, is amended as follows:

31-19-29. The Governor, on the advice of the Attorney General or * * * Commissioner of Revenue of the * * * Department of Revenue, may, upon application of the defendant or debtor proposing a compromise, settle and compromise any doubtful claim, as described in Section 31-19-27(1), of the state, or of any county, city, town, or village, or of any levee board against such defendant or debtor, upon such terms as he may deem proper, the board of supervisors in the case of a county, and the municipal authorities in the case of a city, town or village, and the levee board in the case of a claim of a levee board, concurring therein. The Governor, upon application of a drainage district having obligations outstanding to a county under the provisions of Chapter 88, Laws of 1928, and Chapter 16, Laws of the Extraordinary Session of 1931, or obligations which the Reconstruction Finance Corporation has heretofore refused to refinance, may settle and compromise any claim, debt or obligation that said drainage district may owe any county in the State of Mississippi for money loaned said district under the provisions of said Chapter 88, Laws of 1928, or any other claim, debt or obligation that said drainage district may owe the county which the Reconstruction Finance Corporation has heretofore refused to finance, if the board of supervisors of said county concurs in the application of

the drainage district. The Governor, upon application by the board of supervisors for any taxing districts of said county or sinking funds of said county under the control and supervision of said board of supervisors having obligations outstanding and due to said county under the provisions of Chapter 88, Laws of 1928, and Chapter 16, Laws of the Extraordinary Session of 1931, may settle and compromise any claim, debt, or obligation that said taxing districts or sinking funds may owe said county for money loaned said taxing districts or sinking funds under the provisions of said Chapter 88, Laws of 1928; and provided that the Governor, on the advice of the Attorney General, and upon application of a church owing a sixteenth section township school fund loan, may settle and compromise such debt or obligation if the board of supervisors of the said county concurs in the application of the said church. The Governor may, on the advice of the Attorney General, in like manner compromise and settle a claim of a drainage district for unpaid assessments or taxes upon sixteenth section lands upon application of the board of supervisors wherein such sixteenth section is situated, if the commissioners of the drainage district concur therein.

SECTION 4. Section 27-3-73, Mississippi Code of 1972, is amended as follows:

27-3-73. (1) Except in accordance with proper judicial order or as otherwise provided in this section or as authorized in Section 27-4-3, it shall be unlawful for the Commissioner of Revenue, or any deputy, agent, clerk or other officer or employee of the Department of Revenue, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required on any taxes collected by reports received by the Department of Revenue. This provision relates to all taxes collected by the Department of Revenue and not referred to in Sections 27-7-83, 27-13-57 and 27-65-81, requiring confidentiality of income tax, franchise tax and sales tax returns. All system edits, thresholds, and any other automated system calculations used by the Department of Revenue in the processing of returns or statistics or used to determine the correct tax due for all taxes administered by the department shall be considered confidential information and may not be divulged or made known. Nothing in this section shall be construed to prohibit the publication of statistics, so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the Attorney General, or any other attorney representing the state, of the report or return of any taxpayer who shall bring action to set aside the tax thereon, or against whom an action or proceeding has been instituted to recover any tax or penalty imposed. Additionally, nothing in this section shall prohibit the Commissioner of Revenue from making available information necessary to recover taxes owing the state pursuant to the authority granted in Section 27-75-16.

The term "proper judicial order" as used in this section shall not include subpoenas or subpoenas duces tecum but shall include only those orders entered by a court of record in this state after furnishing notice and a hearing to the taxpayer and the Department of Revenue. The court shall not authorize the furnishing of such information unless it is satisfied that the information is needed to pursue pending litigation wherein the return itself is in issue, or the judge is satisfied that the need for furnishing the information outweighs the rights of the taxpayer to have such information secreted.

However, information relating to possible tax liability to other states or the federal government may be furnished to the revenue departments of those states or the federal government when the states or federal government grant a like comity to Mississippi.

(2) The State Auditor and the employees of his office shall have the right to examine only such tax returns as are necessary for auditing the Department of Revenue, and the same prohibitions against disclosure which apply to the Department of Revenue shall apply to the State Auditor and his office.

(3) Officers and employees of the Mississippi Development Authority who execute a confidentiality agreement with the Department of Revenue shall be authorized to discuss and examine information to which this section applies at the offices of the Mississippi

Department of Revenue. This disclosure is limited to information necessary to properly administer the programs under the jurisdiction of the Mississippi Development Authority. The Department of Revenue is authorized to disclose to officers and employees of the Mississippi Development Authority who execute a confidentiality agreement the information necessary under the circumstances. The same prohibitions against disclosure which apply to the Department of Revenue shall apply to the officers or employees of the Mississippi Development Authority.

(4) Information required by the University Research Center to prepare the analyses required by Sections 57-13-101 through 57-13-109 shall be furnished to the University Research Center upon request. It shall be unlawful for any officer or employee of the University Research Center to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the center from the Department of Revenue other than as may be required by Sections 57-13-101 through 57-13-109 in an analysis prepared pursuant to Sections 57-13-101 through 57-13-109.

(5) Information required by the Mississippi Development Authority to prepare the reports required by Section 57-1-12.2 shall be furnished to the Mississippi Development Authority upon request. It shall be unlawful for any officer or employee of the Mississippi Development Authority to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Mississippi Development Authority from the Department of Revenue other than as may be required by Section 57-1-12.2 in a report prepared pursuant to Section 57-1-12.2.

(6) Information necessary to comply with Chapter 13, Title 85, may be furnished to financial institutions. It shall be unlawful for any officer or employee of the financial institution to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the financial institution from the Department of Revenue other than as may be authorized by Chapter 13, Title 85.

(7) The Commissioner of Revenue and the Department of

Revenue are authorized to discuss with and provide the Attorney General or his designated representative with information related to an offer to compromise and settle any doubtful claim regarding a finally determined tax liability as authorized by Section 1 of this act. It shall be unlawful for the Attorney General or any officer or employee of the Attorney General to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Attorney General's office from the Commissioner of Revenue or Department of Revenue other than as may be required by Section 1 of this act.

(** *8) Any person who violates the provisions of this section shall be guilty of a misdemeanor and, on conviction thereof, shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than six (6) months in the county jail, or both.

(** *9) The Commissioner of Revenue and the Department of Revenue are authorized to disclose to the Child Support Unit and to the Fraud Investigation Unit of the Department of Human Services without the need for a subpoena or proper judicial order the name, address, social security number, amount of income, amount of sales tax, source of income, assets and other relevant information, records and tax forms for individuals who are delinquent in the payment of any child support as defined in Section 93-11-101 or who are under investigation for fraud or abuse of any state or federal program or statute as provided in Section 43-1-23.

SECTION 5. Section 27-7-83, Mississippi Code of 1972, is amended as follows:

27-7-83. (1) Returns and return information filed or furnished under the provisions of this chapter shall be confidential, and except in accordance with proper judicial order, as otherwise authorized by this section, as authorized in Section 27-4-3 or as authorized under Section 27-7-821, it shall be unlawful for the Commissioner of Revenue or any deputy, agent, clerk or other officer or employee of the Department of Revenue or the Mississippi Department of Information Technology Services, or any former employee thereof, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required. The provisions of this section shall apply fully to any federal return, a copy of any portion of a federal return, or any information reflected on a federal return which is attached to or made a part of the state tax return. Likewise, the provisions of this section shall apply to any federal return or portion thereof, or to any federal return information data which is acquired from the Internal Revenue Service for state tax administration purposes pursuant to the Federal-State Exchange Program cited at Section 6103, Federal Internal Revenue Code. The term "proper judicial order" as used in this section shall not include subpoenas or subpoenas duces tecum, but shall include only those orders entered by a court of record in this state after furnishing notice and a hearing to the taxpayer and the Department of Revenue. The court shall not authorize the furnishing of such information unless it is satisfied that the information is needed to pursue pending litigation wherein the return itself is in issue, or the judge is satisfied that the need for furnishing the information outweighs the rights of the taxpayer to have such information secreted.

(2) Returns and return information with respect to taxes imposed by this chapter shall be open to inspection by or disclosure to the Commissioner of the Internal Revenue Service of the United States, or the proper officer of any state imposing an income tax similar to that imposed by this chapter, or the authorized representatives of such agencies. Such inspection shall be permitted, or such disclosure made, only upon written request by the head of such agencies, or the district director in the case of the Internal Revenue Service, and only to the representatives of such agencies designated in a written statement to the Commissioner of Revenue as the individuals who are to inspect or to receive the return or return information on behalf of such agency. The Commissioner of Revenue is authorized to enter into agreements with the Internal Revenue Service and with other states for the exchange of returns and return information data, or the disclosure of returns or return information data to such agencies, only to the extent that the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper officer of this state charged with the administration of the tax laws of this state.

(3) (a) The return of a person shall, upon written request, be open to inspection by or disclosure to:

(i) In the case of the return of an individual, that individual;

(ii) In the case of an income tax return filed jointly, either of the individuals with respect to whom the return is filed;

(iii) In the case of the return of a partnership, any person who was a member of such partnership during any part of the period covered by the return;

(iv) In the case of the return of a corporation or a subsidiary thereof, any person designated by resolution of its board of directors or other similar governing body, or any officer or employee of such corporation upon written request signed by any principal officer and attested to by the secretary or other officer;

(v) In the case of the return of an estate, the administrator, executor or trustee of such estate, and any heir at law, next of kin or beneficiary under the will, of the decedent, but only to the extent that such latter persons have a material interest which will be affected by information contained therein;

(vi) In the case of the return of a trust, the trustee or trustees, jointly or separately, and any beneficiary of such trust, but only to the extent that such beneficiary has a material interest which will be affected by information contained therein;

(vii) In the case of the return of an individual or a return filed jointly, any claimant agency or claimant local government seeking to collect a debt through the setoff procedure established in Sections 27-7-701 through 27-7-713, Sections 27-7-501 through 27-7-519 and/or Sections 27-7-801 through 27-7-823, as the case may be, from an individual with respect to whom the return is filed.

(b) If an individual described in paragraph (a) is legally incompetent, the applicable return shall, upon written request, be open to inspection by or disclosure to the committee, trustee or guardian of his estate.

(c) If substantially all of the property of the person with respect to whom the return is filed is in the hands of a trustee in bankruptcy or receiver, such return or returns for prior years of such person shall, upon written request, be open to inspection by or disclosure to such trustee or receiver, but only if the Commissioner of Revenue finds that such receiver or trustee, in his fiduciary capacity, has a material interest which will be affected by information contained therein.

(d) Any return to which this section applies shall, upon written request, also be open to inspection by or disclosure to the attorney-in-fact duly authorized in writing by any of the persons described in paragraph (a) of this subsection to inspect the return or receive the information on his behalf, subject to the conditions provided in paragraph (a).

(e) Return information with respect to any taxpayer may be open to inspection by or disclosure to any person authorized by this subsection to inspect any return of such taxpayer if the Commissioner of Revenue determines that such disclosure would not seriously impair state tax administration.

(4) The State Auditor and the employees of his office shall have the right to examine only such tax returns as are necessary for auditing the Department of Revenue and auditing benefits administered under the United States Department of Health and Human Services and the United States Department of Agriculture. The State Auditor and the employees of his office may make information related to auditing such benefits available to and may exchange the information with state agencies responsible for the administration of the benefits. Except as otherwise provided in this subsection (4), the same prohibitions against disclosure which apply to the Department of Revenue shall apply to the State Auditor and his employees or former employees.

(5) Officers and employees of the Mississippi Development Authority who execute a confidentiality agreement with the Department of Revenue shall be authorized to discuss and examine information to which this section applies at the offices of the Mississippi Department of Revenue. This disclosure is limited to information necessary to properly administer the programs under the jurisdiction of the Mississippi Development Authority. The Department of Revenue is authorized to disclose to officers and employees of the Mississippi Development Authority who execute a confidentiality agreement the information necessary under the circumstances. The same prohibitions against disclosure which apply to the Department of Revenue shall apply to the officers or employees of the Mississippi Development Authority.

(6) Information required by the University Research Center to prepare the analyses required by Sections 57-13-101 through 57-13-109 shall be furnished to the University Research Center upon request. It shall be unlawful for any officer or employee of the University Research Center to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the center from the Department of Revenue other than as may be required by Sections 57-13-101

through 57-13-109 in an analysis prepared pursuant to Sections 57-13-101 through 57-13-109.

(7) Information required by the Mississippi Development Authority to prepare the reports required by Section 57-1-12.2 shall be furnished to the Mississippi Development Authority upon request. It shall be unlawful for any officer or employee of the Mississippi Development Authority to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Mississippi Development Authority from the Department of Revenue other than as may be required by Section 57-1-12.2 in a report prepared pursuant to Section 57-1-12.2.

(8) Information necessary to comply with Chapter 13, Title 85, may be furnished to financial institutions. It shall be unlawful for any officer or employee of the financial institution to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the financial institution from the Department of Revenue other than as may be authorized by Chapter 13, Title 85.

(9) The Commissioner of Revenue and the Department of Revenue are authorized to discuss with and provide the Attorney General or his designated representative with information related to an offer to compromise and settle any doubtful claim regarding a finally determined tax liability as authorized by Section 1 of this act. It shall be unlawful for the Attorney General or any officer or employee of the Attorney General to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Attorney General's office from the Commissioner of Revenue or Department of Revenue other than as may be required by Section 1 of this act.

(** *10) Nothing in this section shall be construed to prohibit the publication of statistics, so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the Attorney General, or any other attorney representing the state, of the report or return of any taxpayer who shall bring action to set aside the tax thereon, or against whom any action or proceeding has been instituted to recover any tax or penalty imposed.

(** *11) Nothing in this section shall prohibit the commissioner from making available information necessary to recover taxes owing the state pursuant to the authority granted in Section 27-75-16.

(** *12) Reports and returns required under the provisions of this chapter shall be preserved in accordance with approved records control schedules. No records, however, may be destroyed without the approval of the Director of the Department of Archives and History.

(** *13) The Department of Revenue is authorized to disclose to the Child Support Unit and to the Fraud Investigation Unit of the Department of Human Services without the need for a subpoena or proper judicial order the name, address, social security number, amount of income, source of income, assets and other relevant information, records and tax forms for individuals who are delinquent in the payment of any child support as defined in Section 93-11-101 or who are under investigation for fraud or abuse of any state or federal program or statute as provided in Section 43-1-23.

(** *14) Nothing in this section shall prohibit the Department of Revenue from exchanging information with the federal government that is necessary to offset income tax refund payment on debts owed to this state or the United States.

(** *15) Nothing in this section shall prohibit the department from making available information that is necessary to be disclosed for the administration and enforcement of Section 27-7-87.

SECTION 6. Section 27-13-57, Mississippi Code of 1972, is amended as follows:

27-13-57. (1) Except in accordance with the proper judicial order, or as otherwise provided in this section or as authorized in Section 27-4-3, it shall be unlawful for the Commissioner of Revenue or any deputy, agent, clerk or other officer or employee of the Department of Revenue to divulge or make known in any manner any particulars set forth or disclosed in any report or return required under this chapter. When a combined report or return is filed as authorized by Section 27-13-17(5), each report or return which composes the combined return shall be considered separate for the purpose of any examinations authorized in this section and only particulars relating to the specific return or report set forth in the judicial order or as otherwise provided shall be considered lawfully divulged. The term "proper judicial order" as used in this section shall not include subpoenas or subpoenas duces tecum, but shall include only those orders entered by a court of record in this state after furnishing notice and a hearing to the taxpayer and the Department of Revenue. The court shall not authorize the furnishing of such information unless it is satisfied that the information is needed to pursue pending litigation wherein the return itself is in issue, or the judge is satisfied that the need for furnishing the information outweighs the rights of the taxpayer to have such information secreted. Nothing in this section shall be construed to prohibit the publication of statistics, so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the Attorney General or any other attorney representing the state of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted to recover any tax or penalty imposed by this chapter. Reports and returns shall be preserved in accordance with approved records control schedules. No records, however, may be destroyed without the approval of the Director of the Department of Archives and History.

However, information relating to possible tax liability of other states or the federal government may be furnished to the revenue department of those states or the federal government when those states or the federal government grant a like comity to Mississippi.

(2) The State Auditor and the employees of his office shall have the right to examine only such tax returns as are necessary for auditing the Department of Revenue, and the same prohibitions against disclosure which apply to the Department of Revenue shall apply to the State Auditor and his office.

(3) Officers and employees of the Mississippi Development Authority who execute a confidentiality agreement with the Department of Revenue shall be authorized to discuss and examine information to which this section applies at the offices of the Mississippi Department of Revenue. This disclosure is limited to information necessary to properly administer the programs under the jurisdiction of the Mississippi Development Authority. The Department of Revenue is authorized to disclose to officers and employees of the Mississippi Development Authority who execute a confidentiality agreement the information necessary under the circumstances. The same prohibitions against disclosure which apply to the Department of Revenue shall apply to the officers or employees of the Mississippi Development Authority.

(4) Information required by the University Research Center to prepare the analyses required by Sections 57-13-101 through 57-13-109 shall be furnished to the University Research Center upon request. It shall be unlawful for any officer or employee of the University Research Center to divulge or make known in any manner any particulars set forth or disclosed in any information received by the center from the Department of Revenue other than as may be required by Sections 57-13-101 through 57-13-109 in an analysis prepared pursuant to Sections 57-13-101 through 57-13-109.

(5) Information required by the Mississippi Development Authority to prepare the reports required by Section 57-1-12.2 shall be furnished to the Mississippi Development Authority upon request. It shall be unlawful for any officer or employee of the Mississippi Development Authority to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Mississippi Development Authority from the Department of Revenue other than as may be required by Section 57-1-12.2 in a report prepared pursuant to Section 57-1-12.2.

(6) Information necessary to comply with Chapter 13, Title 85 may be furnished to financial institutions. It shall be unlawful for any officer or employee of the financial institution to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the financial institution from the Department of Revenue other than as may be authorized by Chapter 13, Title 85.

(7) The Commissioner of Revenue and the Department of Revenue are authorized to discuss with and provide the Attorney General or his designated representative with information related to an offer to compromise and settle any doubtful claim regarding a finally determined tax liability as authorized by Section 1 of this act. It shall be unlawful for the Attorney General or any officer or employee of the Attorney General to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Attorney General's office from the Commissioner of Revenue or Department of Revenue other than as may be required by Section 1 of this act.

(** *8) Nothing in this section shall prohibit the Commissioner of Revenue from making available information necessary to recover taxes owing the state pursuant to the authority granted in Section 27-75-16, Mississippi Code of 1972.

(** *9) Any person violating the provisions of this section shall be guilty of a misdemeanor and, on conviction, shall be punished by a fine of not exceeding Five Hundred Dollars (\$500.00), or by imprisonment not exceeding one (1) year, or both, at the discretion of the court, and if the offender be an officer or employee of the state he shall be dismissed from office and be incapable of holding any public office in this state for a period of five (5) years thereafter.

SECTION 7. Section 27-65-81, Mississippi Code of 1972, is amended as follows:

27-65-81. (1) Applications, returns and information contained therein filed or furnished under this chapter shall be confidential, and except in accordance with proper judicial order, or as otherwise authorized by this section or as authorized by Section 27-4-3, it shall be unlawful for the Commissioner of Revenue or any deputy, agent, clerk or other officer or employee of the Department of Revenue or Department of Information Technology Services, or any former employee thereof, to divulge or make known in any manner the amount of income or any particulars set forth or disclosed on any application, report or return required.

The term "proper judicial order" as used in this section shall not include subpoenas or subpoenas duces tecum but shall include only those orders entered by a court of record in this state after furnishing notice and a hearing to the taxpayer and the Department of Revenue. The court shall not authorize the furnishing of such information unless it is satisfied that the information is needed to pursue pending litigation wherein the return itself is in issue, or the judge is satisfied that the need for furnishing the information outweighs the rights of the taxpayer to have such information secreted.

(2) Such information contained on the application, returns or reports may be furnished to:

(a) Members and employees of the Department of Revenue and the income tax department thereof, for the purpose of checking, comparing and correcting returns;

(b) The Attorney General, or any other attorney representing the state in any action in respect to the amount of tax under the provisions of this chapter;

(c) The revenue department of other states or the federal government when said states or federal government grants a like comity to Mississippi.

(3) The State Auditor and the employees of his office shall have the right to examine only such tax returns as are necessary for auditing the Department of Revenue, and the same prohibitions against disclosure which apply to the Department of Revenue shall apply to the State Auditor and his office.

(4) Officers and employees of the Mississippi Development Authority who execute a confidentiality agreement with the Department of Revenue shall be authorized to discuss and examine information to which this section applies at the offices of the Mississippi Department of Revenue. This disclosure is limited to information necessary to properly administer the programs under the jurisdiction of the Mississippi Development Authority. The Department of Revenue is authorized to disclose to officers and employees of the Mississippi Development Authority who execute a confidentiality agreement the information necessary under the circumstances. The same prohibitions against disclosure which apply to the Department of Revenue shall apply to the officers or employees of the Mississippi Development Authority.

(5) Information required by the University Research Center to prepare the analyses required by Sections 57-13-101 through 57-13-109 shall be furnished to the University Research Center upon request. It shall be unlawful for any officer or employee of the University Research Center to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the center from the Department of Revenue other than as may be required by Sections 57-13-101 through 57-13-109 in an analysis prepared pursuant to Sections 57-13-101 through 57-13-109.

(6) Information required by the Mississippi Development Authority to prepare the reports required by Section 57-1-12.2 shall be furnished to the Mississippi Development Authority upon request. It shall be unlawful for any officer or employee of the Mississippi Development Authority to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Mississippi Development Authority from the Department of Revenue other than as may be required by Section 57-1-12.2 in a report prepared pursuant to Section 57-1-12.2.

(7) Information necessary to comply with Chapter 13, Title 85, may be furnished to financial institutions. It shall be unlawful for any officer or employee of the financial institution to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the financial institution from the Department of Revenue other than as may be authorized by Chapter 13, Title 85.

(8) The Commissioner of Revenue and the Department of Revenue are authorized to discuss with and provide the Attorney General or his designated representative with information related to an offer to compromise and settle any doubtful claim regarding a finally determined tax liability as authorized by Section 1 of this act. It shall be unlawful for the Attorney General or any officer or employee of the Attorney General to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any information received by the Attorney General's office from the Commissioner of Revenue or Department of Revenue other than as may be required by Section 1 of this act.

(** *9) Nothing in this section shall prohibit the Commissioner of Revenue from making available information necessary to recover taxes owing the state pursuant to the authority granted in Section 27-75-16.

(** *10) The Department of Revenue is authorized to disclose to the Child Support Unit and to the Fraud Investigation Unit of the Department of Human Services without the need for a subpoena or proper judicial order the name, address, social security number, amount of income, amount of sales tax, source of income, assets and other relevant information, records and tax forms for individuals who are delinquent in the payment of any child support as defined in Section 93-11-101 or who are under investigation for fraud or abuse of any state or federal program or statute as provided in Section 43-1-23.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE COMMISSIONER OF REVENUE TO DEVELOP PROCEDURES FOR THE RECEIPT AND CONSIDERATION OF OFFERS TO COMPROMISE AND SETTLE FINALLY DETERMINED TAX LIABILITIES THAT ARE DOUBTFUL CLAIMS; TO AUTHORIZE THE COMMISSIONER OF REVENUE, UPON THE ADVICE OF THE ATTORNEY GENERAL, TO ENTER INTO AN AGREEMENT WITH A TAXPAYER UNDER WHICH A FINALLY DETERMINED TAX LIABILITY THAT IS A DOUBTFUL CLAIM IS SETTLED AND COMPROMISED; TO PROVIDE THAT IF THE SETTLEMENT AGREEMENT IS APPROVED BY THE GOVERNOR, THE AGREEMENT SHALL BE BINDING AND A TAXPAYER'S LIABILITIES FOR TAXES, INTEREST AND PENALTIES WILL BE FULLY AND FINALLY COMPROMISED; TO PROVIDE THAT IF THE COMMISSIONER OF REVENUE LATER DETERMINES THAT THE TAXPAYER MISREPRESENTED THE FINANCIAL CONDITION OF THE TAXPAYER OR ANY PROPERTY BELONGING TO THE TAXPAYER OR OTHER PERSON LIABLE FOR THE TAX, ALL COMPROMISED LIABILITIES MAY BE REESTABLISHED; TO AMEND SECTION 31-19-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DOUBTFUL CLAIM IS A CLAIM FOR A FINALLY DETERMINED TAX LIABILITY FOR WHICH A NOTICE OF TAX LIEN HAS BEEN ENROLLED IN THE UNIFORM STATE TAX LIEN REGISTRY AND FOR THE COLLECTION OF WHICH THE ORDINARY PROCESS OF LAW HAS BEEN INEFFECTUAL; TO AMEND SECTION 31-19-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF REVENUE AND THE DEPARTMENT OF REVENUE TO PROVIDE CERTAIN INFORMATION REGARDING DOUBTFUL CLAIMS TO THE ATTORNEY GENERAL OR HIS DESIGNATED REPRESENTATIVE; TO AMEND SECTIONS 27-3-73, 27-7-83, 27-13-57 AND 27-65-81, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Stevenson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Chris Johnson

David Blount

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1095** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1139** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1139: Income, sales and use taxes; remove requirement that certain taxpayers pay June tax liability on or before June 25.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-309, Mississippi Code of 1972, is amended as follows:

27-7-309. (1) (a) Except as otherwise provided in this subsection, every employer required to deduct and withhold from wages under this article shall, for each calendar quarter, on or before the fifteenth day of the month following the close of such calendar quarter, file a withholding return as prescribed by the commissioner and pay over to the commissioner the full amount required to be deducted and withheld from wages by such employer for the calendar quarter. Provided that the commissioner may, by regulation, provide that every such employer shall, on or before the fifteenth day of each month, pay over to the commissioner or a depository designated by the commissioner, the amount required to be deducted and withheld by such employer for the preceding month, if such amount is One Hundred Dollars (\$100.00) or more. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed.

* * *

(* * *b) The commissioner may promulgate rules and regulations to require or permit filing periods of any duration, in lieu of monthly or quarterly filing periods, for any taxpayer or group thereof.

(2) Notwithstanding any of the other provisions of this section, all transient employers and all employers engaged in any business which is seasonal shall make return and pay over to the commissioner on a monthly basis, the full amounts required to

be deducted and withheld from the wages by such employer for the calendar month. Such returns and payments to the commissioner by such employers shall be made on or before the fifteenth day of the month following the month for which such amounts were deducted and withheld from the wages of his employees. The commissioner shall have the authority to issue reasonable rules and regulations designating or classifying those transient and seasonal employers.

(3) If the commissioner, in any case, has justifiable reason to believe that the collection of funds required to be withheld by any employer as provided herein is in jeopardy, he may require the employer to file a return and pay such amount required to be withheld at any time.

(4) Every employer who fails to withhold or pay to the commissioner any sums required by this article to be withheld and paid, shall be personally and individually liable therefor, except as provided in Section 27-7-307; and any sum or sums withheld in accordance with the provisions of this article shall be deemed to be held in trust for the State of Mississippi and shall be recorded by the employer in a ledger account so as to clearly indicate the amount of tax withheld and that the amount is the property of the State of Mississippi.

(5) Once an employer has become liable to a quarterly return of withholding, he must continue to file a quarterly report, even though no tax has been withheld, until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such quarterly returns.

(6) Once an employer has become liable to a monthly return of withholding, he must continue to file a monthly report, even though no tax has been withheld until such time as he notifies the commissioner, in writing, that he no longer has employees or that he is no longer liable for such monthly returns.

(7) Magnetic media reporting may be required in a manner to be determined by the commissioner.

SECTION 2. Section 27-65-33, Mississippi Code of 1972, is amended as follows:

27-65-33. (1) (a) Except as otherwise provided in this section, the taxes levied by this chapter shall be due and payable on or before the twentieth day of the month next succeeding the month in which the tax accrues, except as otherwise provided. Returns and payments placed in the mail must be postmarked by the due date in order to be considered timely filed, except when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed. The taxpayer shall make a return showing the gross proceeds of sales or the gross income of the business, and any and all allowable deductions, or exempt sales, and compute the tax due for the period covered.

(b) As compensation for collecting sales and use taxes, complying fully with the applicable statutes, filing returns and supplements thereto and paying all taxes by the twentieth of the month following the period covered, the taxpayer may discount and retain two percent (2%) of the liability on each return subject to the following limitations:

(i) The compensation or discount shall not apply to taxes levied under the provisions of Sections 27-65-19 and 27-65-21, or on charges for ginning cotton under Section 27-65-23.

(ii) The compensation or discount shall not apply to taxes collected by a county official or state agency.

(iii) The compensation or discount shall not exceed Fifty Dollars (\$50.00) per month, or Six Hundred Dollars (\$600.00) per calendar year, per business location on each state sales tax return, or on each use tax return.

(iv) The compensation or discount shall not apply to any wholesale tax, the rate of which is equal to or greater than the tax rate applicable to retail sales of the same property or service. The retailer of such items shall be entitled to the compensation based on the tax computed on retail sales before application of the credit for any tax paid to the wholesaler, jobber or other person.

(v) The compensation or discount allowed and taken for any filing period may be reassessed and collected when an audit of a taxpayer's records reveals a tax deficiency for that period.

(c) As compensation for collecting any tax imposed under the authority of a local and private law of the State of Mississippi which is collected and paid to the Department of Revenue in the same or similar manner that state sales taxes are collected and paid, complying fully with such applicable law, filing returns and supplements thereto and paying all taxes by the twentieth of the month following the period covered, the taxpayer may discount and retain two percent (2%) of the liability on each return subject to the following limitations:

(i) The compensation or discount shall not apply to taxes collected by a county official or state agency.

(ii) The compensation or discount shall not exceed Fifty Dollars (\$50.00) per month, or Six Hundred Dollars (\$600.00) per calendar year, per business location on each tax return.

(iii) The compensation or discount allowed and taken for any filing period may be reassessed and collected when an audit of a taxpayer's records reveals a tax deficiency for that period.

* * *

(* * *2) All returns shall be sworn to by the taxpayer, if made by an individual, or by the president, vice president, secretary or treasurer of a corporation, or authorized agent, if made on behalf of a corporation. If made on behalf of a partnership, joint venture, association, trust, estate, or in any other group or combination acting as a unit, any individual delegated by such firm shall swear to the return on behalf of the taxpayer. The commissioner may prescribe methods by which the taxpayer may swear to his return.

(* * *3) The commissioner may promulgate rules and regulations to require or permit filing periods of any duration, in lieu of monthly filing periods, for any taxpayer or group thereof.

(* * *4) The commissioner may require the execution and filing by the taxpayer with the commissioner of a good and solvent bond with some surety company authorized to do business in Mississippi as surety thereon in an amount double the aggregate tax liability by such taxpayer for any previous three-month period within the last calendar year or estimated three (3) months' tax liability. The bond is to be conditioned for the prompt payment of such taxes as may be due for each such return.

(* * *5) The commissioner, for good cause, may grant such reasonable additional time within which to make any return required under the provisions of this chapter as he may deem proper, but the time for filing any return shall not be extended beyond the twentieth of the month next succeeding the regular due date of the return without the imposition of interest at the rate of one-half of one percent (1/2 of 1%) per month or fractional part of a month from the time the return was due until the tax is paid.

(** *6) For persistent, willful or recurring failure to make any return and pay the tax shown thereby to be due by the time specified, there shall be added to the amount of tax shown to be due ten percent (10%) damages, or interest at the rate of one-half of one percent (1/2 of 1%) per month, or both.

(** *7) Any taxpayer may, upon making application therefor, obtain from the commissioner an extension of time for the payment of taxes due on credit sales until collections thereon have been made. When such extension is granted, the taxpayer shall thereafter include in each monthly or quarterly report all collections made during the preceding month or quarter, and shall pay the taxes due thereon at the time of filing such report. Such permission may be revoked or denied at the discretion of the commissioner when, in his opinion, a total sales basis will best reflect the taxable income or expedite examination of the taxpayer's records.

(** *8) Any taxpayer reporting credit sales before collection thereof has been made may take credit on subsequent returns or reports for bad debts actually charged off, if such amounts charged off have previously been included in taxable gross income or taxable gross proceeds of sales, as the case may be, and the tax paid thereon. However, any amounts subsequently collected on accounts that have been charged off as bad debts shall be included in subsequent reports and the tax shall be paid thereon.

(** *9) In cases where an extension of time has been granted by the commissioner for payment of taxes due on credit sales and the taxpayer thereafter discontinues the business, such taxpayer shall be required to file with the commissioner within ten (10) days, or such further time as the commissioner may direct, from the date of the discontinuance of such business, a special report showing the amounts of any credit sales which have not been included in determining the measure of the tax previously paid and any other information with reference to credit sales as the commissioner may require. The commissioner shall thereupon investigate the facts with reference to credit sales and the condition of the accounts, and shall determine, from the best evidence available, the value of all open accounts, notes or other evidence of debt arising from credit sales. The value of all notes, open accounts and other evidence of debt, as thus determined by the commissioner, shall be used in determining the amount of the tax for which such taxpayer shall be liable. When the amount of the tax shall have been ascertained, the taxpayer shall be required to pay the same within ten (10) days or such further time as the commissioner may allow, notwithstanding the fact that such note or accounts may still remain uncollected.

SECTION 3. Section 27-67-17, Mississippi Code of 1972, is amended as follows:

27-67-17. (1) Except as otherwise provided in this section, the commissioner shall collect the tax imposed by this article, and every person subject to its provisions shall remit to the commissioner, on or before the twentieth day of each month, the amount of tax due by such person for the preceding calendar month. Returns and payments placed in the mail must be postmarked by the due date in order to be timely filed, except that when the due date falls on a weekend or holiday, returns and payments placed in the mail must be postmarked by the first working day following the due date in order to be considered timely filed. Every taxpayer shall file a return with his remittance, which return shall be prescribed by the commissioner and shall show for the calendar month preceding the tax payment date, the total sale or purchase price, or value of tangible personal property or specified digital products sold, used, stored or consumed by him for benefit received or service performed, and such other information as the commissioner may deem pertinent and necessary for determining the amount of tax due thereunder.

(2) The commissioner, in his discretion, may authorize in writing the filing of returns and the payment of tax on a quarterly basis by any person required or authorized to pay the tax imposed, such authority to be subject to revocation for good cause by the commissioner.

(3) In instances where it is impractical to file returns and pay the tax monthly or quarterly, the commissioner may authorize the filing of semiannual or annual returns.

* * *

(* * *4) The commissioner, in his discretion, may authorize the computation of the tax on the basis of a formula in lieu of direct accounting of specific properties in instances where such method will expedite, simplify or provide a more equitable means of determining liability under this article. All formulas shall be subject to revocation for good cause by the commissioner.

SECTION 4. Section 27-65-75, Mississippi Code of 1972, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.

In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "State Public School Building Fund" created and existing under the provisions of Sections 37-47-1 through 37-47-67. Those payments into that fund are to be made on the last day of each succeeding month hereafter.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of

Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 5. Sections 1, 2 and 3 of this act shall take effect and be in force from and after its passage and Section 4 of this act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES EMPLOYERS WITH AN AVERAGE MONTHLY WITHHOLDING TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE WITHHOLDING TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF THEIR JUNE WITHHOLDING TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; TO AMEND SECTION 27-65-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES TAXPAYERS WHO ARE REQUIRED TO COLLECT SALES TAX AND WHO HAVE AN AVERAGE MONTHLY SALES TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE SALES TAX LIABILITY FOR THE CURRENT CALENDAR YEAR OR AT LEAST 75% OF THEIR JUNE SALES TAX LIABILITY FOR THE PRECEDING CALENDAR YEAR; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES TAXPAYERS WHO ARE REQUIRED TO COLLECT USE TAX AND WHO HAVE AN AVERAGE MONTHLY USE TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE USE TAX LIABILITY FOR THE CURRENT CALENDAR YEAR OR AT LEAST 75% OF THEIR JUNE USE TAX LIABILITY FOR THE PRECEDING CALENDAR YEAR; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO REVISE THE COUNTIES ELIGIBLE FOR A DIVERSION OF A PORTION OF THE SALES TAX REVENUE COLLECTED ON BUSINESS ACTIVITIES WITHIN A REDEVELOPMENT PROJECT AREA DEVELOPED UNDER THE TAX INCREMENT FINANCING ACT IF THE COUNTY HAS ISSUED BONDS UNDER THE TAX INCREMENT FINANCING ACT TO FINANCE ALL OR A PORTION OF SUCH REDEVELOPMENT PROJECT, ANY DEBT SERVICE FOR SUCH INDEBTEDNESS IS OUTSTANDING, AND A DEVELOPMENT WITH A VALUE OF \$10,000,000.00 OR MORE IS, OR WILL BE, LOCATED IN THE REDEVELOPMENT AREA; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Thomas "Trey" Lamar, III

Josh Harkins

Jody Stevenson

Steve Massengill

W. Briggs Hopson III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1139** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Bryan. Total--1.

Absent and those not voting--Polk. Total--1.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1197** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1197: Dual-phase design-build method of construction contracting; revise certain provisions of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 31-7-13.1, Mississippi Code of 1972, is amended as follows:

31-7-13.1. (1) The method of contracting for construction described in this section shall be known as the " * * * design-build method" of construction contracting. This method of construction contracting may be used * * * on residential buildings, residential mixed-use developments, parking garages and other prescriptive type facilities. The design-build method of construction contracting may only be used when the Department of Finance and Administration or a governing authority has determined that it satisfies the public interest better than traditional design-bid or when the Legislature has specifically required or authorized the use of this method in the legislation authorizing a project. At a minimum, the determination must include a detailed explanation of why using the * * * design-build method for a particular project satisfies the public need better than the traditional design-bid-build method based on the following criteria:

(a) The project provides a savings in time or cost over traditional methods;
and

(b) The size and type of the project is suitable for design-build.

(2) For each proposed * * * design-build project, either a * * * fixed firm price or guaranteed maximum price contract must be adopted. * * * Before solicitation of * * *

proposals, the agency or governing authority shall develop * * * a scope of work statement that provides prospective offerors with sufficient information regarding the requirements of the agency or governing authority. The scope of work statement must include, but is not limited to, the following information:

(a) * * * Location and nature of proposed site(s) that include preliminary geotechnical information from borings as well as survey drawings that show topography, adjacent buildings and utilities;

(b) * * * Any mandatory requirements such as minimum number and types of spaces, any minimum or maximum building area(s) or height(s), applicable energy codes and/or efficiency targets, applicable zoning regulations and any aesthetic or character defining standards;

(c) * * * Any mandatory material and/or system performance requirements and/or specifications; and

(d) * * * General budget parameters, schedule or delivery requirements, relevant criteria for evaluation of proposals, and any other information necessary to enable the design-builders to submit proposals that meet the needs of the agency or governing authority.

(3) The agency or governing authority shall cause to be published once a week, for at least two (2) consecutive weeks in a regular newspaper published in the county in which the project is to be located, or a newspaper with statewide circulation, a notice inviting proposals for the * * * design-build construction project. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall post the notice on the Mississippi Procurement Portal or mail written notice to, or provide electronic notification to, the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. The proposals shall not be opened in less than fifteen (15) working days after the last notice is published. The notice must inform potential offerors of how to obtain the scope of work statement developed for the project, and the notice must contain such other information to describe adequately the general nature and scope of the project so as to promote full, equal and open competition.

(4) The agency or governing authority shall accept initial proposals only from entities able to provide an experienced and qualified design-build team that includes, at a minimum, an architectural or engineering firm licensed and registered in Mississippi and a contractor properly licensed and domiciled in Mississippi for the type of work required. * * *

(5) * * * Proposals that include criteria other than cost only shall be evaluated by an evaluation committee established by the procuring entity. The evaluation committee shall be composed of not less than three (3) people, at least one (1) of which shall be an architect or engineer licensed and registered in Mississippi. Selection criteria of the evaluation committee shall be limited to the following:

(a) The bidder's knowledge and experience in executing projects of similar size and complexity;

(b) The experience and qualifications of the proposed office and construction management personnel;

(c) The experience and qualifications of the subcontractors proposed;

(d) The experience and qualifications of the architect or engineer and consultants;

(e) Schedule control; and

(f) Cost factors.

Cost as an evaluation factor shall be given the highest criteria weighting and at least thirty-five percent (35%) out of the one hundred percent (100%) total weight of all the other evaluation factors.

(6) If the agency or governing authority accepts a proposal other than the * * * proposal with the lowest costs that was actually submitted, the agency or governing authority shall enter on its minutes detailed calculations and a narrative summary showing why the accepted proposal was determined to provide the best value, and the agency or governing authority shall state specifically on its minutes the justification for its award.

(7) All facilities that are governed by this section shall be designed and constructed to comply with standards equal to or exceeding the minimum building code standards employed by the state as required under Section 31-11-33 in force at the time of contracting. All private contractors or private entities contracting or performing under this section must comply at all times with all applicable laws, codes and other legal requirements pertaining to the project.

(8) * * * An agency or governing authority may not award a stipulated fee * * * to an offeror for preparation costs to submit a response to the request for proposals.

(9) This section shall not authorize the awarding of construction contracts according to any contracting method that does not require the contractor to satisfactorily perform, at a minimum, both any balance of design, using an independent professional licensed in Mississippi, and construction of the project for which the contract is awarded.

(10) The provisions of this section shall not affect any procurement by the Mississippi Transportation Commission.

(11) The provisions of this section shall not apply to procurement authorized in Section 59-5-37(3).

SECTION 2. Section 31-11-3, Mississippi Code of 1972, as amended by House Bill No. 82, 2021 Regular Session, is amended as follows:

31-11-3. (1) The Department of Finance and Administration, for the purposes of carrying out the provisions of this chapter, in addition to all other rights and powers granted by law, shall have full power and authority to employ and compensate architects or other employees necessary for the purpose of making inspections, preparing plans and specifications, supervising the erection of any buildings, and making any repairs or additions as may be determined by the Department of Finance and Administration to be necessary, pursuant to the rules and regulations of the State Personnel Board. The department shall have entire control and supervision of, and determine what, if any, buildings, additions, repairs, demolitions or improvements are to be made under the provisions of this chapter, subject to the regulations adopted by the Public Procurement Review Board.

(2) The department shall have full power to erect buildings, make repairs, additions or improvements, demolitions, to grant or acquire easements or rights-of-way, and to buy materials, supplies and equipment for any of the institutions or departments of the state subject to the regulations adopted by the Public Procurement Review Board. In addition to other powers conferred, the department shall have full power and authority, as directed by the Legislature, or when funds have been appropriated for its use for these purposes, to:

(a) Build a state office building;

(b) Build suitable plants or buildings for the use and housing of any state schools or institutions, including the building of plants or buildings for new state schools or institutions, as provided for by the Legislature;

(c) Provide state aid for the construction of school buildings;

(d) Promote and develop the training of returned veterans of the United States in all sorts of educational and vocational learning to be supplied by the proper educational institution of the State of Mississippi, and in so doing allocate monies appropriated to it for these purposes to the Governor for use by him in setting up, maintaining and operating an office and employing a state director of on-the-job training for veterans and the personnel necessary in carrying out Public Law No. 346 of the United States;

(e) Build and equip a hospital and administration building at the Mississippi State Penitentiary;

(f) Build and equip additional buildings and wards at the Boswell Retardation Center;

(g) Construct a sewage disposal and treatment plant at the Mississippi State Hospital, and in so doing acquire additional land as may be necessary, and to exercise the right of eminent domain in the acquisition of this land;

(h) Build and equip the Mississippi central market and purchase or acquire by eminent domain, if necessary, any lands needed for this purpose;

(i) Build and equip suitable facilities for a training and employing center for the blind;

(j) Build and equip a gymnasium at Columbia Training School;

(k) Approve or disapprove the expenditure of any money appropriated by the Legislature when authorized by the bill making the appropriation;

(l) Expend monies appropriated to it in paying the state's part of the cost of any street paving;

(m) Sell and convey state lands when authorized by the Legislature, cause said lands to be properly surveyed and platted, execute all deeds or other legal instruments, and do any and all other things required to effectively carry out the purpose and intent of the Legislature. Any transaction which involves state lands under the provisions of this paragraph shall be done in a manner consistent with the provisions of Section 29-1-1;

(n) Collect and receive from educational institutions of the State of Mississippi monies required to be paid by these institutions to the state in carrying out any veterans' educational programs;

(o) Purchase lands for building sites, or as additions to building sites, for the erection of buildings and other facilities which the department is authorized to erect, and demolish and dispose of old buildings, when necessary for the proper construction of new buildings. Any transaction which involves state lands under the provisions of this paragraph shall be done in a manner consistent with the provisions of Section 29-1-1;

(p) Obtain business property insurance with a deductible of not less than One Hundred Thousand Dollars (\$100,000.00) on state-owned buildings under the management and control of the department; and

(q) In consultation with and approval by the Chairmen of the Public Property Committees of the Senate and the House of Representatives, enter into contracts for the purpose of providing parking spaces for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building.

(r) The department is hereby authorized to transfer up to One Million Dollars (\$1,000,000.00) of available bond funds to each community college requesting to be exempt from department control and supervision relating to the repair, renovation and improvement of existing facilities owned by the community colleges, including utility infrastructure projects; heating and air conditioning systems; and the replacement of furniture and equipment. The community colleges shall abide by all applicable statutes related to the purchase of the repair, renovation and improvement of such existing facilities.

(3) The department shall survey state-owned and state-utilized buildings to establish an estimate of the costs of architectural alterations, pursuant to the Americans With Disabilities Act of 1990, 42 USCS, Section 12111 et seq. The department shall establish priorities for making the identified architectural alterations and shall make known to the Legislative Budget Office and to the Legislature the required cost to effectuate such alterations. To meet the requirements of this section, the department shall use standards of accessibility that are at least as stringent as any applicable federal requirements and may consider:

(a) Federal minimum guidelines and requirements issued by the United States Architectural and Transportation Barriers Compliance Board and standards issued by other federal agencies;

(b) The criteria contained in the American Standard Specifications for Making Buildings Accessible and Usable by the Physically Handicapped and any amendments thereto as approved by the American Standards Association, Incorporated (ANSI Standards);

(c) Design manuals;

(d) Applicable federal guidelines;

(e) Current literature in the field;

(f) Applicable safety standards; and

(g) Any applicable environmental impact statements.

(4) The department shall observe the provisions of Section 31-5-23 in letting contracts and shall use Mississippi products, including paint, varnish and lacquer which contain as vehicles tung oil and either ester gum or modified resin (with rosin as the principal base of constituents), and turpentine shall be used as a solvent or thinner, where these products are available at a cost not to exceed the cost of products grown, produced, prepared, made or manufactured outside of the State of Mississippi.

(5) The department shall have authority to accept grants, loans or donations from the United States government or from any other sources for the purpose of matching funds in carrying out the provisions of this chapter.

(6) The department shall build a wheelchair ramp at the War Memorial Building which complies with all applicable federal laws, regulations and specifications regarding wheelchair ramps.

(7) The department shall review and preapprove all architectural or engineering service contracts entered into by any state agency, institution, commission, board or authority, regardless of the source of funding used to defray the costs of the construction or renovation project, for which services are to be obtained to ensure compliance with purchasing regulations and to confirm that the contracts are procured by a competitive qualification-based selection process except where such appointment is for an emergency project or for a continuation of a previous appointment for a directly related project. The provisions of this subsection (7) shall not apply to:

(a) Any architectural or engineering contract fully paid for by self-generated funds of any of the state institutions of higher learning;

(b) Any architectural or engineering contract that is self-administered at a state institution of higher learning as provided under Section 27-104-7(2)(b) or 37-101-15(m);

(c) Community college projects that are fully funded from local funds or other nonstate sources which are outside the Department of Finance and Administration's appropriations or as directed by the Legislature;

(d) Any construction or design projects of the State Military Department that are fully or partially funded from federal funds or other nonstate sources; and

(e) Any project of the State Department of Transportation.

(8) (a) The department shall have the authority to obtain annually from the state institutions of higher learning, the state community colleges and junior colleges, the Department of Mental Health, the Department of Corrections and the Department of Wildlife, Fisheries and Parks information on all renovation and repair expenditures for buildings under their operation and control, including duties, responsibilities and costs of any architect or engineer hired by any such institutions, and shall annually report the same to the Legislative Budget Office, the Chairman of the House Public Property Committee and the Chairman of the Senate Public Property Committee before September 1.

(b) All state agencies, departments and institutions are required to cooperate with the Department of Finance and Administration in carrying out the provisions of this subsection.

(c) Expenditures shall not include those amounts expended for janitorial, landscaping or administrative support, but shall include expenditures from both state and nonstate sources.

(d) Expenditures shall not include amounts expended by the department on behalf of state agencies, departments and institutions through the Department of Finance and Administration administered contracts, but shall include amounts transferred to the Department of Finance and Administration for support of such contracts.

(9) As an alternative to other methods of awarding contracts as prescribed by law, the department may elect to use the method of contracting for construction projects set out in Sections 31-7-13.1 and 31-7-13.2; however, the * * * design-build method of construction contracting authorized under Section 31-7-13.1 may be used only when the Legislature has specifically required or authorized the use of this method in the legislation authorizing a project.

(10) The department shall have the authority, for the purposes of carrying out the provisions of this chapter, and in addition to all other rights and powers granted by law, to create and maintain a list of suspended and debarred contractors and subcontractors. Consistent with this authority, the department may adopt regulations governing the suspension or debarment of contractors and subcontractors, which regulations shall be

subject to the approval of the Public Procurement Review Board. A suspended or debarred contractor or subcontractor shall be disqualified from consideration for contracts with the department during the suspension or debarment period in accordance with the department's regulations.

(11) This section shall not apply to the Mississippi State Port Authority.

SECTION 3. Section 61-3-15, Mississippi Code of 1972, is amended as follows:

61-3-15. An authority shall have all the powers necessary or convenient to carry out the purposes of this chapter (excluding the power to levy and collect taxes or special assessments) including, but not limited to, the power:

- (a) To sue and be sued, to have a seal and to have perpetual succession.
- (b) To purchase general liability insurance coverage, including errors and omissions insurance, for its officials and employees.
- (c) To employ an executive director, secretary, technical experts, and such other officers, agents and employees, permanent and temporary, as it may require, and to determine their qualifications and duties, and to establish compensation and other employment benefits as may be advisable to attract and retain proficient personnel.
- (d) To execute such contracts and other instruments and take such other action as may be necessary or convenient to carry out the purposes of this chapter.
- (e) To plan, establish, develop, construct, enlarge, improve, maintain, equip, operate, regulate and protect airports and air navigation facilities within this state and within any adjoining state, including the acquisition, lease, lease-purchase, construction, installation, equipment, maintenance and operation of such airports or buildings, equipment and other facilities or other property for the servicing of aircraft or for the comfort and accommodation of air travelers or for any other purpose deemed by the authority to be necessary to carry out its duties; to develop, operate, manage or own and maintain intermodal facilities to serve air and surface cargo and multimodal facilities to serve highway and rail passenger transportation needs to ensure interface and interaction between modes for cargo and passengers; to construct, improve, and maintain means of ingress and egress to airport properties from and over off-airport sites with approval of the city or county in which the off-airport site is located; to market, promote and advertise airport properties, goods and services; and to directly purchase and sell supplies, goods and commodities incident to the operation of its airport properties without having to make purchases thereof through the municipal governing authorities, and with the authority to utilize * * * design-build and construction manager at-risk methods of construction in accordance with Sections 31-7-13.1 and 31-7-13.2. For all the previously stated purposes, an authority may, by purchase, gift, devise, lease, eminent domain proceedings or otherwise, acquire property, real or personal, or any interest therein, including easements in airport hazards or land outside the boundaries of an airport or airport site, as are necessary to permit the removal, elimination, obstruction-marking or obstruction-lighting of airport hazards, to prevent the establishment of airport hazards or to carry out its duties.
- (f) To acquire, by purchase, gift, devise, lease, lease-purchase, eminent domain proceedings or otherwise, existing airports and air navigation facilities. However, an authority shall not acquire or take over any airport or air navigation facility owned or controlled by another authority, a municipality or public agency of this or any other state without the consent of such authority, municipality or public agency.
- (g) To establish or acquire and maintain airports in, over and upon any public waters of this state, and any submerged lands under such public waters, and to construct and maintain terminal buildings, landing floats, causeways, roadways and

bridges for approaches to or connecting with any such airport, and landing floats and breakwaters for the protection thereof.

(h) To establish, enact and enforce ordinances, rules, regulations and standards for public safety, aviation safety, airport operations and the preservation of good order and peace of the authority; to prevent injury to, destruction of or interference with public or private property; to protect property, health and lives and to enhance the general welfare of the authority by restricting the movements of citizens or any group thereof on the property of the authority when there is imminent danger to the public safety because of freedom of movement thereof; to regulate the entrances to property and buildings of the authority and the way of ingress and egress to and from the same; to establish fire limits and to hire firemen, including aircraft fire and rescue and similar personnel, and to establish and equip a fire department to provide fire and other emergency services on any property of the authority; to regulate, restrain or prohibit construction failing to meet standards established by the authority; to appoint and discharge police officers with jurisdiction limited to property of the airport authority and authorization to enforce the ordinances, rules and regulations of the authority, as well as the laws of the State of Mississippi, and to issue citations for infractions of all of such ordinances, rules, regulations, standards and laws of the State of Mississippi returnable to the court of appropriate jurisdiction.

(i) To develop and operate an industrial park or parks and exercise all authority provided for under Chapter 7, Title 57, Mississippi Code of 1972.

(j) To attach, pursuant to the power and procedure set forth in Chapter 33, Title 11, Mississippi Code of 1972, the equipment of debtors of the authority.

(k) To enter into agreements with local governments pursuant to Section 17-13-1 et seq.

(l) To render emergency assistance to other airports within the United States at an aggregate cost of less than Twenty Thousand Dollars (\$20,000.00) per emergency. The assistance authorized in this paragraph must be rendered within ninety (90) days after a state of emergency has been declared by the federal government, or by the local or state government that has jurisdiction over the area where the airport needing assistance is located.

(m) To enter into joint use or similar agreements with any department or agency of the United States of America or the State of Mississippi, including any military department of the United States of America or the State of Mississippi, with respect to the use and operation of, or services provided at, any airport or other property of the authority on the terms and conditions as the authority may deem appropriate, including provisions limiting the liability of the United States of America or the State of Mississippi for loss or damage to the authority if the authority determines that the limitation of liability is reasonable, necessary and appropriate under the circumstances.

(n) To enter into mutual aid agreements with counties and municipalities for reciprocal emergency aid and assistance in case of emergencies too extensive to be dealt with unassisted; to participate in the Statewide Mutual Aid Compact (SMAC) in accordance with Section 33-15-19.

SECTION 4. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over \$5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars (\$5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars (\$5,000.00) or less.

(b) Bidding procedure for purchases over \$5,000.00 but not over \$50,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars (\$5,000.00) but not more than Fifty Thousand Dollars (\$50,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community/junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Fifty Thousand Dollars (\$50,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or their designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or their designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars (\$5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over \$50,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Fifty Thousand Dollars (\$50,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board.

If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design or construction of public facilities, including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Fifty Thousand Dollars (\$50,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars (\$25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing

authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The

provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars (\$50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be

permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars (\$10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such

change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase,

documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and

name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a

governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in

undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; provided, however, that state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method and * * * design-build method of contracting. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for thirty

(30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Fifty Thousand Dollars (\$50,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements

under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars (\$1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 31-7-13.1, MISSISSIPPI CODE OF 1972, TO REVISE THE DUAL-PHASE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING; TO REMOVE THE REQUIREMENT FOR TWO PHASES OF DESIGN-BUILD CONSTRUCTION CONTRACTING; TO PROVIDE THAT DESIGN-BUILD CONSTRUCTION CONTRACTING MAY BE USED FOR RESIDENTIAL BUILDINGS, RESIDENTIAL-MIXED USED DEVELOPMENTS, PARKING GARAGES AND OTHER PRESCRIPTIVE TYPE FACILITIES; TO PROVIDE THAT THE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING MAY ONLY BE USED

WHEN THE DEPARTMENT OF FINANCE AND ADMINISTRATION OR A GOVERNING AUTHORITY HAS DETERMINED THAT USING THE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING SATISFIES THE PUBLIC INTEREST BETTER THAN TRADITIONAL DESIGN BID OR WHEN THE LEGISLATURE HAS SPECIFICALLY REQUIRED OR AUTHORIZED THE USE OF THIS METHOD IN THE LEGISLATION AUTHORIZING A PROJECT; TO PROVIDE THAT INSTEAD OF THE DUAL-PHASE PROCEDURE FOR AWARDING A CONTRACT, FOR EACH PROPOSED DESIGN-BUILD PROJECT, EITHER A FIXED FIRM PRICE OR GUARANTEED MAXIMUM PRICE CONTRACT MUST BE ADOPTED; TO REVISE WHAT MUST BE INCLUDED IN THE WORK STATEMENT; TO PROVIDE THAT NOTICE SHALL ALSO BE POSTED ON THE MISSISSIPPI PROCUREMENT PORTAL; TO PROVIDE THAT PROPOSALS WHICH INCLUDE CRITERIA OTHER THAN COST ONLY SHALL BE EVALUATED BY AN EVALUATION COMMITTEE ESTABLISHED BY THE PROCURING ENTITY; TO PROVIDE THE MAKEUP OF THE EVALUATION COMMITTEE AND THE SELECTION CRITERIA THAT THE EVALUATION COMMITTEE SHALL CONSIDER WHEN EVALUATING SUBMITTED PROPOSALS; TO PROVIDE THAT AN AGENCY OR GOVERNING AUTHORITY MAY NOT AWARD A STIPULATED FEE TO AN OFFEROR FOR PREPARATION COSTS TO SUBMIT A RESPONSE TO THE REQUEST FOR PROPOSALS; TO AMEND SECTIONS 31-11-3, 61-3-15 AND 31-7-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Stevenson

Steve Massengill

CONFEREES FOR THE SENATE

Josh Harkins

Mike Thompson

Chris Caughman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1197** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2874** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. All residential contractors, in order to obtain a building permit in the State of Mississippi, shall possess a permit from the Department of Revenue issued under Section 27-65-27.

Notwithstanding the definitions of "residential builder" and "remodeler" in Section 73-59-1, for purposes of this section, a residential contractor is a person or entity contracting or offering to contract with an owner or possessor of residential real estate to construct a residence or appurtenant structure thereon, or to repair or renovate any portion of a residence or appurtenant structure thereon, regardless of the cost of the project, and regardless of whether all or part of the cost is expected to be paid as a benefit of a property and casualty insurance policy. A residential contractor is not a person building, repairing or renovating his or her own personal residence.

This section shall not apply to a residential contractor having a permanent place of business in the State of Mississippi or licensed under Section 31-3-1 et seq.

SECTION 2. All commercial contractors, in order to obtain a building permit in the State of Mississippi, shall possess a permit from the Department of Revenue issued under Section 27-65-27.

Notwithstanding the definition of "contractor" in Section 31-3-1, for purposes of this section, a commercial contractor is a person or entity contracting or offering to contract with an owner or possessor of commercial real estate to construct a building thereon, or to repair or renovate any portion of a building thereon, regardless of the cost of the project, and regardless of whether all or part of the cost is expected to be paid as a benefit of a property and casualty insurance policy.

This section shall not apply to a commercial contractor having a permanent place of business in the State of Mississippi or licensed under Section 31-3-1 et seq.

SECTION 3. Section 27-65-27, Mississippi Code of 1972, is amended as follows:

27-65-27. (1) Any person who engages, or who intends to engage, in any business or activity which will subject such person to a privilege tax imposed by this chapter, or which falls within the scope of Section 1 or Section 2 of this act, shall apply to the commissioner for a permit to engage in and to conduct any business or activity upon the condition that he shall pay the tax accruing to the State of Mississippi under the provisions of this chapter, and shall keep adequate records of such business or activity as required by this chapter. By making an application for a permit issued pursuant to this section, a person agrees, regardless of his presence in this state, to:

- (a) Be subject to the jurisdiction of this state for purposes of taxation;
- (b) Collect and remit all taxes levied under this chapter on the type of business or activity to be conducted by the applicant;
- (c) Be subject to all the provisions of this chapter.

(2) Upon receipt of the permit, the applicant shall be duly licensed under this chapter to engage in and conduct the business or activity. The permit shall continue in force so long as the person to whom it is issued shall continue in the same business at the same location, unless revoked by the commissioner for cause.

(3) The commissioner shall require of every person desiring to engage in business within this state who maintains no permanent place of business within this state, of every person desiring to engage in the business of making sales of mobile homes, a cash bond or an approved surety bond in an amount sufficient to cover twice the estimated tax liability for a period of three (3) months. However, the bond shall in no case be less than One Hundred Dollars (\$100.00) and the tax may be prepaid in lieu of filing bond if the amount is approved by the commissioner. This bond shall be filed with the commissioner prior to the issuance of a permit to do business and before any such person may engage in business within this state. Failure to comply with the provision will subject such person to the penalties provided by this chapter.

(4) The commissioner is authorized to deny the application for a permit or revoke the permit of any person who has failed or is failing to comply with any of the provisions of this chapter. The commissioner may also deny the application for a permit or revoke the permit of any person who has failed to satisfy all of the finally determined tax liabilities owed by that person. If the applicant or taxpayer is an entity, the commissioner may deny the application for a permit or revoke the permit if any partner, member, principal officer or director of such entity has failed to satisfy all of the finally determined tax liabilities owed by that partner, member, principal officer or director. Any denial or revocation of an entity's permit based on a partner, member, principal officer or director's finally determined tax liability shall only be authorized if the partner, member, principal officer or director owns ten percent (10%) or more of the entity and is or will be exercising responsibility for fiscal management. In lieu of denying or revoking an entity's permit, the commissioner may accept an increased or additional bond from the entity to cover the additional risk involved with having an individual with a finally determined tax liability involved. As used in this subsection, "finally determined tax liabilities" means any state tax, fee, penalty and/or interest owed by a person to the Department of Revenue where the assessment of the liability has been made against that person as provided by law and such assessment is not subject to any further timely filed administrative or judicial review. Revocation of such permit, or engaging or continuing in business after such permit is revoked or engaging in business without a permit, shall subject the person to all the penalties imposed by this chapter.

(5) Any person liable for the tax who fails to obtain a permit from the commissioner, or who continues in business after such permit has been revoked, or who fails to make his returns for taxation as provided, or who fails to keep adequate records and invoices provided by this chapter, or who fails or refuses to permit inspection of such records, or who fails to pay any taxes due hereunder, shall forfeit his rights to do business in this state until he complies with all the provisions of this chapter and until he enters into a bond, with sureties, to be approved by the commissioner, in an amount not to exceed twice the amount of all taxes estimated to become due under this chapter by the person for any period of three (3) months, conditioned to comply with the provisions of this chapter, and pay all taxes legally due by him.

(6) If any person is engaged in or continuing in this state in any business or activity without obtaining a permit, or after the permit has been revoked, or without filing a required bond, or without keeping and allowing inspection of all records required by this chapter, or without making a return, or returns, and without paying all taxes due by him hereunder, it shall be the duty of the commissioner to proceed by injunction to prevent the continuance of the business. Any temporary injunction enjoining the continuance of the business shall be granted without notice by a judge or chancellor now authorized to grant injunctions.

SECTION 4. (1) Section 1 of this act shall be codified in Title 73, Chapter 59, Mississippi Code of 1972.

(2) Section 2 of this act shall be codified in Title 31, Chapter 3, Mississippi Code of 1972.

SECTION 5. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A NEW SECTION IN TITLE 73, CHAPTER 59, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL RESIDENTIAL CONTRACTORS, IN ORDER TO OBTAIN A BUILDING PERMIT IN THIS STATE, POSSESS A PERMIT FROM THE DEPARTMENT OF REVENUE ISSUED UNDER SECTION 27-65-27; TO DEFINE "RESIDENTIAL CONTRACTOR" FOR PURPOSES OF THIS PERMIT REQUIREMENT; TO CREATE A NEW SECTION IN TITLE 31, CHAPTER 3, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL COMMERCIAL CONTRACTORS, IN ORDER TO OBTAIN A BUILDING PERMIT IN THIS STATE, POSSESS A PERMIT FROM THE DEPARTMENT OF REVENUE ISSUED UNDER SECTION 27-65-27; TO DEFINE "COMMERCIAL CONTRACTOR" FOR PURPOSES OF THIS PERMIT REQUIREMENT; TO AMEND SECTION 27-65-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE PROVISIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Chad McMahan	Jody Steverson
Mike Thompson	Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2874** failed to be adopted:

Yeas--Blount, Bryan, Butler, Caughman, DeLano, Fillingane, Harkins, Hopson, Horhn, Kirby, McMahan, Michel, Norwood, Parker, Seymour, Simmons D. T. (12th), Thomas, Wiggins, Williams, Witherspoon, Younger. Total--21.

Nays--Barnett, Barrett, Blackmon, Boyd, Branning, Chassaniol, Chism, DeBar, England, Frazier, Hill, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, McCaughn, McDaniel, McLendon, Moran, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley. Total--27.

Absent and those not voting--Polk. Total--1.

Voting Present--Blackwell, Carter, Parks. Total--3.

Senator McMahan offered the following report of the Conference Committee on **S. B. No. 3090** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3090: Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):

AMEND on lines 129 and 142 by striking "House Bill No. 1528" and inserting "Senate Bill No. 3090" in lieu thereof.

2. That the House concur in the above exception(s).

CONFEREES FOR THE SENATE

Chad McMahan

Jeff Tate

Neil S. Whaley

CONFEREES FOR THE HOUSE

Manly Barton

John W. Hines, Sr.

Lataisha Jackson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3090** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Polk. Total--1.

Voting Present--Hill. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 109** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 109: Budget process; update various sections relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-103-125, Mississippi Code of 1972, is amended as follows:

27-103-125. The proposed budget of each state agency shall show the amounts required for operating expenses separately from the amounts required for permanent improvements. The overall budget shall show, separately by each source, the estimated amount of general fund revenue and of special fund revenues of general fund agencies. The total proposed expenditures in Part 1 of the overall budget shall not exceed the amount of estimated revenues that will be available in the general and special funds for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand in the general and special funds at the close of the then current fiscal year. The total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. * * * The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. The Legislative Budget Office may recommend additional taxes or sources of revenue if in its judgment those additional funds are necessary to adequately support the functions of the state government.

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is amended as follows:

27-103-139. On or before November 15 preceding each regular session of the Legislature, except the first regular session of a new term of office, the Governor shall submit to the members of the Legislature, the Legislative Budget Office or the members-elect, as the case may be, and to the executive head of each state agency a balanced budget for the succeeding fiscal year. The budget submitted shall be prepared in a format that will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. The total proposed expenditures from the State General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. * * * The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to fund the additional proposed expenditures, providing specific details regarding the sources and the total amount of those proposed revenues.

The Governor may employ a budget officer for the purpose of receiving information from the State Fiscal Officer and preparing his recommendations on the budget. If the Governor determines that information received from the State Fiscal Officer is not sufficient to enable him to prepare his budget recommendations, he may request an appropriation from the Legislature to provide additional staff within the Governor's office for that purpose. At the first regular session after his election for Governor, the Governor shall submit any budget recommendations plus the required revenue source recommendations no later than January 31 of that year.

SECTION 3. Section 27-103-203, Mississippi Code of 1972, is amended as follows:

27-103-203. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Working Cash-Stabilization Reserve Fund.

(2) The Working Cash-Stabilization Reserve Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Working Cash-Stabilization Reserve Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. If the Ayers Settlement Fund is created under Section 37-101-27(5), the first Five Million Dollars (\$5,000,000.00) of interest earned on those sums each fiscal year shall be deposited into that fund until a total of Seventy Million Dollars (\$70,000,000.00) has been deposited into the fund. The interest, or the remaining interest if the Ayers Settlement Fund is created, that is earned on those sums shall be deposited in the Working Cash-Stabilization Reserve Fund until the balance of principal and interest in the fund reaches ten percent (10%) of the total General Fund appropriations for the current fiscal year, and all interest earned in excess of amounts necessary to maintain the ten percent (10%) fund balance requirement shall be deposited by the State Treasurer into the State General Fund.

(3) The Working Cash-Stabilization Reserve Fund, except for Fifteen Million Dollars (\$15,000,000.00) and the amount of the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27, shall be used by the State Treasurer for cash flow needs throughout the year when the Executive Director of the Department of Finance and Administration certifies that in his opinion there will be cash flow deficiencies in the State General Fund. No borrowing of monies from other special funds for such purposes as authorized by Section 31-17-101 et seq., shall be made as long as an unencumbered balance in excess of Fifteen Million Dollars (\$15,000,000.00) and the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27 remains in the fund. The State Treasurer shall reimburse the fund for all sums borrowed for those purposes from General Fund revenues collected during the fiscal year in which those funds are used. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of the fund. Fifteen Million Dollars (\$15,000,000.00) in the Working Cash-Stabilization Reserve Fund shall remain available for exclusive use of the Ayers Endowment Trust created by Section 37-101-27. If the Ayers Settlement Fund is created under Section 37-101-27(5), beginning when a total of Fifty-five Million Dollars (\$55,000,000.00) has been deposited into the fund, for each annual deposit of interest to that fund under subsection (2) of this section, the Ayers Endowment Trust created under Section 37-101-27(1) shall be reduced by an equal amount annually until the Ayers Endowment Trust reaches Zero Dollars (\$0.00), at which time any requirements concerning the Ayers Endowment Trust in this section shall be null and void.

(4) The Working Cash-Stabilization Reserve Fund, except for Forty Million Dollars (\$40,000,000.00), shall also be used for the purpose of covering any projected deficits

that may occur in the General Fund at the end of a fiscal year as a result of revenue shortfalls. If the Governor determines that a deficit in revenues from all sources may occur, it shall be the duty of the Executive Director of the Department of Finance and Administration to transfer such funds as necessary to the General Fund to alleviate the deficit in accordance with Sections 27-104-13 and 31-17-123; however, not more than Fifty Million Dollars (\$50,000,000.00) may be transferred from the fund for that purpose in any one (1) fiscal year * * *.

(5) The Working Cash-Stabilization Reserve Fund also shall be used to provide funds for the Disaster Assistance Trust Fund when those funds are immediately needed to provide for disaster assistance under Sections 33-15-301 through 33-15-317. Any transfer of funds from the Working Cash-Stabilization Reserve Fund to the Disaster Assistance Trust Fund shall be made in accordance with the provisions of subsection (5) of Section 33-15-307.

(6) The Department of Finance and Administration shall immediately send notice of any transfers made, or other action taken under authority of this section, to the Legislative Budget Office.

(7) Funds deposited in the Working Cash-Stabilization Reserve Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Working Cash-Stabilization Reserve Fund shall be made except by act of the Legislature making specific reference to the Working Cash-Stabilization Reserve Fund as the source of those funds.

(8) Any funds appropriated from the Working Cash-Stabilization Reserve Fund that are unexpended at the end of a fiscal year shall lapse into the Working Cash-Stabilization Reserve Fund.

SECTION 4. Section 27-103-211, Mississippi Code of 1972, is amended as follows:

27-103-211. The total sum appropriated by the Legislature from the State General Fund for any fiscal year shall not exceed ninety-eight percent (98%) of the general fund revenue estimate for that fiscal year developed by the Department of Revenue and the University Research Center and adopted by the Joint Legislative Budget Committee. The unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund under Section 27-103-203. * * *

SECTION 5. Section 27-103-213, Mississippi Code of 1972, is amended as follows:

27-103-213. (1) The unencumbered cash balance in the General Fund in the State Treasury at the close of each fiscal year shall be distributed to the Municipal Revolving Fund, the Working Cash-Stabilization Reserve Fund and the Capital Expense Fund in the manner provided in this section * * *.

(2) (a) At the end of each fiscal year, the Executive Director of the Department of Finance and Administration and the State Treasurer shall determine the extent of the unencumbered cash balance existing in the General Fund in the State Treasury.

(b) As used in this section, the term "unencumbered cash balance" or "unencumbered General Fund cash balance" means the amount in the State General Fund after deducting all appropriations and other expenditures. However, if the Legislature has authorized additional or deficit appropriations or transfers from the State General Fund for that fiscal year, those amounts shall be subtracted from the unencumbered cash balance in the General Fund before determining the amount

available for distribution. The unencumbered General Fund cash balance shall not be determined until after August 31 of each year, and it shall not be made until the State Treasurer has received a certificate in writing from the Executive Director of the Department of Finance and Administration, with notification to the Legislative Budget Office, showing the amount of the unencumbered General Fund cash balance.

(3) If any unencumbered General Fund cash balance is available for distribution under this section, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, fifty percent (50%) of the amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a), not to exceed ten percent (10%) of the General Fund appropriations for the fiscal year that the unencumbered General Fund cash balance represents. For the purposes of this paragraph (b), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(c) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b).

* * *

SECTION 6. Section 27-103-303, Mississippi Code of 1972, is amended as follows:

27-103-303. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Capital Expense Fund.

(2) The Capital Expense Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Capital Expense Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. Interest earned on this fund shall be deposited by the State Treasurer into the State General Fund.

(3) The Capital Expense Fund shall be used for capital expense needs, repair and renovation of state-owned properties and specific expenditures authorized by the Legislature. The Legislature shall designate those capital expense projects, repair and renovation projects and other authorized projects in an appropriation act passed by the Legislature, which shall direct the Director of the Department of Finance and Administration to administer the projects.

(4) In addition to the purposes specified in subsection (3) of this section, the Capital Expense Fund shall be used to provide funds for emergency repairs on state-owned buildings * * * upon requisition of the Executive Director of the Department of Finance and Administration. Whenever the executive director determines that funds are immediately needed for emergency repairs on state-owned buildings * * *, he or she shall requisition the funds needed from the Capital Expense Fund, which shall be subject to the limitations set forth in this subsection. At the same time he or she makes the requisition, the executive director shall notify the Lieutenant Governor, the Speaker of the House of

Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Finance Committee, the House Appropriations Committee and the House Ways and Means Committee and the Legislative Budget Office of his or her determination of the need for the funds, the amount that he or she has requisitioned and where the funds will be used. If the amount requisitioned is available in the Capital Expense Fund, is not allocated for any specific projects as authorized in subsection (3) of this section and is within the limitations set forth below in this subsection, then the executive director may escalate the budget of the Bureau of Building, Grounds and Real Property Management * * * to use the full amount of the requisitioned funds for the emergency repairs * * * and transfer that amount to the bureau * * * for that purpose. If the amount requisitioned is more than the amount available in the Capital Expense Fund or above the limitations set forth below in this subsection, then the executive director may escalate the budget of the bureau * * * to use the amount that is available within the limitations for the emergency repairs * * * and transfer that amount to the bureau * * * for that purpose. The maximum amount that may be transferred from the Capital Expense Fund to the bureau * * * for any single emergency shall be One Million Dollars (\$1,000,000.00), and the maximum amount that may be transferred to the bureau * * * for all emergencies during any fiscal year shall be Five Million Dollars (\$5,000,000.00).

(5) Funds deposited in the Capital Expense Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Capital Expense Fund shall be made except by act of the Legislature making specific reference to the Capital Expense Fund as the source of those funds.

(6) Unexpended funds in the Capital Expense Fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the fund for use under this section. Any funds appropriated from the Capital Expense Fund that are unexpended at the end of a fiscal year shall lapse into the Capital Expense Fund.

SECTION 7. Section 1 of Chapter 43, Laws of 2020, is amended as follows:

Section 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid and support of the public community and junior colleges for the fiscal year beginning July 1, 2020, and ending June 30, 2021

..... * * * \$142,948,318.00.

SECTION 8. Section 8 of Chapter 43, Laws of 2020, is amended as follows:

Section 8. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the aid of the public community and junior colleges, to fund life and health insurance, for all employees of the public community and junior colleges for the fiscal year beginning July 1, 2020, and ending

June 30, 2021 * * * \$24,254,533.00.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan. Any funds appropriated in this section which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 9. Section 16 of Chapter 78, Laws of 2020, which appropriates a certain amount from the Capital Expense Fund to the Division of Medicaid, is repealed.

SECTION 10. There is created in the State Treasury a special fund to be designated as the "MDA Site Development Grant Program Fund," which shall consist of

funds made available by the Legislature in any manner and funds from any other source designated for deposit into the fund. Monies in the fund shall be used by the Mississippi Development Authority, upon appropriation by the Legislature, to make grants to assist eligible entities under the Mississippi Site Development Grant Program as provided in Section 57-1-701. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 11. Not later than thirty (30) days after the effective date of this act, the State Fiscal Officer shall transfer the full balance in the Mississippi Development Authority Job Training Grant Fund into the Capital Expense Fund.

SECTION 12. Not later than thirty (30) days after the effective date of this act, the State Fiscal Officer shall transfer the full balance in the State Public School Education Technology Fund into the Capital Expense Fund.

SECTION 13. Section 57-1-451, Mississippi Code of 1972, which creates the Mississippi Development Authority Job Training Grant Fund, is repealed thirty (30) days after the effective date of this act.

SECTION 14. (1) There is created in the State Treasury a special fund to be designated as the "DEQ Water, Land and Air Contamination Projects Fund," which shall consist of funds transferred from the Attorney General Contingent Fund under the provisions of subsection (2) of this section, any other funds made available by the Legislature in any manner and funds from any other source designated for deposit into the fund. Monies in the fund shall be used by the Mississippi Department of Environmental Quality, upon appropriation by the Legislature, for the purpose of assessment, remediation, operation and maintenance, cost-sharing, oversight and administration of water, land and air contamination projects within the State of Mississippi pursuant to the 2020 settlement in the case of The State of Mississippi ex rel. Lynn Fitch, Attorney General vs. EnPro, Inc., et.al.; Cause No. CV-2017-19-JMY2. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

(2) During fiscal year 2022, the State Fiscal Officer shall transfer the sum of One Million Dollars (\$1,000,000.00) from the Attorney General Contingent Fund to the DEQ Water, Land and Air Contamination Projects Fund created in subsection (1) of this section.

SECTION 15. (1) It is the intent of the Legislature that the agencies listed in subsection (2) of this section shall have the authority to expend funds from any source that may become available to the agency in fiscal year 2022 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds for the purpose of implementation and funding Project SEC2 of the Colonel Guy Groff State Variable Compensation Plan beginning January 1, 2022 and ending June 30, 2022. It shall be the agency's responsibility to make certain that each person, excluding executive directors, agency heads, and elected judges, shall receive no more than a three percent (3%) annual increase in salary which shall not exceed the market rate established by the State Personnel Board pursuant to the Colonel Guy Groff State Variable Compensation Plan for each classification.

(2) Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this section. The agencies listed are authorized to escalate other special funds for the limited purpose provided in this section in an amount not to exceed the following:

AGENCY

AMOUNT

Architecture,		Board		of
\$ 650.00				
Barber	Examiners,	Board		of
\$ 1,232.00				
Cosmetology,		Board		of
\$ 4,942.00				
Dental	Examiners,	Board		of
\$ 4,492.00				
Engineers & Land Surveyors,		Board	of	Prof.
\$ 2,412.00				
Medical		Licensure		Board
\$ 18,233.00				
Motor		Vehicle		Commission
\$ 1,399.00				
Nursing	Home	Administrators,	Board	of
\$ 608.00				
Nursing,		Board		of
\$ 22,876.00				
Pat	Harrison	Waterway		District
\$ 16,539.00				
Pearl River Valley		Water	Supply	District
\$ 64,124.00				
Pharmacy,		Board		of
\$ 4,827.00				
Physical	Therapy,	Board		of
\$ 677.00				
Public	Accountancy,	Board		of
\$ 3,441.00				

Public Contractors, Board of
\$ 10,028.00

Real Estate Appr. Licensing & Cert., Board of
\$ 1,794.00

Real Estate Commission
\$ 9,298.00

Social Workers & Marriage/Family Therapists,

Board of
\$ 985.00

Veterans' Home Purchase Board
\$ 13,470.00

SECTION 16. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) shall be deposited into the Coronavirus State Fiscal Recovery Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery Fund." The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. Monies in the fund shall only be spent upon appropriation by the Legislature and shall only be used as provided in the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus State Fiscal Recovery Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 17. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) for distribution to nonentitlement units of local government shall be deposited into the Coronavirus Local Fiscal Recovery Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus Local Fiscal Recovery Fund" to be administered by the Department of Finance and Administration. The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. The Department of Finance and Administration shall distribute the funds to the nonentitlement units of local government in accordance with the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines. Such funds shall only be used as provided in the Coronavirus Local Fiscal

Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus Local Fiscal Recovery Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 18. (1) There is created in the State Treasury a special fund to be known as the Ross Barnett Reservoir Dredging Fund. The fund shall consist of the monies deposited into the fund as provided in subsection (2) of this section and any other monies appropriated or otherwise made available for the fund by the Legislature. The fund shall be administered and expended by the Board of Directors of the Pearl River Valley Water Supply District, upon appropriation by the Legislature, for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

(2) During fiscal year 2022 and each fiscal year thereafter, the Board of Directors of the Pearl River Valley Water Supply District may deposit not more than Two Hundred Thousand Dollars (\$200,000.00) of the lease payments, fees and other funds received by the district during the fiscal year into the Ross Barnett Dredging Fund.

(3) Unexpended amounts remaining in the Ross Barnett Dredging Fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 19. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 27-103-125 AND 27-103-139, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY EXCEPTIONS FROM THE REQUIREMENTS FOR PREPARING THE PROPOSED STATE BUDGET; TO AMEND SECTION 27-103-203, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE REGARDING TRANSFERS FROM THE WORKING CASH-STABILIZATION RESERVE FUND; TO AMEND SECTION 27-103-211, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY EXCEPTIONS TO THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR THE STATE BUDGET; TO AMEND SECTION 27-103-213, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE REGARDING THE DISTRIBUTION OF THE UNENCUMBERED CASH BALANCE IN THE STATE GENERAL FUND AT THE END OF THE FISCAL YEAR; TO AMEND SECTION 27-103-303, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE AUTHORIZING FUNDS IN THE CAPITAL EXPENSE FUND TO BE USED FOR THE EMERGENCY PLUGGING OF ORPHANED WELLS IDENTIFIED BY THE OIL AND GAS BOARD; TO AMEND SECTIONS 1 AND 9 OF CHAPTER 43, LAWS OF 2020, TO TRANSFER A PORTION OF THE FUNDS APPROPRIATED FOR THE SUPPORT OF THE PUBLIC COMMUNITY COLLEGES TO FUND LIFE AND HEALTH INSURANCE FOR EMPLOYEES OF THE PUBLIC COMMUNITY COLLEGES; TO REPEAL SECTION 16 OF CHAPTER 78, LAWS OF 2020, WHICH APPROPRIATES A CERTAIN AMOUNT FROM THE CAPITAL EXPENSE FUND TO THE DIVISION OF MEDICAID; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "MDA SITE DEVELOPMENT GRANT PROGRAM FUND," WHICH SHALL BE USED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO MAKE GRANTS TO ASSIST ELIGIBLE ENTITIES UNDER THE MISSISSIPPI SITE DEVELOPMENT GRANT PROGRAM; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER THE FULL BALANCE IN THE MISSISSIPPI DEVELOPMENT AUTHORITY JOB TRAINING GRANT FUND INTO THE CAPITAL EXPENSE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER

THE FULL BALANCE IN THE STATE PUBLIC SCHOOL EDUCATION TECHNOLOGY FUND INTO THE CAPITAL EXPENSE FUND; TO REPEAL SECTION 57-1-451, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI DEVELOPMENT AUTHORITY JOB TRAINING GRANT FUND; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "DEQ WATER, LAND AND AIR CONTAMINATION PROJECTS FUND," WHICH SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF ASSESSMENT, REMEDIATION, OPERATION AND MAINTENANCE, COST-SHARING, OVERSIGHT AND ADMINISTRATION OF WATER, LAND AND AIR CONTAMINATION PROJECTS WITHIN THE STATE OF MISSISSIPPI; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM FROM THE ATTORNEY GENERAL CONTINGENT FUND TO THE DEQ WATER, LAND AND AIR CONTAMINATION PROJECTS FUND; TO AUTHORIZE CERTAIN SPECIAL FUND AGENCIES TO ESCALATE THEIR BUDGETS DURING FISCAL YEAR 2022 TO IMPLEMENT AND FUND INCREASES IN THE ANNUAL SALARIES OF THEIR EMPLOYEES; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "CORONAVIRUS STATE FISCAL RECOVERY FUND," WHICH SHALL CONSIST OF ALL FUNDS RECEIVED BY OR ON BEHALF OF THE STATE OF MISSISSIPPI THROUGH THE CORONAVIRUS STATE FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE THAT MONIES IN THE FUND SHALL ONLY BE SPENT UPON APPROPRIATION BY THE LEGISLATURE AND SHALL ONLY BE USED AS PROVIDED IN THE CORONAVIRUS STATE FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "CORONAVIRUS LOCAL FISCAL RECOVERY FUND," WHICH SHALL CONSIST OF ALL FUNDS RECEIVED BY OR ON BEHALF OF THE STATE OF MISSISSIPPI THROUGH THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021 FOR DISTRIBUTION TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL DISTRIBUTE THE FUNDS TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT IN ACCORDANCE WITH THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE THAT THE FUNDS SHALL ONLY BE USED AS PROVIDED IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ROSS BARNETT RESERVOIR DREDGING FUND, WHICH SHALL CONSIST OF MONIES DEPOSITED INTO FUND BY THE BOARD OF DIRECTORS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FROM THE LEASE PAYMENTS, FEES AND OTHER FUNDS RECEIVED BY THE DISTRICT DURING THE FISCAL YEAR; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Read

Angela Cockerham

Karl Oliver

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 109** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2062** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-23-1, Mississippi Code of 1972, is amended as follows:

17-23-1. (1) There is established the Rural Fire Truck Acquisition Assistance Program to be administered by the Department of Insurance for the purpose of assisting counties and municipalities in the acquisition of fire trucks.

(2) There is created in the State Treasury a special fund to be designated as the "Rural Fire Truck Fund." The Legislature may appropriate that amount necessary to fulfill the obligations created under this section by the Department of Insurance, from the State General Fund to such special fund, which sum shall be added to the remainder of the money transferred on July 1, 1995, and during the 1996 Regular Session to the Rural Fire Truck Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Unobligated amounts remaining in the Rural Fire Truck Fund, Fund No. 3507, or in any fund created for funds appropriated or otherwise made available for this program, may be used as matching funds by any county with remaining eligibility as provided herein. It is the intent of the Legislature that the Department of Insurance continue to accept applications from the counties for fire trucks as provided in subsection (3) of this section.

(3) (a) A county that meets the requirements provided herein may receive an amount not to exceed * * * Nine Hundred Twenty Thousand Dollars (\$920,000.00) as provided in subparagraphs (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii) * * *, (xiii) and (xiv) of this paragraph, and such amount shall be divided as follows: an amount of not more than Fifty Thousand Dollars (\$50,000.00) per fire truck for the first six (6) trucks and not more than Seventy Thousand Dollars (\$70,000.00) per fire truck for the seventh, eighth, ninth, tenth and eleventh trucks, and not more than Ninety Thousand Dollars

(\$90,000.00) per fire truck for the twelfth * * *, thirteenth and fourteenth truck. Monies distributed under this chapter shall be expended only for the purchase of new fire trucks and such trucks must meet the National Fire Protection Association (NFPA) standards in the 1900 series.

(i) Any county that has not applied for a fire truck under this section is eligible to submit applications for * * * fourteen (14) fire trucks as follows: six (6) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of * * * Nine Hundred Twenty Thousand Dollars (\$920,000.00).

(ii) Any county that has received one (1) fire truck under this section is eligible to submit applications for * * * thirteen (13) fire trucks as follows: five (5) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of * * * Eight Hundred Seventy Thousand Dollars (\$870,000.00).

(iii) Any county that has received two (2) fire trucks under this section is eligible to submit an application for * * * twelve (12) fire trucks as follows: four (4) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than * * * Eight Hundred Twenty Thousand Dollars (\$820,000.00).

(iv) Any county that has received three (3) fire trucks under this section is eligible to submit an application for * * * eleven (11) fire trucks as follows: three (3) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than * * * Seven Hundred Seventy Thousand Dollars (\$770,000.00).

(v) Any county that has received four (4) fire trucks under this section is eligible to submit an application for * * * ten (10) fire trucks as follows: two (2) fire trucks at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than * * * Seven Hundred Twenty Thousand Dollars (\$720,000.00).

(vi) Any county that has received five (5) fire trucks under this section is eligible to submit an application for * * * nine (9) fire trucks as follows: one (1) fire truck at not more than Fifty Thousand Dollars (\$50,000.00) per truck and five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than * * * Six Hundred Seventy Thousand Dollars (\$670,000.00).

(vii) Any county that has received six (6) fire trucks under this section is eligible to submit an application for * * * eight (8) fire trucks as follows: five (5) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than * * * Six Hundred Twenty Thousand Dollars (\$620,000.00).

(viii) Any county that has received seven (7) fire trucks under this section is eligible to submit an application for * * * seven (7) fire trucks as follows: four (4) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and * * * three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than * * * Five Hundred Fifty Thousand Dollars (\$550,000.00).

(ix) Any county that has received eight (8) fire trucks under this section is eligible to submit an application for *** six (6) fire trucks as follows: three (3) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and *** three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than *** Four Hundred Eighty Thousand Dollars (\$480,000.00).

(x) Any county that has received nine (9) fire trucks under this section is eligible to submit an application for *** five (5) fire trucks as follows: two (2) fire trucks at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and *** three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than *** Four Hundred Ten Thousand Dollars (\$410,000.00).

(xi) Any county that has received ten (10) fire trucks under this section is eligible to submit an application for *** four (4) fire trucks as follows: one (1) fire truck at not more than Seventy Thousand Dollars (\$70,000.00) per truck, and *** three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck or a total of not more than *** Three Hundred Forty Thousand Dollars (\$340,000.00).

(xii) Any county that has received eleven (11) fire trucks under this section is eligible to submit an application for *** three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck.

(xiii) Any county may apply for *** three (3) fire trucks at not more than Ninety Thousand Dollars (\$90,000.00) per truck as provided in subparagraph (xii), provided that the county agrees to forego any previous fire truck under subparagraphs (i) through (xi) for which the county has not previously applied, and that the county has received approval from the Rural Fire Truck Acquisition Assistance Program Committee to apply for and receive a truck under subparagraph (xii).

(b) The board of supervisors of the county shall submit its request for the receipt of monies to the Department of Insurance. A committee composed of the Commissioner of Insurance, the State Fire Coordinator, the Director of the Rating Bureau and the Director of the State Fire Academy shall review the requests by the boards of supervisors and shall determine whether the county or municipality for which the board of supervisors has requested a truck meets the requirements of eligibility under this chapter.

(c) To be eligible to receive monies under this chapter:

(i) A county or municipality must pledge to set aside or dedicate each year as matching funds, for a period not to extend over ten (10) years, local funds in an amount equal to or not less than one-tenth (1/10) of the amount of monies for which it is requesting distribution from the Rural Fire Truck Fund, which pledged monies may be derived from local ad valorem tax authorized by law or from any other funds available to the county or municipality, except for those funds received by municipalities or counties from the Municipal Fire Protection Fund or the County Volunteer Fire Department Fund, as defined in Sections 83-1-37 and 83-1-39.

(ii) A municipality must provide adequate documentation of its contract with the county that requires the municipality to provide fire protection in rural areas. The term "rural areas" means any area within the county located outside the boundaries of an incorporated municipality or any incorporated municipality with a population of two thousand five hundred (2,500) or less.

(d) The Department of Insurance shall maintain an accurate record of all monies distributed to counties and municipalities and the number of fire trucks purchased and the cost for each fire truck, such records to be kept separate from other records of the Department of Insurance; notify counties and municipalities of the Rural Fire Truck Acquisition Assistance Program and the requirements for them to become eligible to participate; adopt and promulgate such rules and regulations as may be necessary and

desirable to implement the provisions of this chapter; and file with the Legislature a report detailing how monies made available under this chapter were distributed and spent during the preceding portion of the fiscal year in each county and municipality, the number of fire trucks purchased, the counties and municipalities making such purchases, and the cost of each fire truck purchased.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
J. Walter Michel	Karl Oliver
Jeff Tate	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2062** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.
Nays--None.
Absent and those not voting--Polk. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2474** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2474: Department of Health; allow charges between agencies for services provided under the medical marijuana program.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-203, Mississippi Code of 1972, is amended as follows:

27-104-203. (1) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent, audit fee, personnel fee or other charge for services or resources received. The provisions of this section shall not apply (a) to grants, contracts, pass-through funds, project fees or other charges for services between state agencies and the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (b) to charges for services between the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (c) to federal grants, pass-through funds, cost allocation charges, surplus property charges or project fees between state agencies as approved or determined by the State Fiscal Officer, nor (d) telecommunications, data center services, and/or other information technology services that are used on an as-needed basis and those costs shall be passed through to the using agency, nor (e) to federal grants, special funds, or pass-through funds, available for payment by state agencies to the Department of Finance and Administration related to Mississippi Management and Reporting Systems (MMRS) Statewide Application charges and utilities as approved or determined by the State Fiscal Officer, nor (f) to grants, contracts, pass-through funds, project fees or charges for services between the State Department of Health and other state agencies or entities, including, but not limited to, the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, for the operation of the state's medical marijuana program as established by Sections ___ through ___, Mississippi Constitution of 1890. The Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education shall retain the authority to charge and be charged for expenditures that they deemed nonrecurring in nature by the State Fiscal Officer.

(2) If at any time after the effective date of this act the Mississippi Supreme Court issues a final opinion that strikes down or otherwise holds invalid in its entirety Initiative 65, which establishes a medical marijuana program in the State of Mississippi, then paragraph (f) of subsection (1) of this section shall stand repealed on the date that the opinion is issued by the Supreme Court.

SECTION 2. (1) The following provisions shall be applicable to the implementation, operation and/or enforcement of the state's medical marijuana program ("the program") as established under Sections ___ through ___, Mississippi Constitution of 1890, by the State Department of Health:

(a) The State Fiscal Officer, upon receipt of requisitions from the State Department of Health for the expenditure of funds from the special fund in the State Treasury established under Section ___, Mississippi Constitution of 1890, for the purpose of implementing, administering and/or enforcing the provisions of the program, shall issue warrants for those expenditures by the department without an appropriation of those funds or other authorization for expenditure of those funds by the Legislature.

(b) The State Fiscal Officer, upon request from the State Department of Health to escalate personnel positions in the department for the purpose of implementing, administering and/or enforcing the provisions of the program, shall authorize the escalation of those personnel positions as nonstate service positions in the department to

be funded with monies from the special fund in the State Treasury established under Section _____, Mississippi Constitution of 1890.

(c) The State Department of Health, when making acquisitions of information technology equipment and services for the purpose of implementing, administering and/or enforcing the provisions of the program, shall be exempt from all Mississippi Department of Information Technology Services laws, rules and regulations and shall be exempt from any statutory or regulatory requirements that such acquisitions be based upon competitive bidding procedures with advertising for and receiving bids to make the acquisitions. This paragraph (c) shall stand repealed on July 1, 2024.

(2) If at any time after the effective date of this act the Mississippi Supreme Court issues a final opinion that strikes down or otherwise holds invalid in its entirety Initiative 65, which establishes a medical marijuana program in the State of Mississippi, then this section shall stand repealed on the date that the opinion is issued by the Supreme Court.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GRANTS, CONTRACTS, PASS-THROUGH FUNDS, PROJECT FEES OR CHARGES FOR SERVICES BETWEEN THE STATE DEPARTMENT OF HEALTH AND OTHER STATE AGENCIES OR ENTITIES FOR THE OPERATION OF THE STATE'S MEDICAL MARIJUANA PROGRAM; TO CLARIFY PROVISIONS NECESSARY FOR THE IMPLEMENTATION, OPERATION AND/OR ENFORCEMENT OF THE STATE'S MEDICAL MARIJUANA PROGRAM RELATING TO EXPENDITURES BY THE DEPARTMENT WITHOUT AN APPROPRIATION, ESCALATING PERSONNEL POSITIONS IN THE DEPARTMENT, AND EXEMPTION FROM INFORMATION TECHNOLOGY LAWS AND REGULATIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Kevin Blackwell	Sam C. Mims, V
Angela Burks Hill	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2474** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Seymour. Total--1.

Absent and those not voting--Polk. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2834** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2834: Mississippi Historic Site Preservation Fund Grant Program; establish within Department of Archives and History.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Michael McLendon

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Richard Bennett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2834** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Unanimous consent was granted to add Senators Hill, Jordan, Jackson R. (11th), Butler, Simmons S. (13th), Jackson S. (32nd), Branning, Frazier and Thomas as co-authors of **S. B. No. 2834**.

Senator Whaley offered the following report of the Conference Committee on **H. B. No. 382** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) (a) White-tailed deer harvested within any enclosure shall be tested for chronic wasting disease (CWD).

(b) The Commission on Wildlife, Fisheries and Parks shall promulgate rules and regulations requiring the annual submission of viable samples from harvested deer for chronic wasting disease testing. Rules promulgated under this paragraph shall require a minimum submission from inside a high-fenced enclosure representing at least one (1) deer per each two hundred (200) acres of land under fence.

(c) In addition to samples submitted from deer harvested within an enclosure, to the extent possible, enclosure owner/operators shall submit viable samples collected from any deer that dies inside an enclosure from causes other than being harvested by hunting, for chronic wasting disease testing. Samples collected from deer whose death occurred for reasons other than hunting shall count toward the total number of required samples.

(2) If chronic wasting disease is detected within an enclosure, as defined in Section 49-7-58.1, the commission shall not declare surrounding or adjoining properties within a five (5) mile radius of the enclosure a CWD Management Zone, until chronic wasting disease is positively detected within such radius on these surrounding or adjoining properties.

(3) Failure to submit samples pursuant to the rules and regulations promulgated by the commission shall be a violation of those regulations. A first violation of such regulations shall be punishable by a fine of Five Hundred Dollars (\$500.00). Each second or subsequent violation shall be punishable by a fine of One Thousand Dollars (\$1,000.00).

SECTION 2. Section 49-1-29, Mississippi Code of 1972, is amended as follows:

49-1-29. (1) The commission may promulgate rules and regulations, inaugurate studies and surveys, and establish any services it deems necessary to carry out wildlife laws. A violation of any rules or regulations promulgated by the commission shall constitute a misdemeanor and shall be punished as provided in Section 49-7-101.

(2) The executive director shall have authority with commission approval:

(a) To close or shorten the open season as prescribed by law in cases of urgent emergency on any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians, in any locality, when it finds after investigation and public review that the action is reasonably necessary to secure the perpetuation of any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians and to maintain an adequate supply in the affected area. The statutes shall continue in full force and effect, except as restricted and limited by the rules and regulations promulgated by the commission.

(b) To designate wildlife refuges, with the consent of the property owner or owners, in any localities it finds necessary to secure perpetuation of any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians and to maintain an adequate supply for the purpose of providing a safe retreat where the animals may rest and replenish adjacent hunting, trapping or fishing grounds or waters, and to approve land suitable for such purposes as eligible for the income tax credit authorized under Section 27-7-22.22.

(c) To acquire and hold for the state by purchase, condemnation, lease, or agreement as authorized from time to time by the Legislature, and to receive by gifts or devise, lands or water suitable for fish habitats, game and bird habitats, state parks, access sites, wildlife refuges, or for public shooting, trapping or fishing grounds or waters, to provide areas on which any citizen may hunt, trap or fish under any special regulations as the commission may prescribe, and to approve lands suitable for such purposes as eligible for the income tax credit authorized under Section 27-7-22.22.

(d) To extend and consolidate lands or waters suitable for the above purposes by exchange of lands or waters under its jurisdiction.

(e) To capture, propagate, transport, sell or exchange any species of game birds, game or fur-bearing animals, reptiles, fish or amphibians needed for stocking or restocking any lands or waters of the state.

(f) To enter into cooperative agreements with persons, firms, corporations or governmental agencies for purposes consistent with this chapter.

(g) To regulate the burning of rubbish, slashings and marshes or other areas it may find reasonably necessary to reduce the danger of destructive fires.

(h) To conduct research in improved wildlife and fisheries conservation methods and to disseminate information to the residents of the state through the schools, public media and other publications.

(i) To have exclusive charge and control of the propagation and distribution of wild birds, animals, reptiles, fish and amphibians, the conduct and control of hatcheries, biological stations and game and fur farms owned or acquired by the state; to expend for the protection, propagation or preservation of game birds, game or fur-bearing animals, reptiles, fish and amphibians all funds of the state acquired for this purpose arising from licenses, gifts or otherwise; and shall have charge of the enforcement of all wildlife laws.

(j) To grant permits and provide regulations for field trials and dog trainers.

(k) To prohibit and to regulate the taking of nongame gross fish, except minnows.

(l) To enter into agreements with landowners to trap and purchase quail on the premises of the landowner and to provide for the distribution of quail.

(m) To operate or lease to third persons concessions or other rights or privileges on lakes owned or leased by the department. Owners of land adjoining land owned or leased by the department shall have priority to the concessions or rights or privileges, if the owners meet the qualifications established by the commission.

(n) To implement a beaver control program and to charge fees, upon the recommendation of the Beaver Control Advisory Board, to landowners participating in the beaver control program described in Section 49-7-201.

(o) To apply for, receive and expend any federal, state or local funds, contributions or funds from any other source for the purpose of beaver control or eradication.

(p) To require the department to divide the districts into zones if necessary, and periodically survey the districts or zones to obtain information that is necessary to properly determine the population and allowable harvest limits of wildlife within the district or zone.

(q) To *** grant wildlife personnel *** access to enter the *** enclosure and utilize *** the best collection methods available to obtain tissue samples for testing where CWD has been diagnosed within five (5) miles of the enclosure.

If CWD is detected within an enclosure, the commission shall not declare surrounding or adjoining properties within a five (5) mile radius of the enclosure, a CWD Management Zone, until chronic wasting disease is positively detected within such radius on these surrounding or adjoining properties.

SECTION 3. Section 49-7-58.1, Mississippi Code of 1972, is amended as follows:

49-7-58.1. (1) The owner of any enclosure containing white-tailed deer that prevents the free egress of white-tailed deer from the enclosed area shall notify and register with the Department of Wildlife, Fisheries and Parks. The person shall give his name, the location of the enclosure, the acreage within the enclosure, and whether any deer have been imported into the state and placed in the enclosure, and any other information required by the Commissioner on Wildlife, Fisheries and Parks.

(2) Persons who constructed an enclosure prior to July 1, 2003, shall have until January 1, 2004, to notify and provide the information required under this section. The person shall use acceptable hunting and wildlife management practices as may be determined by the department.

(3) The owner of such an enclosure shall comply with *** all rules and regulations promulgated by the Commission on Wildlife, Fisheries and Parks for the testing of white-tailed deer harvested within *** an enclosure, or whose death was due to causes other than hunting activity, as required by Section *** 1 of this act. If chronic wasting disease is diagnosed within five (5) miles of the enclosure, the owner of such enclosure shall allow department personnel to enter the enclosure to utilize *** the best collection methods possible to obtain tissue samples for testing. If chronic wasting disease is diagnosed within the enclosure, the owner shall *** work with the commission to determine a solution for containing the disease within the enclosure; however, the commission shall not declare surrounding or adjoining properties within a five (5) mile radius of the enclosure a CWD Management Zone, until chronic wasting disease is positively detected within such radius on these surrounding or adjoining properties.

(4) *** Violations of this section *** shall be punishable as provided in Section *** 1 of this act.

SECTION 4. Section 49-7-58.2, Mississippi Code of 1972, is amended as follows:

49-7-58.2. (1) The Department of Wildlife, Fisheries and Parks shall develop and implement a program for inspecting, monitoring, testing and preventing chronic wasting disease. The Commission on Wildlife, Fisheries and Parks shall promulgate rules and regulations to effect the sampling of deer harvested, or dying from, nonhunting related causes, within an enclosure. If chronic wasting disease is diagnosed in white-tailed deer within an enclosure, the department is authorized to use methods authorized by the commission and enter the enclosure *** to determine a solution for containing the disease within the enclosure. If chronic wasting disease is diagnosed within five (5) miles of the enclosure, the department is authorized to enter the enclosure and utilize *** the

best collection methods available to obtain tissue samples. If chronic wasting disease is detected within an enclosure, the commission shall not declare surrounding or adjoining properties within a five (5) mile radius of the enclosure a CWD Management Zone, until chronic wasting disease is positively detected within such radius on these surrounding or adjoining properties.

(2) If a live test for chronic wasting disease is developed, the department is authorized to conduct such tests on white-tailed deer within any enclosure.

SECTION 5. Section 49-7-58.5, Mississippi Code of 1972, which requires the chronic wasting disease (CWD) testing of white-tail deer harvested within any enclosure, and imposes Class II and Class I violation penalties for first and subsequent violations, is repealed.

SECTION 6. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO REQUIRE CHRONIC WASTING DISEASE TESTING OF A SAMPLE OF WHITE-TAILED DEER HARVESTED OR DYING FROM CAUSES OTHER THAN BEING HARVESTED BY HUNTING WITHIN ANY ENCLOSURE; TO PROVIDE THAT IF CHRONIC WASTING DISEASE IS DETECTED WITHIN AN ENCLOSURE, THE COMMISSION SHALL NOT DECLARE SURROUNDING OR ADJOINING PROPERTIES WITHIN A FIVE MILE RADIUS OF THE ENCLOSURE A CWD MANAGEMENT ZONE, UNTIL CHRONIC WASTING DISEASE IS POSITIVELY DETECTED WITHIN SUCH RADIUS ON THESE SURROUNDING OR ADJOINING PROPERTIES; TO IMPOSE CERTAIN FINES FOR FIRST AND SUBSEQUENT VIOLATIONS; TO AMEND SECTIONS 49-1-29, 49-7-58.1 AND 49-7-58.2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO REPEAL SECTION 49-7-58.5, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE CHRONIC WASTING DISEASE TESTING OF WHITE-TAIL DEER HARVESTED WITHIN ANY ENCLOSURE, AND IMPOSES CLASS II AND CLASS I VIOLATION PENALTIES FOR FIRST AND SUBSEQUENT VIOLATIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Bill Kinkade

C. Scott Bounds

Shane Barnett

CONFEREES FOR THE SENATE

Neil S. Whaley

J. Walter Michel

Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 382** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--50.

Nays--Tate. Total--1.

Absent and those not voting--Polk. Total--1.

Senator Seymour offered the following report of the Conference Committee on **H. B. No. 761** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 761: State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 35-1-7, Mississippi Code of 1972, is amended as follows:

35-1-7. (1) The duties of the State Veterans Affairs Board shall be to assist former and present members of the Armed Forces of the United States, and their dependents, in securing any benefits or privileges under any federal or state law or regulation to which they are entitled and to advise the Governor and Legislature on veterans affairs. Moreover, veterans or their dependents shall be given their choice of organizations to represent them in instances where a case is appealed, and the board shall lend its full cooperation in connection therewith.

(2) The board and its employees shall cooperate fully with all congressionally chartered veterans organizations within the state, including servicing the power of attorney of the congressionally chartered veterans organizations upon the request of the organizations to the State Veterans Affairs Board in the prosecution of all claims on behalf of veterans. However, all powers of attorney to the State Veterans Affairs Board shall be processed first, and thereafter, powers of attorney shall be processed for veterans organizations in the ratio that the membership of the organization bears to the total number of veterans residing in Mississippi.

(3) The State Veterans Affairs Board is designated as the "state approving agency" for the State of Mississippi. It shall be the duty of the State Veterans Affairs Board to inspect, approve and supervise schools, institutions and establishments for war orphan and veteran training as provided in Section 1771, Chapter 35, Title 38, United States Code, and in any subsequent acts passed by the Congress of the United States for the purpose of education and training of war orphans or former and present members of the Armed Forces of the United States. The State Veterans Affairs Board is authorized to employ the needed personnel to perform the duties as outlined in Section 1771, Chapter 35, Title 38, United States Code, and in any subsequent acts as enacted by the Congress of the United States, and to enter into contract with the Department of Veterans Affairs for salary and travel reimbursement for personnel employed for this purpose.

(4) The State Veterans Affairs Board shall operate all Mississippi state veterans homes when established as authorized by Sections 35-1-19 through 35-1-29.

(5) The powers of the State Veterans Affairs Board in relation to operating the State Veterans Homes shall specifically include, but not be limited to, the following authority:

(a) To expend, upon appropriation by the Legislature, any revenue generated by the State Veterans Homes in support of the State Veterans Homes;

(b) To enter into loan or scholarship agreements with employees or students to provide educational assistance where such student or employee agrees to work for a stipulated period of time for the board. Under this agreement the employee will agree to commit to up to three (3) years but no less than one (1) year, to be determined by the employment position and the amount of student debt; provided, however, no State General Fund monies shall be used for such purposes and the majority of funds for such purposes shall be provided through programs established by the Mississippi Department of Health, the United States Department of Health and Human Services, and the United States Department of Veterans Affairs; and

(c) To sell or otherwise dispose of any chattel property of the State Veterans Affairs Board used in operation of the State Veterans Homes where such disposition is consistent with the homes' purposes or where such property is deemed by the board or its designee to be surplus or otherwise unneeded. The State Veterans Affairs Board shall develop and submit an annual report to the Legislature on any such sale or disposition and shall ensure that the proceeds shall be used to defray the operation of the State Veterans Homes.

(6) The State Veterans Affairs Board is authorized to adopt such policies and to prescribe such rules and regulations as it may deem necessary for the proper administration of this chapter. However, such policies and regulations shall not be in conflict with any of the provisions of this chapter.

SECTION 2. Section 29-9-9, Mississippi Code of 1972, is amended as follows:

29-9-9. (1) Whenever any vehicle, equipment, office furniture, office fixture or any other personal property which has been acquired or is owned by any institution, department or agency of the State of Mississippi becomes obsolete or is no longer needed or required for the use of such institution, department or agency, the same may be: (a) sold for cash, transferred, traded or exchanged for other property, furniture, equipment, fixture or vehicle needed by said institution, department or agency after having first obtained the written approval of the Governor's Office of General Services and the State Auditor or approval by the Legislative Budget Office if utilized under the jurisdiction of the Legislature; or (b) donated to any institution, department or agency of the State of Mississippi, or any political subdivision or local governing authority of the state. The singular shall include the plural. Transfers, trades, exchanges or donations made pursuant to this subsection may be made to any political subdivision or local governing authority of the State of Mississippi.

(2) The proceeds of all cash sales made, as authorized in this section, shall be paid over into the support and maintenance or contingent fund of the institution, department or agency as it deems best.

(3) The head of each state institution, department or agency shall be responsible and liable personally and on his official bond, in the amount of the value shown on the state inventory, for the disposal of any property contrary to the provisions of this section.

(4) The Office of General Services, on the approval of the Public Procurement Review Board, is hereby authorized and empowered to make reasonable rules and regulations and to require such information as may be necessary to carry out the purpose and provisions of this section.

(5) Any violation of the provisions hereof by any elected head of any institution, department, commission or agency of the State of Mississippi, or any appointee or employee of any institution, department, agency or commission coming under the provisions of this section, shall constitute a misdemeanor and, upon conviction therefor, shall be punished by a fine of not exceeding One Thousand Dollars (\$1,000.00) in addition to personal and official liability, as hereinabove provided.

(6) The disposal of any unneeded personal property at the project described in Section 57-75-5(f)(vi), may be made in accordance with the provisions of the Mississippi Major Economic Impact Act by the Mississippi Major Economic Impact Authority, under such rules and regulations as may be adopted by such authority.

(7) The disposal of any alternative housing units purchased through the Mississippi Alternative Housing Pilot Program may be made by the Mississippi Emergency Management Agency as required by federal law to be in compliance with regulations of the federal articles of agreement and its awarded conditions, and upon approval of the Public Procurement Review Board.

(8) This section shall not be applicable to the State Veterans Homes in the event the State Veterans Affairs Board has contracted for property management services at the State Veterans Homes.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE STATE VETERANS BOARD IN RELATION TO OPERATING THE STATE VETERANS HOMES; TO AUTHORIZE THE BOARD TO ESTABLISH PROGRAMS RELATING TO EMPLOYEE HIRING AND INCENTIVES AND PROPERTY DISPOSAL; TO AMEND SECTION 29-9-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Lester Carpenter

Joseph M. Seymour

Gene Newman

Dennis DeBar, Jr.

Karl Oliver

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 761** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator Barnett offered the following report of the Conference Committee on **H. B. No. 929** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This act shall be known as the "Reentry Court Act of 2021."

(2) The Mississippi Department of Corrections shall establish a rehabilitation and workplace development program that can be completed in no more than three (3) years.

(3) The Senior Circuit Court Judge of the First, Second, Seventh, and Fifteenth Circuit Court Districts may establish a pilot reentry division in the district. Any reentry division of the court and sentencing program shall work in conjunction with the Mississippi Department of Corrections and the Mississippi Intervention Court Commission to establish best practices for the court including standards for suitability. Any person placed in the reentry court shall be counted in determining funding allocations to the court from the Administrative Office of Courts.

(4) Participation in the workforce development sentencing program as authorized by the provisions of this section shall be subject to certain provisions. The court may recommend that a defendant convicted of one or more felony offenses in this state or any other state or federal court participate in the workforce development sentencing program if all of the following criteria are satisfied:

(a) The defendant meets the eligibility and suitability requirements for participation in the Offender Rehabilitation and Workforce Development Program;

(b) The court determines that it is in the best interest of the community and in the interest of justice that the defendant be sentenced to the Offender Rehabilitation and Workforce Development Program;

(c) The defendant is not sentenced to a term of incarceration which exceeds twenty (20) years;

(d) The defendant shall not have any prior felony convictions for any offenses defined as a sex offense in Section 45-33-23;

(e) The crime before the court shall not be a crime of violence as listed in Section 97-3-2, except house burglary under Section 97-17-23(1);

(f) The defendant cannot be sentenced in the present charge as a habitual offender pursuant to Section 99-19-81 or 99-19-83;

(g) Other criminal proceedings alleging commission of a crime of violence as listed in Section 97-3-2, except house burglary under Section 97-17-23(1), shall not be pending against the defendant; and

(h) The crime before the court shall not be a charge of any crime that resulted in the death of a person.

(5) Upon a determination that the defendant meets the eligibility and suitability criteria provided for in subsection (4) of this section, the court shall advise the defendant that he may be eligible for enrollment in the workforce development sentencing program.

(6) Prior to sentence, the court shall contact the Department of Corrections Reentry Services to determine if there is adequate capacity for enrollment or if bed space is available.

(7) In offering a defendant the opportunity to request the program, the court shall advise the defendant of the following:

(a) If the defendant is eligible to participate in the workforce development sentencing program, the defendant shall waive the right to a trial. The defendant shall enter a plea of guilty to the charge with the stipulation that the defendant shall be sentenced to custody of the Department of Corrections to participate in the Offender Rehabilitation and Workforce Development Program, and, after successful completion of that program, the court shall suspend the remainder of his or her sentence and place him or her on probation under the intensive supervision of the reentry division of court.

(b) The court may impose any conditions reasonably related to the rehabilitation of the defendant, including ordering the defendant to participate and complete a substance abuse treatment program.

(c) A defendant who is placed under the supervision of the reentry division of court may be ordered to pay the cost of any assessments, substance abuse tests, and treatment programs to which he or she is assigned and the cost of any additional supervision that may be required, to the extent of his financial resources, as determined by the reentry division of court as guided by Section 99-19-20.1(1).

(d) Notwithstanding any provision of law to the contrary, any offender sentenced under this section shall not be eligible for parole pursuant to Section 47-7-3, nor earn "good time" pursuant to Section 47-5-138, 47-5-138.1, 47-5-139 or 47-5-142 while in the program.

(8) The defendant shall agree to participation in the workforce development sentencing program.

(9) The judge shall consider the following factors in determining whether workforce development sentencing is in the interest of justice and of benefit to the defendant and the community:

(a) The nature of the crime charged and the circumstances surrounding the crime;

(b) Any special characteristics or circumstances of the defendant;

(c) Whether there is a probability that the defendant will cooperate with and benefit from the workforce development sentencing program;

(d) Whether the available workforce development sentencing program is appropriate to meet the needs of the defendant;

- (e) The impact of the defendant's sentencing upon the community;
- (f) Recommendations, if any, of the district attorney;
- (g) Recommendations, if any, of the involved law enforcement agency;
- (h) Recommendations, if any, of the victim;
- (i) Provisions for and the likelihood of obtaining restitution from the defendant;
- (j) Any mitigating circumstances; and
- (k) Any other circumstances reasonably related to the defendant's case.

(10) If the judge determines that the defendant shall be enrolled in the workforce development sentencing program, the court shall accept the defendant's guilty plea and sentence the defendant to the custody of the Department of Corrections for a term of years subject to participation in the Offender Rehabilitation and Workforce Development Program under the terms and conditions of the workforce development sentencing program.

(11) If the judge determines that the defendant is not qualified for enrollment, the judge shall state for the record the reasons for that determination.

(12) If the defendant successfully completes the Offender Rehabilitation and Workforce Development Program and successfully completes all other requirements of the workforce development sentencing program, the court, notwithstanding any provision of Section 47-7-33 or 47-7-47 to the contrary, shall suspend the remainder of his sentence and place the person on probation for not more than three (3) years under the intensive supervision of the reentry division of court. If the defendant fails to complete the program, the court shall order the defendant to serve all or part of the remainder of the sentence. The Department of Corrections shall not grant any "good time credits" for the time served prior to the resentencing nor shall the time in the program be used to calculate a parole eligibility date.

(13) If the defendant violates any condition of his reentry probation, the court may revoke the probation and order the defendant to serve all or part of the sentence previously imposed and suspended, unless the violation is a technical violation and then the court may impose a sentence of not more than ninety (90) days to be served at the Technical Violation Center. The term of the revocation for a technical violation shall begin on the date the court orders the revocation. Upon completion of the imposed sentence for the technical revocation, the defendant shall return to active supervised probation for a period equal to the remainder of the original period of probation subject to any additional conditions imposed by the court.

(14) This section shall stand repealed on July 1, 2024.

SECTION 2. The Joint Legislative Committee on Performance Evaluation and Expenditure Review shall conduct a review of all reentry court programs active after three (3) years and produce a report to the Legislature on their effectiveness by December 1, 2024. The PEER Committee may seek the assistance of the Administrative Office of Courts or any other criminal justice experts it deems necessary during its review.

SECTION 3. The Department of Corrections is authorized to provide for hospice care services for inmates who are confined in facilities under the jurisdiction of the department and who are terminally ill as defined in Section 41-85-3. The department may have those hospice care services provided by properly qualified employees of the

department or may contract for the providing of the hospice care services. If the department provides the hospice care services with department employees, the department is not required to have a license under the Mississippi Hospice Law.

SECTION 4. Section 41-85-5, Mississippi Code of 1972, is amended as follows:

41-85-5. (1) It is unlawful for a person to operate or maintain a hospice, use the title "hospice," or represent that the person provides a hospice program of care, without first obtaining a license therefor from the department.

(2) The license shall be displayed in a conspicuous place inside the hospice program office; shall be valid only in the possession of the person to which it is issued; shall not be subject to sale, assignment or other transfer, voluntary or involuntary; and shall not be valid for any hospice other than the hospice for which originally issued.

(3) Services provided by a hospital, nursing home or other health care facility or health care provider shall not be considered to constitute a hospice program of care unless such facility, provider or care giver establishes a freestanding or distinct hospice unit, staff, facility and services to provide hospice home care, homelike inpatient hospice care, or outpatient hospice care under the separate and distinct administrative authority of a hospice program.

(4) A license for a hospice program shall not be issued if the hospice is to be located in an area in violation of any local zoning ordinances or regulations.

(5) The Department of Corrections may provide hospice care services to inmates confined in facilities under the jurisdiction of the department as authorized under Section 3 of this act without a license issued under this chapter.

SECTION 5. Section 43-11-1, Mississippi Code of 1972, is amended as follows:

43-11-1. When used in this chapter, the following words shall have the following meaning:

(a) "Institutions for the aged or infirm" means a place either governmental or private that provides group living arrangements for four (4) or more persons who are unrelated to the operator and who are being provided food, shelter and personal care, whether any such place is organized or operated for profit or not. The term "institution for the aged or infirm" includes nursing homes, pediatric skilled nursing facilities, psychiatric residential treatment facilities, convalescent homes, homes for the aged * * *, adult foster care facilities * * * and special care facilities for paroled inmates, provided that these institutions fall within the scope of the definitions set forth above. The term "institution for the aged or infirm" does not include hospitals, clinics or mental institutions devoted primarily to providing medical service, and does not include any private residence in which the owner of the residence is providing personal care services to disabled or homeless veterans under an agreement with, and in compliance with the standards prescribed by, the United States Department of Veterans Affairs, if the owner of the residence also provided personal care services to disabled or homeless veterans at any time during calendar year 2008.

(b) "Person" means any individual, firm, partnership, corporation, company, association or joint-stock association, or any licensee herein or the legal successor thereof.

(c) "Personal care" means assistance rendered by personnel of the home to aged or infirm residents in performing one or more of the activities of daily living, which includes, but is not limited to, the bathing, walking, excretory functions, feeding, personal grooming and dressing of such residents.

(d) "Psychiatric residential treatment facility" means any nonhospital establishment with permanent facilities which provides a twenty-four-hour program of care by qualified therapists, including, but not limited to, duly licensed mental health professionals, psychiatrists, psychologists, psychotherapists and licensed certified social workers, for emotionally disturbed children and adolescents referred to such facility by a court, local school district or by the Department of Human Services, who are not in an acute phase of illness requiring the services of a psychiatric hospital, and are in need of such restorative treatment services. For purposes of this paragraph, the term "emotionally disturbed" means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:

1. An inability to learn which cannot be explained by intellectual, sensory or health factors;
2. An inability to build or maintain satisfactory relationships with peers and teachers;
3. Inappropriate types of behavior or feelings under normal circumstances;
4. A general pervasive mood of unhappiness or depression; or
5. A tendency to develop physical symptoms or fears associated with personal or school problems. An establishment furnishing primarily domiciliary care is not within this definition.

(e) "Pediatric skilled nursing facility" means an institution or a distinct part of an institution that is primarily engaged in providing to inpatients skilled nursing care and related services for persons under twenty-one (21) years of age who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled or sick persons.

(f) "Licensing agency" means the State Department of Health.

(g) "Medical records" mean, without restriction, those medical histories, records, reports, summaries, diagnoses and prognoses, records of treatment and medication ordered and given, notes, entries, x-rays and other written or graphic data prepared, kept, made or maintained in institutions for the aged or infirm that pertain to residency in, or services rendered to residents of, an institution for the aged or infirm.

(h) "Adult foster care facility" means a home setting for vulnerable adults in the community who are unable to live independently due to physical, emotional, developmental or mental impairments, or in need of emergency and continuing protective social services for purposes of preventing further abuse or neglect and for safeguarding and enhancing the welfare of the abused or neglected vulnerable adult. Adult foster care programs shall be designed to meet the needs of vulnerable adults with impairments through individual plans of care, which provide a variety of health, social and related support services in a protective setting, enabling participants to live in the community. Adult foster care programs may be (i) traditional, where the foster care provider lives in the residence and is the primary caregiver to clients in the home; (ii) corporate, where the foster care home is operated by a corporation with shift staff delivering services to clients; or (iii) shelter, where the foster care home accepts clients on an emergency short-term basis for up to thirty (30) days.

(i) "Special care facilities for paroled inmates" means long-term care and skilled nursing facilities licensed as special care facilities for medically frail paroled inmates, formed to ease the burden of prison overcrowding and provide compassionate release and medical parole initiatives while impacting economic outcomes for the

Mississippi Prison System. The facilities shall meet all Mississippi Department of Health and federal Center for Medicaid Services (CMS) requirements and shall be regulated by both agencies; provided, however, such regulations shall not be as restrictive as those required for personal care homes and other institutions devoted primarily to providing medical services. The facilities will offer physical, occupational and speech therapy, nursing services, wound care, a dedicated COVID services unit, individualized patient centered plans of care, social services, spiritual services, physical activities, transportation, medication, durable medical equipment, personalized meal plans by a licensed dietician and security services. There may be up to three (3) facilities located in each Public Service Commission district, to be designated by the Chairman of the State Parole Board or his designee.

SECTION 6. Section 43-11-13, Mississippi Code of 1972, is amended as follows:

43-11-13. (1) The licensing agency shall adopt, amend, promulgate and enforce such rules, regulations and standards, including classifications, with respect to all institutions for the aged or infirm to be licensed under this chapter as may be designed to further the accomplishment of the purpose of this chapter in promoting adequate care of individuals in those institutions in the interest of public health, safety and welfare. Those rules, regulations and standards shall be adopted and promulgated by the licensing agency and shall be recorded and indexed in a book to be maintained by the licensing agency in its main office in the State of Mississippi, entitled "Rules, Regulations and Minimum Standards for Institutions for the Aged or Infirm" and the book shall be open and available to all institutions for the aged or infirm and the public generally at all reasonable times. Upon the adoption of those rules, regulations and standards, the licensing agency shall mail copies thereof to all those institutions in the state that have filed with the agency their names and addresses for this purpose, but the failure to mail the same or the failure of the institutions to receive the same shall in no way affect the validity thereof. The rules, regulations and standards may be amended by the licensing agency, from time to time, as necessary to promote the health, safety and welfare of persons living in those institutions.

(2) The licensee shall keep posted in a conspicuous place on the licensed premises all current rules, regulations and minimum standards applicable to fire protection measures as adopted by the licensing agency. The licensee shall furnish to the licensing agency at least once each six (6) months a certificate of approval and inspection by state or local fire authorities. Failure to comply with state laws and/or municipal ordinances and current rules, regulations and minimum standards as adopted by the licensing agency, relative to fire prevention measures, shall be prima facie evidence for revocation of license.

(3) The State Board of Health shall promulgate rules and regulations restricting the storage, quantity and classes of drugs allowed in personal care homes and adult foster care facilities. Residents requiring administration of Schedule II Narcotics as defined in the Uniform Controlled Substances Law may be admitted to a personal care home. Schedule drugs may only be allowed in a personal care home if they are administered or stored utilizing proper procedures under the direct supervision of a licensed physician or nurse.

(4) (a) Notwithstanding any determination by the licensing agency that skilled nursing services would be appropriate for a resident of a personal care home, that resident, the resident's guardian or the legally recognized responsible party for the resident may consent in writing for the resident to continue to reside in the personal care home, if approved in writing by a licensed physician. However, no personal care home shall allow more than two (2) residents, or ten percent (10%) of the total number of residents in the facility, whichever is greater, to remain in the personal care home under the provisions of this subsection (4). This consent shall be deemed to be appropriately informed consent as described in the regulations promulgated by the licensing agency. After that written consent has been obtained, the resident shall have the right to continue

to reside in the personal care home for as long as the resident meets the other conditions for residing in the personal care home. A copy of the written consent and the physician's approval shall be forwarded by the personal care home to the licensing agency.

(b) The State Board of Health shall promulgate rules and regulations restricting the handling of a resident's personal deposits by the director of a personal care home. Any funds given or provided for the purpose of supplying extra comforts, conveniences or services to any resident in any personal care home, and any funds otherwise received and held from, for or on behalf of any such resident, shall be deposited by the director or other proper officer of the personal care home to the credit of that resident in an account that shall be known as the Resident's Personal Deposit Fund. No more than one (1) month's charge for the care, support, maintenance and medical attention of the resident shall be applied from the account at any one time. After the death, discharge or transfer of any resident for whose benefit any such fund has been provided, any unexpended balance remaining in his personal deposit fund shall be applied for the payment of care, cost of support, maintenance and medical attention that is accrued. If any unexpended balance remains in that resident's personal deposit fund after complete reimbursement has been made for payment of care, support, maintenance and medical attention, and the director or other proper officer of the personal care home has been or shall be unable to locate the person or persons entitled to the unexpended balance, the director or other proper officer may, after the lapse of one (1) year from the date of that death, discharge or transfer, deposit the unexpended balance to the credit of the personal care home's operating fund.

(c) The State Board of Health shall promulgate rules and regulations requiring personal care homes to maintain records relating to health condition, medicine dispensed and administered, and any reaction to that medicine. The director of the personal care home shall be responsible for explaining the availability of those records to the family of the resident at any time upon reasonable request.

(5) The State Board of Health and the Mississippi Department of Corrections shall jointly issue rules and regulations for the operation of the special care facilities for paroled inmates.

(* * *6) (a) For the purposes of this subsection (* * *6):

(i) "Licensed entity" means a hospital, nursing home, personal care home, home health agency, hospice or adult foster care facility;

(ii) "Covered entity" means a licensed entity or a health care professional staffing agency;

(iii) "Employee" means any individual employed by a covered entity, and also includes any individual who by contract provides to the patients, residents or clients being served by the covered entity direct, hands-on, medical patient care in a patient's, resident's or client's room or in treatment or recovery rooms. The term "employee" does not include health care professional/vocational technical students performing clinical training in a licensed entity under contracts between their schools and the licensed entity, and does not include students at high schools located in Mississippi who observe the treatment and care of patients in a licensed entity as part of the requirements of an allied-health course taught in the high school, if:

1. The student is under the supervision of a licensed health care provider; and

2. The student has signed an affidavit that is on file at the student's school stating that he or she has not been convicted of or pleaded guilty or nolo contendere to a felony listed in paragraph (d) of this subsection (* * *6), or that any such conviction or plea was reversed on appeal or a pardon was granted for the conviction or

plea. Before any student may sign such an affidavit, the student's school shall provide information to the student explaining what a felony is and the nature of the felonies listed in paragraph (d) of this subsection (* * *6).

However, the health care professional/vocational technical academic program in which the student is enrolled may require the student to obtain criminal history record checks. In such incidences, paragraph (a)(iii)1 and 2 of this subsection (* * *6) does not preclude the licensing entity from processing submitted fingerprints of students from healthcare-related professional/vocational technical programs who, as part of their program of study, conduct observations and provide clinical care and services in a covered entity.

(b) Under regulations promulgated by the State Board of Health, the licensing agency shall require to be performed a criminal history record check on (i) every new employee of a covered entity who provides direct patient care or services and who is employed on or after July 1, 2003, and (ii) every employee of a covered entity employed before July 1, 2003, who has a documented disciplinary action by his or her present employer. In addition, the licensing agency shall require the covered entity to perform a disciplinary check with the professional licensing agency of each employee, if any, to determine if any disciplinary action has been taken against the employee by that agency.

Except as otherwise provided in paragraph (c) of this subsection (* * *6), no such employee hired on or after July 1, 2003, shall be permitted to provide direct patient care until the results of the criminal history record check have revealed no disqualifying record or the employee has been granted a waiver. In order to determine the employee applicant's suitability for employment, the applicant shall be fingerprinted. Fingerprints shall be submitted to the licensing agency from scanning, with the results processed through the Department of Public Safety's Criminal Information Center. The fingerprints shall then be forwarded by the Department of Public Safety to the Federal Bureau of Investigation for a national criminal history record check. The licensing agency shall notify the covered entity of the results of an employee applicant's criminal history record check. If the criminal history record check discloses a felony conviction, guilty plea or plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault, or felonious abuse and/or battery of a vulnerable adult that has not been reversed on appeal or for which a pardon has not been granted, the employee applicant shall not be eligible to be employed by the covered entity.

(c) Any such new employee applicant may, however, be employed on a temporary basis pending the results of the criminal history record check, but any employment contract with the new employee shall be voidable if the new employee receives a disqualifying criminal history record check and no waiver is granted as provided in this subsection (* * *6).

(d) Under regulations promulgated by the State Board of Health, the licensing agency shall require every employee of a covered entity employed before July 1, 2003, to sign an affidavit stating that he or she has not been convicted of or pleaded guilty or nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, any sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust, aggravated assault, or felonious abuse and/or battery of a vulnerable adult, or that any such conviction or plea was reversed on appeal or a pardon was granted for the conviction or plea. No such employee of a covered entity hired before July 1, 2003, shall be permitted to provide direct patient care until the employee has signed the affidavit required by this paragraph (d). All such existing employees of covered entities must sign the affidavit required by this paragraph (d) within six (6) months of the final adoption of the regulations promulgated by the State Board of Health. If a person signs the affidavit required by this paragraph (d), and it is later determined that the person actually had been convicted of or pleaded guilty or nolo

contendere to any of the offenses listed in this paragraph (d) and the conviction or plea has not been reversed on appeal or a pardon has not been granted for the conviction or plea, the person is guilty of perjury. If the offense that the person was convicted of or pleaded guilty or nolo contendere to was a violent offense, the person, upon a conviction of perjury under this paragraph, shall be punished as provided in Section 97-9-61. If the offense that the person was convicted of or pleaded guilty or nolo contendere to was a nonviolent offense, the person, upon a conviction of perjury under this paragraph, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment.

(e) The covered entity may, in its discretion, allow any employee who is unable to sign the affidavit required by paragraph (d) of this subsection (** *6) or any employee applicant aggrieved by an employment decision under this subsection (** *6) to appear before the covered entity's hiring officer, or his or her designee, to show mitigating circumstances that may exist and allow the employee or employee applicant to be employed by the covered entity. The covered entity, upon report and recommendation of the hiring officer, may grant waivers for those mitigating circumstances, which shall include, but not be limited to: (i) age at which the crime was committed; (ii) circumstances surrounding the crime; (iii) length of time since the conviction and criminal history since the conviction; (iv) work history; (v) current employment and character references; and (vi) other evidence demonstrating the ability of the individual to perform the employment responsibilities competently and that the individual does not pose a threat to the health or safety of the patients of the covered entity.

(f) The licensing agency may charge the covered entity submitting the fingerprints a fee not to exceed Fifty Dollars (\$50.00), which covered entity may, in its discretion, charge the same fee, or a portion thereof, to the employee applicant. Any increase in the fee charged by the licensing agency under this paragraph shall be in accordance with the provisions of Section 41-3-65. Any costs incurred by a covered entity implementing this subsection (** *6) shall be reimbursed as an allowable cost under Section 43-13-116.

(g) If the results of an employee applicant's criminal history record check reveals no disqualifying event, then the covered entity shall, within two (2) weeks of the notification of no disqualifying event, provide the employee applicant with a notarized letter signed by the chief executive officer of the covered entity, or his or her authorized designee, confirming the employee applicant's suitability for employment based on his or her criminal history record check. An employee applicant may use that letter for a period of two (2) years from the date of the letter to seek employment with any covered entity without the necessity of an additional criminal history record check. Any covered entity presented with the letter may rely on the letter with respect to an employee applicant's criminal background and is not required for a period of two (2) years from the date of the letter to conduct or have conducted a criminal history record check as required in this subsection (** *6).

(h) The licensing agency, the covered entity, and their agents, officers, employees, attorneys and representatives, shall be presumed to be acting in good faith for any employment decision or action taken under this subsection (** *6). The presumption of good faith may be overcome by a preponderance of the evidence in any civil action. No licensing agency, covered entity, nor their agents, officers, employees, attorneys and representatives shall be held liable in any employment decision or action based in whole or in part on compliance with or attempts to comply with the requirements of this subsection (** *6).

(i) The licensing agency shall promulgate regulations to implement this subsection (** *6).

(j) The provisions of this subsection (** *6) shall not apply to:

(i) Applicants and employees of the University of Mississippi Medical Center for whom criminal history record checks and fingerprinting are obtained in accordance with Section 37-115-41; or

(ii) Health care professional/vocational technical students for whom criminal history record checks and fingerprinting are obtained in accordance with Section 37-29-232.

(** *7) The State Board of Health shall promulgate rules, regulations and standards regarding the operation of adult foster care facilities.

SECTION 7. Section 47-5-28, Mississippi Code of 1972, is amended as follows:

47-5-28. The commissioner shall have the following powers and duties:

(a) To implement and administer laws and policy relating to corrections and coordinate the efforts of the department with those of the federal government and other state departments and agencies, county governments, municipal governments, and private agencies concerned with providing offender services;

(b) To establish standards, in cooperation with other state agencies having responsibility as provided by law, provide technical assistance, and exercise the requisite supervision as it relates to correctional programs over all state-supported adult correctional facilities and community-based programs;

(c) To promulgate and publish such rules, regulations and policies of the department as are needed for the efficient government and maintenance of all facilities and programs in accord insofar as possible with currently accepted standards of adult offender care and treatment;

(d) To provide the Parole Board with suitable and sufficient office space and support resources and staff necessary to * * * conduct Parole Board business under the guidance of the Chairman of the Parole Board;

(e) To contract for transitional reentry center beds that will be used as noncorrections housing for offenders released from the department on parole, probation or post-release supervision but do not have appropriate housing available upon release. At least one hundred (100) but no more than eight hundred (800) transitional reentry center beds contracted by the department and chosen by the Parole Board shall be available for the Parole Board to place parolees without appropriate housing;

(f) To designate deputy commissioners while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup of the state or any political subdivision thereof not within the jurisdiction of the department, to the status of peace officers anywhere in the state in any matter relating to the custody, control, transportation or recapture of such offender, and shall have the status of law enforcement officers and peace officers as contemplated by Sections 45-6-3, 97-3-7 and 97-3-19.

For the purpose of administration and enforcement of this chapter, deputy commissioners of the Mississippi Department of Corrections, who are certified by the Mississippi Board on Law Enforcement Officer Standards and Training, have the powers of a law enforcement officer of this state. Such powers shall include to make arrests and to serve and execute search warrants and other valid legal process anywhere within the State of Mississippi while performing their officially assigned duties relating to the custody, control, transportation, recapture or arrest of any offender within the jurisdiction of the department or any offender of any jail, penitentiary, public workhouse or overnight lockup

of the state or any political subdivision thereof not within the jurisdiction of the department in any matter relating to the custody, control, transportation or recapture of such offender * * *;

(g) To make an annual report to the Governor and the Legislature reflecting the activities of the department and make recommendations for improvement of the services to be performed by the department;

(h) To cooperate fully with periodic independent internal investigations of the department and to file the report with the Governor and the Legislature;

(i) To make personnel actions for a period of one (1) year beginning July 1, 2016, that are exempt from State Personnel Board rules, regulations and procedures in order to give the commissioner flexibility in making an orderly, effective and timely reorganization and realignment of the department; * * *

(j) To contract with licensed special care facilities for paroled inmates to provide authorized medical services and support services for medically frail inmates who have been paroled and committed to the custody of such facility; and

(* * *k) To perform such other duties necessary to effectively and efficiently carry out the purposes of the department as may be directed by the Governor.

SECTION 8. Section 47-7-4, Mississippi Code of 1972, is amended as follows:

47-7-4. (1) The commissioner and the medical director of the department may place an offender who has served not less than one (1) year of his or her sentence, except an offender convicted of a sex crime, on conditional medical release. However, a nonviolent offender who is bedridden may be placed on conditional medical release regardless of the time served on his or her sentence. Upon the release of a nonviolent offender who is bedridden, the state shall not be responsible or liable for any medical costs that may be incurred if such costs are acquired after the offender is no longer incarcerated due to his or her placement on conditional medical release. The commissioner shall not place an offender on conditional medical release unless the medical director of the department certifies to the commissioner that (a) the offender is suffering from a significant permanent physical medical condition with no possibility of recovery; (b) that his or her further incarceration will serve no rehabilitative purposes; and (c) that the state would incur unreasonable expenses as a result of his or her continued incarceration. Any offender placed on conditional medical release shall be supervised by the Division of Community Corrections of the department for the remainder of his or her sentence. An offender's conditional medical release may be revoked and the offender returned and placed in actual custody of the department if the offender violates an order or condition of his or her conditional medical release. An offender who is no longer bedridden shall be returned and placed in the actual custody of the department.

(2) (a) The State Parole Board may grant a medical parole and referral to licensed special care facilities for paroled inmates for an inmate determined to be "medically frail" as defined in this subsection.

(b) For purposes of this subsection (2), the term "medically frail" means an individual who is a minimal threat to society as a result of his or her medical condition, whose ability to perform activities of daily living is significantly impaired, and who may have limited mobility as the result of one or more of the following conditions from which the individual is not expected to recover:

(i) A disabling mental disorder, including dementia, Alzheimer's or a similar degenerative brain disorder;

(ii) A serious and complex medical condition; or

(iii) A physical disability.

(c) The following conditions apply to a parole granted under this subsection (2):

(i) An inmate who has been sentenced to capital punishment is not eligible;

(ii) An inmate who has been convicted as a criminal sex offender is not eligible;

(iii) An inmate does not pose a public safety risk as determined by the State Parole Board;

(iv) If the prisoner is incapacitated, an individual legally entitled to agree to the inmate's placement agrees to the inmate's placement in a licensed special care facility for paroled inmates or in a medical facility where medical care and treatment are determined to be appropriate for the parolee by the State Parole Board;

(v) An inmate shall agree to the release of his or her medical records that are directly relevant to the condition or conditions rendering the inmate medically frail to the prosecutor of the county from which the inmate was committed before the State Parole Board determines whether or not to grant parole under this subsection;

(vi) If the inmate is granted parole under this subsection (2), the inmate shall agree to the quarterly release of his or her medical records that are directly relevant to the condition or conditions rendering the inmate medically frail at the request of the prosecutor of the county from which the inmate was committed;

(vii) The parolee shall adhere to the terms of his or her parole for the length of his or her parole term, and the parole shall be for a term not less than the time necessary to reach the prisoner's earliest release date;

(viii) A parolee who violates the terms of his or her parole or is determined not to be eligible for parole under this subsection (2) may be transferred to a setting more appropriate for the medical needs of the parolee;

(ix) The Department of Corrections or the State Parole Board shall not retain authority over the medical treatment plan for the inmate granted parole under this subsection (2);

(x) The department and the State Parole Board shall ensure that the placement and terms and conditions of parole granted under this subsection (2) do not violate any other state or federal regulations;

(xi) A medical facility utilized by the department to facilitate parole under this subsection (2) shall be operated in a manner that ensures the safety of the residents of the facility.

(d) The Mississippi Department of Corrections may enter into contracts to facilitate the placement of paroled inmates under this subsection (2). The Mississippi Department of Corrections shall appoint a specialist in the appropriate field of medicine, who is not employed by the department, to evaluate the condition of the inmate considered for parole under this subsection (2) and to report on that condition to the department and the State Parole Board. The State Parole Board shall determine whether the inmate is medically frail in consultation with the Mississippi Department of Mental Health.

SECTION 9. The following shall be codified as Section 43-13-117.6, Mississippi Code of 1972:

43-13-117.6. (1) The Division of Medicaid may apply to the federal Center for Medicaid Services (CMS) for necessary waivers to provide federal funding under the Medicaid program for providing reimbursement for authorized services to medically frail inmates who qualify for nursing home-level care and who the state deems are not public safety risks, provided through a Special Care Facility for Paroled Inmates licensed by the State Department of Health under contract with the Mississippi Department of Corrections, as specifically authorized under this act.

(2) The program for paroled inmates shall be funded from monies that are appropriated or otherwise made available to the division specifically to cover the cost of the paroled inmate program and shall not be a part of the division's regular appropriation for the operation of the federal-state Medicaid program. This program shall be a separate program within the Division of Medicaid as the administering agent.

SECTION 10. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A PILOT REENTRY COURT; TO ESTABLISH A REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM AT THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AUTHORIZE THE JUDGE PRESIDING OVER THE PILOT REENTRY COURT AT THE TIME OF INITIAL SENTENCING OF ANY OFFENDER TO RECOMMEND THE OFFENDER BE PLACED IN THE REHABILITATION AND WORKFORCE DEVELOPMENT PROGRAM; TO PROVIDE THAT UPON SUCCESSFULLY COMPLETING THE PROGRAM, THE JUDGE SHALL SUSPEND THE REMAINDER OF AN OFFENDER'S SENTENCE AND PLACE SUCH OFFENDER ON PROBATION FOR NO MORE THAN THREE YEARS; TO AUTHORIZE THE DEPARTMENT OF CORRECTIONS TO PROVIDE FOR HOSPICE CARE SERVICES FOR INMATES WHO ARE CONFINED IN FACILITIES UNDER THE JURISDICTION OF THE DEPARTMENT AND WHO ARE TERMINALLY ILL; TO AUTHORIZE THE DEPARTMENT TO HAVE THOSE HOSPICE CARE SERVICES PROVIDED BY PROPERLY QUALIFIED EMPLOYEES OF THE DEPARTMENT OR TO CONTRACT FOR THE PROVISION OF THE HOSPICE CARE SERVICES; TO PROVIDE THAT IF THE DEPARTMENT PROVIDES THE HOSPICE CARE SERVICES WITH DEPARTMENT EMPLOYEES, THE DEPARTMENT IS NOT REQUIRED TO HAVE A LICENSE UNDER THE MISSISSIPPI HOSPICE LAW; TO AMEND SECTION 41-85-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTIONS 43-11-1 AND 43-11-13, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "SPECIAL CARE FACILITIES FOR PAROLED INMATES" AND PRESCRIBE CONDITIONS FOR LICENSURE BY THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTIONS 47-5-28 AND 47-7-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO ESTABLISH A PROGRAM TO GRANT MEDICAL PAROLE TO SUCH SPECIAL CARE FACILITIES FOR MEDICALLY FRAIL INMATES AND TO ESTABLISH ELIGIBILITY REQUIREMENTS FOR SUCH PAROLE; TO CODIFY SECTION 43-13-117.6, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS FOR MEDICAID REIMBURSEMENT FOR SERVICES PROVIDED AT SUCH SPECIAL CARE FACILITIES FOR PAROLED INMATES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Kevin Horan

Angela Cockerham

Kevin Felsher

CONFEREES FOR THE SENATE

Juan Barnett

Sampson Jackson II

Dennis DeBar, Jr.

POINT OF ORDER

A point of order was raised by Senator Simmons D. T. (12th) that the Conference Report added code sections that were not included in the Senate amendment and is in violation of Joint Rule 25.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken.

Senator Carter moved that the rules be suspended for the immediate consideration of calendar item 42, **S. B. No. 2798**, and the motion prevailed.

Senator Carter offered the following report of the Conference Committee on **S. B. No. 2798** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2798: Broadband services; provide for the participation of rate-regulated electric utilities in the expansion of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-3-2, Mississippi Code of 1972, is amended as follows:

77-3-2. (1) The Legislature finds and determines that the rates, services and operations of public utilities as defined in this title are affected with the public interest and that the availability of an adequate and reliable service by such public utilities to the people, economy and government of the State of Mississippi is a matter of public policy. The Legislature hereby declares to be the policy of the State of Mississippi:

- (a) To provide fair regulation of public utilities in the interest of the public;

(b) To promote the inherent advantage of regulated public utilities;

(c) To promote adequate, reliable and economical service to all citizens and residents of the state;

(d) To provide just and reasonable rates and charges for public utility services without unjust discrimination, undue preferences or advantages, or unfair or destructive competitive practices and consistent with long-term management and conservation of energy resources by avoiding wasteful, uneconomic and inefficient uses of energy;

(e) To encourage and promote harmony between public utilities, their users and the environment;

(f) To foster the continued service of public utilities on a well-planned and coordinated basis that is consistent with the level of service needed for the protection of public health and safety and for the promotion of the general welfare;

(g) To cooperate with other states and the federal government in promoting and coordinating interstate and intrastate public utility service and reliability;

(h) To encourage the continued study and research for new and innovative rate-making procedures which will protect the state, the public, the ratepayers and the utilities, and where possible reduce the costs of the rate-making process; and

(i) With respect to rate-regulated public utilities, to foster, encourage, enable and facilitate economic development in the State of Mississippi, * * * to support and augment economic development activities, * * * to expand deployment of existing and emerging technologies, including fiber-optic infrastructure which will foster a more reliable and resilient utility delivery system and provide customer access to enhanced services, to authorize and empower the Public Service Commission * * * in carrying out its statutory responsibilities, and to take every opportunity to advance the economic development of the state.

(2) To these ends, therefore, authority shall be vested in the Mississippi Public Service Commission to regulate public utilities in accordance with the provisions of this title.

(3) (a) The commission shall, in addition to its other powers and duties, be authorized and empowered, in its discretion, to consider and adopt a formula type rate of return evaluation rate which may include provision for the commission to:

(i) Periodically review and adjust, if required, the utility's level of revenues based upon the actual books and records of the utility which are periodically the subject of independent audits and regulatory audits;

(ii) Review the utility's performance in certain areas or categories which may be used by the commission in the manner selected by it which may include rate incentives or penalties so long as such are found to be fair and reasonable and result in a level of revenue which is fair and reasonable; and

(iii) Use such other provisions which may be permitted by this chapter.

(b) When a formula type rate of return evaluation rate with periodic revenue adjustments is adopted by the commission, each periodic revenue adjustment will be separately considered for the purpose of determining whether a hearing is required pursuant to Section 77-3-39(1), and no such hearing shall be required if the amount of

any separate periodic adjustment to the level of revenues of the utility is not a "major change" as defined in Section 77-3-37(8).

(c) In administering any such formula type rate of return evaluation rate, the following procedures shall be observed by the commission:

(i) Each periodic evaluation shall be supported with a sworn filing by the utility incorporating the data specified in the formula rate adopted by the commission, and such data shall be verified by the commission; and

(ii) A hearing shall be required, as provided by law, to determine compliance with the formula rate plan and the accuracy of the data prior to any change in the level of revenues if the cumulative change in any calendar year exceeds the greater of Two Hundred Thousand Dollars (\$200,000.00) or four percent (4%) of the annual revenues of the utility.

(d) The requirements of paragraphs (a), (b) and (c) of this subsection and other applicable provisions of Title 77, Chapter 3, Article 1, Mississippi Code of 1972, which are observed by the commission in administering such rate, are hereby declared to be procedural but are not required to be included in the rate itself.

(4) It is the intention of the Legislature to validate, retroactively to its initial adoption by the commission, any formula type rate, including any revenue adjustments effected pursuant thereto, which has heretofore been adopted by the commission. For the purposes of the retroactive validation and the administration of any formula type rate heretofore adopted by the commission, should the provisions of Title 77, Chapter 3, Article 1, Mississippi Code of 1972, conflict with any provisions of such formula type rate, Title 77, Chapter 3, Article 1, Mississippi Code of 1972, shall be interpreted to prevail and the formula type rate shall hereafter be administered or revised to conform to Title 77, Chapter 3, Article 1, Mississippi Code of 1972; provided, however, such conflict, if any, shall not be held to invalidate the retroactive effect of this section upon such rate.

SECTION 2. Section 77-3-3, Mississippi Code of 1972, is amended as follows:

77-3-3. As used in this chapter:

(a) The term "corporation" includes a private or public corporation, a municipality, an association, a joint-stock association or a business trust.

(b) The term "person" includes a natural person, a partnership of two (2) or more persons having a joint or common interest, a cooperative, nonprofit, limited dividend or mutual association, a corporation, or any other legal entity.

(c) The term "municipality" includes any incorporated city, town or village.

(d) The term "public utility" includes persons and corporations, or their lessees, trustees and receivers now or hereafter owning or operating in this state equipment or facilities for:

(i) The generation, manufacture, transmission or distribution of electricity to or for the public for compensation;

(ii) The transmission, sale, sale for resale, or distribution of natural, artificial, or mixed natural and artificial gas to the public for compensation by means of transportation, transmission, or distribution facilities and equipment located within this state; however, the term shall not include the production and gathering of natural gas, the sale of natural gas in or within the vicinity of the field where produced, or the distribution or sale of liquefied petroleum gas or the sale to the ultimate consumer of natural gas for use as a motor vehicle fuel;

(iii) The transmission, conveyance or reception of any message over wire, of writing, signs, signals, pictures and sounds of all kinds by or for the public, where such service is offered to the public for compensation, and the furnishing, or the furnishing and maintenance, of equipment or facilities to the public, for compensation, for use as a private communications system or part thereof; however, no person or corporation not otherwise a public utility within the meaning of this chapter shall be deemed such solely because of engaging in this state in the furnishing, for private use as last aforementioned, and moreover, nothing in this chapter shall be construed to apply to television stations, radio stations, community television antenna services, video services, Voice over Internet Protocol services ("VoIP"), any wireless services, including commercial mobile services, Internet Protocol ("IP") - enabled services or broadband services; and

(iv) The transmission, distribution, sale or resale of water to the public for compensation, or the collection, transmission, treatment or disposal of sewage, or otherwise operating a sewage disposal service, to or for the public for compensation.

The term "public utility" shall not include any person not otherwise a public utility, who furnishes the services or commodity described in this paragraph only to himself, his employees or tenants as an incident of such employee service or tenancy, if such services are not sold or resold to such tenants or employees on a metered or consumption basis other than the submetering authorized under Section 77-3-97.

A public utility's business other than of the character defined in subparagraphs (i) through (iv) of this paragraph is not subject to the provisions of this chapter.

(e) The term "rate" means and includes every compensation, charge, fare, toll, customer deposit, rental and classification, or the formula or method by which such may be determined, or any of them, demanded, observed, charged or collected by any public utility for any service, product or commodity described in this section, offered by it to the public, and any rules, regulations, practices or contracts relating to any such compensation, charge, fare, toll, rental or classification; however, the term "rate" shall not include charges for electrical current furnished, delivered or sold by one (1) public utility to another for resale.

(f) The word "commission" shall refer to the Public Service Commission of the State of Mississippi, as now existing, unless otherwise indicated.

(g) The term "affiliated interest" or "affiliate" includes:

(i) Any person or corporation owning or holding, directly or indirectly, twenty-five percent (25%) or more of the voting securities of a public utility;

(ii) Any person or corporation in any chain of successive ownership of twenty-five percent (25%) or more of the voting securities of a public utility;

(iii) Any corporation of which fifteen percent (15%) or more of the voting securities is owned or controlled, directly or indirectly, by a public utility;

(iv) Any corporation of which twenty-five percent (25%) or more of the voting securities * * * is owned or controlled, directly or indirectly, by any person or corporation that owns or controls, directly or indirectly, twenty-five percent (25%) or more of the voting securities of any public utility or by any person or corporation in any chain of successive ownership of twenty-five percent (25%) of such securities;

(v) Any person who is an officer or director of a public utility or of any corporation in any chain of successive ownership of fifteen percent (15%) or more of voting securities of a public utility; or

(vi) Any person or corporation that the commission, after notice and hearing, determines actually exercises any substantial influence or control over the policies and actions of a public utility, or over which a public utility exercises such control, or that is under a common control with a public utility, such control being the possession, directly or indirectly, of the power to direct or cause the discretion of the management and policies of another, whether such power is established through ownership of voting securities or by any other direct or indirect means.

However, the term "affiliated interest" or "affiliate" shall not include a joint agency organized pursuant to Section 77-5-701 et seq., nor a member municipality thereof.

(h) The term "facilities" includes all the plant and equipment of a public utility, used or useful in furnishing public utility service, including all real and personal property without limitation, and any and all means and instrumentalities in any manner owned, operated, leased, licensed, used, controlled, furnished or supplied for, by or in connection with its public utility business.

(i) The term "cost of service" includes operating expenses, taxes, depreciation, net revenue and operating revenue requirement at a claimed rate of return from public utility operations.

(j) The term "lead-lag study" includes an analysis to determine the amount of capital which investors in a public utility, the rates of which are subject to regulation under the provisions of this chapter, must provide to meet the day-to-day operating costs of the public utility prior to the time such costs are recovered from customers, and the measurement of (i) the lag in collecting from the customer the cost of providing service, and (ii) the lag in paying the cost of providing service by the public utility.

(k) The term "broadband services" means any service that consists of or includes a high-speed access capability to transmit at a rate that is not less than two hundred (200) kilobits per second either in the upstream or downstream direction and either:

(i) Is used to provide access to the internet, or

(ii) Provides computer processing, information storage, information content or protocol conversion, including any service applications or information service provided over such high-speed access service.

(l) The term "video services" means video programming services without regard to delivery technology, including Internet Protocol technology ("Internet Protocol television or IPTV") and video programming provided as a part of a service that enables users to access content, information, email or other services offered over the public internet. The term "video programming" means any programming as defined in 47 USCS Section 522(20).

(m) The term "Voice over Internet Protocol services" or "VoIP services" means any service that: (i) enables real-time, two-way voice communications that originate from or terminate to the user's location in Internet Protocol or any successor protocol; (ii) uses a broadband connection from the user's location; and (iii) permits users generally to receive calls that originate on the Public Switched Telephone Network and to terminate calls to the Public Switched Telephone Network.

(n) The term "commercial mobile services" means any services as defined in 47 USCS Section 332(d).

(o) The term "Internet Protocol-enabled services" or "IP-enabled services" means any service, capability, functionality, or application provided using Internet Protocol, or any successor protocol, that enables an end user to send or receive a

communication in Internet Protocol format, or any successor format, regardless of whether the communications is voice, data or video.

(p) "Broadband service provider" means an entity that provides broadband services to others on a wholesale basis or to end-use customers on a retail basis.

(q) "Broadband operator" means a broadband service provider that uses the electric delivery system of any public utility of the type as defined in Section 77-3-3(d)(i) with the public utility's consent to provide broadband services.

(r) "Electric delivery system" means the poles, lines, fiber, cables, broadband system, materials, equipment, easements and other facilities or properties used by any public utility of the type as defined in Section 77-3-3(d)(i) to deliver or facilitate the delivery, sale or use of electric energy.

Nothing contained in this paragraph shall apply to retail services that are tariffed by the commission.

SECTION 3. Section 77-3-44, Mississippi Code of 1972, is amended as follows:

77-3-44. (1) Any rate-regulated electric or natural gas public utility with certificated service area in Mississippi may undertake economic development activities, whether directly or indirectly, including activities such as providing capital, or investment in or acquisition and development of business or industrial sites and the necessary infrastructure or services needed to attract new or existing businesses or industry, to create or maintain employment opportunities, or expansion of fiber-optic infrastructure or otherwise to positively impact or in some manner promote the sale of electric energy or natural gas within its certificated service area. Any facilities developed, constructed or acquired in support of the activities described in this section, including fiber-optic infrastructure for which a certificate of public convenience and necessity or other commission approval has been granted after July 1, 2015, as well as any capital investment in natural gas reserves made directly or indirectly by an electric or natural gas public utility to foster long-term stability in the cost of fuel, may be deemed used and useful in the provision of electric or natural gas service regardless of whether or not any end-use customers are taking service from said facilities or investment and otherwise recoverable through the utility's rates.

(2) (a) In addition, to further expand fiber-optic infrastructure in the state, any rate-regulated public utility of the type as defined in Section 77-3-3(d)(i) may grant permission to broadband service providers to use the electric delivery system, including without limitation the fiber-optic infrastructure, of the public utility to provide broadband services or other similar services as defined in Section 77-3-3(k) through (o). To the extent a rate-regulated electric public utility grants permission to any broadband service provider to use any part of the utility's electric delivery system, including, without limitation, its fiber optic infrastructure, it must grant such permission on a nonexclusive basis.

(b) The public utility shall not: (i) allow the use of its electric delivery system by a broadband operator to provide broadband services as defined above to diminish the reliability of the electric delivery system; (ii) require any person to purchase broadband services as a condition of receiving or continuing to receive electric service; or (iii) disconnect, or threaten to disconnect, electric service to any customer due to the customer's failure to pay for broadband services. Any complaint related to a public utility's permissive offer of use pursuant to this paragraph (b) shall be brought before and resolved by the Public Service Commission.

(c) In addition, to further expand fiber-optic infrastructure and economic development in the state, any public utility, including electric cooperatives, of the type as defined in Section 77-3-3(d)(i) may grant permission to a retail customer with a nonaggregated load greater than twenty (20) megawatts to construct, install, or maintain

above or underground fiber-optic infrastructure on the public utility's existing right-of-way of its electric delivery system.

(d) In instances where a landowner has previously been compensated for the use of their land through a right-of-way instrument with a public utility, the use of the public utility's electric delivery system for the provision of broadband services to a broadband operator or use of the public utility's existing right-of-way on its electric delivery system by a retail customer to construct, install, or maintain above or underground fiber-optic infrastructure shall not be considered an additional burden on the real property upon which the public utility's electric delivery system is located and shall not require the public utility, the broadband operator or retail customer to obtain the consent of anyone having an interest in the real property upon which the public utility's electric delivery system is located.

(e) If a portion of a public utility's electric delivery system is used by a broadband operator for the provision of broadband services or a portion of a public utility's right-of-way is used by a retail customer to construct, install, or maintain above or underground fiber-optic infrastructure and the landowner of the real property on which such portion is located believes his property has been damaged by such use, the landowner may petition the circuit court of the county in which the property is situated for any damages to which the landowner may be entitled under this subsection:

(i) The petition allowed and damages recoverable under this subsection shall be the landowner's exclusive remedy, and the landowner shall not be entitled to assert any other theory, claims or causes of action nor recover any other damages, punitive damages, costs, attorneys' fees, or other relief.

(ii) The recoverable damages, if any, shall be recoverable only from the broadband operator or retail customer and not from the public utility.

(iii) The damages recoverable shall be an amount equal to the difference between 1. the fair market value of the landowner's interest in the real property immediately before the public utility's electric delivery system on the owner's property was first used by the broadband operator or retail customer for the provision of broadband services, and 2. the fair market value of the landowner's interest in the real property immediately after the public utility's electric delivery system on the landowner's property was first used by the broadband operator or retail customer for the provision of broadband services. The before-and-after values must be established by the testimony of a qualified real estate appraiser. The damages, if any, shall be fixed and shall not be deemed to continue, accumulate, or accrue. The court shall, as part of its judgment, confirm the rights granted by the public utility to the broadband operator or retail customer and their respective successors and assigns for the placement or use of a broadband system on or as part of the electric delivery system. The judgment will have the same effect of a conveyance executed in due form of law and shall run with the land; and a certified copy of said judgment may be filed by the broadband operator retail customer in the land records of the county in which the subject property is located.

(iv) Evidence of past, current or future revenues or profits derived or to be derived by a broadband operator or retail customer from providing broadband services is not admissible for any purpose in any such proceeding.

(v) The landowner shall not be entitled to any damages or other relief relating to any broadband system or portion thereof that is located on the landowner's property or any fiber-optic infrastructure by the retail customer that is located on the landowner's property and is used or could be used by the electric public utility for its own operations.

(vi) The landowner shall not be entitled to any relief or damages if an easement has been granted to the broadband operator or retail customer, if the landowner

has authorized the public utility to use or allow others to use its electric delivery system for the provision of broadband services, or if the landowner has authorized the public utility to use its existing right-of-way to construct, install, or maintain above or underground fiber-optic infrastructure.

(f) Nothing in this section shall affect, abrogate, or eliminate in any way any obligation of a rate-regulated, public utility or broadband operator to comply with any applicable safety and permitting requirements of any railroad company or any state governmental body or agency with respect to property that is held or controlled by such railroad company or state governmental body or agency, as the case may be, and in, on, over, or across which an easement is located.

(g) All costs paid by a rate-regulated public utility to acquire right-of-way shall be considered cost of service and recovered through rates, and all revenue collected by a rate-regulated public utility from third-party use of public utility right-of-way shall be credited back to customers in a comparable manner.

The Public Service Commission shall establish a mechanism for electric utility revenues deriving from the provision of competitive broadband services such that electric service customers receive an annual credit, adjusted annually, for any wholesale revenues derived from fiber optic infrastructure.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE FOR CERTAIN PARTICIPATION OF RATE-REGULATED ELECTRIC UTILITIES IN THE EXPANSION OF BROADBAND SERVICES IN THE STATE OF MISSISSIPPI; TO AMEND SECTION 77-3-2, MISSISSIPPI CODE OF 1972, TO DECLARE THAT IT IS THE POLICY OF THE STATE OF MISSISSIPPI TO SUPPORT EXPANSION OF EXISTING AND EMERGING TECHNOLOGIES TO FOSTER RELIABLE AND RESILIENT SERVICE AND CUSTOMER ACCESS TO ENHANCED SERVICES; TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO INCLUDE DEFINITIONS OF "BROADBAND SERVICE PROVIDER," "BROADBAND OPERATOR" AND "ELECTRIC DELIVERY SYSTEM"; TO AMEND SECTION 77-3-44, MISSISSIPPI CODE OF 1972, TO INCLUDE FIBER-OPTIC INFRASTRUCTURE AS AN ECONOMIC DEVELOPMENT ACTIVITY, TO ALLOW RATE-REGULATED ELECTRIC UTILITIES TO PERMIT BROADBAND PROVIDERS USE OF THE ELECTRIC DELIVERY SYSTEM TO PROVIDE BROADBAND SERVICES, TO REGULATE EASEMENTS, TO ALLOW CERTAIN ENTITIES TO CONSTRUCT FIBER-OPTIC INFRASTRUCTURE ON PUBLIC UTILITIES' EXISTING RIGHTS-OF-WAY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Joel R. Carter, Jr.

Rita Potts Parks

John A. Polk

CONFEREES FOR THE HOUSE

C. Scott Bounds

Brent Anderson

Karl Gibbs

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2798** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan,

Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--48.
Nays--None.
Not Voting--Hill. Total--1.
Absent and those not voting--Polk. Total--1.
Voting Present--McDaniel, Sojourner. Total--2.

Senator Harkins entered a motion to reconsider the vote whereby the Conference Report failed on **S. B. No. 2874**.

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 747** was adopted by the Senate.

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 928** was adopted by the Senate.

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to.

Senator Barnett moved that the rules be suspended for the immediate consideration of calendar item 41, **S. B. No. 2795**, and the motion prevailed.

Senator Barnett offered the following report of the Conference Committee on **S. B. No. 2795** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Earned Parole Eligibility Act."

SECTION 2. Section 47-7-3, Mississippi Code of 1972, is amended as follows:

47-7-3. (1) Every prisoner who has been convicted of any offense against the State of Mississippi, and is confined in the execution of a judgment of such conviction in the Mississippi Department of Corrections for a definite term or terms of one (1) year or over, or for the term of his or her natural life, whose record of conduct shows that such prisoner has observed the rules of the department, and who has served * * * the minimum required time for parole eligibility, may be released on parole as * * * set forth herein:

(a) Habitual offenders. Except as provided by Sections 99-19-81 through 99-19-87, no * * * person sentenced as a confirmed and habitual criminal * * * shall be eligible for parole;

(b) Sex offenders. Any person who * * * has been * * * sentenced for a sex offense as defined in Section 45-33-23(h) shall not be released on parole except for a person under the age of nineteen (19) who has been convicted under Section 97-3-67;

(c) * * * Capital offenders. No person * * * sentenced for the following offenses shall be eligible for parole:

(i) Capital murder committed on or after July 1, 1994, as defined in Section 97-3-19(2);

(ii) Any offense to which an offender is sentenced to life imprisonment under the provisions of Section 99-19-101; or

(iii) Any offense to which an offender is sentenced to life imprisonment without eligibility for parole under the provisions of Section 99-19-101, whose crime was committed on or after July 1, 1994;

* * *

(d) Murder. No person * * * sentenced for murder in the first degree, whose crime was committed on or after June 30, 1995, or murder in the second degree, as defined in Section 97-3-19, shall be eligible for parole;

(e) Human trafficking. No person * * * sentenced for human trafficking, as defined in Section 97-3-54.1, whose crime was committed on or after July 1, 2014, shall be eligible for parole;

(f) Drug trafficking. No person sentenced for trafficking and aggravated trafficking, as defined in Section 41-29-139(f) through (g), shall be eligible for parole;

(* * *g) Offenses specifically prohibiting parole release. No person shall be eligible for parole who is convicted * * * of any offense that specifically prohibits parole release;

(* * *h) (i) * * * Offenders eligible for parole consideration for offenses committed after June 30, 1995. Except as provided in paragraphs (a) through (g) of this subsection, offenders may be considered eligible for parole release as follows:

1. Nonviolent crimes. All persons sentenced for a nonviolent offense shall be eligible for parole only after they have served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed by the trial

court. For purposes of this paragraph, "nonviolent crime" means a felony not designated as a crime of violence in Section 97-3-2.

2. Violent crimes. A person who is sentenced for a violent offense as defined in Section 97-3-2, except robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served fifty percent (50%) or twenty (20) years, whichever is less, of the sentence or sentences imposed by the trial court. Those persons sentenced for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, and carjacking as defined in Section 97-3-117, shall be eligible for parole only after having served sixty percent (60%) or twenty-five (25) years, whichever is less, of the sentence or sentences imposed by the trial court.

3. Nonviolent and nonhabitual drug offenses. A person who has been sentenced to a drug offense pursuant to Section 41-29-139(a) through (d), whose crime was committed after June 30, 1995, shall be eligible for parole only after he has served twenty-five percent (25%) or ten (10) years, whichever is less, of the sentence or sentences imposed.

(ii) Parole hearing required. All persons eligible for parole under subparagraph (i) of this paragraph (h) who are serving a sentence or sentences for a crime of violence, as defined in Section 97-3-2, shall be required to have a parole hearing before the Parole Board pursuant to Section 47-7-17, prior to parole release.

(** *iii) Geriatric parole. Notwithstanding the provisions in subparagraph (i) of this paragraph (** *h), a person serving a sentence who has reached the age of sixty (60) or older and who has served no less than ten (10) years of the sentence or sentences imposed by the trial court shall be eligible for parole. Any person eligible for parole under this ** * subparagraph (iii) shall be required to have a parole hearing before the board prior to parole release. No inmate shall be eligible for parole under this subparagraph (** *iii) of this paragraph (** *h) if:

1. The inmate is sentenced as a habitual offender under Sections 99-19-81 through 99-19-87;
2. The inmate is sentenced for a crime of violence under Section 97-3-2;
3. The inmate is sentenced for an offense that specifically prohibits parole release;
4. The inmate is sentenced for trafficking in controlled substances under Section 41-29-139(f);
5. The inmate is sentenced for a sex crime; or
6. The inmate has not served one-fourth (1/4) of the sentence imposed by the court.

(** *iv) Parole consideration as authorized by the trial court. Notwithstanding the provisions of paragraph (a) of this subsection, any offender who has not committed a crime of violence under Section 97-3-2 and has served twenty-five percent (25%) or more of his sentence may be paroled by the State Parole Board if, after the sentencing judge or if the sentencing judge is retired, disabled or incapacitated, the senior circuit judge authorizes the offender to be eligible for parole consideration; or if the senior circuit judge must be recused, another circuit judge of the same district or a senior status judge may hear and decide the matter ** *. A petition for parole eligibility consideration pursuant to this subparagraph (iv) shall be filed in the original criminal cause

or causes, and the offender shall serve an executed copy of the petition on the District Attorney. The court may, in its discretion, require the District Attorney to respond to the petition.

* * *

(** *2) The State Parole Board shall, by rules and regulations, establish a method of determining a tentative parole hearing date for each eligible offender taken into the custody of the Department of Corrections. The tentative parole hearing date shall be determined within ninety (90) days after the department has assumed custody of the offender. Except as provided in Section 47-7-18, the parole hearing date shall occur when the offender is within thirty (30) days of the month of his parole eligibility date. * * * Any parole eligibility date shall not be earlier than as required in this section.

(** *3) Notwithstanding any other provision of law, an inmate shall not be eligible to receive earned time, good time or any other administrative reduction of time which shall reduce the time necessary to be served for parole eligibility as provided in subsection (1) of this section.

(4) Any inmate within * * * forty-eight (48) months of his parole eligibility date and who meets the criteria established by the classification board shall receive priority for placement in any educational development and job-training programs that are part of his or her parole case plan. Any inmate refusing to participate in an educational development or job-training program * * *, including, but not limited to, programs required as part of the case plan, shall be in jeopardy of noncompliance with the case plan and may be denied parole.

(5) In addition to other requirements, if an offender is convicted of a drug or driving under the influence felony, the offender must complete a drug and alcohol rehabilitation program prior to parole, or the offender shall be required to complete a postrelease drug and alcohol program as a condition of parole.

(6) Except as provided in subsection (1)(a) through (h) of this section, all other persons shall be eligible for parole after serving twenty-five percent (25%) of the sentence or sentences imposed by the trial court, or, if sentenced to thirty (30) years or more, after serving ten (10) years of the sentence or sentences imposed by the trial court.

(7) The Corrections and Criminal Justice Oversight Task Force established in Section 47-5-6 shall develop and submit recommendations to the Governor and to the Legislature annually on or before December 1st concerning issues relating to juvenile and habitual offender parole reform and to review and monitor the implementation of Senate Bill No. 2795, 2021 Regular Session.

(8) The amendments contained in this act shall apply retroactively from and after July 1, 1995.

(9) Notwithstanding provisions to the contrary in this section, a person who was sentenced before the effective date of this act may be considered for parole if the person's sentence would have been parole eligible before the date on which this act becomes effective.

(10) This section shall stand repealed on July 1, 2024.

SECTION 3. Section 47-7-3.1, Mississippi Code of 1972, is amended as follows:

47-7-3.1. (1) In consultation with the Parole Board, the department shall develop a case plan for all parole-eligible inmates to guide an inmate's rehabilitation while in the department's custody and to reduce the likelihood of recidivism after release.

(2) * * * The case plan * * * shall include, but not be limited to:

(a) Programming and treatment requirements based on the results of a risk and needs assessment;

(b) Any programming or treatment requirements contained in the sentencing order; and

(c) General behavior requirements in accordance with the rules and policies of the department.

(3) With respect to parole-eligible inmates admitted to the department's custody on or after July 1, 2021, the department shall complete the case plan within ninety (90) days of admission. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall complete the case plan by January 1, 2022.

(* * *4) The department shall provide the inmate with a written copy of the case plan and the inmate's caseworker shall explain the conditions set forth in the case plan.

(a) Within ninety (90) days of admission, the caseworker shall notify the inmate of their parole eligibility date as calculated in accordance with Section 47-7-3(3);

(b) At the time a parole-eligible inmate receives the case plan, the department shall send the case plan to the Parole Board for approval.

(* * *5) With respect to parole-eligible inmates admitted to the department's custody after July 1, 2021, the department shall ensure that the case plan is achievable prior to the inmate's parole eligibility date. With respect to parole-eligible inmates admitted to the department's custody before July 1, 2021, the department shall, to the extent possible, ensure that the case plan is achievable prior to the inmate's parole eligibility date or next parole hearing date, or date of release, whichever is sooner.

(* * *6) The caseworker shall meet with the inmate every eight (8) weeks from the date the offender received the case plan to review the inmate's case plan progress.

(* * *7) Every four (4) months the department shall electronically submit a progress report on each parole-eligible inmate's case plan to the Parole Board. The board may meet to review an inmate's case plan and may provide written input to the caseworker on the inmate's progress toward completion of the case plan.

(* * *8) The Parole Board shall provide semiannually to the Oversight Task Force the number of parole hearings held, the number of prisoners released to parole without a hearing and the number of parolees released after a hearing.

(9) If the Department of Corrections fails to adequately provide opportunity and access for the completion of such case plans, the Department of Corrections shall, to the extent possible, contract with regional jail facilities that offer educational development and job-training programs to facilitate the fulfillment of the case plans of parole-eligible inmates.

SECTION 4. Section 47-7-3.2, Mississippi Code of 1972, is amended as follows:

47-7-3.2. (1) Notwithstanding * * * Section 47-5-138, 47-5-139, 47-5-138.1 or 47-5-142, no person convicted of a criminal offense on or after July 1, 2014, shall be released by the department until he or she has served no less than * * * the percentage of the sentence or sentences imposed by the court as set forth below:

(a) Twenty-five percent (25%) or ten (10) years, whichever is less, for a nonviolent crime;

(b) Fifty percent (50%) or twenty (20) years, whichever is less, for a crime of violence pursuant to Section 97-3-2, except for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117;

(c) Sixty percent (60%) or twenty-five (25) years, whichever is less, for robbery with a deadly weapon as defined in Section 97-3-79, drive-by shooting as defined in Section 97-3-109, or carjacking as defined in Section 97-3-117.

(2) This section shall not apply to:

(a) Offenders sentenced to life imprisonment;

(b) Offenders convicted as habitual offenders pursuant to Sections 99-19-81 through 99-19-87;

(c) Offenders serving a sentence for a sex offense; or

(d) Offenders serving a sentence for trafficking pursuant to Section 41-29-139(f).

SECTION 5. Section 47-7-5, Mississippi Code of 1972, is amended as follows:

47-7-5. (1) The State Parole Board, created under former Section 47-7-5, is hereby created, continued and reconstituted and shall be composed of five (5) members. The Governor shall appoint the members with the advice and consent of the Senate. All terms shall be at the will and pleasure of the Governor. Any vacancy shall be filled by the Governor, with the advice and consent of the Senate. The Governor shall appoint a chairman of the board.

(2) Any person who is appointed to serve on the board shall possess at least a bachelor's degree or a high school diploma and four (4) years' work experience. Each member shall devote his full time to the duties of his office and shall not engage in any other business or profession or hold any other public office. A member shall *** receive compensation or per diem in addition to his salary ***. Each member shall keep such hours and workdays as required of full-time state employees under Section 25-1-98. Individuals shall be appointed to serve on the board without reference to their political affiliations. Each board member, including the chairman, may be reimbursed for actual and necessary expenses as authorized by Section 25-3-41. Each member of the board shall complete annual training developed based on guidance from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association. Each first-time appointee of the board shall, within sixty (60) days of appointment, or as soon as practical, complete training for first-time Parole Board members developed in consideration of information from the National Institute of Corrections, the Association of Paroling Authorities International, or the American Probation and Parole Association.

(3) The board shall have exclusive responsibility for the granting of parole as provided by Sections 47-7-3 and 47-7-17 and shall have exclusive authority for revocation of the same. The board shall have exclusive responsibility for investigating clemency recommendations upon request of the Governor.

(4) The board, its members and staff, shall be immune from civil liability for any official acts taken in good faith and in exercise of the board's legitimate governmental authority.

(5) The budget of the board shall be funded through a separate line item within the general appropriation bill for the support and maintenance of the department. Employees of the department which are employed by or assigned to the board shall work under the guidance and supervision of the board. There shall be an executive secretary to the board who shall be responsible for all administrative and general accounting duties related to the board. The executive secretary shall keep and preserve all records and papers pertaining to the board.

(6) The board shall have no authority or responsibility for supervision of offenders granted a release for any reason, including, but not limited to, probation, parole or executive clemency or other offenders requiring the same through interstate compact agreements. The supervision shall be provided exclusively by the staff of the Division of Community Corrections of the department.

(7) (a) The Parole Board is authorized to select and place offenders in an electronic monitoring program under the conditions and criteria imposed by the Parole Board. The conditions, restrictions and requirements of Section 47-7-17 and Sections 47-5-1001 through 47-5-1015 shall apply to the Parole Board and any offender placed in an electronic monitoring program by the Parole Board.

(b) Any offender placed in an electronic monitoring program under this subsection shall pay the program fee provided in Section 47-5-1013. The program fees shall be deposited in the special fund created in Section 47-5-1007.

(c) The department shall have absolute immunity from liability for any injury resulting from a determination by the Parole Board that an offender be placed in an electronic monitoring program.

(8) (a) The Parole Board shall maintain a central registry of paroled inmates. The Parole Board shall place the following information on the registry: name, address, photograph, crime for which paroled, the date of the end of parole or flat-time date and other information deemed necessary. The Parole Board shall immediately remove information on a parolee at the end of his parole or flat-time date.

(b) When a person is placed on parole, the Parole Board shall inform the parolee of the duty to report to the parole officer any change in address ten (10) days before changing address.

(c) The Parole Board shall utilize an internet website or other electronic means to release or publish the information.

(d) Records maintained on the registry shall be open to law enforcement agencies and the public and shall be available no later than July 1, 2003.

(9) An affirmative vote of at least four (4) members of the Parole Board shall be required to grant parole to an inmate convicted of capital murder or a sex crime.

(10) This section shall stand repealed on July 1, 2022.

SECTION 6. Section 47-7-15, Mississippi Code of 1972, is amended as follows:

47-7-15. The board shall adopt an official seal of which the courts shall take judicial notice. Decisions of the board shall be made by majority vote, except as provided in Section 47-7-5(9).

The board shall keep a record of its acts and shall notify each institution of its decisions relating to the persons who are or have been confined therein. At the close of each fiscal year the board shall submit to the Governor and to the Legislature a report with statistical and other data of its work.

SECTION 7. Section 47-7-17, Mississippi Code of 1972, is amended as follows:

47-7-17. (1) Within one (1) year after his admission and at such intervals thereafter as it may determine, the board shall secure and consider all pertinent information regarding each offender, except any under sentence of death or otherwise ineligible for parole, including the circumstances of his offense, his previous social history, his previous criminal record, including any records of law enforcement agencies or of a youth court regarding that offender's juvenile criminal history, his conduct, employment and attitude while in the custody of the department, the case plan created to prepare the offender for parole, and the reports of such physical and mental examinations as have been made. The board shall furnish at least three (3) months' written notice to each such offender of the date on which he is eligible for parole.

*** (2) Except as provided in Section 47-7-18, the board *** shall require a parole-eligible offender to have a hearing as required in this chapter before the board and to be interviewed. The hearing shall be held no later than thirty (30) days prior to the month of eligibility. No application for parole of a person convicted of a capital offense shall be considered by the board unless and until notice of the filing of such application shall have been published at least once a week for two (2) weeks in a newspaper published in or having general circulation in the county in which the crime was committed. The board shall, within thirty (30) days prior to the scheduled hearing, also give notice of the filing of the application for parole to the victim of the offense for which the prisoner is incarcerated and being considered for parole or, in case the offense be homicide, a designee of the immediate family of the victim, provided the victim or designated family member has furnished in writing a current address to the board for such purpose. The victim or designated family member shall be provided an opportunity to be heard by the board before the board makes a decision regarding release on parole. The board shall consider whether any restitution ordered has been paid in full. Parole release shall, at the hearing, be ordered only for the best interest of society, not as an award of clemency; it shall not be considered to be a reduction of sentence or pardon. An offender shall be placed on parole only when arrangements have been made for his proper employment or for his maintenance and care, and when the board believes that he is able and willing to fulfill the obligations of a law-abiding citizen. When the board determines that the offender will need transitional housing upon release in order to improve the likelihood of *** the offender becoming a law-abiding citizen, the board may parole the offender with the condition that the inmate spends no more than six (6) months in a transitional reentry center. At least fifteen (15) days prior to the release of an offender on parole, the director of records of the department shall give the written notice which is required pursuant to Section 47-5-177. Every offender while on parole shall remain in the legal custody of the department from which he was released and shall be amenable to the orders of the board. Upon determination by the board that an offender is eligible for release by parole, notice shall also be given within at least fifteen (15) days before release, by the board to the victim of the offense or the victim's family member, as indicated above, regarding the date when the offender's release shall occur, provided a current address of the victim or the victim's family member has been furnished in writing to the board for such purpose.

(3) Failure to provide notice to the victim or the victim's family member of the filing of the application for parole or of any decision made by the board regarding parole shall not

constitute grounds for vacating an otherwise lawful parole determination nor shall it create any right or liability, civilly or criminally, against the board or any member thereof.

(4) A letter of protest against granting an offender parole shall not be treated as the conclusive and only reason for not granting parole.

(5) The board may adopt such other rules not inconsistent with law as it may deem proper or necessary with respect to the eligibility of offenders for parole, the conduct of

parole hearings, or conditions to be imposed upon parolees, including a condition that the parolee submit, as provided in Section 47-5-601 to any type of breath, saliva or urine chemical analysis test, the purpose of which is to detect the possible presence of alcohol or a substance prohibited or controlled by any law of the State of Mississippi or the United States. The board shall have the authority to adopt rules related to the placement of certain offenders on unsupervised parole and for the operation of transitional reentry centers. However, in no case shall an offender be placed on unsupervised parole before he has served a minimum of fifty percent (50%) of the period of supervised parole.

SECTION 8. Section 47-7-18, Mississippi Code of 1972, is amended as follows:

47-7-18 (1) * * * No inmate convicted of a sex offense as defined by Section 45-33-23(h), a crime of violence as defined by Section 97-3-2, or both, nor an inmate who is eligible for geriatric parole shall be released on parole without a hearing before the Parole Board as required by Section 47-7-17. All other inmates eligible for parole pursuant to Section 47-7-3 * * * shall be released from incarceration to parole supervision on the inmate's parole eligibility date, without a hearing before the board, if:

(a) The inmate has met the requirements of the parole case plan established pursuant to Section 47-7-3.1;

(b) A victim of the offense has not requested the board conduct a hearing;

(c) The inmate has not received a serious or major violation report within the past six (6) months;

(d) The inmate has agreed to the conditions of supervision; and

(e) The inmate has a discharge plan approved by the board.

(2) At least thirty (30) days prior to an inmate's parole eligibility date, the department shall notify the board in writing of the inmate's compliance or noncompliance with the case plan. If an inmate fails to meet a requirement of the case plan, prior to the parole eligibility date, he or she shall have a hearing before the board to determine if completion of the case plan can occur while in the community.

(3) Any inmate for whom there is insufficient information for the department to determine compliance with the case plan shall have a hearing with the board.

(4) A hearing shall be held with the board if requested by the victim following notification of the inmate's parole release date pursuant to Section 47-7-17.

(5) A hearing shall be held by the board if a law enforcement official from the community to which the inmate will return contacts the board or the department and requests a hearing to consider information relevant to public safety risks posed by the inmate if paroled at the initial parole eligibility date. The law enforcement official shall submit an explanation documenting these concerns for the board to consider.

(6) If a parole hearing is held, the board may determine the inmate has sufficiently complied with the case plan or that the incomplete case plan is not the fault of the inmate and that granting parole is not incompatible with public safety, the board may then parole the inmate with appropriate conditions. If the board determines that the inmate has sufficiently complied with the case plan but the discharge plan indicates that the inmate does not have appropriate housing immediately upon release, the board may parole the inmate to a transitional reentry center with the condition that the inmate spends no more than six (6) months in the center. If the board determines that the inmate has not substantively complied with the requirement(s) of the case plan it may deny parole. If the board denies parole, the board may schedule a subsequent parole hearing and, if a new date is scheduled, the board shall identify the corrective action the inmate will need to

take in order to be granted parole. Any inmate not released at the time of the inmate's initial parole date shall have a parole hearing at least every year.

SECTION 9. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT ENTITLED THE "MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT"; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CONDITIONS FOR PAROLE ELIGIBILITY AND TO PROVIDE LIMITATIONS ON INMATE ELIGIBILITY TO PETITION THE SENTENCING COURT FOR PAROLE ELIGIBILITY IF THE INMATE IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE OR NONVIOLENCE; TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR INMATE CASE PLANNING AND TO PRESCRIBE DATES FOR THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COMPLETE CASE PLANS FOR PAROLE-ELIGIBLE INMATES TO ENSURE THAT THE PLAN IS ACHIEVABLE; TO AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, TO PROVIDE A MINIMUM TIME THAT OFFENDERS CONVICTED OF A CRIME OF VIOLENCE MUST SERVE BEFORE RELEASE AND A MINIMUM PERCENTAGE OF OTHER SENTENCES THAT OTHER OFFENDERS MUST SERVE BEFORE RELEASE; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO REMOVE PROHIBITION AGAINST COMPENSATION OR PER DIEM OF THE MISSISSIPPI PAROLE BOARD, ITS REQUIREMENTS, AND THE MINIMUM VOTE REQUIRED TO GRANT PAROLE TO AN INMATE CONVICTED OF CAPITAL MURDER OR SEX OFFENSE; TO AMEND SECTION 47-7-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VICTIM OR DESIGNATED FAMILY MEMBER SHALL BE PROVIDED AN OPPORTUNITY TO BE HEARD BY THE PAROLE BOARD PRIOR TO A PAROLE DECISION; TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PAROLE HEARINGS FOR SEX OFFENDERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Juan Barnett	Kevin Horan
Daniel H. Sparks	Dale Goodin
Brice Wiggins	John G. Faulkner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2795** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, DeBar, DeLano, England, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniell, Norwood, Parker, Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Witherspoon, Younger. Total--35.

Nays--Barrett, Branning, Chassaniol, Chism, Hill, McLendon, McMahan, Michel, Moran, Parks, Seymour, Tate, Whaley. Total--13.

Absent and those not voting--Fillingane, Polk, Simmons D. T. (12th). Total--3.

Voting Present--Suber. Total--1.

Senator Barnett moved that the Conference Committee Report on **H. B. No. 1174** be recommitted for further conference and the motion prevailed.

H. B. No. 1174: Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness.

Senator Barnett moved that the rules be suspended for the immediate consideration of **H. B. No. 929**, and the motion prevailed.

Senator Barnett moved that the Conference Committee Report on **H. B. No. 929** be recommitted for further conference and the motion prevailed.

H. B. No. 929: Reentry for offenders; bring forward certain sections relating to.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 15, **H. B. No. 572**, and the motion prevailed.

Senator Harkins moved that the Conference Committee Report on **H. B. No. 572** be recommitted for further conference and the motion prevailed.

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 12:27 PM, the Senate stood in recess.

The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

Senator Simmons D. T. (12th) offered the following report of the Conference Committee on **S. B. No. 2261** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2261: Perpetual cemetery law; revise notice and maintenance provisions for counties and municipalities.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-5-105, Mississippi Code of 1972, is amended as follows:

19-5-105. (1) To determine whether property or a parcel of land located within a county is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, the board of supervisors of any county is authorized and empowered to conduct a hearing on its own motion, or upon the receipt of a petition requesting the board of supervisors to act signed by a majority of the residents eighteen (18) years of age or older, residing upon any street or alley, within reasonable proximity of any property alleged to be in need of cleaning, or within seven hundred fifty (750) feet of the precise location of the alleged menace situated on any parcel of land which is located in a populated area or in a housing subdivision and alleged to be in need of cleaning.

Notice shall be provided to the property owner by:

(a) United States mail two (2) weeks before the date of the hearing mailed to the address of the subject property and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least two (2) weeks before the date of a hearing on the property or parcel of land alleged to be in need of cleaning and at the county courthouse or another place in the county where such notices are posted.

The notice required by this subsection (1) shall include language that informs the property owner that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the board of supervisors to reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing, if notice is posted on the property or parcel of land and at the county courthouse or another place in the county where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this subsection (1) shall be recorded in the minutes of the board of supervisors in conjunction with the hearing required by this subsection.

If at such hearing the board of supervisors shall in its resolution adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the board of supervisors may, if the owner not do so himself, proceed to have the land cleaned by cutting weeds, filling cisterns, and removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and draining cesspools and standing water. Thereafter, the board of supervisors may at its next regular meeting by resolution adjudicate the actual cost of cleaning the land and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty shall become an

assessment against the property. The "cost assessed against the property" means either the cost to the county of using its own employees to do the work or the cost to the county of any contract executed by the county to have the work done, and administrative costs and legal costs of the county.

A county may reenter the property or parcel of land to maintain cleanliness without further notice of hearing no more than six (6) times in any twelve-month period with respect to removing dilapidated buildings, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land. The expense of cleaning the property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. The board of supervisors may assess the same penalty each time the property or land is cleaned as otherwise provided in this subsection (1).

The penalty provided * * * in this subsection (1) shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a county clean a parcel owned by the State of Mississippi without first giving notice.

The assessment authorized by this subsection (1) shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the county shall, upon order of the board of supervisors, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent taxes. Furthermore, the property owner whose land has been sold pursuant to this subsection (1) shall have the same right of redemption as now provided by law for the sale of lands for delinquent taxes. All decisions rendered under the provisions of this subsection may be appealed in the same manner as other appeals from county boards.

(2) (a) If private property or a parcel of land located within a county is a perpetual care cemetery subject to Section 41-43-1 et seq., the board of supervisors of the county may proceed pursuant to the same provisions of subsection (1) of this section used to determine whether a property is a public health menace to instead determine if the perpetual care cemetery and all structures on the cemetery are not being properly maintained and have become detrimental to the public health and welfare. A perpetual care cemetery that is "not being properly maintained and has become detrimental to the public health and welfare" means a perpetual care cemetery that shows signs of neglect, including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, unusable entrances and exits, excess rubbish or debris, or the disintegration of grave markers or boundaries. Upon notice and opportunity to be heard as provided in subsection (1) of this section, the board of supervisors of the county may adjudicate the property or parcel of land in its then condition to be not properly maintained and detrimental to the public health and welfare, and if the owner does not do so itself, may proceed to clean the property or parcel of land as provided in subsection (1) of this section. When cleaning the property or parcel of land of a perpetual care cemetery pursuant to this subsection (2), the penalty or penalties provided in subsection (1) of this section shall not be assessed against owners of the perpetual care cemeteries.

(b) The board of supervisors of a county that cleans property or parcel of land of a perpetual care cemetery pursuant to this subsection (2) may make application to the Secretary of State for an order directing the trustee of the perpetual care cemetery trust fund to release accrued interest or principal of the trust fund sufficient to reimburse the county for only the actual cleanup costs incurred by the county. The application to the Secretary of State shall include a statement by the county that all of the requirements of this section have been met.

(c) If the Secretary of State is satisfied that the notice and hearing requirements of this section have been met, and that the application for an order directing

the trustee to release accrued interest of the perpetual care cemetery trust fund does not threaten the ability of the trust fund to provide for the care and maintenance of the cemetery, the Secretary of State may order the trustee to release up to the total amount of accrued interest of the trust fund in an amount sufficient to reimburse the county for the actual costs of cleanup performed by the county.

(d) If the Secretary of State is satisfied that the notice and hearing requirements of this section have been met, but makes a determination that the accrued interest of the perpetual care cemetery trust fund is insufficient to reimburse the county for the actual costs of cleanup performed by the county, or that an order to release accrued interest would threaten the ability of the trust fund to provide for the care and maintenance of the cemetery, the Secretary of State may consider an order directing the trustee to reimburse the county from the principal of the trust fund. If the Secretary of State determines that an order to the trustee to release principal from the trust fund will not threaten the solvency of the trust fund, the Secretary of State may order the trustee to release principal of the trust fund in an amount sufficient to reimburse the county for the actual costs of cleanup performed by the county.

(i) The Secretary of State may not order the trustee to release an amount of more than fifteen percent (15%) of principal of the trust fund to reimburse the county for the actual costs of cleanup performed by the county.

(ii) The provisions of this section may be utilized no more than once in a four-year period.

SECTION 2. Section 21-19-11, Mississippi Code of 1972, is amended as follows:

21-19-11. (1) To determine whether property or parcel of land located within a municipality is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, a governing authority of any municipality shall conduct a hearing, on its own motion, or upon the receipt of a petition signed by a majority of the residents residing within four hundred (400) feet of any property or parcel of land alleged to be in need of the cleaning. Notice shall be provided to the property owner by:

(a) United States mail two (2) weeks before the date of the hearing mailed to the address of the subject property, except where the land or structure(s) is apparently vacant, and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least two (2) weeks before the date of a hearing on the property or parcel of land alleged to be in need of cleaning and at city hall or another place in the municipality where such notices are posted.

Any notice required by this section shall include language that informs the property owner that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of two (2) years after final adjudication without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this section shall be recorded in the minutes of the governing authority in conjunction with the hearing required by this section.

If, at such hearing, the governing authority shall adjudicate the property or parcel of land in its then condition to be a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal

property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The governing authority may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and administrative costs and legal costs of the municipality. For subsequent cleaning within the one-year period after the date of the hearing at which the property or parcel of land was adjudicated in need of cleaning, upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipality's adjudication as authorized in this subsection (1), a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property, except as otherwise provided in this section for removal of hazardous substances, shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is more. The aggregate cost of removing hazardous substances will be the actual cost of such removal to the municipality and shall not be subject to the Twenty Thousand Dollars (\$20,000.00) limitation provided in this subsection. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. Upon written authority from the Secretary of State's office, for state-owned properties, a municipality may forgo the notification process that is prescribed in this subsection and proceed to clean the properties and assess costs as prescribed in this subsection, except that penalties shall not be assessed against the State of Mississippi.

(2) When the fee or cost to clean property or a parcel of land that is one (1) acre or less does not exceed Two Hundred Fifty Dollars (\$250.00), excluding administrative costs, and the property or parcel is located within a municipality having a population over one thousand five hundred (1,500), the governing authority of the municipality may authorize one or more of its employees to determine whether the property or parcel of land is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community and the determination made by the authorized municipal employee shall be set forth and recorded in the minutes of the governing authority. Notice of this determination shall be provided to the property owner by:

(a) United States mail seven (7) days before the date of cleaning of the property or parcel of land mailed to the address of the subject property, except where the land or structure(s) is apparently vacant, and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least seven (7) days before the cleaning of the property or parcel of land and at city hall or another place in the municipality where such notices are posted.

Any notice required by this subsection shall include language that informs the property owner that the appropriate municipal official has determined that the property or parcel of land is a menace to the public health, safety and welfare of the community and in need of cleaning and the municipality is authorized to enter the property for cleaning

and that the municipality is further authorized to reenter the property or parcel of land for a period of two (2) years after this cleaning without any further hearing or action if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this subsection shall be recorded in the minutes of the governing authority in conjunction with the determination made by the municipal employee in this subsection (2).

If an authorized municipal employee determines that the condition of property or parcel of land is a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water therefrom. The governing authority shall by resolution adjudicate the actual cost of cleaning the property under this provision, provided the same does not exceed Two Hundred Fifty Dollars (\$250.00) and may also impose a penalty not to exceed One Hundred Dollars (\$100.00) or one hundred percent (100%) of the actual cost of cleaning the property, whichever is more. The cost and any penalty imposed may become a civil debt against the property owner, and/or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and additionally may include administrative costs of the municipality not to exceed Fifty Dollars (\$50.00). For subsequent cleaning within the one-year period set forth in this subsection (2), upon seven (7) days' notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipal official's determination as authorized in this subsection (2), a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing under this subsection (2) no more than six (6) times in any twelve-month period with respect to removing abandoned or dilapidated buildings, slabs, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property shall not exceed an aggregate amount of One Thousand Dollars (\$1,000.00) per year under this subsection (2). The governing authority may assess the same actual costs, administrative costs and penalty for each time the property or land is cleaned as otherwise provided in this subsection (2). The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. Upon written authority from the Secretary of State's office, for state-owned properties, a municipality may forgo the notification process that is prescribed in this subsection and proceed to clean the properties and assess costs as prescribed in this subsection, except that penalties shall not be assessed against the State of Mississippi. A determination made by an appropriate municipal employee under this subsection (2) that the state or condition of property or a parcel of land is a menace to the public health, safety and welfare of the community shall not subsequently be used to replace a hearing if subsection (1) of this section is later utilized by a municipality when the prerequisites of this subsection (2) are not satisfied.

(3) If the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in a court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned.

(4) (a) If the governing authority declares that the cost and any penalty shall be collected as an assessment against the property, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the chancery clerk of the county as other liens and encumbrances are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes. The lien against the property shall be an encumbrance upon the property and shall follow title of the property.

(b) (i) All assessments levied under the provisions of this section shall be included with municipal ad valorem taxes and payment shall be enforced in the same manner in which payment is enforced for municipal ad valorem taxes, and all statutes regulating the collection of other taxes in a municipality shall apply to the enforcement and collection of the assessments levied under the provisions of this section, including utilization of the procedures authorized under Sections 17-13-9(2) and 27-41-2.

(ii) All assessments levied under the provisions of this section shall become delinquent at the same time municipal ad valorem taxes become delinquent. Delinquencies shall be collected in the same manner and at the same time delinquent ad valorem taxes are collected and shall bear the same penalties as those provided for delinquent taxes. If the property is sold for the nonpayment of an assessment under this section, it shall be sold in the manner that property is sold for the nonpayment of delinquent ad valorem taxes. If the property is sold for delinquent ad valorem taxes, the assessment under this section shall be added to the delinquent tax and collected at the same time and in the same manner.

(5) All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken. However, an appeal from a decision of a municipal officer or official shall be made to the governing authority and such appeal shall be in writing, state the basis for the appeal and be filed with the city clerk no later than seven (7) days from the latest date of notice required under this section.

(6) Nothing contained under this section shall prevent any municipality from enacting criminal penalties for failure to maintain property so as not to constitute a menace to public health, safety and welfare.

(7) (a) If private property or a parcel of land located within a municipality is a perpetual care cemetery subject to Section 41-43-1 et seq., the governing authority of the municipality may proceed pursuant to the same provisions of this section used to determine whether a property is a public health menace to instead determine if the perpetual care cemetery and all structures on the cemetery are not being properly maintained and have become detrimental to the public health and welfare. A perpetual care cemetery that is "not being properly maintained and has become detrimental to the public health and welfare" means a perpetual care cemetery that shows signs of neglect, including, without limitation, the unchecked growth of vegetation, repeated and unchecked acts of vandalism, unusable entrances and exits, excess rubbish or debris, or the disintegration of grave markers or boundaries. Upon notice and opportunity to be heard as provided in subsection (1) of this section, the governing authority of the municipality may adjudicate the property or parcel of land in its then condition to be not properly maintained and detrimental to the public health and welfare, and if the owner does not do so itself, may proceed to clean the property or parcel of land as provided in subsection (1) of this section. When cleaning the property or parcel of land of a perpetual care cemetery pursuant to this subsection (7), the penalty or penalties provided in subsection (1) of this section shall not be assessed against owners of the perpetual care cemeteries.

(b) The governing authority of a municipality that cleans the property or parcel of land of a perpetual care cemetery pursuant to this subsection (7) may make application to the Secretary of State for an order directing the trustee of the perpetual care

cemetery trust fund to release accrued interest or principal of the trust fund sufficient to reimburse the municipality for only the actual cleanup costs incurred by the municipality. The application to the Secretary of State shall include a statement by the municipality that all of the requirements of this section have been met.

(c) If the Secretary of State is satisfied that the notice and hearing requirements of this section have been met, and that the application for an order directing the trustee to release accrued interest of the perpetual care cemetery trust fund does not threaten the ability of the trust fund to provide for the care and maintenance of the cemetery, the Secretary of State may order the trustee to release accrued interest of the trust fund sufficient to reimburse the municipality for the actual costs of cleanup performed by the municipality.

(d) If the Secretary of State is satisfied that the notice and hearing requirements of this section have been met, but makes a determination that the accrued interest of the perpetual care cemetery trust fund is insufficient to reimburse the municipality for the actual costs of cleanup performed by the municipality, or that an order to release accrued interest would threaten the ability of the trust fund to provide for the care and maintenance of the cemetery, the Secretary of State may consider an order directing the trustee to reimburse the municipality from the principal of the trust fund. If the Secretary of State determines that an order to the trustee to release principal from the trust fund will not threaten the solvency of the trust fund, the Secretary of State may order the trustee to release principal of the trust fund in an amount sufficient to reimburse the municipality for the actual costs of cleanup performed by the municipality.

(i) The Secretary of State may not order the trustee to release an amount of more than fifteen percent (15%) of principal of the trust fund to reimburse the municipality for the actual costs of cleanup performed by the municipality.

(ii) The provisions of this section may be utilized no more than once in a four-year period.

SECTION 3. Section 41-43-57, Mississippi Code of 1972, is amended as follows:

41-43-57. (1) In exceptional circumstances only, a perpetual care owner can make an application to the Secretary of State for an order directing the trustee to release trust principal for the extended care, maintenance or improvements to the perpetual care cemetery for which interest funds are insufficient. Before issuing such an order, the Secretary of State shall satisfy himself that the request is for a major capital expenditure that will advance the perpetual care life of the cemetery without undue risk to the solvency of the perpetual care trust fund. Consistent with this section, this shall be the only instance in which a perpetual care trust corpus may be utilized for cemetery maintenance and improvements. In the consideration of the application, the Secretary of State may require the production of any records deemed necessary and relevant to the cemetery's application for a major capital expenditure.

(2) In addition the authority provided under subsection (1) of this section, subject to the provisions of Section 19-5-105(2) or 21-19-11(7), the board of supervisors of a county or the governing authority of a municipality also may make application to the Secretary of State for an order directing the trustee to release either accrued interest or principal of the trust fund for reimbursement to the county or municipality for the actual costs of cleanup performed by the county or municipality.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 19-5-105 AND 21-19-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CLEAN PROPERTY OR PARCELS OF LAND OF PERPETUAL CARE CEMETERIES THAT ARE NOT BEING PROPERLY MAINTAINED AND HAVE BECOME DETRIMENTAL TO THE PUBLIC HEALTH AND WELFARE; TO PRESCRIBE NOTICE AND HEARING REQUIREMENTS AND AN ADJUDICATION BY THE COUNTY OR MUNICIPALITY BEFORE IT MAY CLEAN THE PROPERTY; TO AUTHORIZE THE COUNTY OR MUNICIPALITY TO MAKE APPLICATION TO THE SECRETARY OF STATE FOR AN ORDER DIRECTING THE TRUSTEE OF THE PERPETUAL CARE CEMETERY TRUST FUND TO RELEASE ACCRUED INTEREST OF PRINCIPAL OF THE TRUST FUND SUFFICIENT TO REIMBURSE THE COUNTY OR MUNICIPALITY FOR ONLY THE ACTUAL CLEANUP COSTS INCURRED; TO AUTHORIZE THE SECRETARY OF STATE TO ORDER THE TRUSTEE TO RELEASE ACCRUED INTEREST OF PRINCIPAL OF THE TRUST FUND NOT TO EXCEED A CERTAIN AMOUNT SUFFICIENT TO REIMBURSE THE COUNTY OR MUNICIPALITY FOR THE ACTUAL COSTS OF CLEANUP PERFORMED IF THE SECRETARY OF STATE MAKES CERTAIN DETERMINATIONS; TO AMEND SECTION 41-43-57, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Derrick T. Simmons

Angela Burks Hill

Jason Barrett

CONFEREES FOR THE HOUSE

Randy Rushing

Mark Tullos

Larry Byrd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2261** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator DeBar called up the following entitled nomination:

S. N. No. 75: Russell (Russ) Latino, III, Madison, Mississippi, Mississippi Authority for Educational Television to represent the state at large, unexpired portion of a four year term beginning immediately and ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 75 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator DeBar called up the following entitled nomination:

S. N. No. 83: Carolyn Renee Grice Willis, Carrollton, Mississippi, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, 2023.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 83 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator Branning moved that the rules be suspended for the immediate consideration of calendar item 44, **S. B. No. 2825**, and the motion prevailed.

Senator Branning moved that the Conference Committee Report on **S. B. No. 2825** be recommitted for further conference and the motion prevailed.

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create.

Senator Harkins moved that the rules be suspended for the immediate consideration of calendar item 20, **S. B. No. 2807**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2807** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2807: Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Josh Harkins

Jeff Tate

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Henry Zuber III

Brent Powell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2807** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--45.

Nays--Branning, Chism, Frazier, Norwood, Parker. Total--5.

Absent and those not voting--Polk. Total--1.

Voting Present--Jackson S. (32nd). Total--1.

Senator Harkins moved that the rules be suspended for the immediate consideration of **S. B. No. 2874**, and the motion prevailed.

Senator Harkins called up the motion to reconsider the vote whereby the Conference Report failed on **S. B. No. 2874** and moved that it be reconsidered:

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit.

The foregoing motion prevailed.

The vote now recurring on the motion to adopt the Conference Report.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2874** was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hopson, Horhn, Jackson S. (32nd), Johnson, Kirby, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--37.

Nays--Blackmon, Branning, Butler, Chism, Hill, Jackson R. (11th), Jordan, McCaughn, McDaniel, Sojourner, Suber, Tate, Turner-Ford. Total--13.

Absent and those not voting--Polk. Total--1.

Voting Present--Frazier. Total--1.

Senator Hill moved that the rules be suspended for the immediate consideration of calendar item 60, **S. N. No. 93**, and the motion prevailed.

Senator Hill called up the following entitled nomination:

S. N. No. 93: Charles William (Bill) Cook, Jr., Oxford, Mississippi, Information Technology Services Authority, term effective immediately for the unexpired balance of a five year term ending June 30, 2022, vice Alan Lange.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 93 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:33 PM, the Senate stood in recess.

The Senate resumed business at 3:58 PM, pursuant to recess, with President Hosemann presiding.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2294: AN ACT TO AMEND SECTION 63-1-35, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A VETERAN TO ESTABLISH PROOF OF MILITARY SERVICE FOR VETERAN DRIVER'S LICENSE DESIGNATION IN PERSON AT THE DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSE STATION; TO AMEND SECTION 97-19-85, MISSISSIPPI CODE OF 1972, TO PROVIDE CRIMINAL

PENALTIES FOR SUBMITTING FALSE DOCUMENTS TO OBTAIN A VETERAN DRIVER'S LICENSE OR OTHER VETERAN'S BENEFITS; AND FOR RELATED PURPOSES.

S. B. No. 2313: AN ACT TO BE KNOWN AS THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT"; TO AUTHORIZE STUDENT-ATHLETES TO EARN COMPENSATION FOR HIS NAME, IMAGE AND LIKENESS; TO DEFINE TERMS RELATING THERETO; TO PROVIDE THAT STUDENT-ATHLETES SHALL NOT EARN COMPENSATION IN EXCHANGE FOR HIS ATHLETIC ABILITY OR PARTICIPATION IN INTERCOLLEGIATE ATHLETICS; TO PROVIDE THAT STUDENT-ATHLETES SHALL NOT BE DEEMED TO BE EMPLOYEES OF THE EDUCATIONAL INSTITUTION; TO PROVIDE THAT A POSTSECONDARY EDUCATIONAL INSTITUTION SHALL NOT UPHOLD A CONTRACT THAT PREVENTS A STUDENT-ATHLETE FROM EARNING COMPENSATION FROM HIS NAME, IMAGE OR LIKENESS; TO PROVIDE THAT ATHLETIC ASSOCIATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS SHALL NOT PREVENT A STUDENT-ATHLETE FROM EARNING COMPENSATION FROM HIS NAME, IMAGE OR LIKENESS; TO PROVIDE THAT A STUDENT-ATHLETE SHALL NOT RECEIVE OR ENTER INTO A CONTRACT FOR COMPENSATION FOR THE USE OF HIS OR HER NAME, IMAGE OR LIKENESS IN A WAY THAT ALSO USES ANY REGISTERED OR LICENSED MARKS, LOGOS, VERBIAGE OR DESIGNS OF A POSTSECONDARY INSTITUTION, UNLESS THE INSTITUTION HAS PROVIDED THE STUDENT-ATHLETE WITH WRITTEN PERMISSION; TO PROVIDE THAT ATHLETIC ASSOCIATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS SHALL NOT PREVENT EDUCATIONAL INSTITUTIONS FROM PARTICIPATING IN ATHLETICS AS A RESULT OF THE COMPENSATION OF A STUDENT-ATHLETE FOR THE USE OF THE STUDENT-ATHLETE'S NAME, IMAGE OR LIKENESS; TO PROVIDE THAT ATHLETIC ASSOCIATIONS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS SHALL NOT PREVENT STUDENT-ATHLETES FROM OBTAINING PROFESSIONAL REPRESENTATION IN RELATION TO NAME, IMAGE OR LIKENESS; TO PROVIDE THAT A STUDENT-ATHLETE'S FINANCIAL AID SHALL NOT BE REVOKED IF HE IS COMPENSATED PURSUANT TO THIS ACT; TO PROVIDE THAT A STUDENT-ATHLETE WHO ENTERS INTO AN AGREEMENT SHALL DISCLOSE THE CONTRACT TO THE EDUCATIONAL INSTITUTION; TO PROVIDE THAT AN EDUCATIONAL INSTITUTION, BOOSTER, THIRD-PARTY LICENSEE, OR INDIVIDUAL OR ENTITY SHALL NOT PROVIDE COMPENSATION TO A CURRENT OR PROSPECTIVE STUDENT-ATHLETE AS AN INDUCEMENT FOR HIM TO ENROLL IN A SPECIFIC INSTITUTION; TO PROVIDE THAT A STUDENT-ATHLETE SHALL NOT ENTER INTO A LIKENESS AGREEMENT THAT RELATES TO THE PROMOTION OF GAMBLING, MARIJUANA, SPORTS BETTING, TOBACCO, ALCOHOL OR OTHER PRODUCTS THAT MAY BE CONSIDERED INCONSISTENT WITH THE EDUCATIONAL INSTITUTION'S VALUES; TO CODIFY NEW SECTION 93-19-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS 18 YEARS OF AGE SHALL HAVE THE CAPACITY TO ENTER INTO BINDING CONTRACTS AFFECTING THE USE OF THEIR NAME, IMAGE, OR LIKENESS WHILE PARTICIPATING IN INTERCOLLEGIATE SPORTS; TO AMEND SECTION 73-42-3, MISSISSIPPI CODE OF 1972, TO INCLUDE COMPENSATION FOR THE USE OF A STUDENT-ATHLETE'S NAME, IMAGE OR LIKENESS IN THE DEFINITION OF "ENDORSEMENT CONTRACT" AND "AGENCY CONTRACT"; TO PROVIDE THAT NO POSTSECONDARY EDUCATIONAL INSTITUTION SHALL BE SUBJECT TO A CLAIM FOR DAMAGES FOR UNFAIR TRADE OR COMPETITION OR TORTIOUS INTERFERENCE; AND FOR RELATED PURPOSES.

S. B. No. 2649: AN ACT TO REENACT AND AMEND SECTION 31-7-14, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON USE OF ENERGY EFFICIENT EQUIPMENT OR SERVICE CONTRACTS; AND FOR RELATED PURPOSES.

S. B. No. 2824: AN ACT TO CREATE THE "LINE-ITEM APPROPRIATION TRANSPARENCY ACT"; TO REQUIRE RECIPIENT ENTITIES THAT RECEIVE PASS-THROUGH FUNDING FROM LINE-ITEM APPROPRIATION BY THE LEGISLATURE TO ANNUALLY FILE A REPORT DETAILING THE EXPENDITURE OF THE STATE MONEY OR THE INTENDED EXPENDITURE OF ANY STATE MONEY THAT HAS NOT BEEN SPENT; AND FOR RELATED PURPOSES.

S. C. R. No. 537: A CONCURRENT RESOLUTION DECLARING THAT MARCH 21, 2021, IS "WORLD DOWN SYNDROME DAY IN MISSISSIPPI" TO ENCOURAGE AWARENESS AND OPPORTUNITIES FOR INDIVIDUALS WITH DOWN SYNDROME.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1495: AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY, MISSISSIPPI, TO LEASE TO THE CITY OF CHARLESTON, MISSISSIPPI, A CERTAIN WATER WELL; TO PROVIDE THAT SUCH LEASE MAY BE ENTERED INTO FOR A PERIOD OF UP TO 25 YEARS; AND FOR RELATED PURPOSES.

H. B. No. 1529: AN ACT TO AMEND CHAPTER 927, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 919, LOCAL AND PRIVATE LAWS OF 2017 TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE TOWN OF COMO, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF FOOD AND BEVERAGES AT RESTAURANTS WITHIN THE TOWN; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 4: A CONCURRENT RESOLUTION COMMENDING REPRESENTATIVE GARY CHISM FOR HIS LEGISLATIVE LEGACY AND PUBLIC SERVICE AND CONGRATULATING HIM UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

H. C. R. No. 44: A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMEMORATING THE LIFE AND LEGACY OF MRS. SARA BARRETT HARVEY ROBERTS.

H. C. R. No. 46: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING BISHOP JOSEPH ROSCOE CAMPBELL, JR., FOR HIS 34 YEARS OF OUTSTANDING SERVICE AND DEDICATION TO HIS CHURCH AND HIS COMMUNITY.

H. C. R. No. 47: A CONCURRENT RESOLUTION RECOGNIZING APRIL 2021 AS "GARY HEMPHILL COMMERCIAL AVIATION MONTH" IN MISSISSIPPI.

H. C. R. No. 48: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE DILIGENCE OF THE FACULTY, STAFF AND STUDENTS OF ALCORN STATE UNIVERSITY ON THE OCCASION OF THE SCHOOL'S HISTORIC 150TH YEAR ANNIVERSARY.

H. C. R. No. 49: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MS. ERIS KNOTT OF HATTIESBURG ELEMENTARY IN HATTIESBURG, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2021 BY CURRICULUM ASSOCIATES.

H. C. R. No. 50: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MR. WAYNE ULRICH OF LONG BEACH MIDDLE SCHOOL IN LONG BEACH, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2021 BY CURRICULUM ASSOCIATES.

H. C. R. No. 51: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MR. JAMIE COOPER OF SINGING RIVER ACADEMY IN GAUTIER, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2021 BY CURRICULUM ASSOCIATES.

H. C. R. No. 52: A CONCURRENT RESOLUTION CONGRATULATING FAMOUS BLUESMAN BOBBY RUSH UPON WINNING HIS SECOND GRAMMY AWARD IN THE TRADITIONAL BLUES CATEGORY FOR HIS ALBUM "RAWER THAN RAW" AT THE 62ND GRAMMY AWARDS.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 53: A CONCURRENT RESOLUTION COMMEMORATING ALPHA KAPPA ALPHA SORORITY, INC., ON THE OBSERVANCE OF THE 2021 "ALPHA KAPPA ALPHA SORORITY DAY AT THE CAPITOL," WHICH WILL BE VIRTUAL THIS YEAR, FOR THEIR OUTSTANDING SERVICE TO THE COMMUNITY AS THEY REMAIN "SUPREME IN SERVICE TO ALL MANKIND."

H. C. R. No. 54: A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING MR. NOAH HARRIS FOR BEING ELECTED AS HARVARD UNIVERSITY'S FIRST AFRICAN-AMERICAN MALE STUDENT BODY PRESIDENT.

H. C. R. No. 55: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MISS ASYA BRANCH FOR BEING CROWNED MISS USA 2020 AND EXTENDING SINCEREST WISHES FOR HER CONTINUED SUCCESS AT THE MISS UNIVERSE PAGEANT 2021 AND IN ALL HER FUTURE ENDEAVORS.

H. C. R. No. 56: A CONCURRENT RESOLUTION RECOGNIZING APRIL 19-25, 2021, AS "NATIVE PLANT APPRECIATION WEEK" IN MISSISSIPPI AND COMMENDING THE EFFORTS OF THE AUDUBON DELTA REGION OF THE NATIONAL AUDUBON SOCIETY TO RAISE AWARENESS OF THE USE OF NATIVE PLANTS IN OUR STATE.

Tammy Witherspoon, Chairman

Senator Tate moved that the Senate stand in recess until 5:30 PM.

The motion prevailed, and at 3:59 PM, the Senate stood in recess.

The Senate resumed business at 5:30 PM, pursuant to recess, with President Hosemann presiding.

On request of Senator Hopson, unanimous consent was granted to make the following corrections in **H. B. No. 1412, H. B. No. 1398, H. B. No. 1413, S. B. No. 2916, S. B. No. 2948, S. B. No. 2951**:

MEMORANDUM

To: Clerk of the House of Representatives
Secretary of the Senate

Re: FY 2022 Conference Reports – Unanimous Consent Requests

Date: March 30, 2021

It is requested that unanimous consent be granted to make the following clerical corrections:

HB 1412: Appropriation; Marine Resources, Department of

Amend lines 133-134 by deleting the words "Hancock County Board of Supervisors" and inserting in lieu thereof the words "South Mississippi Planning and Development District".

HB 1398: Appropriation; Human Services, Department of

Amend line 110 by deleting the number "230,827,222" and inserting in lieu thereof the number "230,827,447"

HB 1413: Appropriation; Transportation, Department of

Amend line 365 by inserting the words "in Kemper County" after "West" and before "between".

Amend line 375 by deleting the word "Lauderdale" and inserting in lieu thereof the word "Clarke".

Amend line 380 by inserting the number "381" after the word "Turner"

Amend line 381 by deleting the word "Street" and replacing the word and inserting in lieu thereof the word "School".

Amend line 385 by deleting the words "during Hobolichitto" and inserting in lieu thereof the words "near Hobolochitto".

SB 2916: Appropriation; Public Safety, Department of

Amend line 105 by deleting the number "2956" and inserting in lieu thereof the number "2825".

Amend line 119 by deleting the number "2956" and inserting in lieu thereof the number "2825".

SB 2948: Appropriation; Finance and Administration, Department of

Amend line 16 by deleting the number "98,775,987" and inserting in lieu thereof the number "138,620,987"

Amend line 91 by deleting the number "\$6,549,647" and inserting in lieu thereof the number "\$6,559,057".

Amend line 400-401 by deleting the words "Fifty-seven Million Seven Hundred Twenty-three Thousand Eight Hundred Dollars" and inserting in lieu thereof "Ninety-seven Million Five Hundred Sixty-eight Thousand Eight Hundred Dollars"

Amend line 401 by deleting the number "57,723,800.00" and inserting in lieu thereof the number "97,568,800.00".

Amend line 424 by deleting "400,000.00" and inserting "300,000.00"

Amend lines 428-429 by deleting the words "in paying the costs associated with Windows of Amory" and inserting in lieu thereof "as "The Windows"".

Amend lines 433-435 by deleting the words "To assist Rankin County and the City of Richland in paying the costs associated with Flood Control District" and inserting in lieu thereof the words "Funding is provided to Rankin County for the purpose of advancing implementation of its comprehensive stormwater management program including, but not limited to, activities in connection with Miss. Code Ann. 51-29-1 et seq., and for related purposes."

Amend line 439 by deleting "City" and inserting in lieu thereof "Town"

Delete lines 478-480

Amend line 504 by inserting after Department "any remaining funds may be used for facility and ground improvements."

Amend line 541 by inserting after upgrades "and renovations to the community center".

Amend line 523 by inserting the word "Houston" after the word "the" and before the word "courthouse".

Delete 677-678

Amend line 679-680 by deleting "For the repair and maintenance of the Ballpark in Mathiston, Mississippi" and inserting in lieu thereof the words "To assist the Brewer Community Association, Inc. for expenses related to the improvement and operation of the community center in Brewer, Mississippi and deleting the number "\$50,000.00" and replacing with the number "\$100,000.00"

Amend line 684-685 by deleting the words "To assist George County with intersecting upgrades at Highway 98 and Old Highway 63" and inserting in lieu thereof "To assist George County and/or MDOT with the removal of the J-turn at the intersection of U.S. Highway 98 and Old Highway 63, in George County and to insert a traffic light in its place"

Amend line 697 by deleting the words "National Guard" and inserting in lieu thereof "Mississippi Military Department"

Amend line 700 by deleting the words "Clean Water" and inserting in lieu thereof the words "Local Government and Rural Water"

SB 2951: Appropriation; Development Authority, Mississippi

Amend line 275 by deleting the word "Hanger" and inserting in lieu thereof the word "Harbor"

Amend line 276 by inserting the words "flood control and/or drainage for" after the word "with".

John Read, Chairman

House Appropriations Committee

W. Briggs Hopson III, Chairman

Senate Appropriations Committee

On request of Senator Harkins, unanimous consent was granted to make the following corrections in **S. B. No. 2971**:

Unanimous consent of the House and Senate is requested to make the following changes to the Conference Report on Senate Bill No. 2971:

- On Line 7826, delete language from "Vardaman" up to the period and insert in lieu thereof the following: "town streets" and amend the title to conform on line 174.
- On Line 8020, delete language from "Calhoun" up to the period and insert in lieu thereof the following: "town streets" and amend the title to conform on line 177.
- On Line 12112, change "Byram - Clinton" to "Hinds"; on Line 12123, change "Byram-Clinton" to "Hinds", and amend the title to conform on Line 252.
- On Lines 14232 and 14243, insert "Reform/" before "Sturgis" and amend title to conform on Line 296.
- Below line 26697, insert the following:

SECTION 137. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded

semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Water Pollution Control Revolving Fund established in Section 49-17-85, Mississippi Code of 1972. Upon the adoption of a resolution by the Commission on Environmental Quality declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission; however, the Commission on Environmental Quality shall declare the necessity for the issuance of bonds only in the amount necessary to match projected federal funds available through the following federal fiscal year. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Two Million Eight Hundred Seventy Thousand Dollars (\$2,870,000.00).

(b) The proceeds of bonds issued pursuant to this subsection shall be deposited into the Water Pollution Control Revolving Fund created pursuant to Section 49-17-85, Mississippi Code of 1972.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. Interest and investment earnings on money in the Water Pollution Control Revolving Fund shall be utilized to pay the principal and interest on such bonds as they become due. If the interest and investment earnings of the fund and any funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund created in Section 49-17-85, Mississippi Code of 1972. After the transfer of the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund, any investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the Water Pollution Control Revolving Fund and shall be used only for the purposes provided in Section 49-17-85, Mississippi Code of 1972. The proceeds of such bonds shall be disbursed solely upon the order of the Commission on Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 138. Section 49-17-85, Mississippi Code of 1972, is amended as follows:

49-17-85. (1) There is established in the State Treasury a fund to be known as the "Water Pollution Control Revolving Fund," which shall be administered by the commission acting through the department. The revolving fund may receive bond proceeds and funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source, public or private. The revolving fund shall be maintained in perpetuity for the purposes established in this section.

(2) There is established in the State Treasury a fund to be known as the "Water Pollution Control Hardship Grants Fund," which shall be administered by the commission acting through the department. The grants fund shall be maintained in perpetuity for the purposes established in this section. Any interest earned on monies in the grants fund shall be credited to that fund.

(3) The commission shall promulgate regulations for the administration of the revolving fund program, the hardship grants program and for related programs authorized under this section. The regulations shall be in accordance with the federal Water Quality Act of 1987, as amended, and regulations and guidance issued under that act. The commission may enter into capitalization grant agreements with the United States Environmental Protection Agency and may accept capitalization grant awards made under Title VI of the Water Quality Act of 1987, as amended.

(4) The commission shall establish a loan program which shall commence after October 1, 1988, to assist political subdivisions in the construction of water pollution control projects. Loans from the revolving fund may be made to political subdivisions as set forth in a loan agreement in amounts not exceeding one hundred percent (100%) of eligible project costs as established by the commission. Notwithstanding loan amount limitations set forth in Section 49-17-61, the commission may require local participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund. The commission may establish a maximum amount for any loan in order to provide for broad and equitable participation in the program.

(5) The commission shall establish a hardship grants program for rural communities, which shall commence after July 1, 1997, to assist severely economically disadvantaged small rural political subdivisions in the construction of water pollution control projects. The commission may receive and administer state or federal funds, or both, appropriated for the operation of this grants program and may take all actions necessary to implement the program in accordance with the federal hardship grants program. The hardship grants program shall operate in conjunction with the revolving loan program administered under this section.

(6) The commission shall act for the state in all matters and with respect to all determinations under Title VI of the federal Water Quality Act of 1987, as amended, and the federal Omnibus Appropriations and Recision Act of 1996.

(7) Except as otherwise provided in this section, the revolving fund may be used only:

(a) To make loans on the condition that:

(i) The loans are made at or below market interest rates, at terms not to exceed the maximum time allowed by federal law after project completion; the interest rate and term may vary from time to time and from loan to loan at the discretion of the commission;

(ii) Periodic principal and interest payments will commence when required by the commission but not later than one (1) year after project completion and all loans will be fully amortized when required by the commission but not later than the maximum time allowed by federal law after project completion;

(iii) The recipient of a loan will establish a dedicated source of revenue for repayment of loans;

(b) To buy or refinance the debt obligation of political subdivisions at or below market rates, where the debt obligations were incurred after March 7, 1985, and where the projects were constructed in compliance with applicable federal and state regulations;

(c) To guarantee, or purchase insurance for, obligations of political subdivisions where the action would improve credit market access or reduce interest rates;

(d) To provide loan guarantees for similar revolving funds established by municipalities or intermunicipal agencies;

(e) To earn interest on fund accounts;

(f) To establish nonpoint source pollution control management programs;

(g) To establish estuary conservation and management programs;

(h) For the reasonable costs of administering the revolving fund and conducting activities under this act, subject to the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended, and subject to annual appropriation by the Legislature;

(i) In connection with the issuance, sale and purchase of bonds under Section 31-25-1 et seq., related to the funding of projects, to provide security or a pledge of revenues for the repayment of the bonds; and

(j) To pay the principal and interest on bonds issued pursuant to Section 11 of Chapter 580, Laws of 2007, Section 1 of Chapter 492, Laws of 2008, Section 47 of Chapter 557, Laws of 2009, Section 45 of Chapter 533, Laws of 2010, Section 3 of Chapter 480, Laws of 2011, Section 36 of Chapter 569, Laws of 2013, Section 9 of Chapter 452, Laws of 2018, Section 1 of Chapter 415, Laws of 2019, * * * Section 16 of Chapter 492, Laws of 2020, and Section 137 of this act, as they become due; however, only interest and investment earnings on money in the fund may be utilized for this purpose.

(8) The hardship grants program shall be used only to provide hardship grants consistent with the federal hardship grants program for rural communities, regulations and guidance issued by the United States Environmental Protection Agency, subsections (3) and (5) of this section and regulations promulgated and guidance issued by the commission under this section.

(9) The commission shall establish by regulation a system of priorities and a priority list of projects eligible for funding with loans from the revolving fund.

(10) The commission may provide a loan from the revolving fund only with respect to a project if that project is on the priority list established by the commission.

(11) The revolving fund shall be credited with all payments of principal and interest derived from the fund uses described in subsection (7) of this section. However, notwithstanding any other provision of law to the contrary, all or any portion of payments of principal and interest derived from the fund uses described in subsection (7) of this section may be designated or pledged for repayment of a loan as provided in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.

(12) The commission may establish and collect fees to defray the reasonable costs of administering the revolving fund if it determines that the administrative costs will exceed the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended. The administration fees may be included in loan amounts to political subdivisions for the purpose of facilitating payment to the commission. The fees may not exceed five percent (5%) of the loan amount.

(13) Except as otherwise provided in this section, the commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.

(14) The commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to Hancock County as a result of coverage under the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in Hancock County.

- Amend the title to conform by inserting the following after the semicolon on line 545:

TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$2,870,000.00 TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT;

- On line 26698, change "SECTION 137" to "SECTION 139"

On request of Senator Harkins, unanimous consent was granted to make the following corrections in **H. B. No. 1091**:

Unanimous consent of the House and Senate is requested to make the following changes to the Conference Report on House Bill No. 1091:

- On Lines 447 and 448, delete "and House Bill No. 572, 2021, Regular Session"
- On Line 447, before "Senate", add "and"
- On Lines 1127 and 1128, delete "and House Bill No. 572, 2021, Regular Session,"
- Amend the title to conform.

Senator Blackwell moved that the Senate stand in recess until 6:15 PM.

The motion prevailed, and at 5:41 PM, the Senate stood in recess.

The Senate resumed business at 6:15 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

H. B. No. 796: Habitual offender; revise penalties for.

Andrew Ketchings, Clerk of the House of Representatives

Senator Blackwell moved that the rules be suspended for the immediate consideration of **S. B. No. 2799**, and the motion prevailed.

Senator Blackwell offered the following report of the Conference Committee on **S. B. No. 2799** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2799: Mississippi Medicaid Program; make technical amendments to reimbursements and administration.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-13-117, Mississippi Code of 1972, is amended as follows:

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

* * *

(* * *a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(* * *b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital

clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division * * * shall give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(d) On or after January 1, 2015, the division shall update the case-mix payment system resource utilization grouper and classifications and fair rental reimbursement system. The division shall develop and implement a payment add-on to reimburse nursing facilities for ventilator-dependent resident services.

(e) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(f) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician *** services. *** Fees for physician's services that are covered only by Medicaid shall be *** reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the *** division, for certain primary care services *** at one hundred percent (100%) of the rate established under Medicare. *** The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as *** determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents (\$7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as * * * determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents (\$3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division * * * shall allow certain drugs, including physician-administered drugs, and implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

* * *

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

The division shall increase the amount of the reimbursement rate for diagnostic and preventative dental services for each of the fiscal years 2022, 2023 and 2024 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. It is the intent of the Legislature that the reimbursement rate revision for preventative dental services will be an incentive to increase the number of dentists who actively provide Medicaid services. This dental services * * * reimbursement rate revision shall be known as the "James Russell Dumas Medicaid Dental Services Incentive Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services. * * * Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ACSSs) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

* * *

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any

applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, *** nursing facilities, *** physicians employed or contracted by *** hospitals, and emergency ambulance transportation providers. ***

(ii) The division shall assess each hospital ***, *** nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility *** and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). *** In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer *** or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

*** (iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals ***, *** nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians, shall make additional reimbursement for physicians, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. Further, the division, in consultation with the *** hospital industry shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. Any such documents required to achieve the goals described in this paragraph shall be submitted to the Centers for Medicare and Medicaid Services, with a proposed effective date of July 1, 2019, to the extent possible, but in no event shall the effective date of such payment models be later than July 1, 2020. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy of the proposed payment model(s) prior to submission. Effective July 1, 2018, and until such time as any payment model(s) as described above become effective, the division, in consultation with the *** hospital industry, is authorized to implement a transitional program for inpatient and outpatient payments and/or supplemental payments (including, but not limited to, MHAP and directed payments), to redistribute available supplemental funds among hospital providers, provided that when

compared to a hospital's prior year supplemental payments, supplemental payments made pursuant to any such transitional program shall not result in a decrease of more than five percent (5%) and shall not increase by more than the amount needed to maximize the distribution of the available funds.

(c) (i) Not later than December 1, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject *** to approval by the Centers for Medicare and Medicaid Services (CMS) ***, the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide *** services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)). The State Department of Health *** shall be reimbursed on a full reasonable cost basis for services provided under this subparagraph (a).

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing

service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations. From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services * * * as determined by the division and in a manner consistent with regulations promulgated by the Mississippi State Department of Health.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons * * * as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine

the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars (\$700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare, as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]

(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children

with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waived program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division *** may establish copayments and/or coinsurance for *** any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(B) * * * [Deleted]

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) * * * (1) Notwithstanding any provision of this article, except as authorized in subsection (E) of this section and in Section 43-13-139, (a) the limitations on the quantity or frequency of use of, or the fees or charges for, any of the care or services available to recipients under this section; and (b) the payments or rates of reimbursement to providers rendering care or services authorized under this section to recipients shall not be increased, decreased or otherwise changed from the levels in effect on July 1, 2021, unless they are authorized by an amendment to this section by the Legislature.

(2) When any of the changes described in paragraph (1) of this subsection are authorized by an amendment to this section by the Legislature that is effective after July 1, 2021, the changes made in the later amendment shall not be further changed from the levels in effect on the effective date of the later amendment unless those changes are authorized by another amendment to this section by the Legislature.

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

(1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;

(2) Reducing reimbursement rates for any or all service types;

(3) Imposing additional assessments on health care providers; or

(4) Any additional cost-containment measures deemed appropriate by the Governor.

To the extent allowed under federal law, any reduction to services or reimbursement rates under this subsection (F) shall be accompanied by a reduction, to the fullest allowable amount, to the profit margin and administrative fee portions of capitated payments to organizations described in paragraph (1) of this subsection (F).

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in * * * accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. * * * As a condition for the approval of any program under this subsection (H)(1), the division shall require that no managed care program, coordinated care program, coordinated care organization program, health maintenance organization program, or provider-sponsored health plan may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d);

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers. * * *

Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care. Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those levels of care guidelines.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid managed care program authorized under this subsection (H) may include only those categories of recipients eligible for participation in the Medicaid managed care program as of January 1, 2021, and the Children's Health Insurance Program (CHIP), CMS approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid managed care program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature. * * *

* * *

(3) (a) Any contractors *** receiving capitated payments under a managed care *** delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee, the Department of Insurance and/or *** independent third *** parties.

(c) Those *** reviews shall *** include, but not be limited to, at least two (2) of the following items ***:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers, ***

(iii) Compliance with performance measures required under the contracts,

(iv) Administrative expense allocation methodologies,

(v) Whether nonprovider payments assigned as medical expenses are appropriate,

(vi) Capitated arrangements with related party subcontractors,

(vii) Reasonableness of corporate allocations,

(viii) Value-added benefits and the extent to which they are used,

(ix) The effectiveness of subcontractor oversight, including subcontractor review,

(x) Whether *** health care outcomes *** have been improved, and

(xi) The most common claim denial codes to determine the reasons for the denials.

*** The audit reports shall be considered *** public documents and shall be posted in *** their entirety on the division's website.

(4) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) * * * (a) Not later than December 1, 2021, the contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing process for providers. Under that uniform credentialing process, a provider who meets the criteria for credentialing will be credentialed with all of those contractors and no such provider will have to be separately credentialed by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing process by which all providers will be credentialed. Under the division's single, consolidated credentialing process, no such contractor shall require its providers to be separately credentialed by the * * * contractor in order to receive reimbursement from the * * * contractor, but those * * * contractors shall recognize the credentialing of the providers by the division's credentialing process.

(c) The division shall require a uniform provider credentialing application that shall be used in the credentialing process that is established under subparagraph (a) or (b). If the contractor or division, as applicable, has not approved or denied the provider credentialing application within sixty (60) days of receipt of the completed application that includes all required information necessary for credentialing, then the contractor or division, upon receipt of a written request from the applicant and within five (5) business days of its receipt, shall issue a temporary provider credential/enrollment to the applicant if the applicant has a valid Mississippi professional or occupational license to provide the health care services to which the credential/enrollment would apply. The contractor or the division shall not issue a temporary credential/enrollment if the applicant has reported on the application a history of medical or other professional or occupational malpractice claims, a history of substance abuse or mental health issues, a criminal record, or a history of medical or other licensing board, state or federal disciplinary action, including any suspension from participation in a federal or state program. The temporary credential/enrollment shall be effective upon issuance and shall remain in effect until the provider's credentialing/enrollment application is approved or denied by the contractor or division. The contractor or division shall render a final decision regarding credentialing/enrollment of the provider within sixty (60) days from the date that the temporary provider credential/enrollment is issued to the applicant.

(d) If the contractor or division does not render a final decision regarding credentialing/enrollment of the provider within the time required in subparagraph (c), the provider shall be deemed to be credentialed by and enrolled with all of the contractors and eligible to receive reimbursement from the contractors.

(7) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed explanation of the reasons for the denial of coverage of the procedure and the name and the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days, and shall render a decision on the matter within thirty (30) days after the date of the hearing and/or appeal.

(8) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H). Providers of pharmacy benefits shall cooperate with the division in any transition to a carve-out of pharmacy benefits under managed care.

(9) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established in this subsection (H). Providers of dental benefits shall cooperate with the division in any transition to a carve-out of dental benefits under managed care.

(10) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(11) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long-acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the chairmen of the House and Senate Medicaid Committees and House and Senate Public Health committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(12) The division is authorized to make not more than one (1) emergency extension of the contracts that are in effect on the effective date of this act with contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H), as provided in this paragraph (12). The maximum period of any such extension shall be one (1) year, and under any such extensions, the contractors shall be subject to all of the provisions of this subsection (H). The extended contracts shall be revised to incorporate any provisions of this subsection (H).

(I) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or

APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(* * *L) This section shall stand repealed on July 1, * * * 2024.

SECTION 2. Section 43-13-145, Mississippi Code of 1972, is amended as follows:

43-13-145. (1) (a) Upon each nursing facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A nursing facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government; or

(ii) The State Veterans Affairs Board * * *.

* * *

(2) (a) Upon each intermediate care facility for individuals with intellectual disabilities licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) An intermediate care facility for individuals with intellectual disabilities is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The State Veterans Affairs Board; or

(iii) The University of Mississippi Medical Center.

(3) (a) Upon each psychiatric residential treatment facility licensed by the State of Mississippi, there is levied an assessment in an amount set by the division, equal to the maximum rate allowed by federal law or regulation, for each licensed and occupied bed of the facility.

(b) A psychiatric residential treatment facility is exempt from the assessment levied under this subsection if the facility is operated under the direction and control of:

(i) The United States Veterans Administration or other agency or department of the United States government;

(ii) The University of Mississippi Medical Center; or

(iii) A state agency or a state facility that either provides its own state match through intergovernmental transfer or certification of funds to the division.

(4) Hospital assessment.

(a) (i) Subject to and upon fulfillment of the requirements and conditions of paragraph (f) below, and notwithstanding any other provisions of this section, * * * an annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing the sum prescribed in this subparagraph (i), plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and Medicare Upper Payment Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-13-117(A)(18), by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals, except as provided in paragraph (d) below. If the state-matching funds percentage for the Mississippi Medicaid program is sixteen percent (16%) or less, the sum used in the formula under this subparagraph (i) shall be Seventy-four Million Dollars (\$74,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is twenty-four percent (24%) or higher, the sum used in the formula under this subparagraph (i) shall be One Hundred Four Million Dollars (\$104,000,000.00). If the state-matching funds percentage for the Mississippi Medicaid program is between sixteen percent (16%) and twenty-four percent (24%), the sum used in the formula under this subparagraph (i) shall be a pro rata amount determined as follows: the current state-matching funds percentage rate minus sixteen percent (16%) divided by eight percent (8%) multiplied by Thirty Million Dollars (\$30,000,000.00) and add that amount to Seventy-four Million Dollars (\$74,000,000.00). However, no assessment in a quarter under this subparagraph (i) may exceed the assessment in the previous quarter by more than Three Million Seven Hundred Fifty Thousand Dollars (\$3,750,000.00) (which would be Fifteen Million Dollars (\$15,000,000.00) on an annualized basis). The division shall publish the state-matching funds percentage rate applicable to the Mississippi Medicaid program on the tenth day of the first month of each quarter and the assessment determined under the formula prescribed above shall be applicable in the quarter following any adjustment in that state-matching funds percentage rate. The division shall notify each hospital licensed in the state as to any projected increases or decreases in the assessment determined under this subparagraph (i). However, if the Centers for Medicare and Medicaid Services (CMS) does not approve the provision in Section 43-13-117(39) requiring the division to reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B for dually eligible beneficiaries in the same manner that was in effect on January 1, 2008, the sum that otherwise would have been used in the formula under this subparagraph (i) shall be reduced by Seven Million Dollars (\$7,000,000.00).

(ii) In addition to the assessment provided under subparagraph (i), * * * an additional annual assessment on each hospital licensed in the state is imposed on each non-Medicare hospital inpatient day as defined below at a rate that is determined by dividing twenty-five percent (25%) of any provider reductions in the Medicaid program as authorized in Section 43-13-117(F) for that fiscal year up to the following maximum amount, plus the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) and inpatient Medicare Upper Payment Limits (UPL) Program payments and inpatient hospital access payments, by the total number of non-Medicare hospital inpatient days as defined below for all licensed Mississippi hospitals: in fiscal year 2010, the maximum amount shall be Twenty-four Million Dollars (\$24,000,000.00); in fiscal year 2011, the maximum amount shall be Thirty-two Million Dollars (\$32,000,000.00); and in fiscal year 2012 and thereafter, the maximum amount shall be Forty Million Dollars (\$40,000,000.00). Any such deficit in the Medicaid program shall be reviewed by the PEER Committee as provided in Section 43-13-117(F).

(iii) In addition to the assessments provided in subparagraphs (i) and (ii), * * * an additional annual assessment on each hospital licensed in the state is imposed pursuant to the provisions of Section 43-13-117(F) if the cost-containment measures described therein have been implemented and there are insufficient funds in the Health Care Trust Fund to reconcile any remaining deficit in any fiscal year. If the Governor institutes any other additional cost-containment measures on any program or programs authorized under the Medicaid program pursuant to Section 43-13-117(F), hospitals shall

be responsible for twenty-five percent (25%) of any such additional imposed provider cuts, which shall be in the form of an additional assessment not to exceed the twenty-five percent (25%) of provider expenditure reductions. Such additional assessment shall be imposed on each non-Medicare hospital inpatient day in the same manner as assessments are imposed under subparagraphs (i) and (ii).

(b) * * * Definitions.

(i) * * * [Deleted]

(ii) * * * For purposes of this subsection (4):

1. "Non-Medicare hospital inpatient day" means total hospital inpatient days including subcomponent days less Medicare inpatient days including subcomponent days from the hospital's most recent Medicare cost report for the second calendar year preceding the beginning of the state fiscal year, on file with CMS per the CMS HCRIS database, or cost report submitted to the Division if the HCRIS database is not available to the division, as of June 1 of each year.

a. Total hospital inpatient days shall be the sum of Worksheet S-3, Part 1, column 8 row 14, column 8 row 16, and column 8 row 17, excluding column 8 rows 5 and 6.

b. Hospital Medicare inpatient days shall be the sum of Worksheet S-3, Part 1, column 6 row 14, column 6 row 16.00, and column 6 row 17, excluding column 6 rows 5 and 6.

c. Inpatient days shall not include residential treatment or long-term care days.

2. "Subcomponent inpatient day" means the number of days of care charged to a beneficiary for inpatient hospital rehabilitation and psychiatric care services in units of full days. A day begins at midnight and ends twenty-four (24) hours later. A part of a day, including the day of admission and day on which a patient returns from leave of absence, counts as a full day. However, the day of discharge, death, or a day on which a patient begins a leave of absence is not counted as a day unless discharge or death occur on the day of admission. If admission and discharge or death occur on the same day, the day is considered a day of admission and counts as one (1) subcomponent inpatient day.

(c) The assessment provided in this subsection is intended to satisfy and not be in addition to the assessment and intergovernmental transfers provided in Section 43-13-117(A)(18). Nothing in this section shall be construed to authorize any state agency, division or department, or county, municipality or other local governmental unit to license for revenue, levy or impose any other tax, fee or assessment upon hospitals in this state not authorized by a specific statute.

(d) Hospitals operated by the United States Department of Veterans Affairs and state-operated facilities that provide only inpatient and outpatient psychiatric services shall not be subject to the hospital assessment provided in this subsection.

(e) Multihospital systems, closure, merger, change of ownership and new hospitals.

(i) If a hospital conducts, operates or maintains more than one (1) hospital licensed by the State Department of Health, the provider shall pay the hospital assessment for each hospital separately.

(ii) Notwithstanding any other provision in this section, if a hospital subject to this assessment operates or conducts business only for a portion of a fiscal year, the assessment for the state fiscal year shall be adjusted by multiplying the assessment by a fraction, the numerator of which is the number of days in the year during which the hospital operates, and the denominator of which is three hundred sixty-five (365). Immediately upon ceasing to operate, the hospital shall pay the assessment for the year as so adjusted (to the extent not previously paid).

(iii) The division shall determine the tax for new hospitals and hospitals that undergo a change of ownership in accordance with this section, using the best available information, as determined by the division.

(f) Applicability.

The hospital assessment imposed by this subsection shall not take effect and/or shall cease to be imposed if:

(i) The assessment is determined to be an impermissible tax under Title XIX of the Social Security Act; or

(ii) CMS revokes its approval of the division's 2009 Medicaid State Plan Amendment for the methodology for DSH payments to hospitals under Section 43-13-117(A)(18).

* * *

(5) Each health care facility that is subject to the provisions of this section shall keep and preserve such suitable books and records as may be necessary to determine the amount of assessment for which it is liable under this section. The books and records shall be kept and preserved for a period of not less than five (5) years, during which time those books and records shall be open for examination during business hours by the division, the Department of Revenue, the Office of the Attorney General and the State Department of Health.

(6) * * * [Deleted]

(7) All assessments collected under this section shall be deposited in the Medical Care Fund created by Section 43-13-143.

(8) The assessment levied under this section shall be in addition to any other assessments, taxes or fees levied by law, and the assessment shall constitute a debt due the State of Mississippi from the time the assessment is due until it is paid.

(9) (a) If a health care facility that is liable for payment of an assessment levied by the division does not pay the assessment when it is due, the division shall give written notice to the health care facility * * * demanding payment of the assessment within ten (10) days from the date of delivery of the notice. If the health care facility fails or refuses to pay the assessment after receiving the notice and demand from the division, the division shall withhold from any Medicaid reimbursement payments that are due to the health care facility the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. If the health care facility does not participate in the Medicaid program, the division shall turn over to the Office of the Attorney General the collection of the unpaid assessment by civil action. In any such civil action, the Office of the Attorney General shall collect the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full.

(b) As an additional or alternative method for collecting unpaid assessments levied by the division, if a health care facility fails or refuses to pay the assessment after receiving notice and demand from the division, the division may file a notice of a tax lien with the chancery clerk of the county in which the health care facility is located, for the amount of the unpaid assessment and a penalty of ten percent (10%) of the amount of the assessment, plus the legal rate of interest until the assessment is paid in full. Immediately upon receipt of notice of the tax lien for the assessment, the chancery clerk shall forward the notice to the circuit clerk who shall enter the notice of the tax lien as a judgment upon the judgment roll and show in the appropriate columns the name of the health care facility as judgment debtor, the name of the division as judgment creditor, the amount of the unpaid assessment, and the date and time of enrollment. The judgment shall be valid as against mortgagees, pledgees, entrusters, purchasers, judgment creditors and other persons from the time of filing with the clerk. The amount of the judgment shall be a debt due the State of Mississippi and remain a lien upon the tangible property of the health care facility until the judgment is satisfied. The judgment shall be the equivalent of any enrolled judgment of a court of record and shall serve as authority for the issuance of writs of execution, writs of attachment or other remedial writs.

(10) (a) To further the provisions of Section 43-13-117(A)(18), the Division of Medicaid shall submit to the Centers for Medicare and Medicaid Services (CMS) any documents regarding the hospital assessment established under subsection (4) of this section. In addition to defining the assessment established in subsection (4) of this section if necessary, the documents shall describe any supplement payment programs and/or payment methodologies as authorized in Section 43-13-117(A)(18) if necessary.

(b) All hospitals satisfying the minimum federal DSH eligibility requirements (Section 1923(d) of the Social Security Act) may, subject to OBRA 1993 payment limitations, receive a DSH payment. This DSH payment shall expend the balance of the federal DSH allotment and associated state share not utilized in DSH payments to state-owned institutions for treatment of mental diseases. The payment to each hospital shall be calculated by applying a uniform percentage to the uninsured costs of each eligible hospital, excluding state-owned institutions for treatment of mental diseases; however, that percentage for a state-owned teaching hospital located in Hinds County shall be multiplied by a factor of two (2).

(11) The division shall implement DSH and supplemental payment calculation methodologies that result in the maximization of available federal funds.

(12) The DSH payments shall be paid on or before December 31, March 31, and June 30 of each fiscal year, in increments of one-third (1/3) of the total calculated DSH amounts. Supplemental payments developed pursuant to Section 43-13-117(A)(18) shall be paid monthly.

(13) * * * Payment.

(a) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Medicare Upper Payments Limits (UPL) Program payments and hospital access payments and such other supplemental payments as may be developed pursuant to Section 43-13-117(A)(18) shall be assessed and collected monthly no later than the fifteenth calendar day of each month.

(b) The hospital assessment as described in subsection (4) for the nonfederal share necessary to maximize the Disproportionate Share Hospital (DSH) payments shall be assessed and collected on December 15, March 15 and June 15.

(c) The annual hospital assessment and any additional hospital assessment as described in subsection (4) shall be assessed and collected on September 15 and on the 15th of each month from December through June.

(14) If for any reason any part of the plan for annual DSH and supplemental payment programs to hospitals provided under subsection (10) of this section and/or developed pursuant to Section 43-13-117(A)(18) is not approved by CMS, the remainder of the plan shall remain in full force and effect.

(15) Nothing in this section shall prevent the Division of Medicaid from facilitating participation in Medicaid supplemental hospital payment programs by a hospital located in a county contiguous to the State of Mississippi that is also authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi to fund the state share of the hospital's supplemental and/or MHAP payments.

(16) * * * This section shall stand repealed on July 1, 2024.

SECTION 3. Section 41-75-5, Mississippi Code of 1972, is amended as follows:

41-75-5. No person as defined in Section 41-7-173, acting severally or jointly with any other person, shall establish, conduct, operate or maintain an ambulatory surgical facility or an abortion facility or a freestanding emergency room or a post-acute residential brain injury rehabilitation facility in this state without a license under this chapter.

* * *

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT RELATING TO THE MISSISSIPPI MEDICAID PROGRAM; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, RELATING TO REIMBURSEMENT FOR CARE AND SERVICES UNDER THE MEDICAID PROGRAM; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING TO REIMBURSEMENT OF INPATIENT HOSPITAL SERVICES; TO PROVIDE FOR REIMBURSEMENT FOR FEES FOR PHYSICIAN SERVICES COVERED ONLY BY MEDICAID; TO AUTHORIZE THE DIVISION TO REIMBURSE OBSTETRICIANS AND GYNCOLOGISTS FOR CERTAIN PRIMARY CARE SERVICES AT 100% OF THE MEDICARE RATE; TO DELETE THE PROVISION THAT REQUIRES THE DIVISION TO ALLOW PHYSICIAN-ADMINISTERED DRUGS TO BE BILLED AND REIMBURSED AS A MEDICAL CLAIM OR PHARMACY POINT-OF-SALE; TO PROVIDE FOR A REIMBURSEMENT RATE INCREASE TO DENTAL PREVENTION SERVICES; TO DEFINE CLINIC SERVICES FOR PURPOSES OF THE REIMBURSEMENTS BY MEDICAID FOR THOSE SERVICES; TO DELETE AUTHORITY FOR ADULT DAY CARE REIMBURSEMENT; TO PROVIDE THAT MEDICAID MAY ESTABLISH AN UPPER PAYMENT LIMITS PROGRAM FOR AMBULANCE TRANSPORTATION AND ASSESS PROVIDERS OF SUCH SERVICE; TO AUTHORIZE CERTAIN SUPPLEMENTAL REIMBURSEMENTS TO PROVIDERS SUBJECT TO CMS APPROVAL AND TO REQUIRE CONSULTATION WITH THE HOSPITAL INDUSTRY; TO REQUIRE THE DIVISION OF MEDICAID TO RECOGNIZE FEDERALLY QUALIFIED HEALTH CENTERS (FQHC), RURAL HEALTH CLINICS (RHC) AND COMMUNITY MENTAL HEALTH CENTERS (CMHC) AS BOTH AN ORIGINATING AND DISTANT SITE PROVIDER FOR THE PURPOSES OF TELEHEALTH REIMBURSEMENT; TO AUTHORIZE REIMBURSEMENT FOR CERTAIN PSYCHIATRIC SERVICES; TO CLARIFY THE REIMBURSEMENT OF PEDIATRIC SKILLED NURSING SERVICES, INPATIENT PSYCHIATRIST SERVICES AND NONEMERGENCY TRANSPORTATION SERVICES; TO PROVIDE THAT THE DIVISION MAY ESTABLISH COPAYMENTS AND COINSURANCE FOR ANY MEDICAID SERVICES; TO ALLOW THE DIVISION TO USE ENHANCED REIMBURSEMENTS AND UPPER PAYMENT LIMIT PROGRAMS FOR ITS REIMBURSEMENT PROGRAM; TO PROVIDE THAT THE VACCINES FOR CHILDREN ARE AVAILABLE FREE OF CHARGE; TO DELETE THE PROVISION THAT

REQUIRES MEDICAID TO REDUCE THE RATE OF REIMBURSEMENT TO CERTAIN PROVIDERS FOR SERVICES BY 5% OF THE ALLOWED AMOUNT FOR THAT SERVICE; TO REQUIRE PROVIDERS TO MAINTAIN RECORDS AS (a) PRESCRIBED BY THE DIVISION AND IN ACCORDANCE WITH FEDERAL LAW; TO DELETE CERTAIN ENROLLMENT LIMITATIONS AND PROVISIONS RELATING TO MANAGED CARE PROGRAMS; TO ALLOW THE DIVISION OF MEDICAID TO APPROVE THE USE OF ALTERNATIVE PAYMENT MODELS FOR REIMBURSEMENT RATES FOR MANAGED CARE PROGRAMS; TO CLARIFY LIMITATIONS ON MEDICAID ELIGIBILITY FOR ENROLLMENT IN MANAGED CARE PROGRAMS; TO DELETE THE PROVISIONS THAT PROVIDE FOR THE COMMISSION ON EXPANDING MEDICAID MANAGED CARE; TO REQUIRE CONTRACTORS RECEIVING PAYMENTS UNDER A MANAGED CARE DELIVERY SYSTEM TO DISCLOSE TO THE CHAIRMEN OF THE SENATE AND HOUSE MEDICAID COMMITTEES THE ADMINISTRATIVE EXPENSES FOR THE PRIOR YEAR, AND THE NUMBER OF EMPLOYEES IN MISSISSIPPI WHO ARE DEDICATED TO MEDICAID AND CHIP LINES OF BUSINESS AS OF JUNE 30 OF EACH YEAR; TO PROVIDE FOR REVIEWS OF THE MANAGED CARE PROGRAMS BY THE STATE AUDITOR; TO REQUIRE ALL MANAGED CARE CONTRACTORS TO DEVELOP AND IMPLEMENT, NOT LATER THAN DECEMBER 1, 2021, A UNIFORM CREDENTIALING PROCESS UNDER WHICH ALL PROVIDERS WHO MEET THE CRITERIA FOR CREDENTIALING WILL BE CREDENTIALIED WITH ALL OF CONTRACTORS; TO PROVIDE THAT IF THE CONTRACTORS HAVE NOT IMPLEMENTED A UNIFORM CREDENTIALING PROCESS BY THAT DATE, THE DIVISION SHALL DEVELOP AND IMPLEMENT, NOT LATER THAN JULY 1, 2022, A SINGLE, CONSOLIDATED CREDENTIALING PROCESS BY WHICH ALL PROVIDERS WILL BE CREDENTIALIED; TO DELETE THE PROVISION THAT THERE SHALL NOT BE CUTS TO INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS; TO DIRECT THE DIVISION TO EVALUATE THE FEASIBILITY OF ADMINISTERING PHARMACY BENEFITS AND DENTAL BENEFITS UNDER MANAGED CARE; TO DIRECT MANAGED CARE CONTRACTORS TO IMPLEMENT INNOVATIVE PROGRAMS FOR MEMBERS WITH PREDIABETES AND DIABETES; TO AUTHORIZE THE DIVISION TO NEGOTIATE A LIMITATION ON LIABILITY TO THE STATE OF CERTAIN PROSPECTIVE CONTRACTORS; TO AUTHORIZE MANAGED CARE CONTRACTORS TO IMPROVE UTILIZATION OF LONG-ACTING REVERSABLE CONTRACEPTIVES (LARCS); TO AUTHORIZE THE DIVISION TO MAKE ONE MANAGED CARE CONTRACT EXTENSION; TO PROHIBIT THE DIVISION FROM MAKING CERTAIN CHANGES TO THE SERVICES AUTHORIZED UNDER THIS SECTION WITHOUT AN AMENDMENT TO THIS SECTION BY THE LEGISLATURE; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NURSING FACILITIES OPERATED BY THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER ARE NOT EXEMPT FROM THE ANNUAL ASSESSMENT FOR THE SUPPORT OF THE MEDICAID PROGRAM, TO DELETE CERTAIN TECHNICAL PROVISIONS RELATING TO THE ASSESSMENT AND COLLECTION OF THE HOSPITAL ASSESSMENT, TO CLARIFY THE PROCEDURE FOR PAYMENT OF THE HOSPITAL ASSESSMENT FOR THE NONFEDERAL SHARE NECESSARY FOR THE MEDICARE UPPER PAYMENT LIMITS (UPL) PROGRAM AND THE DISPROPORTIONATE SHARE HOSPITAL (DSH) PROGRAM; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO AMEND SECTION 41-75-5, MISSISSIPPI CODE OF 1972, TO DELETE THE RESTRICTION ON POST ACUTE RESIDENTIAL BRAIN INJURY REHABILITATION FACILITIES PARTICIPATION IN THE MEDICAID PROGRAM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Kevin Blackwell

Brice Wiggins

Hob Bryan

CONFEREES FOR THE HOUSE

Joey Hood

Jason White

Sam C. Mims, V

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2799** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--47.

Nays--Chism, Hill, McDaniel, Sojourner. Total--4.

Absent and those not voting--Polk. Total--1.

Senator Bryan moved that the rules be suspended for the immediate consideration of calendar item 27, **H. B. No. 119**, and the motion prevailed.

Senator Bryan offered the following report of the Conference Committee on **H. B. No. 119** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-136, Mississippi Code of 1972, is amended as follows:

41-29-136. (1) "CBD solution" means a pharmaceutical preparation consisting of processed cannabis plant extract in oil or other suitable vehicle.

(2) (a) CBD solution prepared from (i) Cannabis plant extract that is provided by the National Center for Natural Products Research at the University of Mississippi under appropriate federal and state regulatory approvals, or (ii) Cannabis extract from hemp

produced pursuant to Sections 69-25-201 through 69-25-221, which is prepared and tested to meet compliance with regulatory specifications, may be dispensed by the Department of Pharmacy Services at the University of Mississippi Medical Center (UMMC Pharmacy) after mixing the extract with a suitable vehicle. The CBD solution may be prepared by the UMMC Pharmacy or by another pharmacy or laboratory in the state under appropriate federal and state regulatory approvals and registrations.

(b) The patient or the patient's parent, guardian or custodian must execute a hold-harmless agreement that releases from liability the state and any division, agency, institution or employee thereof involved in the research, cultivation, processing, formulating, dispensing, prescribing or administration of CBD solution obtained from entities authorized under this section to produce or possess cannabidiol for research under appropriate federal and state regulatory approvals and registrations.

(c) The National Center for Natural Products Research at the University of Mississippi and the Mississippi Agricultural and Forestry Experiment Station at Mississippi State University are the only entities authorized to produce cannabis plants for cannabidiol research.

(d) Research of CBD solution under this section must comply with the provisions of Section 41-29-125 regarding lawful possession of controlled substances, of Section 41-29-137 regarding record-keeping requirements relative to the dispensing, use or administration of controlled substances, and of Section 41-29-133 regarding inventory requirements, insofar as they are applicable. Authorized entities may enter into public-private partnerships to facilitate research.

(3) (a) In a prosecution for the unlawful possession of marijuana under the laws of this state, it is an affirmative and complete defense to prosecution that:

(i) The defendant suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section; or

(ii) The defendant is the parent, guardian or custodian of an individual who suffered from a debilitating epileptic condition or related illness and the use or possession of CBD solution was pursuant to the order of a physician as authorized under this section.

(b) An agency of this state or a political subdivision thereof, including any law enforcement agency, may not initiate proceedings to remove a child from the home based solely upon the possession or use of CBD solution by the child or parent, guardian or custodian of the child as authorized under this section.

(c) An employee of the state or any division, agency, institution thereof involved in the research, cultivation, processing, formulation, dispensing, prescribing or administration of CBD solution shall not be subject to prosecution for unlawful possession, use, distribution or prescription of marijuana under the laws of this state for activities arising from or related to the use of CBD solution in the treatment of individuals diagnosed with a debilitating epileptic condition.

(4) This section shall be known as "Harper Grace's Law."

(5) This section shall stand repealed from and after July 1, * * * 2024.

SECTION 2. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON HARPER GRACE'S LAW, WHICH AUTHORIZES RESEARCH AND THE DISPENSING, POSSESSION AND USE OF CANNABIDIOL (CBD OIL) FOR MEDICAL PURPOSES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
Nick Bain	Hob Bryan
Jody Steverson	Kevin Blackwell
Shane Barnett	Josh Harkins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 119** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator Bryan moved that the rules be suspended for the immediate consideration of calendar item 38, **H. B. No. 1312**, and the motion prevailed.

Senator Bryan offered the following report of the Conference Committee on **H. B. No. 1312** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1312: State Board of Cosmetology; extend repealer on.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-7-1, Mississippi Code of 1972, is reenacted as follows:

73-7-1. There is hereby continued and reconstituted a State Board of Cosmetology, composed of five (5) members to be appointed by the Governor, with the advice and consent of the Senate, and whose term of office shall be four (4) years from the date of appointment except as otherwise provided herein. However, no more than two (2) members shall be appointed from each Supreme Court district.

There shall be a president of the board and such other officers as deemed necessary by the board elected by and from its membership, provided that the member elected as president shall have at least one (1) year of experience on the board. Any

member appointed by the Governor and confirmed by the Senate for a term to begin on or after July 1, 1997, who was designated by the Governor to serve as president of the board, shall be fully qualified to serve on the board for a full term of office, but shall not serve as president of the board unless elected by the membership of the board as provided under this paragraph.

To be eligible for appointment as a member of the State Board of Cosmetology, the person applying shall have been a citizen of this state for a minimum of five (5) years immediately prior to appointment. Such person shall be at least thirty (30) years of age, possess a high school education or its equivalent, and shall have been a licensed cosmetologist with not less than ten (10) years' active practice in cosmetology. No member of the board shall be connected in any way with any school wherein cosmetology is taught, nor shall any two (2) members of the board be graduates of the same school of cosmetology.

However, in the event of vacancy by death or resignation of any member of the board, the Governor shall, within thirty (30) days, appoint a person possessing all qualifications required to serve the remainder of the term. Any member who shall not attend two (2) consecutive meetings of the board for reasons other than illness of such member shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when any such member has failed to attend two (2) consecutive regular meetings.

The salaries of all paid employees of the board shall be paid out of funds in the board's special fund in the State Treasury. Each member of the board, excepting the inspectors provided for herein, shall receive per diem as authorized by Section 25-3-69, and shall be reimbursed for such other expenses at the same rate and under the same conditions as other state employees as provided for in Section 25-3-41.

The board shall give reasonable public notice of all board meetings not less than ten (10) days prior to such meetings.

SECTION 2. Section 73-7-2, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-2. As used in this chapter, the following terms shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Board" means the State Board of Cosmetology.

(b) "Cosmetology" means any one (1) or a combination of the following practices if they are performed on a person's head, face, neck, shoulder, arms, hands, legs or feet for cosmetic purposes:

(i) Cutting, clipping or trimming hair and hair pieces.

(ii) Styling, arranging, dressing, curling, waving, permanent waving, straightening, cleansing, bleaching, tinting, coloring or similarly treating hair and hair pieces.

(iii) Cleansing, stimulating, manipulating, beautifying or applying oils, antiseptics, clays, lotions or other preparations, either by hand or by mechanical or electrical apparatus.

(iv) Arching eyebrows, to include tweezing, waxing, threading or any other methods of epilation, or tinting eyebrows and eyelashes.

(v) Removing superfluous hair by the use of depilation.

(vi) Manicuring and pedicuring.

For regulation purposes, the term "cosmetology" does not include persons whose practice is limited to only performing makeup artistry, threading or applying or removing eyelash extensions; however, a person may perform a combination of not more than three (3) such practices and still be exempt from this chapter.

(c) "Cosmetologist" means a person who for compensation, whether direct or indirect, engages in the practice of cosmetology.

(d) "Esthetics" means any one (1) or a combination of the following practices:

(i) Massaging the face or neck of a person.

(ii) Arching eyebrows to include trimming, tweezing, waxing, threading or any other method of epilation or tinting eyebrows and eyelashes.

(iii) Tinting eyelashes or eyebrows.

(iv) Waxing, stimulating, cleaning or beautifying the face, neck, arms or legs of a person by any method with the aid of the hands or any mechanical or electrical apparatus, or by the use of a cosmetic preparation.

The term "esthetics" shall not include the diagnosis, treatment or therapy of any dermatological condition. For regulation purposes, the term "esthetics" does not include persons whose practice is limited to only performing makeup artistry, threading or applying or removing eyelash extension; however, a person may perform a combination of not more than three (3) such practices and still be exempt from this chapter.

(e) "Esthetician" means any person who, for compensation, either direct or indirect, engages in the practice of esthetics.

(f) "Instructor" means a person licensed to teach cosmetology, or manicuring and pedicuring, or esthetics, or all of those, pursuant to this chapter, and shall include those persons engaged in the instruction of student instructors.

(g) "Manicuring and pedicuring" means any one (1) or a combination of the following practices:

(i) Cutting, trimming, polishing, coloring, tinting, cleansing or otherwise treating a person's nails.

(ii) Applying artificial nails.

(iii) Massaging or cleaning a person's hands, arms, legs or feet.

(h) "Manicurist" means a person who for compensation, either direct or indirect, engages in the practice of manicuring and pedicuring.

(i) "Master" means a person holding a cosmetology, manicuring and esthetics license who has completed the minimum course of continuing education prescribed by Section 73-7-14.

(j) "Salon" means an establishment operated for the purpose of engaging in the practice of cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.

(k) "School" means an establishment, public or private, operated for the purpose of teaching cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.

SECTION 3. Section 73-7-3, Mississippi Code of 1972, is reenacted as follows:

73-7-3. The board shall be authorized to employ such clerical and stenographic assistance, bookkeepers, investigators and other agents as they may deem necessary to carry out the provisions of this chapter, and to fix their tenure of employment and compensation therefor. The members of the board shall file a bond with the Secretary of State in the sum of not less than Five Thousand Dollars (\$5,000.00) payable to the State of Mississippi for the faithful performance of their duties. The bond shall be made by a surety company authorized to do business in this state, the premium of the bond to be paid out of any money in the board's special fund in the State Treasury.

The office of the board shall be located in the greater metropolitan area of the City of Jackson, Mississippi, and in the event office space cannot be obtained in any state-owned building, the board is authorized to rent suitable office space and to pay therefor out of funds in the board's special fund. The board shall employ inspectors as needed, not to exceed seven (7), who shall be full-time employees and whose salaries and duties shall be fixed by the board.

The salaries of all paid employees of the board shall be paid out of the funds in the board's special fund. The inspectors shall, in addition to their salaries, be reimbursed for such expenses as are allowed other state employees under the provisions of Section 25-3-41. In addition to the paying of office rent, the board is authorized to purchase necessary office furniture and equipment, stationery, books, certificates and any other equipment necessary for the proper administration of this chapter.

SECTION 4. Section 73-7-5, Mississippi Code of 1972, is reenacted as follows:

73-7-5. (1) All fees and any other monies received by the board shall be deposited in a special fund that is created in the State Treasury and shall be used for the implementation and administration of this chapter when appropriated by the Legislature for such purpose. The monies in the special fund shall be subject to all provisions of the state budget laws that are applicable to special fund agencies, and shall be disbursed by the State Treasurer only upon warrants issued by the State Fiscal Officer upon requisitions signed by the president of the board or another board member designated by the president, and countersigned by the secretary of the board. Any interest earned on this special fund shall be credited by the State Treasurer to the fund and shall not be paid into the State General Fund. Any unexpended monies remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund.

(2) The State Auditor shall audit the financial affairs of the board and the transactions involving the special fund at least once a year in the same manner as for other special fund agencies. In addition, the Governor, in his discretion, shall have the power from time to time to require an audit of the financial affairs of the board, the same to be made by the State Auditor upon request of the Governor. The Governor shall have the power to suspend any member of the board who shall be found in default in any account until such time as it shall be determined whether such default was a result of an act of dishonesty on the part of the member, and in the event it is found that such default is an act of dishonesty, misfeasance or nonfeasance on the part of the member, such member shall be immediately removed by the Governor from office.

SECTION 5. Section 73-7-7, Mississippi Code of 1972, is reenacted as follows:

73-7-7. (1) The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this chapter. The board shall set up

a curriculum for operation of schools of cosmetology and the other professions it is charged to regulate in this state. The board shall receive and consider for adoption recommendations for rules and regulations, school curriculum, and related matters from the Mississippi Cosmetology Council, whose membership shall consist of, in addition to the board members, five (5) elected delegates from the Mississippi Cosmetology Association, five (5) elected delegates from the Mississippi Cosmetology School Association, five (5) elected delegates from the Mississippi Independent Beauticians Association, and five (5) elected delegates from the School Owners and Teachers Association. The board may revoke the license of any cosmetologist, esthetician, manicurist, instructor, school of cosmetology, or salon, or may refuse to issue a license to any cosmetologist, esthetician, manicurist, instructor, school of cosmetology, or salon that fails or refuses to comply with the provisions of this chapter and the rules and regulations of the board in carrying out the provisions of this chapter.

(2) The board shall have authority to prescribe reasonable rules and regulations governing sanitation of schools of cosmetology and beauty salons for the guidance of persons licensed under this chapter in the operation of schools of cosmetology, or a beauty salon, and in the practice of cosmetology, esthetics, manicuring and pedicuring, and wigology. However, any and all rules and regulations relating to sanitation shall, before adoption by the board, have the written approval of the State Board of Health. When the board has reason to believe that any of the provisions of this chapter or of the rules and regulations of the board have been violated, either upon receipt of a written complaint alleging such violations or upon the board's own initiative, the board, or any of its authorized agents, shall investigate same and shall have authority to enter upon the premises of a school of cosmetology or salon at any time during the regular business hours of that school or salon to conduct the investigation. Such investigation may include, but not be limited to, conducting oral interviews with the complaining party, school or salon owner(s) and/or students of the school, and reviewing records of the school or salon pertinent to the complaint and related to an area subject to the authority of the board. Such investigation shall not include written interviews or surveys of school employees or students, and the privacy of patrons shall be respected by any person making such investigation.

(3) On or before July 1, 2001, the board shall adopt regulations to ensure that all fingernail service products used by licensed cosmetologists, manicurists and other licensees do not contain methyl methacrylate (MMA) as a monomer agent for cosmetic nail applications.

(4) If the board finds that a violation of the provisions of this chapter or the rules and regulations of the board has occurred, it may cause a hearing to be held as set forth in Section 73-7-27.

SECTION 6. Section 73-7-9, Mississippi Code of 1972, is reenacted as follows:

73-7-9. No person required by this chapter to have a license shall conduct a beauty salon or school of cosmetology, or practice cosmetology, esthetics, manicuring and pedicuring, or practice as an instructor, unless such person has received a license or temporary permit therefor from the board. Students determined to have violated any of these rules or regulations prior to being licensed by the board shall be subject to the same discipline by the board as licensees. They may be disciplined and fined accordingly.

SECTION 7. Section 73-7-11, Mississippi Code of 1972, is reenacted as follows:

73-7-11. Each owner of a license issued by the board under the provisions of this chapter shall display the license in a conspicuous place in his or her principal office, place of business or employment, at all times.

Each practitioner and instructor license shall contain a head photograph of the license holder, the person's name, and the type of license held by the person. The

requirements of this section shall apply at the time of issuance of a new license or at the time of renewal of an existing license.

SECTION 8. Section 73-7-12, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-12. * * * Effective January 1, 2020, the State Board of Cosmetology shall terminate its student testing contract with proper notice and shall conduct examinations for cosmetologists, estheticians, manicurists and instructors at such times and locations as determined by the board. The members of the board shall not personally administer or monitor the examinations, but the board shall contract for administrators of the examinations. A member of the board shall not receive any per diem compensation for any day that the member is present at the site where the examinations are being administered.

SECTION 9. Section 73-7-13, Mississippi Code of 1972, is reenacted as follows:

73-7-13. (1) The board shall admit to examination for a cosmetology license any person who has made application to the board in proper form, has paid the required fee, and who (a) is at least seventeen (17) years of age, (b) can read, write and speak English, (c) has successfully completed no less than fifteen hundred (1500) hours over a period of no less than nine (9) months in a licensed school of cosmetology, and (d) has a high school education or its equivalent or has been successfully enrolled in a community college.

(a) The board may, in its discretion, issue to any student who has completed the prescribed hours in a licensed school and paid the required fee a temporary permit until such time as the next examination may be held, but such student shall be issued only one (1) temporary permit. Application for an examination and license shall be accompanied by two (2) passport photographs of the applicant. No temporary permit will be issued to an applicant from any other state to operate a beauty salon or school of cosmetology in this state unless in case of emergency.

(b) Applicants for the cosmetologist examination, after having satisfactorily passed the prescribed examination, shall be issued a cosmetology license which until June 30, 2001, shall be valid for one (1) year, and after July 1, 2001, shall be valid for two (2) years, and all those licenses shall be subject to renewal.

(c) Any barber who can read, write and speak English and has successfully completed no less than fifteen hundred (1500) hours in a licensed barber school, and who holds a current valid certificate of registration to practice barbering and who holds a current valid license, is eligible to take the cosmetology examination to secure a cosmetology license upon successfully completing five hundred (500) hours in a licensed school of cosmetology. All fees for application, examination, registration and renewal thereof shall be the same as provided for cosmetologists.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

(3) Any licensed cosmetologist, esthetician, or manicurist who is registered but not actively practicing in the State of Mississippi at the time of making application for renewal, may apply for registration on the "inactive" list. Such "inactive" list shall be maintained by the board and shall set out the names and post office addresses of all persons registered but not actively practicing in this state, arranged alphabetically by name and also by the municipalities and states of their last-known professional or residential address. Only the cosmetologists, estheticians and manicurists registered on the appropriate list as actively practicing in the State of Mississippi shall be authorized to practice those professions. For the purpose of this section, any licensed cosmetologist, esthetician or manicurist who has actively practiced his or her profession for at least three (3) months of the immediately

preceding license renewal period shall be considered inactive practice. No cosmetologist, esthetician, or manicurist shall be registered on the "inactive" list until the person has furnished a statement of intent to take such action to the board. Any licensed cosmetologist, esthetician, manicurist or wigologist registered on the "inactive" list shall not be eligible for registration on the active list until either of the following conditions have been satisfied:

(a) Written application shall be submitted to the State Board of Cosmetology stating the reasons for such inactivity and setting forth such other information as the board may require on an individual basis and completion of the number of clock hours of continuing education as approved by the board; or

(b) Evidence to the satisfaction of the board shall be submitted that they have actively practiced their profession in good standing in another state and have not been guilty of conduct that would warrant suspension or revocation as provided by applicable law; and

(c) Payment of the fee for processing such inactive license shall be paid biennially in accordance to board rules.

SECTION 10. Section 73-7-14, Mississippi Code of 1972, is reenacted as follows:

73-7-14. (1) Any person who holds a current, valid cosmetology, manicuring or esthetics license may be licensed as a master cosmetologist, manicurist or esthetician if he or she has been a licensed cosmetologist, manicurist or esthetician in this state for a period of not less than twelve (12) months, and has completed a minimum course of sixteen (16) hours' study in continuing education approved by the board within the licensing period preceding initial application for the license, and has paid the original license fee. Master cosmetologist, manicurist or esthetician licenses shall be renewable upon completion of a minimum course of eight (8) hours' study in continuing education approved by the board within a licensing period and payment of the required renewal fee. This is an optional license and persons who do not wish to complete the continuing education requirement may obtain a cosmetology license when renewing their license.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 11. Section 73-7-15, Mississippi Code of 1972, is reenacted as follows:

73-7-15. (1) The board shall admit to examination for a cosmetology instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Is a graduate of a licensed cosmetology school;

(d) Has a high school education or its equivalent;

(e) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology;

(f) Has successfully completed six (6) semester hours in college courses approved by the board;

(g) Holds a current, valid Mississippi cosmetology license; and

(h) Has at least one (1) year active practical experience as a cosmetologist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology.

(2) The board shall admit to examination for an esthetics instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent;

(d) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught;

(e) Has successfully completed six (6) semester hours in college courses approved by the board;

(f) Holds a current, valid Mississippi esthetician's license; and

(g) Has had one (1) year of active practical experience as an esthetician or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught.

(3) The board shall admit to examination for a manicurist instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent;

(d) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught;

(e) Has successfully completed six (6) semester hours in college courses approved by the board;

(f) Holds a current, valid Mississippi manicurist's license; and

(g) Has had one (1) year of active practical experience as a manicurist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught.

(4) Applicants shall satisfactorily pass the examination prescribed by the board for licensing instructors prior to the issuance of the licenses provided for in this section. However, the board may, in its discretion, issue a temporary instructor's permit until such time as the next examination may be held, but such applicant shall be issued only one (1) temporary permit. All applications for an instructor's examination shall be accompanied by two (2) recent head photographs of the applicant.

(5) All instructors licensed pursuant to this section shall biennially obtain twenty-four (24) clock hours of continuing education in teacher training instruction in cosmetology or esthetics or manicuring, as the case may be, as approved by the board. Any instructor who fails to obtain the continuing education required by this subsection shall not be allowed to instruct nor enroll students under his or her license until such education requirement has been met. The board may issue an inactive instructor's license to such instructors, and an inactive license may be converted into an active license after proof satisfactory to the board of completion of at least twenty-four (24) clock hours of approved continuing education required for teacher training instruction.

(6) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 12. Section 73-7-16, Mississippi Code of 1972, is reenacted as follows:

73-7-16. (1) All schools of cosmetology or school owners shall have a school license and shall pay to the board the required license fee biennially therefor. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a school license will be required to pay a delinquent fee in addition to the renewal fee. The board is hereby authorized and empowered to promulgate necessary and reasonable rules and regulations for the issuance and renewal of school licenses. However, the board shall not refuse to issue or renew a school's license because of the number of schools already in that area of the state, and any rule promulgated by the board for that purpose shall be null and void.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

(3) The board shall require all schools of cosmetology to only admit students who have not less than a Tenth-Grade education or a high school diploma or its equivalency.

SECTION 13. Section 73-7-17, Mississippi Code of 1972, is reenacted as follows:

73-7-17. (1) All salon owners shall have a salon license and shall pay to the board the required license fee therefor and pay the required renewal fee for renewal thereof. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days any applicant for the renewal of a salon license will be required to pay a delinquent fee in addition to the renewal fee. A salon license that has been expired for over one (1) year is nonrenewable and requires a new application. Prior to the initial issuance of such license, the board shall inspect the premises to determine if same qualifies with the law, upon payment by the applicant of the required inspection fee.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 14. Section 73-7-18, Mississippi Code of 1972, is reenacted as follows:

73-7-18. (1) The board shall admit to examination for an esthetician's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than seventeen (17) years of age;

(b) Can read, write and speak English;

(c) Has a high school education or its equivalent; and

(d) Has successfully completed a course of training in esthetics of not less than six hundred (600) hours in an accredited school in which the practice of esthetics is taught, including not less than one hundred (100) hours of theory and five hundred (500) hours of skill practice.

Any licensed esthetician wishing to acquire a cosmetology license may apply the six hundred (600) hours of esthetics training toward the requirements for a cosmetology license.

(2) Every person who has completed not less than three hundred fifty (350) hours of training in esthetics approved by the board in this or any other state prior to July 1, 1987, shall be registered with the board within a period not exceeding six (6) months after July 1, 1987, and shall be granted an esthetician's license by the board if such person presents satisfactory evidence to the board that he or she has fulfilled all the requirements to be admitted to examination except the training hours requirement.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 15. Section 73-7-19, Mississippi Code of 1972, is reenacted as follows:

73-7-19. (1) Except as provided in Section 33-1-39, all licenses shall be renewed biennially under the fee schedule in Section 73-7-29. Applications for renewal of licenses for cosmetologists, estheticians, manicurists and instructors must be accompanied by the required renewal fee. A grace period of sixty (60) days will be given in which to renew the license; and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a license will be required to pay the required renewal fee and a delinquent fee in addition to the renewal fee. The fees may be paid by either personal or certified check, cash or money order, under such safeguards, rules and regulations as the board may prescribe. Checks returned to the board because of insufficient funds shall result in nonrenewal of the license, which will require the penalty fee for insufficient fund checks plus all other amounts due for renewal of the license before the license may be renewed. After one (1) year has passed from the expiration date of the license, a delinquent fee must be paid for each year up to three (3) years, after which the required examination

must be taken. All applications for examination required by this chapter shall expire ninety (90) days from the date thereof.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 16. Section 73-7-21, Mississippi Code of 1972, is reenacted as follows:

73-7-21. (1) The board shall admit to examination for a manicurist's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is at least seventeen (17) years of age;

(b) Can read, write and speak English;

(c) Has successfully completed no less than three hundred fifty (350) hours of practice and related theory in manicuring and pedicuring over a period of no less than nine (9) weeks in an accredited school of cosmetology in this or any other state; and

(d) Has a high school education or its equivalent.

(2) Licensed manicurists desiring to pursue additional hours to be eligible for a license as a cosmetologist may be credited with the three hundred fifty (350) hours acquired in studying and training to be a manicurist which may be applied to the number of hours required for a cosmetology license examination.

(3) The board shall adopt regulations governing the use of electric nail files for the purpose of filing false or natural nails.

(4) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 17. Section 73-7-23, Mississippi Code of 1972, is reenacted as follows:

73-7-23. (1) The board may, upon application, issue a license by reciprocity to any cosmetologist, esthetician or manicurist over the age of seventeen (17) years from any other state who has satisfactorily completed the required number of accredited hours in that state, provided the state board from which the applicant comes issues to cosmetologists, estheticians or manicurists, as the case may be, from the State of Mississippi a license under the same conditions. Applications must be accompanied by (a) proof satisfactory to the board that the required hours have been completed, and (b) the required reciprocity fee, which shall be paid to the board.

(2) An instructor from any other state may be qualified for a Mississippi instructor's license upon presenting a valid instructor's license and proof of a high school education or its equivalent, provided that the instructor (a) is not less than twenty-one (21) years of age, (b) has completed training equivalent to the State of Mississippi's training as provided in Section 73-7-15 or has three (3) years or more of experience as a licensed instructor prior to application, (c) can read, write and speak English, (d) has completed twelve (12) semester hours in college courses approved by the board, and (e) has completed a minimum of five (5) continuing education hours in Mississippi board laws, rules and regulations. Such application must be accompanied by two (2) recent passport photographs of the applicant. Applicants shall pay the required license fee.

(3) An applicant for a Mississippi instructor's license by reciprocity who has not completed the college courses requirement at the time of application may apply for a onetime temporary teaching permit, which shall be valid for six (6) months and shall be nonrenewable. Such application must be accompanied by proof of enrollment in college course(s), required permit fee, two (2) recent passport photographs of the applicant and other documentation as required for application for a Mississippi instructor's license by

reciprocity. Upon proof of completion of college courses and payment of the required license fee, a Mississippi instructor's license shall be issued.

(4) The issuance of a license by reciprocity to a military-trained applicant or military spouse shall be subject to the provisions of Section 73-50-1.

SECTION 18. Section 73-7-25, Mississippi Code of 1972, is reenacted as follows:

73-7-25. Every demonstrator in the field of cosmetology shall, before making demonstrations in a salon or school, apply for and obtain a permit from the board. For such permit, which shall be for one (1) year, the required fee shall be paid to the board. This section shall be construed to apply to demonstrators in salons and schools.

SECTION 19. Section 73-7-27, Mississippi Code of 1972, is reenacted as follows:

73-7-27. (1) Any complaint may be filed with the board by a member or agent of the board or by any person charging any licensee of the board with the commission of any of the offenses enumerated in subsection (2) of this section. Such complaint shall be in writing, signed by the accuser or accusers, and verified under oath, and such complaints shall be investigated as set forth in Section 73-7-7. If, after the investigation, the board through its administrative review agents determines that there is not substantial justification to believe that the accused licensee has committed any of the offenses enumerated, it may dismiss the complaint or may prepare a formal complaint proceeding against the licensee as hereinafter provided. When used with reference to any complaint filed against a licensee herein, the term "not substantial justification" means a complaint that is frivolous, groundless in fact or law, or vexatious, as determined by unanimous vote of the board. In the event of a dismissal, the person filing the accusation and the accused licensee shall be given written notice of the board's determination. If the board determines there is reasonable cause to believe the accused has committed any of those offenses, the secretary of the board shall give written notice of such determination to the accused licensee and set a day for a hearing as provided in subsection (3) of this section.

(2) The board shall have the power to revoke, suspend or refuse to issue or renew any license or certificate provided for in this chapter, and to fine, place on probation and/or otherwise discipline a student or licensee or holder of a certificate, upon proof that such person: (a) has not complied with or has violated any of the rules and regulations promulgated by the board; (b) has not complied with or has violated any of the sections of this chapter; (c) has committed fraud or dishonest conduct in the taking of the examination herein provided for; (d) has been convicted of a felony; (e) has committed grossly unprofessional or dishonest conduct; (f) is addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or occupations set forth in this chapter; (g) has advertised by means of knowingly false or deceptive statements; or (h) has failed to display the license or certificate issued to him or her as provided for in this chapter; or (i) has been convicted of violating any of the provisions of this chapter. A conviction of violating any of the provisions of this chapter shall be grounds for automatic suspension of the license or certificate of such person.

(3) The board shall not revoke, suspend or refuse to issue or renew any license or certificate, or fine, place on probation or otherwise discipline any person in a disciplinary matter except after a hearing of which the applicant or licensee or holder of the certificate affected shall be given at least twenty (20) days' notice in writing, specifying the reason or reasons for denying the applicant a license or certificate of registration, or in the case of any other disciplinary action, the offense or offenses of which the licensee or holder of a certificate of registration is charged. Such notice may be served by mailing a copy thereof by United States first-class certified mail, postage prepaid, to the last-known residence or business address of such applicant, licensee or holder of a certificate. The hearing on such charges shall be at such time and place as the board may prescribe.

(4) At such hearings, all witnesses shall be sworn by a member of the board, and stenographic notes of the proceedings shall be taken. Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon payment to

the board of such fees as it shall prescribe, not exceeding, however, the actual costs of transcription.

(5) The board is hereby authorized and empowered to issue subpoenas for the attendance of witnesses and the production of books and papers. The process issued by the board shall extend to all parts of the state and such process shall be served by any person designated by the board for such service. The person serving such process shall receive such compensation as may be allowed by the board, not to exceed the fee prescribed by law for similar services. All witnesses who shall be subpoenaed, and who shall appear in any proceedings before the board, shall receive the same fees and mileage as allowed by law.

(6) Where in any proceeding before the board any witness shall fail or refuse to attend upon subpoena issued by the board, shall refuse to testify, or shall refuse to produce any books and papers, the production of which is called for by the subpoena, the attendance of such witness and the giving of his testimony and the production of the books and papers shall be enforced by any court of competent jurisdiction of this state, in the same manner as are enforced for the attendance and testimony of witnesses in civil cases in the courts of this state.

(7) The board shall conduct the hearing in an orderly and continuous manner, granting continuances only when the ends of justice may be served. The board shall, within sixty (60) days after conclusion of the hearing, reduce its decision to writing and forward an attested true copy thereof to the last-known residence or business address of such applicant, licensee or holder of a certificate, by way of United States first-class certified mail, postage prepaid. Such applicant, licensee, holder of a certificate, or person aggrieved shall have the right of appeal from an adverse ruling, or order, or decision of the board to the Chancery Court of the First Judicial District of Hinds County, Mississippi, upon forwarding notice of appeal to the board within thirty (30) days after the decision of the board is mailed in the manner here contemplated. An appeal will not be allowed in the event notice of appeal, together with the appeal bond hereinafter required, shall not have been forwarded to the board within the thirty-day period. Appeal shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi. The appeal shall thereupon be heard in due course by the court which shall review the record and make its determination thereon.

(8) The appellant shall, together with the notice of appeal, forward to and post with the board a satisfactory bond in the amount of Five Hundred Dollars (\$500.00) for the payment of any costs which may be adjudged against him.

(9) In the event of an appeal, the court shall dispose of the appeal and enter its decision promptly. The hearing on the appeal may, in the discretion of the chancellor, be tried in vacation. If there is an appeal, such appeal may, in the discretion of and on motion to the chancery court, act as a supersedeas. However, any fine imposed by the board under the provisions of this chapter shall not take effect until after the time for appeal has expired, and an appeal of the imposition of such a fine shall act as a supersedeas.

(10) Any fine imposed by the board upon a licensee or holder of a certificate shall be in accordance with the following schedule:

(a) For the first violation, a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for each violation.

(b) For the second and each subsequent violation, a fine of not less than One Hundred Dollars (\$100.00) nor more than Four Hundred Dollars (\$400.00) for each violation.

The power and authority of the board to impose such fines under this section shall not be affected or diminished by any other proceeding, civil or criminal, concerning the same violation or violations.

(11) In addition to the reasons specified in subsection (2) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may

be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 20. Section 73-7-29, Mississippi Code of 1972, is reenacted as follows:

73-7-29. The State Board of Cosmetology shall assess fees in the following amounts and for the following purposes:

(a) Initial license/renewal for cosmetologist, manicurist, esthetician, or wig specialist	\$ 50.00
(b) Instructor initial license/renewal	80.00
(c) Master cosmetologist license/renewal	70.00
(d) Delinquent renewal penalty - cosmetologist, manicurist, esthetician, wig specialist and instructor	50.00
There shall be no renewal fee for any licensee seventy (70) years of age or older.	
(e) Salon application and initial inspection	85.00
(f) Salon reinspection	35.00
(g) Salon change of ownership or location, or both	85.00
(h) Salon renewal	60.00
(i) Salon delinquent renewal penalty	50.00
(j) Application and initial inspection for a new school	300.00
(k) New school reinspection	100.00
(l) School change of ownership	300.00
(m) School relocation	150.00
(n) School renewal	75.00
(o) School delinquent renewal penalty	100.00
(p) Duplicate license	10.00
(q) Penalty for insufficient fund checks	20.00
(r) Affidavit processing	15.00

The State Board of Cosmetology may charge additional fees for services which the board deems appropriate to carry out its intent and purpose. These additional fees shall not exceed the cost of rendering the service.

The board is fully authorized to make refunds of any deposits received by the board for services which are not rendered. Refunds will automatically be made on overpayment of fees. Refunds will be made on underpayments by written requests from applicants. If no request for refund is made within sixty (60) days, the fees will be forfeited.

SECTION 21. Section 73-7-31, Mississippi Code of 1972, is reenacted and amended as follows:

73-7-31. Nothing in this chapter shall apply to:

- (a) Hairdressing, manicuring or facial treatments given in the home to members of family or friends for which no charge is made.
- (b) Persons whose practice is limited to * * * only performing makeup artistry, threading or applying or removing eyelash extensions; however, a person may perform a combination of not more than three (3) such practices and still be exempt from this chapter.
- (c) Barbers, and nothing in this chapter shall affect the jurisdiction of the State Board of Barber Examiners.
- (d) Persons engaged in the practice of hair braiding as defined in Section 73-7-71 who have completed the self-test part of the brochure on infection control techniques prepared by the State Department of Health and who keep the brochure and

completed self-test available at the location at which the person is engaged in hair braiding.

SECTION 22. Section 73-7-33, Mississippi Code of 1972, is reenacted as follows:

73-7-33. In addition to the rules and regulations that may be prescribed and promulgated by the board under authority of this chapter, the following rules and regulations shall be observed:

Every establishment must be kept sanitary, including all utensils and equipment, must be well ventilated and properly lighted. Each salon must be provided with hot and cold running water. Electrical appliances must be properly installed and grounded.

Cosmetologists shall be allowed to wear any type of clothing or apparel while at work as long as such clothing or apparel is sanitary.

Cosmetologists shall be allowed to use any type of hair roller as long as they do so in a sanitary manner.

Persons with a communicable disease or parasitic infection that is medically recognized to be a direct threat of transmission by the type of contact that practitioners have with clients are not to be permitted to practice in an establishment until their condition is no longer communicable under those circumstances. No work shall be performed on any patron having a visible disease unless the patron shall produce a certificate from a practicing physician stating that the patron is free from infectious, contagious or communicable disease. A cosmetologist's license does not authorize such person to treat or prescribe for an infectious, contagious or any other disease.

A home salon must have a solid wall to the ceiling with an outside entrance, or if a door exists between the salon and the remainder of the house, the door must be kept closed at all times while service is being rendered.

SECTION 23. Section 73-7-35, Mississippi Code of 1972, is reenacted as follows:

73-7-35. (1) No person licensed pursuant to this chapter shall practice his or her profession except within the physical confines of a salon possessing and displaying a properly executed license issued pursuant to Section 73-7-17. However, this requirement shall not prevent a person from rendering his or her services to any person who may be confined to his or her home, a hospital, or other place as a result of illness, and cosmetologists shall be permitted to render their services to deceased persons away from their salons.

(2) No salon owner licensed pursuant to this chapter shall allow a cosmetologist, esthetician, or manicurist to practice his/her profession in the salon without possessing a valid license issued pursuant to this chapter.

SECTION 24. Section 73-7-37, Mississippi Code of 1972, is reenacted as follows:

73-7-37. (1) The violation of any of the provisions of this chapter, including the use of fraudulent statements to obtain any benefits or privileges under this chapter or practicing one (1) of these professions without a license, shall constitute a misdemeanor, punishable in any court of competent jurisdiction at the seat of government, and any person or firm convicted of the violation of any of the provisions of this chapter shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00). The court shall not be authorized to suspend or suspend the execution of the fine required under this section.

(2) If any person, firm or corporation violates any of the provisions of this chapter, the secretary of the board, upon direction of a majority of the board and in the name of the board, acting through the Attorney General or an attorney employed by the board, shall apply in the Chancery Court of the First Judicial District of Hinds County, Mississippi, for an order enjoining such violation or for an order enforcing compliance with the provisions of this chapter. Upon the filing of a verified petition in the chancery court and after notice as provided under the Mississippi Rules of Civil Procedure, such court, if satisfied by the sworn petition, by affidavit or otherwise, that such person has violated any of the provisions of this chapter, may issue an injunction without notice or bond, enjoining such continued violation and such injunction shall remain in force and effect until a final hearing. If at such hearing it is established that such person has violated or is violating any of the provisions of this chapter, the court may enter a decree

permanently enjoining such violation or enforcing compliance with this chapter. In addition, the court may enter a judgment against such person for attorney's fees, court costs and the actual costs incurred by the board in investigating the actions of such person for which the board brought the suit for an injunction. In case of violation of any decree issued in compliance with this subsection, the court may punish the offender for contempt of court and the court shall proceed as in other cases.

(3) The proceedings in this section shall be in addition to and not in lieu of the other remedies and penalties provided in this chapter.

SECTION 25. Section 73-7-63, Mississippi Code of 1972, is amended as follows:

73-7-63. Sections 73-7-1 through 73-7-37, which create the State Board of Cosmetology and prescribe its duties and powers, shall stand repealed * * * on July 1, * * * 2024.

SECTION 26. Section 73-5-41, Mississippi Code of 1972, is amended as follows:

73-5-41. (1) The following persons are exempt from the provisions of this chapter, wholly in the proper discharge of their professional duties, to wit:

(a) Persons authorized by the law of Mississippi to practice medicine and surgery.

(b) Commissioned medical or surgical officers of the United States Army, Navy or Marine hospital service.

(c) Registered nurses.

(d) Cosmetologists, and nothing in this chapter shall affect the jurisdiction of the State Board of Cosmetology.

(e) Persons whose practice is limited to only makeup artistry, threading or applying or removing eyelash extensions.

(2) The provision of this section shall not be construed to authorize any of the persons exempted to shave, trim the beard, or cut the hair of any person, or perform any other act that constitutes barbering, for cosmetic purposes, with the exception of persons licensed by the State Board of Cosmetology or persons whose practice is limited to only makeup artistry, threading or applying or removing eyelash extensions.

SECTION 27. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 73-7-1 THROUGH 73-7-37, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF COSMETOLOGY AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITIONS OF "COSMETOLOGY" AND "ESTHETICS" TO REMOVE PERSONS WHOSE PRACTICE IS LIMITED TO ONLY PERFORMING MAKEUP ARTISTRY, THREADING OR APPLYING OR REMOVING EYELASH EXTENSIONS FROM THE COSMETOLOGY LICENSING LAW; TO AMEND REENACTED SECTION 73-7-12, MISSISSIPPI CODE OF 1972, TO DELETE THE DUPLICATE REPEALER ON THE STATUTE REQUIRING THE STATE BOARD OF COSMETOLOGY TO CONDUCT STUDENT EXAMINATIONS INSTEAD OF CONTRACTING WITH A TESTING SERVICE; TO AMEND REENACTED SECTION 73-7-31, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE COSMETOLOGY LICENSURE LAW PERSONS WHOSE PRACTICE IS LIMITED TO ONLY PERFORMING MAKEUP ARTISTRY, THREADING OR APPLYING OR REMOVING EYELASH EXTENSIONS; TO AMEND SECTION 73-7-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED SECTIONS; TO AMEND SECTION 73-5-41, MISSISSIPPI CODE OF 1972, TO EXEMPT PERSONS WHOSE PRACTICE IS LIMITED TO ONLY MAKEUP ARTISTRY, THREADING OR APPLYING OR REMOVING EYELASH EXTENSIONS FROM LICENSING UNDER THE STATE BOARD OF BARBER EXAMINERS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Randy P. Boyd
Charles Young, Jr.
Joseph Tubb

CONFEREES FOR THE SENATE

Hob Bryan
Brice Wiggins
Rita Potts Parks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1312** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately H. B. No. 1312.

On motion of Senator Blackwell, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. B. No. 2799.

S. B. No. 2799: Mississippi Medicaid Program; make technical amendments to reimbursements and administration.

Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Marjorie Binns Garner of Natchez, MS.

Senators Johnson, Polk (in his absence) and Fillingane moved that when the Senate adjourns, it adjourn in memory of Mr. James Lavon Smith, Sr. of Avera, MS.

Senators Norwood, Simmons D. T. (12th), Jackson R. (11th) and Frazier moved that when the Senate adjourns, it adjourn in memory of Freddie Bernard Johnson of Jackson, MS.

Senator Butler moved that when the Senate adjourns, it adjourn in memory of Andra Wyatt of Port Gibson, MS.

Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ed Wilburn Hooker, III of Ridgeland, MS.

Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Laura Ashley Simmons of Perkinston, MS.

Senator Bryan moved that when the Senate adjourns, it adjourn in memory of Dr. Richard Shelton "Pete" Hollis of Amory, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Helen Ann Purdy and Joanne Lassiter of Pascagoula, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Louise Carron of Biloxi, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Billy Doyle Alexander and John Steven Hyde of Vardaman, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Phillip Bradley Williams of Big Creek, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Rebecca Floyd Davis of Bruce, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Geneva Brassfield Galloway of Calhoun City, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Cassie Wadell Dearing McCoy, Heather Taylor, Donald McCann, Mary Helen Morgan and Stanley Welch of Forest, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Greg Jackson, Carl J. Dean and Bobby James of Little Rock, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Glen Garry Frank, William L. Breidinger and Clarence Perry Kittrell of Decatur, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Donald Rogers Godwin and Robert L. "Bobby" Dearing of Newton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Robert E. Byrne and Ralph Owen James of Lawrence, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Ronald Dickey McCombs and Willie Lewis McIntosh of Lake, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Scotty Denson and Brenda Porter of Lena, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Maxwell Gainey of Morton, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Bobbie Dodson of Harpersville, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Johnny Brand of Hickory, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Linda Jean White of Pulaski, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Mary Ann Warren of Ringgold Community, MS.

Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Helen Beatrice Fortenberry of Scott County, MS.

Senator Blackwell moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 31, 2021.

The motion prevailed, and at 7:01 PM, the Senate stood in recess.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 82: AN ACT TO AMEND SECTION 31-11-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER UP TO ONE MILLION DOLLARS OF AVAILABLE BOND FUNDS TO COMMUNITY COLLEGES REQUESTING TO BE EXEMPT FROM DEPARTMENT OVERSIGHTS OF CERTAIN REPAIR, RENOVATIONS AND IMPROVEMENTS TO EXISTING FACILITIES OWNED BY COMMUNITY COLLEGES; AND FOR RELATED PURPOSES.

H. B. No. 136: AN ACT TO REQUIRE ANY PUBLIC OFFICER OR EMPLOYEE HANDLING OR HAVING THE CUSTODY OF PUBLIC FUNDS, BY VIRTUE OF HIS OR HER OFFICE OR EMPLOYMENT, TO GIVE BOND IN A CERTAIN AMOUNT; AND FOR RELATED PURPOSES.

H. B. No. 359: AN ACT TO ALLOW CERTAIN MUNICIPALITIES TO ADOPT RULES AND PROCEDURES AUTHORIZING ACCOUNTING SYSTEM

ACCOMMODATION OF CERTAIN UNCOLLECTIBLE INDEBTEDNESS OWED BY A CUSTOMER FOR WATER AND SEWER SERVICES; TO AMEND SECTIONS 31-19-27 AND 31-19-29, MISSISSIPPI CODE OF 1972, DEALING WITH DOUBTFUL CLAIMS; AND FOR RELATED PURPOSES.

H. B. No. 425: AN ACT TO AMEND SECTION 27-35-143, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A TAX ASSESSOR HAS KNOWLEDGE OF CERTAIN CIRCUMSTANCES OR OCCURRENCES THAT MAY AFFECT AN ASSESSMENT OF PROPERTY FOR AD VALOREM TAX PURPOSES, THE TAX ASSESSOR SHALL MAKE AN APPLICATION ON BEHALF OF THE INTERESTED PARTY WITH THE BOARD OF SUPERVISORS TO CHANGE, CANCEL OR DECREASE THE ASSESSMENT; AND FOR RELATED PURPOSES.

H. B. No. 754: AN ACT TO CREATE NEW SECTION 37-173-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THE STEPS SCHOOLS MUST TAKE FOR THE EDUCATION AND CARE OF STUDENTS WITH DYSLEXIA AND OTHER RELATED DISORDERS; TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL REQUIRE SCHOOL DISTRICTS TO CONDUCT FOUR HOURS OF AWARENESS TRAINING FOR DYSLEXIA AND OTHER RELATED DISORDERS TO ALL LICENSED EDUCATORS AND PARAPROFESSIONALS RESPONSIBLE FOR INSTRUCTION; TO PROVIDE THAT STANDARD 1 AND STANDARD 2 OF THE INTERNATIONAL DYSLEXIA ASSOCIATION'S "KNOWLEDGE AND PRACTICE STANDARDS FOR TEACHERS OF READING" 2018 EDITION SHALL BE THE MINIMUM CONTENT USED FOR THE DYSLEXIA TRAINING; TO AMEND SECTION 37-173-9, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN PROVISIONS RELATING TO SCHOOL'S DETERMINATION OF STUDENTS WITH DYSLEXIA; AND FOR RELATED PURPOSES.

H. B. No. 1135: AN ACT TO CREATE A DELIVERY SERVICE PERMIT TO ALLOW THE HOLDER TO CONTRACT FOR THE DELIVERY OF ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT FROM A LICENSED RETAILER TO A CONSUMER; TO ALLOW A LICENSED RETAILER TO DELIVER ALCOHOLIC BEVERAGES, BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCT TO A CONSUMER IF THE RETAILER ALSO HOLDS A DELIVERY SERVICE PERMIT; TO SPECIFY CONDITIONS OF DELIVERY PURSUANT TO THE PERMIT; TO SET OUT APPLICATION REQUIREMENTS FOR THE PERMIT; TO SPECIFY THE ENFORCEMENT POWERS OF THE ALCOHOLIC BEVERAGE CONTROL DIVISION OF THE DEPARTMENT OF REVENUE; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO INCLUDE THE DELIVERY SERVICE PERMIT AMONG THE ALCOHOL PERMITS ISSUED BY THE DEPARTMENT OF REVENUE; TO PROVIDE THAT THE HOLDER OF A PACKAGE RETAILER'S PERMIT OR AN ON-PREMISES RETAILER'S PERMIT UNDER SECTION 67-1-51 OR OF A BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT RETAILER'S PERMIT UNDER SECTION 67-3-19 IS AUTHORIZED TO APPLY FOR A DELIVERY SERVICE PERMIT AS A PRIVILEGE SEPARATE FROM ITS EXISTING RETAIL PERMIT; TO AMEND SECTIONS 67-1-37, 67-1-83, 67-3-5, 67-3-25 AND 27-71-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

H. B. No. 1179: AN ACT TO CODIFY NEW SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO CREATE THE "WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM" TO BE ADMINISTERED BY THE STATE FINANCIAL AID BOARD; TO PROVIDE FOR THE QUALIFICATIONS FOR APPLICANTS UNDER THE LOAN PROGRAM; TO ESTABLISH THE WILLIAM F. WINTER AND JACK REED, SR., LOAN REPAYMENT PROGRAM FUND; TO REPEAL SECTION 37-106-35, MISSISSIPPI CODE OF 1972, WHICH CREATES THE ASSISTANT TEACHER FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-37, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION SCHOLARS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-57, MISSISSIPPI CODE OF 1972, WHICH CREATES THE WILLIAM F. WINTER TEACHER FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-77, MISSISSIPPI

CODE OF 1972, WHICH CREATES THE MISSISSIPPI TEACHING FELLOWS FORGIVABLE LOAN PROGRAM; TO REPEAL SECTION 37-106-79, MISSISSIPPI CODE OF 1972, WHICH CREATES THE TEACHER EDUCATION ALTERNATE ROUTE CERTIFICATION SCHOLARS PROGRAM; AND FOR RELATED PURPOSES.

H. B. No. 1296: AN ACT TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR COSTS AND EXPENSES INCURRED FOR THE REHABILITATION OF CERTAIN HISTORIC STRUCTURES, TO REMOVE THE PROVISION THAT EXCLUDES SINGLE-FAMILY DWELLINGS FROM THE DEFINITION OF THE TERM "ELIGIBLE PROPERTY"; TO REVISE THE PROVISIONS UNDER WHICH A TAXPAYER ELIGIBLE FOR A TAX CREDIT MAY CLAIM THE TAX CREDIT IN PHASES; TO REMOVE THE OPTION, IN LIEU OF THE TEN-YEAR CARRYFORWARD, OF A REFUND PAID OVER A TWO-YEAR PERIOD IN THE AMOUNT OF 75% OF THE EXCESS CREDIT; TO ALLOW THE OPTION, IN LIEU OF CLAIMING THE CREDIT, OF A REBATE OF 75% OF THE AMOUNT THAT WOULD BE ELIGIBLE TO CLAIM AS A CREDIT; TO PROVIDE THAT THE REBATE SHALL BE SUBJECT TO APPROVAL BY THE DEPARTMENT OF ARCHIVES AND HISTORY AND SHALL BE REDEEMED WITH THE DEPARTMENT OF REVENUE FOR AN IMMEDIATE CASH PAYMENT; TO PROVIDE THAT THE DEPARTMENT OF ARCHIVES AND HISTORY SHALL NOT ISSUE CERTIFICATES EVIDENCING THE ELIGIBLE REBATE OR CREDIT WHICH WILL RESULT IN CREDITS BEING AWARDED IN EXCESS OF \$12,000,000.00 IN ANY ONE STATE CALENDAR YEAR FOR PROJECTS WITH TOTAL QUALIFIED REHABILITATION COSTS AND EXPENSES OF \$1,750,000.00 OR MORE; TO PROVIDE THAT THE DEPARTMENT OF ARCHIVES AND HISTORY SHALL NOT ISSUE CERTIFICATES EVIDENCING THE ELIGIBLE REBATE OR CREDIT WHICH WILL RESULT IN CREDITS BEING AWARDED IN EXCESS OF \$12,000,000.00 IN ANY ONE STATE CALENDAR YEAR FOR PROJECTS WITH TOTAL QUALIFIED REHABILITATION COSTS AND EXPENSES OF LESS THAN \$1,750,000.00; TO PROVIDE THAT A TAXPAYER CLAIMING A CREDIT INSTEAD OF A REBATE SHALL CLAIM THE CREDIT ON THE INCOME TAX RETURN FOR THE TAX YEAR FOR WHICH THE CREDIT IS CERTIFIED; TO PROVIDE THE ORDER IN WHICH A REBATE OR CREDIT SHALL BE CERTIFIED; AND FOR RELATED PURPOSES.

H. B. No. 1356: AN ACT TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE STATE INCOME TAX DEDUCTION AUTHORIZED FOR DEPRECIATION, IN THE CASE OF NEW OR USED AIRCRAFT, EQUIPMENT, ENGINES, OR OTHER PARTS AND TOOLS USED FOR AVIATION, THE ALLOWANCE FOR BONUS DEPRECIATION CONFORMS WITH THE FEDERAL BONUS DEPRECIATION RATES AND REASONABLE ALLOWANCE FOR DEPRECIATION IS NO LESS THAN ONE HUNDRED PERCENT; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1378: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2022.

H. B. No. 1382: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

H. B. No. 1383: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

H. B. No. 1386: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2022.

H. B. No. 1388: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2022.

H. B. No. 1389: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1390: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1394: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1395: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2022.

H. B. No. 1397: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2022.

H. B. No. 1401: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1402: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2022.

H. B. No. 1403: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1404: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1408: AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2022.

H. B. No. 1410: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2022.

H. B. No. 1446: AN ACT TO AMEND SECTION 57-121-7, MISSISSIPPI CODE OF 1972, TO ALLOW AN INCOME TAX DEDUCTION FOR OTHERWISE DEDUCTIBLE EXPENSES IF THE PAYMENT FOR SUCH EXPENSES IS MADE WITH THE GRANT OR LOAN PROGRAM OF THE PAYCHECK PROTECTION PROGRAM AS AUTHORIZED UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT AND THE CONSOLIDATED APPROPRIATIONS ACT OF 2021, THE COVID-19 ECONOMIC INJURY DISASTER LOAN PROGRAM, THE 2020 COVID-19 MISSISSIPPI BUSINESS ASSISTANCE ACT, AND/OR THE RENTAL ASSISTANCE GRANT PROGRAM, AND SUCH EXPENSES ARE ALLOWED AS DEDUCTIONS FOR FEDERAL INCOME TAX PURPOSES; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 1400: Appropriation; Medicaid, Division of.

Adopted: 03/29/21

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

H. B. No. 1502: MS Coast Transportation Authority; authorize to bear the full cost of processing electronic payments.

H. B. No. 1504: City of Forest; authorize a tax on hotels/motels and restaurants to promote tourism, parks and recreation.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 104: Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county.

H. B. No. 356: Child abuse reports; expand immunity for making to include persons participating in resulting investigations.

H. B. No. 631: Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours.

H. B. No. 1379: Appropriation; Insurance, Department of.

H. B. No. 1381: Appropriation; Legislative expenses.

H. B. No. 1384: Appropriation; Supreme Court, Court of Appeals and trial judges services.

H. B. No. 1385: Appropriation; Attorney General.

H. B. No. 1387: Appropriation; Education, Department of.

H. B. No. 1391: Appropriation; reappropriation, DFA - Bureau of Building; FY21.

H. B. No. 1392: Appropriation; Environmental Quality, Department of.

H. B. No. 1393: Appropriation; Wildlife, Fisheries and Parks, Department of.

H. B. No. 1396: Appropriation; Public Service Commission.

H. B. No. 1398: Appropriation; Human Services, Department of.

H. B. No. 1399: Appropriation; Rehabilitation Services, Department of.

H. B. No. 1412: Appropriation; Marine Resources, Department of.

H. B. No. 1413: Appropriation; Transportation, Department of.

Adopted: 03/29/21

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2598: Department of Public Safety; revise licensing.

S. B. No. 2624: MS Real Estate Commission; require to establish pilot program using administrative hearing officers.

S. B. No. 2839: SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate.

S. B. No. 2895: Ad valorem tax; provide assessment rate for transformative renewable energy project property designated by the county board.

S. B. No. 2904: Appropriation; IHL - General support.

S. B. No. 2905: Appropriation; IHL - Subsidiary programs.

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs.

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

S. B. No. 2911: Appropriation; IHL - Student Financial Aid.

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center.

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses.

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

S. B. No. 2915: Appropriation; Corrections, Department of.

S. B. No. 2916: Appropriation; Public Safety, Department of.

S. B. No. 2918: Appropriation; Military Department.

S. B. No. 2919: Appropriation; Veterans Affairs Board.

S. B. No. 2922: Appropriation; Employment Security, Department of.

S. B. No. 2923: Appropriation; Revenue, Department of.

S. B. No. 2926: Appropriation; Mental Health, Department of.

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

S. B. No. 2942: Appropriation; Agriculture and Commerce, Department of.

S. B. No. 2944: Appropriation; Animal Health, Board of.

S. B. No. 2948: Appropriation; Finance and Administration, Department of.

S. B. No. 2949: Appropriation; Governor's Office and Mansion.

S. B. No. 2951: Appropriation; Development Authority, Mississippi.

S. B. No. 2953: Appropriation; Secretary of State.

S. B. No. 2955: Appropriation; Debt Service-Gen. Obli.

S. B. No. 2956: Appropriations; additional appropriations for various state agencies.

S. B. No. 2971: Bonds; authorize issuance for state institutions of higher learning.

Adopted: 03/29/21

Andrew Ketchings, Clerk of the House of Representatives

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 7:01 PM in memory of Marjorie Binns Garner, Mr. James Lavon Smith, Sr., Billy Doyle Alexander, John Steven Hyde, Phillip Bradley Williams, Rebecca Floyd Davis, Geneva Brassfield Galloway, Cassie Wadell Dearing McCoy, Heather Taylor, Donald McCann, Mary Helen Morgan, Stanley Welch, Freddie Bernard Johnson, Greg Jackson, Carl J. Dean, Bobby James, Glen Garry Frank, William L. Breidinger, Clarence Perry Kittrell, Donald Rogers Godwin, Robert L. "Bobby" Dearing, Robert E. Byrne, Ralph Owen James, Andra Wyatt, Ronald Dickey McCombs, Willie Lewis McIntosh, Scotty Denson, Brenda Porter, Maxwell Gainey, Bobbie Dodson, Johnny Brand, Linda Jean White, Mary Ann Warren, Helen Beatrice Fortenberry, Ed Wilburn Hooker, III, Laura Ashley Simmons, Dr. Richard Shelton "Pete" Hollis, Helen Ann Purdy, Joanne Lassiter and Louise Carron.

Eugene S. Clarke, Secretary of the Senate

INTRODUCTIONS FOR TUESDAY, MARCH 30, 2021

S. R. No. 59: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE OLIVE BRANCH HIGH SCHOOL "LADY CONQUISTADORS" GIRLS BASKETBALL TEAM AND COACH JASON THOMPSON FOR WINNING THEIR THIRD CONSECUTIVE MHSAA STATE CHAMPIONSHIP.

By Senator(s) Blackwell, Parker, McLendon

S. R. No. 60: Rules

A RESOLUTION COMMENDING PHI BETA SIGMA FRATERNITY, INC., AND ZETA PHI BETA SORORITY, INC., FOR THEIR EXTENSIVE PUBLIC SERVICE, AND RECOGNIZING THAT MARCH 23, 2021, IS "PHI BETA SIGMA FRATERNITY, INC., AND ZETA PHI BETA SORORITY, INC., DAY IN MISSISSIPPI."

By Senator(s) Norwood, Horhn

S. R. No. 61: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE TISHOMINGO COUNTY HIGH SCHOOL "LADY BRAVES" CHEERLEADING SQUAD FOR WINNING

THE 2020 MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION STATE CHEERLEADING CHAMPIONSHIP.

By Senator(s) Sparks

S. R. No. 62: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE NEW SITE "LADY ROYALS" GIRLS BASKETBALL TEAM AND COACH BYRON SPARKS FOR WINNING THE 2021 MHSAA CLASS 2A STATE CHAMPIONSHIP.

By Senator(s) Sparks

S. R. No. 63: Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE BELMONT HIGH SCHOOL "LADY CARDINALS" GIRLS BASKETBALL TEAM AND COACH CHRIS HIGGINBOTTOM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 3A STATE CHAMPIONSHIP, ITS 12TH STATE TITLE IN SCHOOL HISTORY.

By Senator(s) Sparks

EIGHTY-SIXTH DAY, WEDNESDAY, MARCH 31, 2021

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Absent--Polk. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Senator Hopson.

Senator Blount led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Barnett called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 747** was adopted by the Senate and moved that the motion to reconsider be tabled:

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

The foregoing motion prevailed.

Senator Barnett called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 928** was adopted by the Senate and moved that the motion to reconsider be tabled:

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to.

The foregoing motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 572** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, as amended by Senate Bill No. 2606, 2021 Regular Session, and House Bill No. 1091, 2021, Regular Session, is amended as follows:

67-1-5. For the purposes of this chapter and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than * * * six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this chapter, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in

compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this chapter unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this chapter, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other

transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this chapter, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages;

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen (18) hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen (18) hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

*** A. In a county that has voted to come out from under the dry law,

*** B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

*** C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located

a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located * * *;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84 * * *;

23. Any tracts of land in Oktibbeha County, situated * * * north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning * * *; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities offering alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities offering alcoholic beverages for sale may be located;

25. A municipality through which run Mississippi Highway 35 and Interstate 20; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55; however, the governing authorities of the municipality in which such area is located may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi; and

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect; however, the governing authorities of such a municipality may by ordinance:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in subparagraph (iii) of this paragraph (o) as qualified resort areas does not require any declaration of same by the department.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast

inn under this chapter unless on the date of the initial application for a license under this chapter more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this chapter, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

SECTION 2. Section 67-1-51, Mississippi Code of 1972, as amended by House Bill No. 1135, 2021 Regular Session, House Bill No. 1288, 2021 Regular Session, Senate Bill No. 2606, 2021 Regular Session, Senate Bill No. 2435, 2021 Regular Session and House Bill No. 1091, 2021 Regular Session, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this chapter in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this chapter.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation

and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines and native spirits, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this chapter and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers and other beverages commonly used to mix with alcoholic beverages. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. Such a permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his

employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this chapter. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional

products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, 2023.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate-10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph (s).

(**t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 1 of House Bill No. 1135, 2021 Regular Session, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine

and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this chapter within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section 67-1-5(o)(iii)32.

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at the southeast corner of Ward and Tate Streets in the City of Senatobia, Mississippi.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this chapter.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES AT CERTAIN LOCATIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Jody Steverson

Henry Zuber III

Brent Powell

CONFEREES FOR THE SENATE

Josh Harkins

Lydia Graves Chassaniol

Joel R. Carter, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 572** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler, Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--46.

Nays--Branning, Chism, Norwood, Parker, Tate. Total--5.

Absent and those not voting--Polk. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 1, **H. B. No. 1333**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1333: Town of Wesson; authorize the use of low-speed vehicles and golf carts on certain public roads.

YEAS AND NAYS On H. B. No. 1333. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator McMahan moved that the rules be suspended for the immediate consideration of calendar item 2, **H. B. No. 1334**, and the motion prevailed.

Senator McMahan called up the following entitled bill:

H. B. No. 1334: Town of Georgetown; authorize use of low-speed vehicles and golf carts on certain public roads.

YEAS AND NAYS On H. B. No. 1334. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

Senator Branning offered the following report of the Conference Committee on **S. B. No. 2825** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) From and after July 1, 2021, the department, through the division, shall have jurisdiction over all matters of enforcement of the provisions of this chapter on the roads, streets and highways of this state and shall prescribe such rules and regulations as are necessary therefor. The jurisdiction and authority of the department under this section shall be in addition to any other jurisdiction and authority provided to the department under any other law. The powers and duties related to the administration of this chapter which do not concern enforcement on the roads, streets and highways of this state shall remain with the commission.

(2) On July 1, 2021, the Mississippi Department of Transportation and/or the commission shall transfer to the department the employees, equipment, inventory, size and weights, computer systems, IFTA, grants, stationary and portable weigh stations, support staff, weigh-in-motion scales and vehicles, state and federal funding, and resources used to enforce the provisions of this chapter on the roads, streets and highways of this state. The department shall consult and work with the Bureau of Building, Grounds and Real Property of the Department of Finance and Administration for the effective transfer to the department of any office space that was assigned for the use of the enforcement of the provisions of this chapter on the roads, streets and highways of this state, except the office space used by the Enforcement Division of the Department of Transportation located within the Billy McCoy Office Building in Jackson, Mississippi.

(3) Any reference in any statute, rule or regulation to law enforcement duties being performed by the commission or the Mississippi Department of Transportation requiring the use of vehicles to enforce shall be construed to mean law enforcement duties being performed by the division.

(4) The Mississippi State Personnel Board PIN numbers the Mississippi Department of Transportation has assigned to persons in law enforcement and support of enforcement of this chapter at the time of the transfer shall be transferred over to the department. The transfer of personnel shall be commensurate with the number and classification of positions allocated to that law enforcement. All salaries and benefits shall remain the same until further agreement. Rank and structure shall be revised through the division as is practical for proper supervision. All transferred personnel shall possess the same state service protections with the Mississippi State Personnel Board that they possessed before the transfer.

(5) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave balances earned pursuant to Section 25-3-92, and compensatory leave earned pursuant to the Fair Labor Standards Act (FLSA) shall transfer from the Mississippi Department of Transportation to the Department of Public Safety for all employees transferred to the department under this act.

SECTION 2. There is hereby created a special fund in the State Treasury, to be known as the "DPS Motor Carrier Enforcement Fund." The fund shall consist of monies appropriated by act of the Legislature and monies transferred from the Mississippi Department of Transportation. Money in the fund shall only be utilized by the Department of Public Safety's Commercial Transportation Enforcement Division to defray expenses for officers' salaries and other costs to implement and enforce the provisions of this act. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 3. Section 77-7-7, Mississippi Code of 1972, is amended as follows:

77-7-7. Whenever used in this chapter unless expressly stated otherwise:

(a) The term "person" means individual, firm, copartnership, corporation, company, association or joint-stock association, and includes any trustee, receiver, assignee or personal representative thereof.

(b) The term "commission" means the Mississippi Transportation Commission.

(c) The term "highway" means every public highway or place of whatever nature open to the use of the public for purposes of vehicle travel in this state, including the streets and alleys in towns and cities.

(d) The term "motor vehicle" and "vehicle" means any vehicle, machine, tractor, trailer or semitrailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property; such term, however, does not include any vehicle, locomotive or car operated exclusively on a rail or rails.

(e) The term "common carrier by motor vehicle" means any person who or which undertakes, whether directly or by a lease or any other arrangement, to transport passengers or household goods.

(f) The term "contract carrier by motor vehicle" means any person, not included under * * * paragraph (e) of this section, who or which, under special and individual contracts or agreements, and whether directly or by a lease or any other arrangement, transports passengers or household goods.

(g) The term "restricted motor carrier" means all carriers of property, except household goods, by motor vehicle for compensation.

(h) The "services" and "transportation" to which this chapter applies include all vehicles operated by, for or in the interest of any motor carrier irrespective of ownership or contract, express or implied, together with all facilities and property operated or controlled by any such carrier or carriers and used in the transportation of passengers or property or in the performance of any service in connection therewith.

(i) The term "certificate" means a certificate of public convenience and necessity issued by the commission to common carriers by motor vehicle and restricted common carriers by motor vehicle under this chapter.

(j) The term "permit" means a permit issued by the commission to contract carriers by motor vehicle under this chapter.

(k) The term "interstate permit" means a permit issued under the terms of this chapter to the holder of a certificate of public convenience and necessity, a permit, or other operating authority from the U.S. Department of Transportation.

(l) The term "owner" or "operator" and "owner and operator" means any individual, firm, copartnership, corporation, company, association or joint-stock association, and includes any trustee, receiver, assignee or personal representative thereof, to whom or to which a certificate of convenience and necessity or permit or interstate permit has been issued by the commission.

(m) The term "vanpooling" means a nonprofit arrangement entered into to provide for the transportation of persons to and from their places of employment utilizing a motor vehicle manufactured primarily for the transporting of not less than eight (8) nor more than fifteen (15) people, and where the costs of operating said vehicle, including

reasonable vehicle depreciation costs, are paid for by those people utilizing such arrangement.

(n) The term "gross vehicle weight rating (GVWR)" means the value specified by the manufacturer as the loaded weight of a single motor vehicle.

(o) The term "gross combination weight rating (GCWR)" means the value specified by the manufacturer as the loaded weight of a combination (articulated) motor vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.

(p) The term "department" means the Department of Public Safety.

(q) The term "division" means the Commercial Transportation Enforcement Division within the department.

SECTION 4. Section 77-7-11, Mississippi Code of 1972, is amended as follows:

77-7-11. No motor carrier shall operate any motor vehicle for the transportation of passengers or property for compensation on any highway in this state, except in accordance with the provisions of this chapter, and every such motor carrier is hereby declared to be subject to control, supervision and regulation by the commission for permitting purposes and by the department, through the division, for enforcement purposes. Nothing in this chapter shall confer any proprietary or property rights in the use of the public highways.

SECTION 5. Section 77-7-13, Mississippi Code of 1972, is amended as follows:

77-7-13. (1) It shall be the duty of the commission and the commission shall have the power:

(a) To regulate common carriers by motor vehicle and contract carriers by motor vehicle not exempted in this chapter, doing business in this state, and to that end, the commission may establish reasonable requirements with respect to continuous and adequate service, transportation of baggage and express, uniform system of accounts, records and reports, preservation of records, and safety of operation and equipment, including maximum hours of service of employees.

* * *

(***)b To administer*** the provisions of this chapter concerning certificates of public convenience and necessity, permits, performance bond, insurance, statutorily prescribed fees, identification plates and trip permits, and carrier service, rates and charges, to make necessary orders in connection therewith, and to prescribe rules, regulations and procedure for such administration; however, the enforcement of the provisions of this chapter on the roads, streets and highways of this state shall fall under the jurisdiction of the department, through the division.

(***)c To inquire into the organization of motor carriers, and into the management of their businesses, to keep itself informed as to the manner and method in which the same is conducted, and to transmit to the Legislature, from time to time, such recommendations as to additional legislation relating to such carriers as the commission may deem necessary.

(2) The commission may from time to time establish such just and reasonable classifications of groups of carriers included in the terms "common carrier by motor vehicle" and "contract carrier by motor vehicle," as the special nature of the services performed by such carriers shall require, and the commission may from time to time

establish such just and reasonable rules, regulations and requirements, consistent with the provisions of this chapter, to be observed by the carriers so classified or grouped, as the commission deems necessary or desirable in the public interest.

(3) The commission may from time to time enter into joint and cooperative agreements with other governmental agencies in regard to safety, forms, operating procedures and regulatory jurisdiction.

(4) The rules, regulations, requirements and classifications adopted in pursuance to the power and duty of the commission by this section granted and imposed shall conform as nearly as practicable to the rules, regulations, requirements and classifications promulgated by the Interstate Commerce Commission, the United States Department of Transportation, or any other appropriate governmental agency.

(5) The commission shall not have the duty nor the power to regulate the rates of common carriers by motor vehicle which undertake, whether directly or by a lease or any other arrangement, to transport household goods.

(6) The commission shall not have the duty nor the power to regulate the rates of contract carriers by motor vehicle, who or which, under special and individual contract or agreements, and whether directly or by a lease or any other arrangement, transport household goods.

SECTION 6. Section 77-7-15, Mississippi Code of 1972, is amended as follows:

77-7-15. The commission shall prescribe, issue, amend and rescind such reasonable rules and regulations as may be reasonably necessary or appropriate to carry out the provisions of this chapter concerning certificates of public convenience and necessity, permits, performance bond, insurance, statutorily prescribed fees, identification plates and trip permits, and carrier duties, service, rates and charges; however, the prescription, issuance, amendment and rescission of reasonable rules and regulations concerning the enforcement of the provisions of this chapter on the roads, streets and highways of this state shall fall under the jurisdiction of the department, through the division, and shall not be subject to this section.

No rule or regulation shall be effective until thirty (30) days after copies of the proposed rule or regulation have been mailed to intrastate motor carriers affected thereby and until a notice, setting forth the terms or substance thereof and the time and place of a hearing thereon, has been published in a newspaper or newspapers of general circulation in the state and filed with the Secretary of State pursuant to the Mississippi Administrative Procedures Law. Such hearing may be held at any time after twenty (20) days following the date of publication of such notice, but such rules or regulations shall not become effective until a hearing thereon. The commission may make its initial set of rules and regulations effective at the end of such thirty-day period, subject to review thereof. All rules and regulations of the commission shall be filed with its secretary and shall be readily available for public inspection and examination during reasonable business hours. Any interested person shall have the right to petition the commission for issuance, amendment or repeal of a rule or regulation.

SECTION 7. Section 77-7-16, Mississippi Code of 1972, is amended as follows:

77-7-16. (1) Supervision and inspection of the safe operation and the safe use of equipment of motor vehicles operating in the state shall be a specified duty of * * * the Mississippi Department of Public Safety. * * * The Mississippi Transportation Commission shall promulgate as its own the rules, regulations, requirements and classifications of the United States Department of Transportation or any successor federal agency thereof charged with the regulation of motor vehicle safety * * *. The * * * department shall enforce such rules, regulations, requirements and classifications. * * * The Mississippi

Transportation Commission shall establish a system of reciprocity with other states to facilitate the inspection of motor vehicles provided for in this subsection.

(2) The * * * Mississippi Department of Public Safety shall have the authority to inspect for safe operation and safe use of equipment the following motor vehicles:

(a) Each holder of a certificate of convenience and necessity, a permit to operate as a contract carrier or interstate permit;

(b) Any individual, corporation or partnership engaged in a commercial enterprise operating a single motor vehicle or those in combination with a manufacturer's gross vehicle rating of more than ten thousand (10,000) pounds; and

(c) Any individual, corporation or partnership operating a motor vehicle of any gross weight transporting hazardous material that requires placarding under the Federal Hazardous Material Regulations.

(3) This section shall not apply to the following:

(a) Motor vehicles employed to transport school children and teachers;

(b) Motor vehicles owned and operated by the United States, District of Columbia or any state or any municipality or any other political subdivision of this state;

(c) Motor vehicles engaged in the occasional transportation of personal property without compensation by individuals which is not in the furtherance of a commercial enterprise;

(d) Motor vehicles engaged in the transportation of human corpses or sick or injured persons;

(e) Motor vehicles engaged in emergency or related operations;

(f) Motor vehicles engaged in the private transportation of passengers;

(g) Motor vehicles, including pickup trucks, that have a GVWR or GCWR of twenty-six thousand (26,000) pounds or less, operating intrastate only, provided that such vehicle does not:

(i) Transport hazardous material requiring a placard; or

(ii) Transport sixteen (16) or more passengers, including the driver.

(h) Motor vehicles owned and operated by any farmer who:

(i) Is using the vehicle to transport agricultural products from a farm owned by the farmer, or to transport farm machinery or farm supplies to or from a farm owned by the farmer;

(ii) Is not using the vehicle to transport hazardous materials of a type or quantity that requires the vehicle to be placarded in accordance with the Federal Hazardous Material Regulations in CFR 49 part 177.823; and

(iii) Is using the vehicle within one hundred fifty (150) air miles of the farmer's farm, and the vehicle is a private motor carrier of property.

(i) Motor vehicles engaged in the transportation of logs and pulpwood between the point of harvest and the first point of processing the harvested product;

(j) Motor vehicles engaged exclusively in hauling gravel, soil or other unmanufactured road building materials;

(k) As to hours of service only, utility service vehicles owned or operated by public utilities subject to regulation by the commission, while in intrastate commerce within this state, with a manufacturer's gross vehicle rating of less than twenty-six thousand one (26,001) pounds, unless the vehicle:

(i) Transports hazardous materials requiring a placard; or

(ii) Is designed or used to transport sixteen (16) or more people, including the driver.

(4) Anyone who violates or fails to comply with this section shall be subject to the penalties as provided for in Section 77-7-311, Mississippi Code of 1972.

SECTION 8. Section 77-7-17, Mississippi Code of 1972, is amended as follows:

77-7-17. No member of the commission or the department, and no employee of the commission or the department appointed or employed in the administration of this chapter, shall in any manner have pecuniary interest in, own any securities of, or hold any position with any motor carrier.

SECTION 9. Section 77-7-21, Mississippi Code of 1972, is amended as follows:

77-7-21. No restricted motor carrier not exempted in this chapter shall engage in intrastate operation on any highway within the state unless such carrier is in compliance with the requirements of the laws and regulations of the commission and the department.

SECTION 10. Section 77-7-127, Mississippi Code of 1972, is amended as follows:

77-7-127. All funds collected by the commission under the provisions of this chapter shall be deposited in the State Treasury to the credit of the commission's regulation fund for use by the commission for the administration * * * of the laws of this state relative to the inspection, control and supervision of the business, * * * service or accounts of motor carriers subject to this chapter.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 11. Section 77-7-311, Mississippi Code of 1972, is amended as follows:

77-7-311. (1) Any person violating any provisions of this chapter, or any rule, regulation, requirement or order thereunder, or any term or condition of any certificate or permit, for which a penalty is not otherwise provided in this chapter, shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than Twenty-five Dollars (\$25.00) and not more than Five Hundred Dollars (\$500.00) for the first offense and not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for each subsequent offense. Each day of violation shall constitute a separate offense.

(2) Any person, whether carrier, shipper, consignee, or any officer, employee, agent or representative thereof, who shall knowingly offer, grant or give, or solicit, accept or receive any rebate, concession or discrimination in violation of any provision of this

chapter, or who by means of any false statement or representation, or by the use of any false or fictitious bill, bill of lading, receipt, voucher, roll, account, claim, certificate, affidavit, deposition, lease or bill of sale, or by any other means or device, shall knowingly and willfully assist, suffer or permit any person or persons, natural or artificial, to obtain transportation of passengers or property subject to this chapter for less than the applicable rate, fare or charge, or who shall knowingly and willfully, by any such means or otherwise, fraudulently seek to evade or defeat regulation as in this chapter provided for motor carriers, shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than One Hundred Dollars (\$100.00) and not more than Five Hundred Dollars (\$500.00) for the first offense and not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for any subsequent offense.

(3) Any owner, operator or driver of any vehicle, who is required by any law or by any rule or regulation of the commission or the department to stop at any inspection station or submit to an inspection, who willfully fails or refuses to do so, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than One Hundred Dollars (\$100.00), or more than One Thousand Dollars (\$1000.00), or by confinement in the county jail for not more than thirty (30) days, or by both fine and jail sentence.

(4) Any individual, corporation or partnership operating a motor vehicle transporting hazardous material that is found to be in violation of any rule, regulation or requirement as provided by Section 77-7-16 shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than Two Hundred Dollars (\$200.00) or more than Five Hundred Dollars (\$500.00) for the first offense, and not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000.00) for each subsequent offense. Each day of violation shall constitute a separate offense.

(5) Any person operating or attempting to operate a motor vehicle which has been placed out of service by a motor carrier inspector shall be fined One Thousand Dollars (\$1,000.00).

SECTION 12. Section 77-7-331, Mississippi Code of 1972, is amended as follows:

77-7-331. The chief enforcement officer and the inspectors, employed pursuant to the authority granted in Section 77-1-21, shall be responsible for enforcing and investigating all alleged violations of this chapter, and the rules, regulations and general orders of the commission promulgated thereunder; however, beginning July 1, 2021, the enforcement and investigation of alleged violations of this chapter, and the rules, regulations and general orders promulgated thereunder, shall fall under the jurisdiction of the department, through the division. In the performance of their duties such employees shall give particular attention to the enforcement of the commission's or the department's safety rules and regulations; the provisions of this chapter applicable to rates, charges and practices of motor carriers; the provisions prohibiting unlawful preference, concession, rebate, or discrimination; the adequacy of service, equipment and facilities of motor carriers; and the requirements respecting certificate of public convenience and necessity or permits as set forth in this chapter.

SECTION 13. Section 77-7-333, Mississippi Code of 1972, is amended as follows:

77-7-333. After selection, the * * * enforcement officers and the inspectors of the division shall go through thirty (30) days of intensive instruction of the laws of this state pertaining to the Mississippi Department of Transportation and the Department of Public Safety, together with the rules and regulations of * * * both of these * * * agencies, and the laws of this state pertaining to arrest. The expenses of attending such school shall be paid out of the * * * monies appropriated by the Legislature to the department.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 14. Section 77-7-335, Mississippi Code of 1972, is amended as follows:

77-7-335. (1) All division inspectors on duty shall wear uniforms, shall have the right to bear arms, and shall have the authority to make arrests and hold and impound any vehicle and the contents thereof which is being operated in violation of this chapter or the commission's or the department's rules, regulations or general orders promulgated thereunder.

(2) All inspectors shall have the authority to enforce all of the laws, rules and regulations of the commission and the department under this chapter upon all highways in the state and the rights-of-way of such highways and other properties as defined in Section 77-7-261; except that if any person commits an offense in violation of this chapter or the rules and regulations of *** the commission or the department upon a highway in the state and be pursued by *** an enforcement officer or inspector of the *** division, such *** enforcement officer or inspector may pursue and apprehend such offender upon any of the highways in this state, or to any other place to which such offender may flee.

(3) All inspectors shall have the authority to aid and assist any law enforcement officer whose life or safety is in jeopardy and may arrest without warrant any fugitive from justice who has escaped or who is using the highways in the state in an attempt to flee. *** Inspectors of the *** division may assist other law enforcement agencies in searching for convicted felons who have escaped or for alleged felons where there is probable cause to believe that the person being sought committed the felony and a felony had actually been committed.

(4) Upon request of *** a sheriff of any county or the chief of police of any community *** , all division inspectors have the authority to assist in traffic control during time of natural disasters, such as hurricanes, tornados or floods.

SECTION 15. Section 77-7-337, Mississippi Code of 1972, is amended as follows:

77-7-337. The *** division is hereby authorized and empowered to purchase all necessary equipment to enforce the provisions of this chapter ***.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 16. Section 77-7-339, Mississippi Code of 1972, is amended as follows:

77-7-339. The *** reasonable and necessary expenses of *** the administration of the duties imposed on the commission by this chapter, shall be paid out of the special fund in the State Treasury designated as the commission's regulation fund, upon requisition and warrants in the same manner provided by law for the disbursements of

appropriations for the commission. An itemized account shall be kept of all receipts and expenditures and shall be reported to the Legislature by the commission.

From and after July 1, 2016, the expenses of this agency shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law.

From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 17. Section 77-7-341, Mississippi Code of 1972, is amended as follows:

77-7-341. For the purpose of administering * * * the provisions of this chapter, the commission * * * is directed to cooperate with and use the services of the * * * enforcement officers and inspectors of the * * * department, and the commission shall utilize the facilities and equipment of the inspection stations maintained by the * * * division. However, in utilizing these personnel and facilities, the commission shall not interfere with or impede the performance by the personnel of the duties and responsibilities otherwise assigned to them.

SECTION 18. Section 45-3-21, Mississippi Code of 1972, is amended as follows:

45-3-21. (1) The powers and duties of the Highway Safety Patrol shall be, in addition to all others prescribed by law, as follows:

(a) To enforce all of the traffic laws, rules and regulations of the State of Mississippi upon all highways of the state highway system and the rights-of-way of such highways; provided, however, that if any person commits an offense upon the state highway system and be pursued by a member of the Highway Safety Patrol, such patrol officer may pursue and apprehend such offender upon any of the highways or public roads of this state, or to any other place to which such offender may flee.

(b) To enforce all rules and regulations of the commissioner promulgated pursuant to legal authority.

(c) When so directed by the Governor, to enforce any of the laws of this state upon any of the highways or public roads thereof.

(d) Upon the request of the * * * Department of Revenue, and with the approval of the Governor, to enforce all of the provisions of law with reference to the registration, license and taxation of vehicles using the highways of this state, and relative to the sizes, weights and load limits of such vehicles, and to enforce the provisions of all other laws administered by the * * * Department of Revenue upon any of the highways or public roads of this state; and for such purpose the Highway Safety Patrol shall have the authority to collect and receive all taxes which may be due under any of such laws, and to report and remit same to the * * * Department of Revenue in the manner required by law, or the rules and regulations of the * * * Department of Revenue.

(e) * * * Upon request of the Commercial Transportation Enforcement Division within the Department of Public Safety, and when so instructed by the commissioner, to enforce * * * the Mississippi Motor Carrier Regulatory Law of 1938 and rules and regulations promulgated thereunder.

(f) To arrest without warrant any person or persons committing or attempting to commit any misdemeanor, felony or breach of the peace within their presence or view, and to pursue and so arrest any person committing such an offense to and at any place in the State of Mississippi where he may go or be. Nothing herein shall be construed as granting the Mississippi Highway Safety Patrol general police powers.

(g) To aid and assist any law enforcement officer whose life or safety is in jeopardy. Additionally, officers of the Highway Safety Patrol may arrest without warrant any fugitive from justice who has escaped or who is using the highways of the state in an attempt to flee. With the approval of the commissioner or his designee, officers of the Highway Safety Patrol may assist other law enforcement agencies in manhunts for convicted felons who have escaped and/or for alleged felons where there is probable cause to believe that the person being sought committed the felony and a felony had actually been committed.

(h) To cooperate with the State Forest Service by reporting all forest fires.

(i) Upon request of the sheriff or his designee, or board of supervisors of any county or the chief of police or mayor of any municipality, and when so instructed by the commissioner or his designee, to respond to calls for assistance in a law enforcement incident; such request and action shall be noted and clearly reflected on the radio logs of both the Mississippi Highway Safety Patrol district substation and that of the requesting agency, entered on the local NCIC terminal, if available, and a request in writing shall follow within forty-eight (48) hours. Additionally, the time of commencement and termination of the specific law enforcement incident shall be clearly noted on the radio logs of both law enforcement agencies.

(2) The Legislature declares that the primary law enforcement officer in any county in the State of Mississippi is the duly qualified and elected sheriff thereof, but for the purposes of this subsection there is hereby vested in the Department of Public Safety, in addition to the powers hereinabove mentioned and the other provisions of this section under the terms and limitations hereinafter mentioned and for the purpose of insuring domestic tranquility and for the purpose of preventing or suppressing, or both, crimes of violence, acts and conduct calculated to, or which may, provoke or lead to violence and/or incite riots, mobs, mob violence, a breach of the peace, and acts of intimidation or terror, the powers and duties to include the enforcement of all the laws of the State of Mississippi relating to such purposes, to investigate any violation of the laws of the State of Mississippi and to aid in the arrest and prosecution of persons charged with violating the laws of the State of Mississippi which relate to such purposes. Investigators of the Bureau of Investigation of the Department of Public Safety shall have general police powers to enforce all the laws of the State of Mississippi. All officers of the Department of Public Safety charged with the enforcement of the laws administered by that agency, for the purposes herein set forth, shall have full power to investigate, prevent, apprehend and arrest law violators anywhere in the state, and shall be vested with the power of general police officers in the performance of their duties. The officers of the Department of Public Safety are authorized and empowered to carry and use firearms and other weapons deemed necessary in the discharge of their duties as such and are also empowered to serve warrants and subpoenas issued under the authority of the State of Mississippi. The Governor shall be authorized to offer and pay suitable rewards to persons aiding in the investigation, apprehension and conviction of persons charged with acts of violence, or threats of violence or intimidation or acts of terrorism. The additional powers herein granted to or vested in the Department of Public Safety or any of its officers or employees by this section, excepting investigating powers, and those powers of investigators who shall have general police power, being the investigators in the Bureau of Investigation of the Department of Public Safety, shall not be exercised by the Department of Public Safety, or any of its officers or employees, except upon authority and direction of the Governor or Acting Governor, by proclamation duly signed, in the following instances, to wit:

(a) When requested by the sheriff or board of supervisors of any county or the mayor of any municipality on the grounds that mob violence, crimes of violence, acts and conduct of terrorism, riots or acts of intimidation, or either, calculated to or which may provoke violence or incite riots, mobs, mob violence, violence, or lead to any breach of the peace, or either, and acts of intimidation or terror are anticipated, and when such acts

or conduct in the opinion of the Governor or Acting Governor would provoke violence or any of the foregoing acts or conduct set out in this subsection, and the sheriff or mayor, as the case may be, lacks adequate police force to prevent or suppress the same.

(b) Acting upon evidence submitted to him by the Department of Public Safety, or other investigating agency authorized by the Governor or Acting Governor to make such investigations, because of the failure or refusal of the sheriff of any county or mayor of any municipality to take action or employ such means at his disposal, to prevent or suppress the acts, conduct or offenses provided for in subsection (1) of this section, the Governor or Acting Governor deems it necessary to invoke the powers and authority vested in the Department of Public Safety.

(c) The Governor or Acting Governor is hereby authorized and empowered to issue his proclamation invoking the powers and authority vested by this paragraph, as provided in paragraphs (a) and (b) of this subsection, and when the Governor or Acting Governor issues said proclamation in accordance herewith, said proclamation shall become effective upon the signing thereof and shall continue in full force and effect for a period of ninety (90) days, or for a shorter period if otherwise ordered by the Governor or Acting Governor. At the signing of the proclamation by the Governor or Acting Governor, the Department of Public Safety and its officers and employees shall thereupon be authorized to exercise the additional power and authority vested in them by this paragraph. The Governor and Acting Governor may issue additional proclamations for periods of ninety (90) days each under the authority of paragraphs (a) and (b) of this subsection (2).

(3) All proclamations issued by the Governor or Acting Governor shall be filed in the Office of the Secretary of State on the next succeeding business day.

(4) It is not the intention of this section to vest the wide powers and authority herein provided for, as general powers of the Department of Public Safety, and the same are not hereby so vested, but to limit these general powers to cases and incidents wherein it is deemed necessary to prevent or suppress the offenses and conditions herein mentioned in this and other subsections of this section, and under the terms and conditions hereinabove enumerated, it being the sense of the Legislature that the prime duties of the Department of Public Safety are to patrol the highways of this state and enforce the highway safety laws.

(5) Patrol officers shall have no interest in any costs in the prosecution of any case through any court; nor shall any patrol officer receive any fee as a witness in any court held in this state, whether a state or federal court.

(6) Provided, however, that the general police power vested by virtue of the terms of subsection (2) of this section is solely for the purposes set out in said subsection.

SECTION 19. Section 27-19-89, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2023, this section shall read as follows:]

27-19-89. (a) If any nonresident owner or operator or other nonresident person eligible for a temporary permit as provided in Section 27-19-79, who has not elected to register and pay the annual privilege taxes prescribed, shall enter or go upon the public highways of the state and shall fail or refuse to obtain the permit required by Section 27-19-79, such person shall be liable, for the first such offense, for the full amount of the permit fee required, plus a penalty thereon of five hundred percent (500%). For the second and all subsequent offenses, such person who fails or refuses to obtain such permits shall be liable for the pro rata part of the annual tax for the balance of the tag year for the maximum legal gross weight of the vehicle plus a penalty thereon of twenty-five percent (25%). Any weight in excess of the maximum legal gross weight of the vehicle, or in excess of the maximum highway weight limit, shall be penalized according to

subsection (c) of this section. In either case the excess weight shall be removed by the operator before the vehicle can be allowed to proceed. In order to constitute a "second or subsequent offense" under the provisions hereof, it shall not be necessary that the same or identical vehicle be involved, it being the declared purpose hereof to provide that such penalties shall run against the owner or operator rather than against the specified vehicle. It is further provided that, in order for such owner or operator to become liable for the penalties herein provided, it shall not be necessary to show that such owner or operator was guilty of willfulness, gross negligence or wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(b) If any person who has registered his vehicle in Mississippi shall operate such vehicle upon the public highways, having a gross weight greater than the licensed gross weight of such vehicle, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, or if any person shall operate any such registered vehicle upon the public highways in a higher classification than that for which it is registered, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, then such person shall be liable for the pro rata part of the annual tax for the balance of the tag year for the legal gross weight of such vehicle and in the classification in which same is being operated, plus a penalty thereon of twenty-five percent (25%), after having been given credit for the unexpired part of the privilege tax paid, as provided in Section 27-19-75. In order that such owner or operator shall become liable for the penalties herein provided, it shall not be necessary to show that such owner or operator was guilty of willfulness, gross negligence or wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(c) If any person shall operate upon a highway of this state a vehicle which has a greater vehicle gross weight than the maximum gross weight limit established by law for that highway and shall have failed to obtain an overload permit as required by Section 27-19-81, or if any person shall operate a vehicle with a greater load on any axle or axle grouping than allowed by law, then such person, owner or operator shall be assessed a penalty on such axle load weight or vehicle gross weight as exceeds the legal limit in accordance with the following schedule:

AMOUNT IN EXCESS OF

LEGAL HIGHWAY WEIGHT

LIMITS IN POUNDS	PENALTY
1 to 999	\$10.00 minimum penalty
1,000 to 1,999	1¢ per pound in excess of legal limit
2,000 to 2,999	2¢ per pound in excess of legal limit
3,000 to 3,999	3¢ per pound in excess of legal limit
4,000 to 4,999	4¢ per pound in excess of legal limit
5,000 to 5,999	5¢ per pound in excess of legal limit
6,000 to 6,999	6¢ per pound in excess of legal limit
7,000 to 7,999	7¢ per pound in excess of legal limit
8,000 to 8,999	8¢ per pound in excess of legal limit
9,000 to 9,999	9¢ per pound in excess of legal limit

10,000 to 10,999 10¢ per pound in excess of legal limit

11,000 or more 11¢ per pound in excess of legal limit

Any vehicle in violation of the tolerance allowed pursuant to Section 63-5-33(3) shall be fined pursuant to this subsection (c) for all weight in excess of the legal highway gross weight limit authorized for such vehicle or for all weight in excess of the legal tandem axle load weight limit of forty thousand (40,000) pounds and the legal single axle load limit of twenty thousand (20,000) pounds, whichever the case may be.

The penalty to be assessed for operations of a vehicle with a greater load on any axle or axle grouping than the legal axle load weight limits shall be one-half (1/2) the penalty for operation in excess of the legal gross weight limit.

In instances where both the legal highway gross weight limit and the legal axle load weight limit(s) are exceeded, the fine that shall be levied shall be either the penalty amount for the excess vehicle gross weight or the total of the penalty amounts of all overloaded axles, whichever is the larger amount.

Notwithstanding any other provisions of this section to the contrary, the fine assessed against the holder of a harvest permit for exceeding a gross vehicle weight of eighty-four thousand (84,000) pounds, but not exceeding a gross vehicle weight of ninety thousand (90,000) pounds, shall be Five Cents (5¢) per pound * * *. The fine for exceeding a gross vehicle weight of ninety thousand (90,000) pounds, but not exceeding a gross vehicle weight of one hundred thousand (100,000) pounds, shall be One Thousand Five Hundred Dollars (\$1,500.00). The fine for exceeding a gross vehicle weight of one hundred thousand (100,000) pounds shall be Two Thousand Five Hundred Dollars (\$2,500.00) for a first violation during any twelve-month period and Three Thousand Five Hundred Dollars (\$3,500.00) for a second violation during any twelve-month period. Any subsequent violation of exceeding a gross vehicle weight of one hundred thousand (100,000) pounds during any twelve-month period shall result in the suspension of the permit holder's harvest permit for thirty (30) days from the date of violation.

Notwithstanding any other provision of this subsection (c) to the contrary, upon an appeal to the Appeals Board of the * * * Commercial Transportation Enforcement Division of the Department of Public Safety by an owner or operator of a vehicle hauling without a harvest permit any of the products or materials described in subsection (3) of Section 63-5-33 and upon whom a penalty has been assessed under this subsection (c) for exceeding the legal weight limit(s) on a highway having a legal weight limit of eighty thousand (80,000) pounds or less, the appeals board shall reduce the penalty assessed against such owner/operator to an amount not to exceed ten percent (10%) of the amount which would otherwise be due without the reduction authorized under this paragraph. A reduction shall not be authorized under this paragraph if the gross weight of the vehicle for which an owner/operator has been charged with a violation of this section exceeds eighty-four thousand (84,000) pounds; and, in any event, no reduction shall be authorized under this paragraph unless a penalty assessed under this section is appealed to the appeals board and unless the board determines, based upon its records, that such owner/operator has not been granted a penalty reduction under this paragraph within a period of twelve (12) months immediately preceding the date of filing an appeal with the board for a penalty reduction under this paragraph.

(d) If any nonresident owner or operator who has not registered his vehicle and paid the annual privilege taxes prescribed shall operate his vehicle upon the highways of this state when such vehicle has a greater gross weight than permitted by law for the highway traveled upon, and for which such excess gross weight a permit was not or could not be procured from the transportation department as required by Section 27-19-81, such person shall be liable upon his second and all subsequent offenses for the pro rata part of the annual tax for the balance of the tag year for the legal gross weight of the vehicle,

and in addition thereto the penalty fee on the excess weight as specified in subsection (c) of this section. In order that such owner or operator shall become liable for the penalties herein provided, it shall not be necessary that the same or identical vehicle be involved, it being the declared purpose hereof to provide that such penalties shall run against the owner or operator rather than against the specific vehicle.

(e) All fines and penalties imposed and collected by the Mississippi Department of * * * Public Safety for violations of the maximum legal vehicle weight limits authorized on the highways of this state shall be deposited into a special fund that is created in the State Treasury. Monies in the fund shall be allocated and distributed quarterly, beginning September 30, 1994, to each county of the state based on the amount of such fines and penalties imposed and collected in the county during the immediately preceding three (3) months. Monies distributed to the counties under this subsection shall be deposited in each county's road and bridge fund and may be expended, upon approval of the board of supervisors, for any purpose for which county road and bridge fund monies lawfully may be expended.

[From and after July 1, 2023, this section shall read as follows:]

27-19-89. (a) If any nonresident owner or operator or other nonresident person eligible for a temporary permit as provided in Section 27-19-79, who has not elected to register and pay the annual privilege taxes prescribed, shall enter or go upon the public highways of the state and shall fail or refuse to obtain the permit required by Section 27-19-79, such person shall be liable, for the first such offense, for the full amount of the permit fee required, plus a penalty thereon of five hundred percent (500%). For the second and all subsequent offenses, such person who fails or refuses to obtain such permits shall be liable for the pro rata part of the annual tax for the balance of the tag year for the maximum legal gross weight of the vehicle plus a penalty thereon of twenty-five percent (25%). Any weight in excess of the maximum legal gross weight of the vehicle, or in excess of the maximum highway weight limit, shall be penalized according to subsection (c) of this section. In either case the excess weight shall be removed by the operator before the vehicle can be allowed to proceed. In order to constitute a "second or subsequent offense" under the provisions hereof, it shall not be necessary that the same or identical vehicle be involved, it being the declared purpose hereof to provide that such penalties shall run against the owner or operator rather than against the specified vehicle. It is further provided that, in order for such owner or operator to become liable for the penalties herein provided, it shall not be necessary to show that such owner or operator was guilty of willfulness, gross negligence or wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(b) If any person who has registered his vehicle in Mississippi shall operate such vehicle upon the public highways, having a gross weight greater than the licensed gross weight of such vehicle, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, or if any person shall operate any such registered vehicle upon the public highways in a higher classification than that for which it is registered, and shall fail or refuse to obtain a permit therefor as required by Section 27-19-79, then such person shall be liable for the pro rata part of the annual tax for the balance of the tag year for the legal gross weight of such vehicle and in the classification in which same is being operated, plus a penalty thereon of twenty-five percent (25%), after having been given credit for the unexpired part of the privilege tax paid, as provided in Section 27-19-75. In order that such owner or operator shall become liable for the penalties herein provided, it shall not be necessary to show that such owner or operator was guilty of willfulness, gross negligence or wantonness, but the offense shall be complete upon the failure or refusal to obtain the required permit.

(c) If any person shall operate upon a highway of this state a vehicle which has a greater vehicle gross weight than the maximum gross weight limit established by law for that highway and shall have failed to obtain an overload permit as required by Section 27-19-81, or if any person shall operate a vehicle with a greater load on any axle or axle

grouping than allowed by law, then such person, owner or operator shall be assessed a penalty on such axle load weight or vehicle gross weight as exceeds the legal limit in accordance with the following schedule:

AMOUNT IN EXCESS OF LEGAL HIGHWAY WEIGHT	
LIMITS IN POUNDS	PENALTY
1 to 999	\$10.00 minimum penalty
1,000 to 1,999	1¢ per pound in excess of legal limit
2,000 to 2,999	2¢ per pound in excess of legal limit
3,000 to 3,999	3¢ per pound in excess of legal limit
4,000 to 4,999	4¢ per pound in excess of legal limit
5,000 to 5,999	5¢ per pound in excess of legal limit
6,000 to 6,999	6¢ per pound in excess of legal limit
7,000 to 7,999	7¢ per pound in excess of legal limit
8,000 to 8,999	8¢ per pound in excess of legal limit
9,000 to 9,999	9¢ per pound in excess of legal limit
10,000 to 10,999	10¢ per pound in excess of legal limit
11,000 or more	11¢ per pound in excess of legal limit

Any vehicle in violation of the tolerance allowed pursuant to Section 63-5-33(3) shall be fined pursuant to this subsection (c) for all weight in excess of the legal highway gross weight limit authorized for such vehicle or for all weight in excess of the legal tandem axle load weight limit of forty thousand (40,000) pounds and the legal single axle load limit of twenty thousand (20,000) pounds, whichever the case may be.

The penalty to be assessed for operations of a vehicle with a greater load on any axle or axle grouping than the legal axle load weight limits shall be one-half (1/2) the penalty for operation in excess of the legal gross weight limit.

In instances where both the legal highway gross weight limit and the legal axle load weight limit(s) are exceeded, the fine that shall be levied shall be either the penalty amount for the excess vehicle gross weight or the total of the penalty amounts of all overloaded axles, whichever is the larger amount.

Notwithstanding any other provisions of this section to the contrary, the fine assessed against the holder of a harvest permit for exceeding a gross vehicle weight of * * * eighty-eight thousand (88,000) pounds * * * shall be broken down as follows:

WEIGHT IN POUNDS	PENALTY
88,001 to 89,999	5¢ per pound
90,000 to 90,999	\$ 500.00

91,000 to 91,999	\$1,000.00
92,000 to 100,000	\$1,500.00

For a weight of over one hundred thousand (100,000) pounds, the penalty shall be Two Thousand Five Hundred Dollars (\$2,500.00) for a first violation within any twelve-month period, Three Thousand Five Hundred Dollars (\$3,500.00) for a second violation within any twelve-month period, and the loss of the harvest permit for a period of thirty (30) days from the date of the violation for a third violation within any twelve-month period.

Notwithstanding any other provision of this subsection (c) to the contrary, upon an appeal to the Appeals Board of the Commercial Transportation Enforcement Division of the Department of Public Safety, by an owner or operator of a vehicle hauling without a harvest permit any of the products or materials described in subsection (3) of Section 63-5-33 and upon whom a penalty has been assessed under this subsection (c) for exceeding the legal weight limit(s) on a highway having a legal weight limit of eighty thousand (80,000) pounds or less, the appeals board shall reduce the penalty assessed against such owner/operator to an amount not to exceed ten percent (10%) of the amount which would otherwise be due without the reduction authorized under this paragraph. A reduction shall not be authorized under this paragraph if the gross weight of the vehicle for which an owner/operator has been charged with a violation of this section exceeds * * * eighty-eight thousand (88,000) pounds; and, in any event, no reduction shall be authorized under this paragraph unless a penalty assessed under this section is appealed to the appeals board and unless the board determines, based upon its records, that such owner/operator has not been granted a penalty reduction under this paragraph within a period of twelve (12) months immediately preceding the date of filing an appeal with the board for a penalty reduction under this paragraph.

(d) If any nonresident owner or operator who has not registered his vehicle and paid the annual privilege taxes prescribed shall operate his vehicle upon the highways of this state when such vehicle has a greater gross weight than permitted by law for the highway traveled upon, and for which such excess gross weight a permit was not or could not be procured from the transportation department as required by Section 27-19-81, such person shall be liable upon his second and all subsequent offenses for the pro rata part of the annual tax for the balance of the tag year for the legal gross weight of the vehicle, and in addition thereto the penalty fee on the excess weight as specified in subsection (c) of this section. In order that such owner or operator shall become liable for the penalties herein provided, it shall not be necessary that the same or identical vehicle be involved, it being the declared purpose hereof to provide that such penalties shall run against the owner or operator rather than against the specific vehicle.

(e) All fines and penalties imposed and collected by the Mississippi Department of Public Safety, for violations of the maximum legal vehicle weight limits authorized on the highways of this state shall be deposited into a special fund that is created in the State Treasury. Monies in the fund shall be allocated and distributed quarterly, beginning September 30, 1994, to each county of the state based on the amount of such fines and penalties imposed and collected in the county during the immediately preceding three (3) months. Monies distributed to the counties under this subsection shall be deposited in each county's road and bridge fund and may be expended, upon approval of the board of supervisors, for any purpose for which county road and bridge fund monies lawfully may be expended.

SECTION 20. Section 19-11-27, Mississippi Code of 1972, is amended as follows:

19-11-27. No board of supervisors of any county shall expend from, or contract an obligation against, the budget estimates for road and bridge construction, maintenance and equipment, made and published by it during the last year of the term of office of such board, between the first day of October and the first day of the following January, a sum

exceeding one-fourth (1/4) of such item of the budget made and published by it, except in cases of emergency. The clerk of any county is prohibited from issuing any warrant contrary to the provisions of this section. No board of supervisors nor any member thereof shall buy any machinery or equipment in the last six (6) months of their or his term unless or until he has been elected at the general election of that year. The provisions of this section shall not apply to (i) until January 1, 2020, projects of any type that receive monies from the Local System Bridge Replacement and Rehabilitation Program, the Emergency Road and Bridge Repair Fund, the 2018 Transportation and Infrastructure Improvement Fund or the Gulf Coast Restoration Fund and (ii) to expenditures during calendar year 2019 on deficient bridges in the State Aid Road System or the Local System Road Program that have a sufficiency rating of less than fifty (50) or to a contract, lease or lease-purchase contract executed pursuant to the bidding requirements in Section 31-7-13 and approved by a unanimous vote of the board. Such unanimous vote shall include a statement indicating the board's proclamation that the award of the contract is essential to the efficiency and economy of the operation of the county government. On and after July 1, 2021, through June 30, 2023, the provisions of this section shall not apply to projects of any type that receive monies from the Emergency Road and Bridge Repair Fund.

SECTION 21. Section 63-5-33, Mississippi Code of 1972, is amended as follows:

63-5-33. (1) Subject to the limitations imposed on wheel and axle loads by Section 63-5-27, and to the further limitations hereinafter specified, the total combined weight (vehicles plus load) on any group of axles of a vehicle or a combination of vehicles shall not exceed the value given in the following table (Table III) corresponding to the distance in feet between the extreme axles of the group, measured longitudinally to the nearest foot, on those highways or parts of highways designated by the Mississippi Transportation Commission as being capable of carrying the maximum load limits and, in addition thereto, such other highways or parts of highways found by the commission to be suitable to carry the maximum load limits from an engineering standpoint, and so designated as such by order of the commission entered upon its minutes and published once each week for three (3) consecutive weeks in a daily newspaper published in this state and having a general circulation therein. The maximum total combined weight carried on any group of two (2) or more consecutive axles shall be determined by the formula contained in the Federal Weight Law enacted January 4, 1975, as follows: $W=500 (LN/N-1+12N+36)$ where W =maximum weight in pounds carried on any group of two (2) or more axles computed to the nearest five hundred (500) pounds, L =distance in feet between the extremes of any group of two (2) or more consecutive axles, and N =number of axles in any group under consideration.

TABLE III

DISTANCE	
IN FEET	
BETWEEN THE	
EXTREMES OF	
ANY GROUP	
OF 2 OR MORE	
CONSECUTIVE	MAXIMUM LOAD IN POUNDS CARRIED ON ANY
AXLES	GROUP OF 2 OR MORE CONSECUTIVE AXLES
2 axles	3 axles
4 axles	5 axles
6 axles	7 axles

4 34,000

5 34,000

6 34,000 Axle groups in

7 34,000

8 and

less 34,000 34,000 these spacings

More

than

8 38,000 42,000

9 39,000 42,500

10 40,000 43,500 impractical

11 44,000

12 45,000 50,000

13 45,500 50,500

14 46,500 51,500

15 47,000 52,000

16 48,000 52,500 58,000

17 48,500 53,500 58,500

18 49,500 54,000 59,000

19 50,000 54,500 60,000

20 51,000 55,500 60,500 66,000

21 51,500 56,000 61,000 66,500

22 52,500 56,500 61,500 67,000

23 53,000 57,500 62,500 68,000

24 54,000 58,000 63,000 68,500 74,000

25 54,500 58,500 63,500 69,000 74,500

26 55,500 59,500 64,000 69,500 75,000

27 56,000 60,000 65,000 70,000 75,500

28 57,000 60,500 65,500 71,000 76,500

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29	57,500	61,500	66,000	71,500	77,000
30	58,500	62,000	66,500	72,000	77,500
31	59,000	62,500	67,500	72,500	78,000
32	60,000	63,500	68,000	73,000	78,500
33		64,000	68,500	74,000	79,000
34		64,500	69,000	74,500	80,000
35		65,500	70,000	75,000	80,000
36		66,000	70,500	75,500	80,000
37		66,500	71,000	76,000	80,000
38		67,500	71,500	77,000	80,000
39		68,000	72,500	77,500	80,000
40		68,500	73,000	78,000	80,000
41		69,500	73,500	78,500	80,000
42		70,000	74,000	79,000	80,000
43		70,500	75,000	80,000	80,000
44		71,500	75,500	80,000	80,000
45		72,000	76,000	80,000	80,000
46		72,500	76,500	80,000	80,000
47		73,500	77,500	80,000	80,000
48		74,000	78,000	80,000	80,000
49		74,500	78,500	80,000	80,000
50		75,500	79,000	80,000	80,000
51		76,000	80,000	80,000	80,000
52		76,500	80,000	80,000	80,000
53		77,500	80,000	80,000	80,000
54		78,000	80,000	80,000	80,000
55		78,500	80,000	80,000	80,000
56		79,500	80,000	80,000	80,000
57		80,000	80,000	80,000	80,000

(2) Moreover, in addition to the per axle weight limitations specified by Section 63-5-27, two (2) consecutive sets of tandem axles may carry a gross load of thirty-four thousand (34,000) pounds each, providing that the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six (36) feet or more, except that, until September 1, 1989, the axle distance for tank trailers, dump trailers and ocean transport container haulers may be thirty (30) feet or more. Such overall gross weight may not exceed eighty thousand (80,000) pounds, except as provided by this section.

(3) Notwithstanding the provisions of Section 63-5-27 and/or Section 63-5-29 to the contrary, vehicles hauling products in the manner set forth in this subsection, whether or not such vehicles are operating with a harvest permit, shall be allowed a gross weight of not to exceed forty thousand (40,000) pounds on any tandem. Vehicles operating without a harvest permit shall be allowed a tolerance not to exceed five percent (5%) above their authorized gross vehicle weight, tandem or axle weight; except that the maximum gross vehicle weight of any such vehicle shall not exceed eighty thousand (80,000) pounds plus a tolerance thereon of not more than two percent (2%). Vehicles operating without a harvest permit loading at a point of origin having scales available for weighing the vehicle shall not be eligible for any tolerance over the gross weight limit of eighty thousand (80,000) pounds. Vehicles operating with a harvest permit shall be allowed a tolerance not to exceed ten percent (10%) above their authorized gross vehicle weight, tandem or axle weight, but the maximum gross vehicle weight of any such vehicle shall not exceed * * * eighty-eight thousand (88,000) pounds. However, neither the increased weights in this subsection nor any tolerance shall be allowed on federal interstate highways or on other highways where a tolerance is specifically prohibited by the Transportation Commission, the county board of supervisors or the municipal governing authorities as provided for in Section 63-5-27. The tolerance allowed by this subsection shall only apply to the operation of vehicles from the point of loading to the point of unloading for processing, and to the operation of vehicles hauling sand, gravel, woodchips, wood shavings, sawdust, fill dirt, and agricultural products, and products for recycling or materials for the construction or repair of highways. The range of such operation shall not exceed a radius of one hundred (100) miles except where the products are being transported for processing within this state.

(4) Notwithstanding the provisions of Section 63-5-27 and/or Section 63-5-29 to the contrary, vehicles hauling prepackaged products, unloaded at a state port or to be loaded at a state port, which are containerized in such a manner as to make subdivision thereof impractical shall be allowed a gross weight of not to exceed forty thousand (40,000) pounds on any tandem, and a tolerance not to exceed ten percent (10%) above their authorized gross weight, tandem or axle weight; except that the maximum weight of any vehicle shall not exceed eighty thousand (80,000) pounds plus a tolerance thereon of not more than two percent (2%); however, neither the increased weights in this subsection nor any tolerance shall be allowed on federal interstate highways or on other highways where a tolerance is specifically prohibited by the Transportation Commission, the county board of supervisors or the municipal governing authorities as provided for in Section 63-5-27.

(5) (a) Vehicles for which a harvest permit has been issued pursuant to Section 27-19-81(4) shall be allowed a gross vehicle weight tolerance of ten percent (10%), not to exceed * * * eighty-eight thousand (88,000) pounds. However, the board of supervisors of any county and the governing authorities of any municipality may designate the roads, streets and highways under their respective jurisdiction on and along which vehicles for which a harvest permit has been issued may travel. This subsection shall not apply to the federal interstate system.

(b) Any owner or operator who has been issued a harvest permit and who wishes to operate a vehicle on the roads, streets or highways under the jurisdiction of a county or municipality at a gross vehicle weight greater than the weight allowed by law or greater than the maximum weight established for such roads, streets or highways by the board of supervisors or municipal governing authorities, shall notify, in writing, the board

of supervisors or the governing authorities, as the case may be, before operating such vehicle on the roads, streets or highways of such county or municipality. In his notice, the permit holder shall identify the routes over which he intends to operate vehicles for which the permit has been issued and the dates or time period during which he will be operating such vehicles. The board of supervisors or the governing authorities, as the case may be, shall have two (2) working days to respond in writing to the permit holder to notify the permit holder of the routes on and along which the permit holder may operate vehicles for which a harvest permit has been issued. Failure of the board of supervisors or the governing authorities timely to notify the permit holder and to designate the routes on and along which the permit holder may operate shall be considered as authorizing the permit holder to operate on any of the roads, streets or highways of the county or municipality in accordance with the authority granted to the permit holder by the harvest permit.

(c) Any time a timber deed is filed with the chancery clerk, the grantee, at that time, may make a written request of the board of supervisors of the county or the governing authorities of the municipality, as the case may be, for the purpose of providing to the grantee, within three (3) working days of the filing of the request, a designated and approved route over the roads, streets or highways under the jurisdiction of the county or city, as the case may be, that the grantee may travel for the purpose of transporting harvested timber. Upon providing such route designation, the county or city, as the case may be, shall also provide to the grantee a map designating the approved route. An approved route designation provided to a grantee under the provisions of this paragraph shall be valid for a period of six (6) months from its date of issue. The permit authorized to be issued under paragraph (b) of this subsection shall not be required for any person who obtains a permit issued under this paragraph.

(d) This subsection (5) shall stand repealed from and after July 1, 2022.

(6) Nothing in this section or subsections (1) through (4) of Section 63-5-27 shall be construed to deny the operation of any vehicle or combination of vehicles that could be lawfully operated upon the interstate highway system of this state on January 4, 1975.

(7) (a) Notwithstanding any provisions of Section 63-5-27 to the contrary, a vehicle that is operated by an engine fueled primarily by compressed or liquefied natural gas may exceed the gross vehicle weight limits by an amount, not to exceed a maximum of two thousand (2,000) pounds, that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by the vehicle and the weight of a comparable diesel tank and fueling system.

(b) The weight exception provided in this subsection shall apply to all interstate highways per the exemption expressly permitted by 23 USC Section 127.

SECTION 22. Section 65-1-46, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2023, this section shall read as follows:]

65-1-46. (1) There is created an Appeals Board of the Mississippi Transportation Commission. If any person feels aggrieved by a penalty for excess weight assessed against him by an agent or employee of the Mississippi Department of Transportation pursuant to Section 27-19-89, he may apply to the appeals board. Beginning July 1, 2021, the Appeals Board shall be administratively located within the Commercial Transportation Enforcement Division of the Mississippi Department of Public Safety and shall receive appeals with respect to penalties for excess weight assessed by agents or employees of the Commercial Transportation Enforcement Division.

(2) The members serving on the appeals board on April 7, 1995, shall continue to serve until July 1, 1995. On July 1, 1995, the appeals board shall be reconstituted to be composed of five (5) qualified people. The initial appointments to the reconstituted board shall be made no later than June 30, 1995, for terms to begin July 1, 1995, as follows:

One (1) member shall be appointed by the Governor for a term ending on June 30, 1996, one (1) member shall be appointed by the Lieutenant Governor for a term ending on June 30, 1997, one (1) member shall be appointed by the Attorney General for a term ending on June 30, 1998, one (1) member shall be appointed by the Chairman of the State Tax Commission for a term ending on June 30, 1999, and one (1) member shall be appointed by the Executive Director of the Mississippi Department of Transportation for a term ending on June 30, 2000. After the expiration of the initial terms of the members of the reconstituted board, all subsequent appointments shall be made for terms of four (4) years from the expiration date of the previous term. Any member serving on the appeals board before July 1, 1995, may be reappointed to the reconstituted appeals board. Appointments to the board shall be with the advice and consent of the Senate; however, the advice and consent of the Senate shall not be required for the appointment of a person to the reconstituted appeals board for a term beginning on July 1, 1995, if such person was serving as a member of the appeals board on June 30, 1995, and such person received the advice and consent of the Senate for that appointment. The term of the member appointed by the Executive Director of the Mississippi Department of Transportation shall end on June 30, 2021, and the vacancy shall be filled by a member appointed by the Commissioner of Public Safety for a term ending on June 30, 2024, after which the position shall be for a four-year term.

(3) There shall be a chairman and vice chairman of the board who shall be elected by and from the membership of the board. Any member who fails to attend three (3) consecutive regular meetings of the board shall be subject to removal by a majority vote of the board. A majority of the members of the board shall constitute a quorum. The chairman, or a majority of the members of the board, may call meetings as may be required for the proper discharge of the board's duties. Members of the board, except a member who is an officer or employee of the Mississippi Department of Transportation or, beginning July 1, 2021, is an officer or employee of the Department of Public Safety, shall receive per diem in the amount authorized by Section 25-3-69, for each day spent in the actual discharge of their duties and shall be reimbursed for mileage and actual expenses incurred in the performance of their duties in accordance with the provisions of Section 25-3-41.

Application shall be made by petition in writing, within thirty (30) days after assessment of the penalty, for a hearing and a review of the amount of the assessment. At the hearing the appeals board shall try the issues presented according to the law and the facts and within guidelines set by the Transportation Commission or, beginning July 1, 2021, by the Department of Public Safety. Upon due consideration of all the facts relating to the assessment of the penalty, the appeals board, except as otherwise provided under this section or under Section 27-19-89, may require payment of the full amount of the assessment, may reduce the amount of the assessment or may dismiss imposition of the penalty entirely. The appeals board shall dismiss in its entirety the imposition of any penalty imposed against the holder of a harvest permit if the permittee proves to the appeals board, by clear and convincing evidence, that the average load transported by the permittee during the permittee's last five (5) haul days immediately preceding the day upon which the penalty appealed from was assessed did not exceed eighty thousand (80,000) pounds. The appeals board shall reduce the penalty assessed against the holder of a harvest permit to a maximum of Two Cents (2¢) per pound of overweight if the permittee proves to the appeals board, by clear and convincing evidence, that the average load transported by the permittee during the permittee's last five (5) haul days immediately preceding the day upon which the penalty appealed from was assessed exceeded seventy-nine thousand nine hundred ninety-nine (79,999) pounds but did not exceed eighty-four thousand (84,000) pounds. The board shall make such orders in the matter as appear to it just and lawful and shall furnish copies thereof to the petitioner. If the appeals board orders the payment of the penalty, the petitioner shall pay the penalty, damages and interest, if any, within ten (10) days after the order is issued unless there is an application for appeal from the decision of the board as provided in the succeeding paragraph. Interest shall accrue on the penalty at the rate of one percent (1%) per month, or part of a month, beginning immediately after the expiration of the ten-day period.

If any person feels aggrieved by the decision of the appeals board, he may appeal the decision to the Chancery Court of the First Judicial District of Hinds County.

[From and after July 1, 2023, this section shall read as follows:]

65-1-46. (1) There is created an Appeals Board of the Mississippi Transportation Commission. If any person feels aggrieved by a penalty for excess weight assessed against him by an agent or employee of the Mississippi Department of Transportation pursuant to Section 27-19-89, he may apply to the appeals board. Beginning July 1, 2021, the Appeals Board shall be administratively located within the Commercial Transportation Enforcement Division of the Mississippi Department of Public Safety and shall receive appeals with respect to penalties for excess weight assessed by agents or employees of the Commercial Transportation Enforcement Division.

(2) The members serving on the appeals board on April 7, 1995, shall continue to serve until July 1, 1995. On July 1, 1995, the appeals board shall be reconstituted to be composed of five (5) qualified people. The initial appointments to the reconstituted board shall be made no later than June 30, 1995, for terms to begin July 1, 1995, as follows: One (1) member shall be appointed by the Governor for a term ending on June 30, 1996, one (1) member shall be appointed by the Lieutenant Governor for a term ending on June 30, 1997, one (1) member shall be appointed by the Attorney General for a term ending on June 30, 1998, one (1) member shall be appointed by the Chairman of the State Tax Commission for a term ending on June 30, 1999, and one (1) member shall be appointed by the Executive Director of the Mississippi Department of Transportation for a term ending on June 30, 2000. After the expiration of the initial terms of the members of the reconstituted board, all subsequent appointments shall be made for terms of four (4) years from the expiration date of the previous term. Any member serving on the appeals board before July 1, 1995, may be reappointed to the reconstituted appeals board. Appointments to the board shall be with the advice and consent of the Senate; however, the advice and consent of the Senate shall not be required for the appointment of a person to the reconstituted appeals board for a term beginning on July 1, 1995, if such person was serving as a member of the appeals board on June 30, 1995, and such person received the advice and consent of the Senate for that appointment. The term of the member appointed by the Executive Director of the Mississippi Department of Transportation shall end on June 30, 2021, and the vacancy shall be filled by a member appointed by the Commissioner of Public Safety for a term ending on June 30, 2024, after which the position shall be for a four-year term.

(3) There shall be a chairman and vice chairman of the board who shall be elected by and from the membership of the board. Any member who fails to attend three (3) consecutive regular meetings of the board shall be subject to removal by a majority vote of the board. A majority of the members of the board shall constitute a quorum. The chairman, or a majority of the members of the board, may call meetings as may be required for the proper discharge of the board's duties. Members of the board, except a member who is an officer or employee of the Mississippi Department of Transportation or, beginning July 1, 2021, is an officer or employee of the Department of Public Safety, shall receive per diem in the amount authorized by Section 25-3-69, for each day spent in the actual discharge of their duties and shall be reimbursed for mileage and actual expenses incurred in the performance of their duties in accordance with the provisions of Section 25-3-41.

Application shall be made by petition in writing, within thirty (30) days after assessment of the penalty, for a hearing and a review of the amount of the assessment. At the hearing the appeals board shall try the issues presented according to the law and the facts and within guidelines set by the Transportation Commission or, beginning July 1, 2021, by the Department of Public Safety. Upon due consideration of all the facts relating to the assessment of the penalty, the appeals board, except as otherwise provided under this section or under Section 27-19-89, may require payment of the full amount of

the assessment, may reduce the amount of the assessment or may dismiss imposition of the penalty entirely. The appeals board shall dismiss in its entirety the imposition of any penalty imposed against the holder of a harvest permit if the permittee proves to the appeals board, by clear and convincing evidence, that the average load transported by the permittee during the permittee's last five (5) haul days immediately preceding the day upon which the penalty appealed from was assessed did not exceed eighty thousand (80,000) pounds. The appeals board shall reduce the penalty assessed against the holder of a harvest permit to a maximum of Two Cents (2¢) per pound of overweight if the permittee proves to the appeals board, by clear and convincing evidence, that the average load transported by the permittee during the permittee's last five (5) haul days immediately preceding the day upon which the penalty appealed from was assessed exceeded seventy-nine thousand nine hundred ninety-nine (79,999) pounds but did not exceed * * * a gross vehicle weight tolerance of ten percent (10%), not to exceed eighty-eight thousand (88,000) pounds. The board shall make such orders in the matter as appear to it just and lawful and shall furnish copies thereof to the petitioner. If the appeals board orders the payment of the penalty, the petitioner shall pay the penalty, damages and interest, if any, within ten (10) days after the order is issued unless there is an application for appeal from the decision of the board as provided in the succeeding paragraph. Interest shall accrue on the penalty at the rate of one percent (1%) per month, or part of a month, beginning immediately after the expiration of the ten-day period.

If any person feels aggrieved by the decision of the appeals board, he may appeal the decision to the Chancery Court of the First Judicial District of Hinds County.

SECTION 23. (1) There is established the Harvest Permit Transportation Stewardship Council to advise the Legislature on policy and to make best practices recommendations to harvest permit holders and receiving facilities for the purpose of deterring overweight hauling and protecting the state's infrastructure system.

(2) The council shall meet annually with the chairs of the Senate Agriculture Committee, the House Agriculture Committee, the Senate Forestry Committee, the House Forestry Committee, the Senate Highways and Transportation Committee, and the House Transportation Committee. In addition, the council shall provide reports and testimony to the Legislature upon request, which shall include, but not necessarily be limited to, baseline estimates of average weights hauled, content of commodities hauled, and estimated delivery period of the same.

(3) The council shall be composed of the following members:

- (a) The Lieutenant Governor, or his designee;
- (b) The Speaker of the House of Representatives, or his designee;
- (c) The Commissioner of Public Safety, or his designee;
- (d) The Executive Director of the Mississippi Department of Transportation, or her designee;
- (e) The State Aid Engineer;
- (f) The Commissioner of Agriculture and Commerce, or his designee;
- (g) The President of the Mississippi Forestry Association, or his designee;
- (h) The President of the Mississippi Poultry Association, or his designee;
- (i) The President of the Mississippi Farm Bureau, or his designee;

- designee;
- (j) The President of the Mississippi Cattlemen's Association, or his designee;
 - (k) The President of the Mississippi Loggers Association, or his designee;
 - (l) The President of the Mississippi Feed and Grain Association, or his designee;
 - (m) The Chairman of the Mississippi Trucking Association Board of Directors, or his designee;
 - (n) The President of the Delta Council, or his designee;
 - (o) The President of the Mississippi Association of Supervisors, or his designee;
 - (p) The President of the Mississippi Municipal League, or his designee;
 - (q) The Chairs of the Senate Highways and Transportation Committee and of the House Transportation Committee; and
 - (r) Two at-large members, one appointed by the Lieutenant Governor and one appointed by the Speaker of the House.

(4) Appointments to the council shall be made by August 1, 2021. At the first meeting, the council shall elect from among its membership a chairman, a vice chairman and any other officers determined to be necessary, and shall adopt rules for transacting business and keeping records.

(5) A majority of the members of the council shall constitute a quorum. In the adoption of rules, resolutions and reports, and in the election of a chairman, vice chairman and any other officers determined to be necessary, an affirmative vote of a majority of the members present shall be required.

(6) The Department of Public Safety shall provide the staff and other support necessary for the council to perform its duties.

(7) To effectuate the purposes of this section, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the chairman of the council, provide the facilities, assistance, information and data needed to enable the council to carry out its duties.

(8) The council shall be dissolved on July 1, 2023.

SECTION 24. On July 1, 2021, Eighty-nine Million Dollars (\$89,000,000.00) of Highway Infrastructure Program funds received by the state pursuant to the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 shall be transferred to the Emergency Road and Bridge Repair Fund created in Section 65-1-179.

SECTION 25. Section 1 of this act shall be codified in Title 77, Chapter 7, Mississippi Code of 1972.

SECTION 26. Section 21 of this act shall take effect and be in force from and after July 1, 2023, and the remaining sections of this act shall take effect and be in force from and after July 1, 2021.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO TRANSFER, ON JULY 1, 2021, LAW ENFORCEMENT PERSONNEL AND LAW ENFORCEMENT DUTIES OF THE MISSISSIPPI TRANSPORTATION COMMISSION AND MISSISSIPPI DEPARTMENT OF TRANSPORTATION RELATED TO THE MOTOR CARRIER REGULATORY LAW OF 1938 TO THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO CREATE THE DPS MOTOR CARRIER ENFORCEMENT FUND AS A SPECIAL FUND IN THE STATE TREASURY TO DEFRAY EXPENSES FOR OFFICERS' SALARIES AND OTHER COSTS TO IMPLEMENT AND ENFORCE THIS ACT; TO AMEND SECTIONS 77-7-7, 77-7-11, 77-7-13, 77-7-15, 77-7-16, 77-7-17, 77-7-21, 77-7-127, 77-7-311, 77-7-331, 77-7-333, 77-7-335, 77-7-337, 77-7-339, 77-7-341 AND 45-3-21, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 27-19-89, MISSISSIPPI CODE OF 1972, TO ADJUST THE PENALTIES FOR HARVEST PERMIT HOLDERS FOR WEIGHT LIMIT VIOLATIONS; TO CONFORM TO AN INCREASE IN THE WEIGHT TOLERANCE FOR HARVEST PERMITS, BEGINNING JULY 1, 2023, FROM 84,000 POUNDS TO 88,000 POUNDS; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO EXEMPT, FROM JULY 1, 2021, THROUGH JUNE 30, 2023, PROJECTS RECEIVING MONIES FROM THE EMERGENCY ROAD AND BRIDGE REPAIR FUND FROM LIMITATIONS ON CERTAIN EXPENDITURES FOR THE LAST YEAR OF THE TERM OF A COUNTY BOARD OF SUPERVISORS; TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO INCREASE, BEGINNING JULY 1, 2023, THE MAXIMUM GROSS VEHICLE WEIGHT TOLERANCE, FROM 84,000 POUNDS TO 88,000 POUNDS, WHICH IS FROM 5% TO 10% OF THE AUTHORIZED 80,000 POUNDS, FOR A VEHICLE OPERATING UNDER A HARVEST PERMIT; TO AMEND SECTION 65-1-46, MISSISSIPPI CODE OF 1972, TO TRANSFER THE APPEALS BOARD OF THE MISSISSIPPI TRANSPORTATION COMMISSION TO THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY; TO ESTABLISH THE HARVEST PERMIT TRANSPORTATION STEWARDSHIP COUNCIL TO ADVISE THE LEGISLATURE ON POLICY AND TO MAKE BEST PRACTICES RECOMMENDATIONS TO HARVEST PERMIT HOLDERS AND RECEIVING FACILITIES FOR THE PURPOSE OF DETERRING OVERWEIGHT HAULING AND PROTECTING THE STATE'S INFRASTRUCTURE SYSTEM; TO PROVIDE THAT THE COUNCIL SHALL BE DISSOLVED ON JULY 1, 2023; TO TRANSFER \$89,000,000.00 OF HIGHWAY INFRASTRUCTURE PROGRAM FUNDS RECEIVED BY THE STATE PURSUANT TO THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT OF 2021 TO THE EMERGENCY ROAD AND BRIDGE REPAIR FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Jenifer B. Branning

Mike Thompson

W. Briggs Hopson III

CONFEREES FOR THE HOUSE

Charles Busby

Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2825** (version 2) was adopted:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--37.

Nays--Barnett, Blackmon, Blount, Bryan, Butler, Frazier, Horhn, Jackson R. (11th), Jackson S. (32nd), Jordan, Norwood, Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting--Polk. Total--1.

Unanimous consent was granted to add Senators Parks, Younger, Suber, McCaughn, Chassaniol, Chism, Fillingane, Tate, Caughman, McMahan, Moran and McLendon as co-authors of **S. B. No. 2825**.

Senator Bryan moved that the rules be suspended for the consideration en bloc of S. N. No. 74, S. N. No. 9, S. N. No. 28, S. N. No. 41, S. N. No. 67, S. N. No. 55, S. N. No. 62, S. N. No. 68, S. N. No. 88, S. N. No. 34, S. N. No. 48, S. N. No. 84 and S. N. No. 94 and the motion prevailed.

Senator Bryan called up the following entitled nominations:

S. N. No. 74: Kenneth Charles (Ken) Lippincott, MD, Tupelo, Mississippi, Mississippi State Board of Medical Licensure to represent the Third Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026.

S. N. No. 9: Jane Stroble Miller, Meridian, Mississippi, Board of Directors for the Mississippi Industries for the Blind as an individual who is legally blind, term effective December 17, 2020 and ending December 17, 2024.

S. N. No. 28: Pshon Barrett, Jackson, Mississippi, Board of Directors for the Mississippi Industries for the Blind, term effective June 30, 2018 and ending June 30, 2022.

S. N. No. 41: Lauren Michelle Hegwood, Brandon, Mississippi, Board of Directors for the Mississippi Industries for the Blind, term effective July 1, 2020 and ending June 30, 2024.

S. N. No. 67: Jillian James Foster, Pharm.D., MBA, Olive Branch, Mississippi, State Board of Pharmacy to represent the First Congressional District as it existed on July 1, 2001, designated as Post 1, five year term beginning July 1, 2021 and ending June 30, 2026.

S. N. No. 55: John Daniel Davis, IV, MD, Flowood, Mississippi, State Board of Health as a Licensed Physician, term effective immediately and ending June 30, 2023, vice Ed D. "Tad" Barham, MD, FACR.

S. N. No. 62: Roderick Clarence (Rod) Givens, MD, Natchez, Mississippi, State Board of Medical Licensure to represent the Second Supreme Court District, unexpired term beginning immediately and ending June 30, 2026.

S. N. No. 68: Ryan Charles Harper, Pharm.D., Pelahatchie, Mississippi, State Board of Pharmacy to represent the Third Congressional District as it existed on July 1, 2001, designated as Post 3, five year term beginning July 1, 2021 and ending June 30, 2026.

S. N. No. 88: Michelle Yvette Taylor Owens, MD, Jackson, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026.

S. N. No. 34: Michael Ray (Mike) Patterson, D.C., Boyle, Mississippi, State Board of Chiropractic Examiners, term effective immediately and ending April 20, 2024, representing the Second Congressional District, vice Dr. Dottie Pernel.

S. N. No. 48: Warren G. Rossi, Corinth, Mississippi, State Board of Cosmetology as a Third Supreme Court District representative, term effective immediately and ending March 28, 2023, vice Darlene L. Smith.

S. N. No. 84: Anthony Chester White, Brandon, Mississippi, Mississippi State Board of Massage Therapy as the consumer at large, term effective immediately for the unexpired portion of a four year term ending June 30, 2023.

S. N. No. 94: Michael Scott Parker, Raymond, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, term effective immediately for the unexpired balance of a four year term ending June 30, 2024.

YEAS AND NAYS on consideration en bloc of S. N. No. 74, S. N. No. 9, S. N. No. 28, S. N. No. 41, S. N. No. 67, S. N. No. 55, S. N. No. 62, S. N. No. 68, S. N. No. 88, S. N. No. 34, S. N. No. 48, S. N. No. 84 and S. N. No. 94. On motion of Senator Bryan, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. N. No. 74, S. N. No. 9, S. N. No. 28, S. N. No. 41, S. N. No. 67, S. N. No. 55, S. N. No. 62, S. N. No. 68, S. N. No. 88, S. N. No. 34, S. N. No. 48, S. N. No. 84 and S. N. No. 94.

REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

S. R. No. 55: Commend Lafayette High School Boys Bowling Team for third consecutive State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 57: Urging the President of the United States to designate a State Funeral for last surviving Medal of Honor recipient from WWII. Title Sufficient. Do Be Adopted.

S. R. No. 59: Commend Olive Branch High School "Lady Quistors" Girls Basketball Team for winning their third consecutive State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 60: Recognize Phi Beta Sigma Fraternity and Zeta Phi Beta Sorority for charitable service. Title Sufficient. Do Be Adopted.

S. R. No. 61: Commend Tishomingo County High School "Lady Braves" Cheerleading Squad for 2020 State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 62: Commend New Site "Lady Royals" Girls Basketball Team for winning 2A State Championship. Title Sufficient. Do Be Adopted.

S. R. No. 63: Commend New Site "Lady Royals" Girls Basketball Team for winning 2A State Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

Senator Kirby moved that the rules be suspended for the immediate consideration en bloc of S. R. No. 55, S. R. No. 57, S. R. No. 59, S. R. No. 60, S. R. No. 61, S. R. No. 62 and S. R. No. 63 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

S. R. No. 55: Commend Lafayette High School Boys Bowling Team for third consecutive State Championship.

S. R. No. 57: Urging the President of the United States to designate a State Funeral for last surviving Medal of Honor recipient from WWII.

S. R. No. 59: Commend Olive Branch High School "Lady Quistors" Girls Basketball Team for winning their third consecutive State Championship.

S. R. No. 60: Recognize Phi Beta Sigma Fraternity and Zeta Phi Beta Sorority for charitable service.

S. R. No. 61: Commend Tishomingo County High School "Lady Braves" Cheerleading Squad for 2020 State Championship.

S. R. No. 62: Commend New Site "Lady Royals" Girls Basketball Team for winning 2A State Championship.

S. R. No. 63: Commend Belmont "Lady Cardinals" Girls Basketball Team for Class 3A State Championship.

YEAS AND NAYS on consideration en bloc of S. R. No. 55, S. R. No. 57, S. R. No. 59, S. R. No. 60, S. R. No. 61, S. R. No. 62 and S. R. No. 63. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--51.

Nays--None.

Absent and those not voting--Polk. Total--1.

On request of Senator Hopson, unanimous consent was granted to make the following corrections in **H. B. No. 1384**, **H. B. No. 1398**, **H. B. No. 1380**, **H. B. No. 1387**, **H. B. No. 1392**, **S. B. No. 2948**:

MEMORANDUM

To: Clerk of the House of Representatives
Secretary of the Senate
Re: FY 2022 Conference Reports – Unanimous Consent Requests
Date: March 31, 2021

It is requested that unanimous consent be granted to make the following clerical corrections:

HB 1384: Appropriation; Supreme Court, Court of Appeals, and trial judge services
Amend line 114 deleting the number "4,493,144.00" and inserting in lieu thereof the number "4,493,141.00".

HB 1398: Appropriation; Human Services, Department of
Amend line 108 by deleting the number "111,828,225.00" and inserting in lieu thereof the number "111,828,255.00".

Amend line 110 by deleting the number "230,827,222.00" and inserting in lieu thereof the number "230,827,477.00"

HB 1380: Appropriation; Fire Academy

Delete lines 149-152.

HB 1387: Appropriation; Education, Department of
Amend line 607 by deleting the words "Five-nine" and inserting in lieu thereof the words "Fifty-nine".

HB 1392 Appropriation; Environmental Quality, Department of
Amend line 18 by deleting the number "257,296,241.00" and inserting in lieu thereof the number "258,296,241.00".

SB 2948: Appropriation; Finance and Administration, Department of
Amend line 427 by deleting the word "Old" and inserting in lieu thereof the word "First".

John Read, Chairman
House Appropriations Committee

W. Briggs Hopson III, Chairman
Senate Appropriations Committee

Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Thomas Joseph "Tommy" Muirhead of Greenwood, MS.

Senator Jackson R. (11th) moved that when the Senate adjourns, it adjourn in memory of Everlean Heags of Lambert, MS.

Senator Parker moved that when the Senate adjourns, it adjourn in memory of Ken Hudson of Olive Branch, MS.

Senator Hopson moved that when the Senate adjourns, it adjourn in memory of George R. Carr of Vicksburg, MS.

Senator England moved that when the Senate adjourns, it adjourn in memory of Jay Scott Rogers of Meansville, MS.

Senator Whaley moved that when the Senate adjourns, it adjourn in memory of Tucker Goode, Billie Mills, Sue Rowland, Deborah Clifton and Linda Cooper of Potts Camp, MS.

Senator Whaley moved that when the Senate adjourns, it adjourn in memory of Bernice Watkins, Bobby Watkins and Gene Skeleton of Holly Springs, MS.

Senator Whaley moved that when the Senate adjourns, it adjourn in memory of Billy McClure of Mt. Pleasant, MS.

Senator Whaley moved that when the Senate adjourns, it adjourn in memory of Gary Looney of Waterford, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Virginia Martin, Billy Pepper, Ruby Kate Bowles, William Gann, David Rhodes, Inez Nabors Vanlandingham and William "Screwball" Griffin of Houston, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Dennia Johnson, Teresa Criddle, Gloria Clay, Steven Beaty Hill, Daisy Ridgeway and Linda Baker Scott of Houston, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Beth Jennings of Mantee, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Adam McCormick of Houlka, MS.

Senator Suber moved that when the Senate adjourns, it adjourn in memory of Douglas Bailey Brown of Woodland, MS.

Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Thursday, April 1, 2021.

The motion prevailed, and at 10:37 AM, the Senate stood in recess.

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 572: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Adopted: 03/31/21

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2825: Mississippi Transportation Infrastructure Investment Act of 2021; create.

Adopted: 03/31/21

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 747: Work release program; authorize courts and sheriffs to assign certain convicted offenders to while confined in jail.

H. B. No. 928: Commissioner of Corrections and community corrections; bring forward various sections relating to.

Adopted: 03/28/21

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2024: AN ACT TO AMEND SECTION 27-105-305, MISSISSIPPI CODE OF 1972, TO PROVIDE COUNTY BOARDS OF SUPERVISORS THE DISCRETION TO DETERMINE THE INTERVAL OF TIME FOR PROVIDING NOTICE TO FINANCIAL INSTITUTIONS OF THE OPENING OF THE BIDDING PROCESS FOR SERVING AS DEPOSITORIES OF COUNTY FUNDS; TO CLARIFY THAT THE SELECTION OF DEPOSITORIES IS TO BE BASED UPON ALL RELEVANT FACTORS; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT REVERSE AUCTIONS SHALL NOT BE USED FOR CERTAIN TERM CONTRACTS; TO REQUIRE THE CLERK OF THE BOARD OF SUPERVISORS TO ENTER THE RECOMMENDED

YEAR-END ADJUSTING ACCOUNTING ENTRIES INTO THE COUNTY'S ACCOUNTING SYSTEM AND TO REQUIRE THE BOARD OF SUPERVISORS TO SPREAD THE REASON THAT ANY RECOMMENDED ENTRY WAS NOT ENTERED UPON ITS MINUTES IF THE CLERK OF THE BOARD OF SUPERVISORS DECLINES TO MAKE THE ENTRY; AND FOR RELATED PURPOSES.

S. B. No. 2121: AN ACT TO CRIMINALIZE THE DISCLOSURE WITHOUT CONSENT OF INTIMATE VISUAL MATERIAL; TO DEFINE TERMS; TO PROVIDE PENALTIES FOR THE CRIME; TO ENUMERATE CERTAIN DEFENSES; AND FOR RELATED PURPOSES.

S. B. No. 2434: AN ACT TO AMEND SECTION 2 OF HOUSE BILL NO. 974, 2021 REGULAR SESSION, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH ANY COUNTY FOR THE COUNTY TO TAKE CUSTODY OF THE MISDEMEANOR OFFENDERS ARRESTED UNDER THE AUTHORITY GRANTED UNDER THIS SECTION; AND FOR RELATED PURPOSES.

S. B. No. 2799: AN ACT RELATING TO THE MISSISSIPPI MEDICAID PROGRAM; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, RELATING TO REIMBURSEMENT FOR CARE AND SERVICES UNDER THE MEDICAID PROGRAM; TO DELETE CERTAIN OUTDATED PROVISIONS RELATING TO REIMBURSEMENT OF INPATIENT HOSPITAL SERVICES; TO PROVIDE FOR REIMBURSEMENT FOR FEES FOR PHYSICIAN SERVICES COVERED ONLY BY MEDICAID; TO AUTHORIZE THE DIVISION TO REIMBURSE OBSTETRICIANS AND GYNECOLOGISTS FOR CERTAIN PRIMARY CARE SERVICES AT 100% OF THE MEDICARE RATE; TO DELETE THE PROVISION THAT REQUIRES THE DIVISION TO ALLOW PHYSICIAN-ADMINISTERED DRUGS TO BE BILLED AND REIMBURSED AS A MEDICAL CLAIM OR PHARMACY POINT-OF-SALE; TO PROVIDE FOR A REIMBURSEMENT RATE INCREASE TO DENTAL PREVENTION SERVICES; TO DEFINE CLINIC SERVICES FOR PURPOSES OF THE REIMBURSEMENTS BY MEDICAID FOR THOSE SERVICES; TO DELETE AUTHORITY FOR ADULT DAY CARE REIMBURSEMENT; TO PROVIDE THAT MEDICAID MAY ESTABLISH AN UPPER PAYMENT LIMITS PROGRAM FOR AMBULANCE TRANSPORTATION AND ASSESS PROVIDERS OF SUCH SERVICE; TO AUTHORIZE CERTAIN SUPPLEMENTAL REIMBURSEMENTS TO PROVIDERS SUBJECT TO CMS APPROVAL AND TO REQUIRE CONSULTATION WITH THE HOSPITAL INDUSTRY; TO REQUIRE THE DIVISION OF MEDICAID TO RECOGNIZE FEDERALLY QUALIFIED HEALTH CENTERS (FQHC), RURAL HEALTH CLINICS (RHC) AND COMMUNITY MENTAL HEALTH CENTERS (CMHC) AS BOTH AN ORIGINATING AND DISTANT SITE PROVIDER FOR THE PURPOSES OF TELEHEALTH REIMBURSEMENT; TO AUTHORIZE REIMBURSEMENT FOR CERTAIN PSYCHIATRIC SERVICES; TO CLARIFY THE REIMBURSEMENT OF PEDIATRIC SKILLED NURSING SERVICES, INPATIENT PSYCHIATRIST SERVICES AND NONEMERGENCY TRANSPORTATION SERVICES; TO PROVIDE THAT THE DIVISION MAY ESTABLISH COPAYMENTS AND COINSURANCE FOR ANY MEDICAID SERVICES; TO ALLOW THE DIVISION TO USE ENHANCED REIMBURSEMENTS AND UPPER PAYMENT LIMIT PROGRAMS FOR ITS REIMBURSEMENT PROGRAM; TO PROVIDE THAT THE VACCINES FOR CHILDREN ARE AVAILABLE FREE OF CHARGE; TO DELETE THE PROVISION THAT REQUIRES MEDICAID TO REDUCE THE RATE OF REIMBURSEMENT TO CERTAIN PROVIDERS FOR SERVICES BY 5% OF THE ALLOWED AMOUNT FOR THAT SERVICE; TO REQUIRE PROVIDERS TO MAINTAIN RECORDS AS (a) PRESCRIBED BY THE DIVISION AND IN ACCORDANCE WITH FEDERAL LAW; TO DELETE CERTAIN ENROLLMENT LIMITATIONS AND PROVISIONS RELATING TO MANAGED CARE PROGRAMS; TO ALLOW THE DIVISION OF MEDICAID TO APPROVE THE USE OF ALTERNATIVE PAYMENT MODELS FOR REIMBURSEMENT RATES FOR MANAGED CARE PROGRAMS; TO CLARIFY LIMITATIONS ON MEDICAID ELIGIBILITY FOR ENROLLMENT IN MANAGED CARE PROGRAMS; TO DELETE THE PROVISIONS THAT PROVIDE FOR THE COMMISSION ON EXPANDING MEDICAID MANAGED CARE; TO REQUIRE CONTRACTORS RECEIVING PAYMENTS UNDER A

MANAGED CARE DELIVERY SYSTEM TO DISCLOSE TO THE CHAIRMEN OF THE SENATE AND HOUSE MEDICAID COMMITTEES THE ADMINISTRATIVE EXPENSES FOR THE PRIOR YEAR, AND THE NUMBER OF EMPLOYEES IN MISSISSIPPI WHO ARE DEDICATED TO MEDICAID AND CHIP LINES OF BUSINESS AS OF JUNE 30 OF EACH YEAR; TO PROVIDE FOR REVIEWS OF THE MANAGED CARE PROGRAMS BY THE STATE AUDITOR; TO REQUIRE ALL MANAGED CARE CONTRACTORS TO DEVELOP AND IMPLEMENT, NOT LATER THAN DECEMBER 1, 2021, A UNIFORM CREDENTIALING PROCESS UNDER WHICH ALL PROVIDERS WHO MEET THE CRITERIA FOR CREDENTIALING WILL BE CREDENTIALLED WITH ALL CONTRACTORS; TO PROVIDE THAT IF THE CONTRACTORS HAVE NOT IMPLEMENTED A UNIFORM CREDENTIALING PROCESS BY THAT DATE, THE DIVISION SHALL DEVELOP AND IMPLEMENT, NOT LATER THAN JULY 1, 2022, A SINGLE, CONSOLIDATED CREDENTIALING PROCESS BY WHICH ALL PROVIDERS WILL BE CREDENTIALLED; TO DELETE THE PROVISION THAT THERE SHALL NOT BE CUTS TO INPATIENT AND OUTPATIENT HOSPITAL PAYMENTS; TO DIRECT THE DIVISION TO EVALUATE THE FEASIBILITY OF ADMINISTERING PHARMACY BENEFITS AND DENTAL BENEFITS UNDER MANAGED CARE; TO DIRECT MANAGED CARE CONTRACTORS TO IMPLEMENT INNOVATIVE PROGRAMS FOR MEMBERS WITH PREDIABETES AND DIABETES; TO AUTHORIZE THE DIVISION TO NEGOTIATE A LIMITATION ON LIABILITY TO THE STATE OF CERTAIN PROSPECTIVE CONTRACTORS; TO AUTHORIZE MANAGED CARE CONTRACTORS TO IMPROVE UTILIZATION OF LONG-ACTING REVERSABLE CONTRACEPTIVES (LARCS); TO AUTHORIZE THE DIVISION TO MAKE ONE MANAGED CARE CONTRACT EXTENSION; TO PROHIBIT THE DIVISION FROM MAKING CERTAIN CHANGES TO THE SERVICES AUTHORIZED UNDER THIS SECTION WITHOUT AN AMENDMENT TO THIS SECTION BY THE LEGISLATURE; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO AMEND SECTION 43-13-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NURSING FACILITIES OPERATED BY THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER ARE NOT EXEMPT FROM THE ANNUAL ASSESSMENT FOR THE SUPPORT OF THE MEDICAID PROGRAM, TO DELETE CERTAIN TECHNICAL PROVISIONS RELATING TO THE ASSESSMENT AND COLLECTION OF THE HOSPITAL ASSESSMENT, TO CLARIFY THE PROCEDURE FOR PAYMENT OF THE HOSPITAL ASSESSMENT FOR THE NONFEDERAL SHARE NECESSARY FOR THE MEDICARE UPPER PAYMENT LIMITS (UPL) PROGRAM AND THE DISPROPORTIONATE SHARE HOSPITAL (DSH) PROGRAM; TO EXTEND THE AUTOMATIC REPEALER ON THIS SECTION; TO AMEND SECTION 41-75-5, MISSISSIPPI CODE OF 1972, TO DELETE THE RESTRICTION ON POST-ACUTE RESIDENTIAL BRAIN INJURY REHABILITATION FACILITIES PARTICIPATION IN THE MEDICAID PROGRAM; AND FOR RELATED PURPOSES.

S. B. No. 2816: AN ACT TO AMEND SECTION 27-3-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SAME PAY INCREASES FOR DEPARTMENT OF REVENUE APPRAISERS UPON ATTAINMENT OF CERTAIN STATE CERTIFICATIONS AS AUTHORIZED FOR COUNTY TAX ASSESSORS AND THEIR DEPUTIES AND ASSISTANTS; AND FOR RELATED PURPOSES.

S. B. No. 3086: AN ACT TO AMEND CHAPTER 991, LOCAL AND PRIVATE LAWS OF 1997, AS LAST AMENDED BY CHAPTER 911, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE DATE OF REPEAL TO OCTOBER 1, 2023, ON THE LAW THAT ESTABLISHES THE LAUDERDALE COUNTY TOURISM COMMISSION; AND FOR RELATED PURPOSES.

S. B. No. 3088: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BALDWIN, MISSISSIPPI, TO EXPAND AND OPERATE ITS NATURAL GAS DISTRIBUTION SYSTEM WITHIN A CERTAIN AREA OUTSIDE THE CORPORATE LIMITS IN ORDER TO PROVIDE GAS SERVICE TO UNDERSERVED AREAS OF TIPPAH COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

H. B. No. 109: Budget process; update various sections relating to.

H. B. No. 119: Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes.

H. B. No. 374: Distinctive motor vehicle license tag; authorize issuance to supporters of Mississippi Theatre Association, Inc.

H. B. No. 382: Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures.

H. B. No. 520: Use tax; revise certain provisions regarding funds distributed to municipalities/counties for road improvements.

H. B. No. 761: State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes.

H. B. No. 1091: Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law.

H. B. No. 1095: Department of Revenue; authorize to compromise and settle certain tax liabilities.

H. B. No. 1139: Income, sales and use taxes; remove requirement that certain taxpayers pay June tax liability on or before June 25.

H. B. No. 1197: Dual-phase design-build method of construction contracting; revise certain provisions of.

Adopted: 03/30/21

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities.

S. B. No. 2261: Perpetual cemetery law; revise notice and maintenance provisions for counties and municipalities.

S. B. No. 2435: Alcoholic beverages; revise various provisions relating to distilleries.

S. B. No. 2474: Department of Health; allow charges between agencies for services provided under the medical marijuana program.

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact.

S. B. No. 2798: Broadband services; provide for the participation of rate-regulated electric utilities in the expansion of.

S. B. No. 2807: Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized.

S. B. No. 2834: Mississippi Historic Site Preservation Fund Grant Program; establish within Department of Archives and History.

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit.

S. B. No. 3090: Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax.

Adopted: 03/30/21

Andrew Ketchings, Clerk of the House of Representatives

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2267: AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1263, 2021 REGULAR SESSION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL GRANT LICENSES WITHIN A PERIOD OF 21 DAYS FROM THE DATE OF A COMPLETED APPLICATION TO TEACHERS IF THEY POSSESS A VALID STANDARD LICENSE FROM ANOTHER STATE; TO PROVIDE THAT FOR ALL LICENSE TYPES WITH A CURRENT VALID EXPIRATION DATE OF JUNE 30, 2021, THE DEPARTMENT OF EDUCATION SHALL GRANT A ONE-YEAR EXTENSION TO JUNE 30, 2022; TO PROVIDE THAT BEGINNING JULY 1, 2022, AND THEREAFTER, APPLICANTS FOR LICENSURE RENEWAL SHALL MEET ALL REQUIREMENTS IN EFFECT ON THE DATE THAT THE COMPLETE APPLICATION IS RECEIVED; AND FOR RELATED PURPOSES.

S. B. No. 2850: AN ACT TO AMEND SECTION 63-21-15, MISSISSIPPI CODE OF 1972, TO ALLOW APPLICATION FOR A CERTIFICATE OF TITLE TO A VEHICLE LACKING PROPER DOCUMENTATION IF THE VEHICLE IS AT LEAST 30 YEARS OLD AND THE APPLICANT SUBMITS A CERTIFICATE OF OWNERSHIP SIGNED UNDER PENALTY OF PERJURY ON A FORM PRESCRIBED BY THE DEPARTMENT OF REVENUE; AND FOR RELATED PURPOSES.

S. B. No. 2909: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2022.

S. B. No. 2915: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2022.

S. B. No. 2955: AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2022, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Thomas Joseph "Tommy" Muirhead, Everlean Heags, Bernice Watkins, Bobby Watkins, Gene Skeleton, Billy McClure, Gary Looney, Virginia Martin, Billy Pepper, Ruby Kate Bowles, William Gann, David Rhodes, Ken Hudson, Inez Nabors Vanlandingham, William "Screwball" Griffin, Dennia Johnson, Teresa Criddle, Gloria Clay, Steven Beaty Hill, Daisy Ridgeway, Linda Baker Scott, Beth Jennings, Adam McCormick, George R. Carr, Douglas Bailey Brown, Jay Scott Rogers, Tucker Goode, Billie Mills, Sue Rowland, Deborah Clifton and Linda Cooper.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR WEDNESDAY, MARCH 31, 2021

EIGHTY-SEVENTH DAY, THURSDAY, APRIL 1, 2021

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler, Carter, Chism, DeBar, DeLano, England, Frazier, Harkins, Hill, Hopson, Horhn, Jackson R. (11th), Jackson S. (32nd), Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Witherspoon, Younger. Total--44.

Absent--Caughman, Chassaniol, Fillingane, McDaniel, Parker, Parks, Tate, Thompson. Total--8.

The Secretary announced a quorum present.

The invocation was delivered by Senator Butler.

Senator Chism led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2569: AN ACT TO CREATE THE CRIME OF SELLING, TRANSFERRING, MARKETING OR GIVING AWAY URINE FOR THE PURPOSE OF ADULTERATING A HUMAN URINE SAMPLE FOR A CHEMICAL TEST; TO PROVIDE PENALTIES; AND FOR RELATED PURPOSES.

S. B. No. 2598: AN ACT TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO WAIVE THE RESIDENCY REQUIREMENT FOR A CONCEALED-CARRY LICENSE FOR A MEMBER OF AN ACTIVE OR RESERVE COMPONENT BRANCH OF THE UNITED STATES OF AMERICA ARMED FORCES STATIONED IN MISSISSIPPI, OR THE SPOUSE OF THE SAME; TO AMEND SECTIONS 63-1-9 AND 63-1-21, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 550, 2021 REGULAR SESSION, TO REMOVE THE INTERMEDIATE LICENSE; TO REVISE THE DEPARTMENT OF PUBLIC SAFETY'S AUTHORITY TO ISSUE DRIVER'S LICENSES AND LEARNER'S PERMITS; TO REQUIRE A LICENSEE UNDER A CERTAIN AGE TO BE SUPERVISED WHILE DRIVING FOR THE FIRST 6 MONTHS OF POSSESSION OF A DRIVER'S LICENSE; TO AMEND SECTION 63-11-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PETITION APPEALING THE FORFEITURE, SUSPENSION OR DENIAL OF ISSUANCE OF A LICENSE SHALL BE SERVED ON THE ATTORNEY GENERAL AND THE COMMISSIONER OF PUBLIC SAFETY; TO CREATE A NEW SECTION OF LAW TO REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO ESTABLISH AN ALTERNATIVE STATE IDENTIFICATION CARD THAT DOES NOT REQUIRE PROOF OF DOMICILE, FOR THE PURPOSE OF MAKING A STATE IDENTIFICATION CARD AVAILABLE FOR PERSONS WHO DO NOT HAVE A DOMICILE TO LIST; TO CREATE A SPECIAL FUND IN THE STATE TREASURY INTO WHICH SHALL BE DEPOSITED ANY FEDERAL MONIES THAT ARE MADE AVAILABLE FOR THE ESTABLISHMENT OF ELECTRIC VEHICLE INFRASTRUCTURE IN THE STATE; TO AMEND SECTIONS 45-33-43, 63-1-5, 63-1-10.1, 63-1-23, 63-1-35, 63-1-43 AND 63-1-47, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 550, 2021 REGULAR SESSION, TO CONFORM; TO AMEND SECTIONS 63-1-6, 63-1-33 AND 63-1-37, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

S. B. No. 2638: AN ACT TO AMEND SECTION 89-3-1, MISSISSIPPI CODE OF 1972, TO PROVIDE A RECORDING PROCEDURE FOR ELECTRONIC DOCUMENTS IN COUNTIES THAT DO NOT HAVE ELECTRONIC CAPABILITY; AND FOR RELATED PURPOSES.

S. B. No. 2832: AN ACT TO AMEND SECTION 27-7-22.36, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE OF THE UPHOLSTERED HOUSEHOLD FURNITURE MANUFACTURING JOB TAX CREDIT FROM JANUARY 1, 2022, TO JANUARY 1, 2026; AND FOR RELATED PURPOSES.

S. B. No. 2839: AN ACT TO AMEND SECTION 37-148-3, MISSISSIPPI CODE OF 1972, TO ADD AND REVISE DEFINITIONS PERTAINING TO THE STRENGTHENING MISSISSIPPI ACADEMIC RESEARCH THROUGH (SMART) BUSINESS ACT; TO AMEND SECTION 37-148-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SMART BUSINESS ACT SHALL INCLUDE THE SMART BUSINESS REBATE TO PROMOTE RESEARCH PARTNERSHIPS BETWEEN COLLEGES AND INVESTORS AND THE SMART BUSINESS ACCELERATE INITIATIVE TO PROMOTE THE DEVELOPMENT OF STATE-OWNED INTELLECTUAL PROPERTY; TO SET OUT THE TERMS OF IMPLEMENTATION OF THE SMART BUSINESS REBATE AND THE SMART BUSINESS ACCELERATE INITIATIVE; TO REDUCE, FROM \$5,000,000.00 TO \$3,500,000.00, THE MAXIMUM TOTAL AMOUNT OF REBATES ISSUED UNDER THE SMART BUSINESS REBATE BY THE STATE IN ANY ONE FISCAL YEAR; TO AMEND SECTION 37-148-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, FOR EACH SMART BUSINESS ACCELERATE INITIATIVE DISBURSEMENT CERTIFICATE ISSUED IN A GIVEN YEAR, THE REPORT FILED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING WITH THE GOVERNOR AND THE LEGISLATURE MUST INCLUDE, BUT NOT NECESSARILY BE LIMITED TO, THE NAME OF THE APPLICANT, A DESCRIPTION OF THE RESEARCH VALIDATION AND THE AMOUNT OF THE DISBURSEMENT; TO CREATE NEW SECTION 37-148-11, MISSISSIPPI CODE OF 1972, TO REPEAL THE SMART BUSINESS ACT ON JULY 1, 2026; AND FOR RELATED PURPOSES.

S. B. No. 2872: AN ACT TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT AN ELECTION BE HELD BEFORE A CERTAIN AREA IN RANKIN COUNTY, AS DEFINED IN SECTION 67-1-5, MAY BE DESIGNATED A QUALIFIED RESORT AREA; AND FOR RELATED PURPOSES.

S. B. No. 2895: AN ACT TO ALLOW A COUNTY BOARD OF SUPERVISORS TO EXEMPT FROM AD VALOREM TAXATION THE PROPERTY OF A RENEWABLE ENERGY PROJECT, UP TO AN AMOUNT NOT TO EXCEED 50% OF THE TOTAL ASSESSED VALUE OF THE PROJECT; AND FOR RELATED PURPOSES.

S. B. No. 2916: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2022.

S. B. No. 2952: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2022.

S. B. No. 2954: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Lakenya Washington of Jackson, MS.

Senators Boyd, Harkins and Williams moved that when the Senate adjourns, it adjourn in memory of Ann Arledge of Starkville, MS.

Senator Boyd moved that when the Senate adjourns, it adjourn in memory of George David Trost and Neva Glover Johnson of Oxford, MS.

Senator Bryan moved that when the Senate adjourns, it adjourn in memory of Mary Mitternacht Patterson of Madison, MS.

Senator Blackwell moved that the Senate adjourn until 10:00 AM, Friday, April 2, 2021, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Saturday, April 3, 2021, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Sunday, April 4, 2021, and recess until 6:00 PM, at which time the journal will reflect that the Senate is adjourned Sine Die.

The motion prevailed, and at 9:20 AM, the Senate stood adjourned in memory of Lakenya Washington, Ann Arledge, George David Trost, Neva Glover Johnson and Mary Mitternacht Patterson.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR THURSDAY, APRIL 1, 2021

In accordance with the provisions of Section 72 of the Mississippi Constitution of 1890, as amended, the following Reports of Committee on Enrolled Bills were received subsequent to the Sine Die adjournment:

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. C. R. No. 60: A CONCURRENT RESOLUTION COMMENDING THE ESSIE B. AND WILLIAM EARL GLENN FOUNDATION FOR BETTER LIVING ON THE OCCASION OF HOSTING ITS SECOND COMMUNITY FOCUSED ADVERSE CHILDHOOD EXPERIENCES TRAUMA AWARENESS SYMPOSIUM AND DECLARING JUNE 21, 2021, AS ADVERSE CHILDHOOD EXPERIENCES (ACES) TRAUMA AWARENESS DAY.

H. C. R. No. 61: A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NEW SITE HIGH SCHOOL LADY ROYALS BASKETBALL TEAM FOR WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 2A STATE BASKETBALL CHAMPIONSHIP.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 104: AN ACT TO AMEND SECTION 19-3-49, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE HANCOCK COUNTY BOARD OF SUPERVISORS, RATHER THAN PAYING THE ATTORNEY HIRED TO PROSECUTE CASES REQUIRING THE SERVICES OF A COUNTY PROSECUTING ATTORNEY AN ANNUAL SALARY OF FORTY-FIVE THOUSAND DOLLARS, MAY PAY SUCH ATTORNEY AN ANNUAL SALARY IN AN AMOUNT NOT TO EXCEED FIFTY PERCENT OF THE ANNUAL SALARY OF THE FULL-TIME DISTRICT ATTORNEY; AND FOR RELATED PURPOSES.

H. B. No. 356: AN ACT TO AMEND SECTION 43-21-355, MISSISSIPPI CODE OF 1972, TO EXPAND THE IMMUNITY FOR MAKING GOOD FAITH REPORTS OF CHILD ABUSE OR NEGLECT TO INCLUDE PERSONS WHO PARTICIPATE IN AN INVESTIGATION, EVALUATION OR JUDICIAL PROCEEDING RESULTING FROM THE REPORT; TO AMEND SECTION 43-15-51, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITED IMMUNITY FROM CIVIL LIABILITY TO CHILD ADVOCACY CENTERS AND MULTIDISCIPLINARY TEAM MEMBERS; AND FOR RELATED PURPOSES.

H. B. No. 631: AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE OFF-DUTY USE OF MUNICIPAL AND COUNTY POLICE VEHICLES BY CERTAIN LAW ENFORCEMENT OFFICERS ENGAGING IN PRIVATE EMPLOYMENT IN OFF-DUTY HOURS; TO PROVIDE THAT USE MUST BE APPROVED BY THE LOCAL GOVERNMENTAL ENTITY WHOSE VEHICLE IS INVOLVED; TO REQUIRE THE PERSON OR ENTITY HIRING THE OFFICER TO NAME THE EMPLOYING JURISDICTION AS A NAMED INSURED ON ITS LIABILITY INSURANCE POLICIES; TO PROHIBIT USE OF THE OFFICIAL VEHICLE WHERE THE PERSON OR ENTITY REFUSES TO ENDORSE, INDEMNIFY AND HOLD HARMLESS THE EMPLOYING JURISDICTION; TO AMEND SECTION 21-19-49, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 747: AN ACT TO AUTHORIZE THE SHERIFF OF RANKIN COUNTY TO ESTABLISH A PILOT WORK RELEASE PROGRAM IN RANKIN COUNTY; TO AUTHORIZE THE SHERIFF OF RANKIN COUNTY TO ASSIGN A NONVIOLENT CONVICTED OFFENDER TO A WORK RELEASE PROGRAM, IF THE OFFENDER IS CONFINED IN JAIL; TO PROVIDE THAT THE OFFENDER ASSIGNED TO THE PROGRAM SHALL BE UNDER THE SUPERVISION OF THE SHERIFF; TO PROVIDE THAT THE OFFENDER MAY BE REMOVED FROM THE PROGRAM IF RULES ARE VIOLATED; TO PROVIDE THAT WAGES EARNED BY THE OFFENDER MAY, UPON ORDER OF THE COURT, BE PAID TO THE DIRECTOR OR ADMINISTRATOR OF THE PROGRAM AFTER STANDARD PAYROLL DEDUCTIONS ARE PAID; TO PROVIDE THAT THE OFFENDER, IF APPROVED, MAY MAINTAIN A BANK ACCOUNT AS LONG AS A PHYSICAL ACCOUNTING IS PROVIDED TO THE SHERIFF; TO PROVIDE THAT THE OFFENDER'S WAGES MAY BE DISTRIBUTED TO PAY CERTAIN TRAVEL EXPENSES RELATED TO HIS OR HER EMPLOYMENT, TO PAY CHILD SUPPORT, FINES, RESTITUTION OR COSTS, INCLUDING FEES FOR OBTAINING A DRIVER'S LICENSE UPON RELEASE; AND FOR RELATED PURPOSES.

H. B. No. 928: AN ACT TO AMEND SECTION 47-5-26, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS TO DESIGNATE AN EXECUTIVE DEPUTY COMMISSIONER; TO AMEND SECTION 47-5-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DEPUTY COMMISSIONER SHALL BE DIRECTLY RESPONSIBLE TO THE COMMISSIONER OF CORRECTIONS; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE PAROLE BOARD SHALL RECEIVE COMPENSATION OR PER DIEM IN ADDITION TO THEIR SALARIES; TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO EXPAND AUTHORIZATION FOR CERTIFICATES OF REHABILITATION FOR PERSONS

CONVICTED OF CRIMES UNDER FEDERAL LAW, IN STATE MILITARY COURT OR IN OTHER STATES; AND FOR RELATED PURPOSES.

H. B. No. 1245: AN ACT TO AMEND SECTION 65-1-75, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO MAINTAIN GRASS MOWING OF RIGHTS-OF-WAY FOR ANY STATE HIGHWAYS LOCATED WITHIN THE MUNICIPAL LIMITS OF ANY MUNICIPALITY IN THE STATE WITH A POPULATION OF TEN THOUSAND (10,000) OR LESS; AND FOR RELATED PURPOSES.

H. B. No. 1312: AN ACT TO REENACT SECTIONS 73-7-1 THROUGH 73-7-37, MISSISSIPPI CODE OF 1972, WHICH CREATE THE STATE BOARD OF COSMETOLOGY AND PRESCRIBE ITS DUTIES AND POWERS; TO AMEND REENACTED SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITIONS OF "COSMETOLOGY" AND "ESTHETICS" TO REMOVE PERSONS WHOSE PRACTICE IS LIMITED TO ONLY PERFORMING MAKEUP ARTISTRY, THREADING OR APPLYING OR REMOVING EYELASH EXTENSIONS FROM THE COSMETOLOGY LICENSING LAW; TO AMEND REENACTED SECTION 73-7-12, MISSISSIPPI CODE OF 1972, TO DELETE THE DUPLICATE REPEALER ON THE STATUTE REQUIRING THE STATE BOARD OF COSMETOLOGY TO CONDUCT STUDENT EXAMINATIONS INSTEAD OF CONTRACTING WITH A TESTING SERVICE; TO AMEND REENACTED SECTION 73-7-31, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE COSMETOLOGY LICENSURE LAW PERSONS WHOSE PRACTICE IS LIMITED TO ONLY PERFORMING MAKEUP ARTISTRY, THREADING OR APPLYING OR REMOVING EYELASH EXTENSIONS; TO AMEND SECTION 73-7-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE REENACTED SECTIONS; TO AMEND SECTION 73-5-41, MISSISSIPPI CODE OF 1972, TO EXEMPT PERSONS WHOSE PRACTICE IS LIMITED TO ONLY MAKEUP ARTISTRY, THREADING OR APPLYING OR REMOVING EYELASH EXTENSIONS FROM LICENSING UNDER THE STATE BOARD OF BARBER EXAMINERS; AND FOR RELATED PURPOSES.

H. B. No. 1380: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2022.

H. B. No. 1387: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2022.

H. B. No. 1391: AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1392: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

H. B. No. 1398: AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

H. B. No. 1412: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2022.

H. B. No. 1502: AN ACT TO AUTHORIZE THE MISSISSIPPI COAST TRANSPORTATION AUTHORITY TO BEAR THE FULL COST OF PROCESSING ELECTRONIC PAYMENTS FOR PARKING GARAGE FEES, FARES, RENTAL FEES AND ADVERTISEMENT FEES THAT ARE COLLECTED BY THE AUTHORITY; AND FOR RELATED PURPOSES.

H. B. No. 1520: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MR. J.W. JACKSON OF PANOLA COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 1396: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2022.

H. B. No. 1399: AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2022.

H. B. No. 1400: AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2022.

H. B. No. 1504: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF FOREST, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED 2% UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF GENERATING REVENUE TO ENHANCE TOURISM AND PARKS AND RECREATION; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

H. B. No. 1515: AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MS. DEBRA DENISE THOMAS OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 109: AN ACT TO AMEND SECTIONS 27-103-125 AND 27-103-139, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY EXCEPTIONS FROM THE REQUIREMENTS FOR PREPARING THE PROPOSED STATE BUDGET; TO AMEND SECTION 27-103-203, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE REGARDING TRANSFERS FROM THE WORKING CASH-STABILIZATION RESERVE FUND; TO AMEND SECTION 27-103-211, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY EXCEPTIONS TO THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR THE STATE BUDGET; TO AMEND SECTION 27-103-213, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE REGARDING THE DISTRIBUTION OF THE UNENCUMBERED CASH BALANCE IN THE STATE GENERAL FUND AT THE END OF THE FISCAL YEAR; TO AMEND SECTION 27-103-303, MISSISSIPPI CODE OF 1972, TO DELETE SOME TEMPORARY LANGUAGE AUTHORIZING FUNDS IN THE CAPITAL EXPENSE FUND TO BE USED FOR THE EMERGENCY PLUGGING OF ORPHANED WELLS IDENTIFIED BY THE OIL AND GAS BOARD; TO AMEND SECTIONS 1 AND 9 OF CHAPTER 43, LAWS OF 2020, TO TRANSFER A PORTION OF THE FUNDS APPROPRIATED FOR THE SUPPORT OF THE PUBLIC COMMUNITY COLLEGES TO FUND LIFE AND HEALTH INSURANCE FOR EMPLOYEES OF THE PUBLIC COMMUNITY COLLEGES; TO REPEAL SECTION 16 OF CHAPTER 78, LAWS OF 2020, WHICH APPROPRIATES A CERTAIN AMOUNT FROM THE CAPITAL EXPENSE FUND TO THE DIVISION OF MEDICAID; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "MDA SITE DEVELOPMENT GRANT PROGRAM FUND," WHICH SHALL BE USED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO MAKE GRANTS TO ASSIST ELIGIBLE ENTITIES UNDER THE MISSISSIPPI SITE DEVELOPMENT GRANT PROGRAM; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER THE FULL BALANCE IN THE MISSISSIPPI DEVELOPMENT AUTHORITY JOB TRAINING GRANT FUND INTO THE CAPITAL EXPENSE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER THE FULL BALANCE IN THE STATE PUBLIC SCHOOL EDUCATION TECHNOLOGY FUND INTO THE CAPITAL EXPENSE FUND; TO REPEAL SECTION 57-1-451, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI DEVELOPMENT AUTHORITY JOB TRAINING GRANT FUND; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "DEQ WATER, LAND AND AIR CONTAMINATION PROJECTS FUND," WHICH SHALL BE USED BY THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF ASSESSMENT, REMEDIATION, OPERATION AND MAINTENANCE, COST-SHARING, OVERSIGHT AND ADMINISTRATION OF WATER, LAND AND AIR CONTAMINATION PROJECTS WITHIN THE STATE OF MISSISSIPPI; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM FROM THE ATTORNEY GENERAL CONTINGENT FUND TO THE DEQ WATER, LAND AND AIR CONTAMINATION PROJECTS FUND; TO AUTHORIZE CERTAIN SPECIAL FUND AGENCIES TO ESCALATE THEIR BUDGETS DURING FISCAL YEAR 2022 TO IMPLEMENT AND FUND INCREASES IN THE ANNUAL SALARIES OF THEIR EMPLOYEES; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "CORONAVIRUS STATE FISCAL RECOVERY FUND," WHICH SHALL CONSIST OF ALL FUNDS RECEIVED BY OR ON BEHALF OF THE STATE OF MISSISSIPPI THROUGH THE CORONAVIRUS STATE FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE THAT MONIES IN THE FUND SHALL ONLY BE SPENT UPON APPROPRIATION BY THE LEGISLATURE AND SHALL ONLY BE USED AS PROVIDED IN THE CORONAVIRUS STATE FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO CREATE IN THE STATE TREASURY A SPECIAL FUND TO BE DESIGNATED AS THE "CORONAVIRUS LOCAL FISCAL

RECOVERY FUND," WHICH SHALL CONSIST OF ALL FUNDS RECEIVED BY OR ON BEHALF OF THE STATE OF MISSISSIPPI THROUGH THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021 FOR DISTRIBUTION TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT; TO PROVIDE THAT THE FUND SHALL BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PROVIDE THAT THE DEPARTMENT OF FINANCE AND ADMINISTRATION SHALL DISTRIBUTE THE FUNDS TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT IN ACCORDANCE WITH THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO PROVIDE THAT THE FUNDS SHALL ONLY BE USED AS PROVIDED IN THE CORONAVIRUS LOCAL FISCAL RECOVERY FUND OF THE AMERICAN RESCUE PLAN ACT OF 2021; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE ROSS BARNETT RESERVOIR DREDGING FUND, WHICH SHALL CONSIST OF MONIES DEPOSITED INTO FUND BY THE BOARD OF DIRECTORS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FROM THE LEASE PAYMENTS, FEES AND OTHER FUNDS RECEIVED BY THE DISTRICT DURING THE FISCAL YEAR; AND FOR RELATED PURPOSES.

H. B. No. 119: AN ACT TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON HARPER GRACE'S LAW, WHICH AUTHORIZES RESEARCH AND THE DISPENSING, POSSESSION AND USE OF CANNABIDIOL (CBD OIL) FOR MEDICAL PURPOSES; AND FOR RELATED PURPOSES.

H. B. No. 520: AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES SPECIAL FUNDS IN THE STATE TREASURY TO BE USED TO PROVIDE FUNDS TO ASSIST MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS AND TO ASSIST COUNTIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS, TO PROVIDE THAT A MUNICIPALITY OR COUNTY MAY USE SUCH FUNDS AS A PLEDGE TO PAY ALL OR A PORTION OF DEBT SERVICE ON DEBT ISSUED BY THE MUNICIPALITY OR COUNTY FOR SUCH PURPOSES; AND FOR RELATED PURPOSES.

H. B. No. 594: AN ACT TO AMEND SECTION 49-27-5, MISSISSIPPI CODE OF 1972, TO AMEND THE COASTAL WETLANDS PROTECTION ACT TO DEFINE "ORDINARY HIGH WATER MARK" TO MEAN A MARK ON THE SHORE DETERMINED BY THE DEPARTMENT STAFF, ESTABLISHED BY FLUCTUATIONS IN WATER LEVEL AND INDICATED BY PHYSICAL AND BIOLOGICAL CHARACTERISTICS INCLUDING, BUT NOT LIMITED TO, WATER STAINS, CHANGES IN THE CHARACTER OF THE SOIL, SCOUR LINES, PRESENCE OF DEBRIS LINES, CHANGES IN PLANT COMMUNITIES AND OTHER APPROPRIATE MEANS THAT CONSIDER THE CHARACTERISTICS OF THE SURROUNDING AREA; TO REVISE THE DEFINITION OF "COASTAL WETLANDS" TO MEAN ALL PUBLICLY OWNED LANDS SUBJECT TO THE EBB AND FLOW OF THE TIDE, WHICH ARE BELOW THE ORDINARY HIGH WATER MARK, ALL PUBLICLY OWNED ACCRETIONS ABOVE THE ORDINARY HIGH WATER MARK AND ALL PUBLICLY OWNED SUBMERGED WATER BOTTOMS BELOW THE ORDINARY HIGH WATER MARK AND INCLUDES THE FLORA AND FAUNA ON THE WETLANDS AND IN THE WETLANDS; AND FOR RELATED PURPOSES.

H. B. No. 761: AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE STATE VETERANS BOARD IN RELATION TO OPERATING THE STATE VETERANS HOMES; TO AUTHORIZE THE BOARD TO ESTABLISH PROGRAMS RELATING TO EMPLOYEE HIRING AND INCENTIVES AND PROPERTY DISPOSAL; TO AMEND SECTION 29-9-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 1095: AN ACT TO AUTHORIZE THE COMMISSIONER OF REVENUE TO DEVELOP PROCEDURES FOR THE RECEIPT AND CONSIDERATION OF OFFERS TO COMPROMISE AND SETTLE FINALLY DETERMINED TAX LIABILITIES THAT ARE DOUBTFUL CLAIMS; TO AUTHORIZE THE COMMISSIONER OF REVENUE, UPON THE ADVICE OF THE ATTORNEY GENERAL, TO ENTER INTO AN AGREEMENT WITH A TAXPAYER UNDER WHICH A FINALLY DETERMINED TAX LIABILITY THAT IS A DOUBTFUL CLAIM IS SETTLED AND COMPROMISED; TO PROVIDE THAT IF THE SETTLEMENT AGREEMENT IS APPROVED BY THE GOVERNOR, THE AGREEMENT SHALL BE BINDING AND A TAXPAYER'S LIABILITIES FOR TAXES, INTEREST AND PENALTIES WILL BE FULLY AND FINALLY COMPROMISED; TO PROVIDE THAT IF THE COMMISSIONER OF REVENUE LATER DETERMINES THAT THE TAXPAYER MISREPRESENTED THE FINANCIAL CONDITION OF THE TAXPAYER OR ANY PROPERTY BELONGING TO THE TAXPAYER OR OTHER PERSON LIABLE FOR THE TAX, ALL COMPROMISED LIABILITIES MAY BE REESTABLISHED; TO AMEND SECTION 31-19-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DOUBTFUL CLAIM IS A CLAIM FOR A FINALLY DETERMINED TAX LIABILITY FOR WHICH A NOTICE OF TAX LIEN HAS BEEN ENROLLED IN THE UNIFORM STATE TAX LIEN REGISTRY AND FOR THE COLLECTION OF WHICH THE ORDINARY PROCESS OF LAW HAS BEEN INEFFECTUAL; TO AMEND SECTION 31-19-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF REVENUE AND THE DEPARTMENT OF REVENUE TO PROVIDE CERTAIN INFORMATION REGARDING DOUBTFUL CLAIMS TO THE ATTORNEY GENERAL OR HIS DESIGNATED REPRESENTATIVE; TO AMEND SECTIONS 27-3-73, 27-7-83, 27-13-57 AND 27-65-81, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

H. B. No. 1379: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2022.

H. B. No. 1381: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2022.

H. B. No. 1384: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

H. B. No. 1385: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

S. B. No. 2825: AN ACT TO TRANSFER, ON JULY 1, 2021, LAW ENFORCEMENT PERSONNEL AND LAW ENFORCEMENT DUTIES OF THE MISSISSIPPI TRANSPORTATION COMMISSION AND MISSISSIPPI DEPARTMENT OF TRANSPORTATION RELATED TO THE MOTOR CARRIER REGULATORY LAW OF 1938 TO THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO CREATE THE DPS MOTOR CARRIER ENFORCEMENT FUND AS A SPECIAL FUND IN THE STATE TREASURY TO DEFRAY EXPENSES FOR OFFICERS' SALARIES AND OTHER COSTS TO IMPLEMENT AND ENFORCE THIS ACT; TO AMEND SECTIONS 77-7-7, 77-7-11, 77-7-13, 77-7-15, 77-7-16, 77-7-17, 77-7-21, 77-7-127, 77-7-311, 77-7-331, 77-7-333, 77-7-335, 77-7-337, 77-7-339, 77-7-341 AND 45-3-21, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 27-19-89, MISSISSIPPI CODE OF 1972, TO ADJUST THE PENALTIES FOR HARVEST PERMIT HOLDERS FOR WEIGHT LIMIT VIOLATIONS; TO CONFORM TO AN INCREASE IN THE WEIGHT TOLERANCE FOR HARVEST PERMITS, BEGINNING JULY 1, 2023, FROM 84,000 POUNDS TO 88,000 POUNDS; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO EXEMPT, FROM JULY 1, 2021, THROUGH JUNE 30, 2023, PROJECTS RECEIVING MONIES FROM THE EMERGENCY ROAD AND BRIDGE REPAIR FUND FROM LIMITATIONS ON CERTAIN EXPENDITURES FOR THE LAST YEAR OF THE TERM OF A COUNTY BOARD OF SUPERVISORS; TO AMEND SECTION 63-5-33, MISSISSIPPI CODE OF 1972, TO INCREASE, BEGINNING JULY 1, 2023, THE MAXIMUM GROSS VEHICLE WEIGHT TOLERANCE, FROM 84,000 POUNDS TO 88,000 POUNDS, WHICH IS FROM 5% TO 10% OF THE AUTHORIZED 80,000 POUNDS, FOR A VEHICLE OPERATING UNDER A HARVEST PERMIT; TO AMEND SECTION 65-1-46, MISSISSIPPI CODE OF 1972, TO TRANSFER THE APPEALS BOARD OF THE MISSISSIPPI TRANSPORTATION COMMISSION TO THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY; TO ESTABLISH THE HARVEST PERMIT TRANSPORTATION STEWARDSHIP COUNCIL TO ADVISE THE LEGISLATURE ON POLICY AND TO MAKE BEST PRACTICES RECOMMENDATIONS TO HARVEST PERMIT HOLDERS AND RECEIVING FACILITIES FOR THE PURPOSE OF DETERRING OVERWEIGHT HAULING AND PROTECTING THE STATE'S INFRASTRUCTURE SYSTEM; TO PROVIDE THAT THE COUNCIL SHALL BE DISSOLVED ON JULY 1, 2023; TO TRANSFER \$89,000,000.00 OF HIGHWAY INFRASTRUCTURE PROGRAM FUNDS RECEIVED BY THE STATE PURSUANT TO THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT OF 2021 TO THE EMERGENCY ROAD AND BRIDGE REPAIR FUND; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2062: AN ACT TO AMEND SECTION 17-23-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.

S. B. No. 2807: AN ACT TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO RESTORE THE PROVISION OF LAW RESTRICTING THE AREAS IN WHICH THE MANUFACTURE, SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES ARE PERMISSIBLE AND LAWFUL TO INCORPORATED MUNICIPALITIES, QUALIFIED RESORT AREAS AND CLUBS; TO PROVIDE THAT ANY PERMITS ISSUED BY THE DEPARTMENT OF REVENUE BETWEEN JULY 1, 2020, AND THE DAY BEFORE THE EFFECTIVE DATE OF THIS ACT FOR THE MANUFACTURE, SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES, WHETHER OR NOT ISSUED TO PERMITTEES IN SUCH MUNICIPALITIES, QUALIFIED RESORT AREAS OR CLUBS, SHALL BE ELIGIBLE FOR RENEWAL ON OR AFTER JULY 1, 2021; AND FOR RELATED PURPOSES.

S. B. No. 2874: AN ACT TO CREATE A NEW SECTION IN TITLE 73, CHAPTER 59, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL RESIDENTIAL CONTRACTORS, IN ORDER TO OBTAIN A BUILDING PERMIT IN THIS STATE, POSSESS A PERMIT FROM THE DEPARTMENT OF REVENUE ISSUED UNDER SECTION 27-65-27; TO DEFINE "RESIDENTIAL CONTRACTOR" FOR PURPOSES OF THIS PERMIT REQUIREMENT; TO CREATE A NEW SECTION IN TITLE 31, CHAPTER 3, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT ALL COMMERCIAL CONTRACTORS, IN ORDER TO OBTAIN A BUILDING PERMIT IN THIS STATE, POSSESS A PERMIT FROM THE DEPARTMENT OF REVENUE ISSUED UNDER SECTION 27-65-27; TO DEFINE "COMMERCIAL CONTRACTOR" FOR PURPOSES OF THIS PERMIT REQUIREMENT; TO AMEND SECTION 27-65-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE PROVISIONS; AND FOR RELATED PURPOSES.

S. B. No. 2910: AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2022.

S. B. No. 2926: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2022.

S. B. No. 2927: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2022.

S. B. No. 2946: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2022.

S. B. No. 3090: AN ACT TO AMEND CHAPTER 816, LOCAL AND PRIVATE LAWS OF 1991, AS LAST AMENDED BY CHAPTER 932, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2021, TO JULY 1, 2025, ON THE PROVISION OF LAW THAT ESTABLISHES THE WASHINGTON COUNTY CONVENTION AND VISITORS COMMITTEE AND AUTHORIZES A TAX ON HOTELS, MOTELS AND RESTAURANTS; TO REVISE THE COMPOSITION OF THE COMMITTEE; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2261: AN ACT TO AMEND SECTIONS 19-5-105 AND 21-19-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CLEAN PROPERTY OR PARCELS OF LAND OF PERPETUAL CARE CEMETERIES THAT ARE NOT BEING PROPERLY MAINTAINED AND HAVE BECOME DETRIMENTAL TO THE PUBLIC HEALTH AND WELFARE; TO PRESCRIBE NOTICE AND HEARING REQUIREMENTS AND AN ADJUDICATION BY THE COUNTY OR MUNICIPALITY BEFORE IT MAY CLEAN THE PROPERTY; TO AUTHORIZE THE COUNTY OR MUNICIPALITY TO MAKE APPLICATION TO THE SECRETARY OF STATE FOR AN ORDER DIRECTING THE TRUSTEE OF THE PERPETUAL CARE CEMETERY TRUST FUND TO RELEASE ACCRUED INTEREST OR PRINCIPAL OF THE TRUST FUND SUFFICIENT TO REIMBURSE THE COUNTY OR MUNICIPALITY FOR ONLY THE ACTUAL CLEANUP COSTS INCURRED; TO AUTHORIZE THE SECRETARY OF STATE TO ORDER THE TRUSTEE TO RELEASE ACCRUED INTEREST OF PRINCIPAL OF THE TRUST FUND NOT TO EXCEED A CERTAIN AMOUNT SUFFICIENT TO REIMBURSE THE COUNTY OR MUNICIPALITY FOR THE ACTUAL COSTS OF CLEANUP PERFORMED IF THE SECRETARY OF STATE MAKES CERTAIN DETERMINATIONS; TO LIMIT UTILIZATION OF THESE PROVISIONS TO NO MORE THAN ONCE IN A CERTAIN TIME PERIOD; TO AMEND SECTION 41-43-57, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

S. B. No. 2623: AN ACT TO REENACT SECTIONS 63-16-1, 63-16-3, 63-16-5, 63-16-7, 63-16-11 AND 63-16-13, MISSISSIPPI CODE OF 1972, WHICH CREATE THE PUBLIC SAFETY VERIFICATION AND ENFORCEMENT ACT; TO AMEND SECTION 63-16-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

S. B. No. 2624: AN ACT TO AMEND SECTION 73-35-23, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REAL ESTATE COMMISSION TO ESTABLISH A PILOT PROGRAM ALLOWING ADMINISTRATIVE HEARINGS ON CERTAIN LICENSING MATTERS UNDER ITS JURISDICTION; TO PROVIDE THAT ADMINISTRATIVE HEARING OFFICERS SHALL BE STAFF ATTORNEYS EMPLOYED BY THE ATTORNEY GENERAL; TO AMEND SECTION 73-35-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN APPEAL TAKE A DEFENDANT FROM AN ADVERSE RULING OR ORDER OF THE MISSISSIPPI REAL ESTATE COMMISSION SHALL ACT AS A SUPERSEDEAS; TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING AMENDMENT; AND FOR RELATED PURPOSES.

S. B. No. 2795: AN ACT ENTITLED THE "MISSISSIPPI EARNED PAROLE ELIGIBILITY ACT"; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CONDITIONS FOR PAROLE ELIGIBILITY AND TO PROVIDE LIMITATIONS ON INMATE ELIGIBILITY TO PETITION THE SENTENCING COURT FOR PAROLE ELIGIBILITY IF THE INMATE IS SERVING A SENTENCE FOR A CRIME OF VIOLENCE OR NONVIOLENCE; TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR INMATE CASE PLANNING AND TO PRESCRIBE DATES FOR THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO COMPLETE CASE PLANS FOR PAROLE-ELIGIBLE INMATES TO ENSURE THAT THE PLAN IS ACHIEVABLE; TO AMEND SECTION 47-7-3.2, MISSISSIPPI CODE OF 1972, TO PROVIDE A MINIMUM TIME THAT OFFENDERS CONVICTED OF A CRIME OF VIOLENCE MUST SERVE BEFORE RELEASE AND A MINIMUM PERCENTAGE OF OTHER SENTENCES THAT OTHER OFFENDERS MUST SERVE BEFORE RELEASE; TO AMEND SECTION 47-7-5, MISSISSIPPI CODE OF 1972, TO REMOVE PROHIBITION AGAINST COMPENSATION OR PER DIEM OF THE MISSISSIPPI PAROLE BOARD, ITS REQUIREMENTS, AND THE MINIMUM VOTE REQUIRED TO GRANT PAROLE TO AN INMATE CONVICTED OF CAPITAL MURDER OR SEX OFFENSE; TO AMEND SECTION 47-7-15, MISSISSIPPI CODE OF 1972, IN

CONFORMITY; TO AMEND SECTION 47-7-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VICTIM OR DESIGNATED FAMILY MEMBER SHALL BE PROVIDED AN OPPORTUNITY TO BE HEARD BY THE PAROLE BOARD PRIOR TO A PAROLE DECISION; TO AMEND SECTION 47-7-18, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN PAROLE HEARINGS FOR SEX OFFENDERS; AND FOR RELATED PURPOSES.

S. B. No. 2834: AN ACT TO CREATE A MISSISSIPPI HISTORIC SITE PRESERVATION FUND TO BE USED TO MATCH FEDERAL OR OTHER PRIVATE FUNDS FOR MAKING GRANTS FOR THE PURPOSE OF FEE SIMPLE PURCHASE OR PROTECTIVE INTEREST PURCHASE OF ENDANGERED PROPERTY DIRECTLY RELATED TO MISSISSIPPI NATIVE AMERICAN ARCHEOLOGY SITES, MISSISSIPPI BATTLEFIELD PROPERTY OR MISSISSIPPI CIVIL RIGHTS MOVEMENT SITES; TO PROVIDE THAT SUCH FUND SHALL BE ADMINISTERED BY THE DEPARTMENT OF ARCHIVES AND HISTORY'S HISTORIC PRESERVATION DIVISION; TO PRESCRIBE CERTAIN CONDITIONS ON THE ALLOCATIONS FROM THE FUND; TO PRESCRIBE ELIGIBLE COSTS FOR WHICH MONIES FROM THE FUND MAY BE ALLOCATED; TO AUTHORIZE COOPERATIVE AGREEMENTS FOR THE IMPLEMENTATION OF SUCH GRANTS; TO AMEND SECTION 39-5-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2905: AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

S. B. No. 2906: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2022.

S. B. No. 2911: AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2022.

S. B. No. 2912: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2022.

S. B. No. 2913: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2022.

S. B. No. 2917: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND

DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2022.

S. B. No. 2918: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2022.

S. B. No. 2922: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2022.

S. B. No. 2923: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION, AND THE BUREAU OF TELECOMMUNICATIONS, FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2022.

S. B. No. 2937: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2022.

S. B. No. 2944: AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2945: AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2022.

S. B. No. 2947: AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2022.

S. B. No. 2950: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2022.

S. B. No. 2951: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 374: AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI THEATRE ASSOCIATION, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF 82 STRONG; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF SIGMA GAMMA RHO SORORITY; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF INDIANOLA ACADEMY; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF HUMPHREYS COUNTY HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF DESERT OF MISSISSIPPI SHRINERS AND DAUGHTERS AEAONMS, PHA; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE CHILDREN'S TUMOR FOUNDATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SERVING AND RETIRED JUDGES IN THE FEDERAL AND STATE COURT SYSTEMS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF WILDLIFE MISSISSIPPI, CEDARHILL ANIMAL SANCTUARY, THE SOUTH PIKE SCHOOL DISTRICT, THE PICAYUNE MAROON TIDE TOUCHDOWN CLUB, THE MISSISSIPPI WILDLIFE FEDERATION AND THE FOUNDATION FOR MORAL LAW; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; TO AMEND SECTION 27-19-56.524, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE HONORABLY DISCHARGED VETERANS WHO SERVED IN THE UNITED STATES ARMED FORCES IN OPERATION DESERT STORM OR OPERATION DESERT SHIELD; TO AMEND SECTION 27-19-56.5, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS THAT MAY BE ISSUED TO A PERSON IDENTIFYING SUCH PERSON AS A RECIPIENT OF THE PURPLE HEART MEDAL; TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE VETERANS OF THE ARMED FORCES OF THE UNITED STATES AND RATED AS HAVING ONE HUNDRED PERCENT PERMANENT SERVICE-CONNECTED DISABILITY, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTORCYCLE LICENSE TAGS TO SUCH PERSONS; TO PROVIDE THAT A MOTORCYCLE FOR WHICH A DISTINCTIVE MOTORCYCLE TAG IS ISSUED SHALL BE EXEMPT FROM AD VALOREM AND PRIVILEGE TAXES; TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 27-19-56.490, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE MISSISSIPPI STATE FLAG AS THE FLAG TO BE FEATURED ON THE DISTINCTIVE MOTOR VEHICLE LICENSE TAG ISSUED FOR THE BENEFIT OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY FOR THE OPERATION AND MAINTENANCE OF THE MISSISSIPPI MUSEUM OF HISTORY AND THE MISSISSIPPI CIVIL RIGHTS MUSEUM; TO AMEND SECTION 27-19-56.415, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE

ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF GRAMMY® MUSEUM MISSISSIPPI; AND FOR RELATED PURPOSES.

H. B. No. 382: AN ACT TO AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO REQUIRE CHRONIC WASTING DISEASE TESTING OF A SAMPLE OF WHITE-TAILED DEER HARVESTED OR DYING FROM CAUSES OTHER THAN BEING HARVESTED BY HUNTING WITHIN ANY ENCLOSURE; TO PROVIDE THAT IF CHRONIC WASTING DISEASE IS DETECTED WITHIN AN ENCLOSURE, THE COMMISSION SHALL NOT DECLARE SURROUNDING OR ADJOINING PROPERTIES WITHIN A FIVE MILE RADIUS OF THE ENCLOSURE A CWD MANAGEMENT ZONE, UNTIL CHRONIC WASTING DISEASE IS POSITIVELY DETECTED WITHIN SUCH RADIUS ON THESE SURROUNDING OR ADJOINING PROPERTIES; TO IMPOSE CERTAIN FINES FOR FIRST AND SUBSEQUENT VIOLATIONS; TO AMEND SECTIONS 49-1-29, 49-7-58.1 AND 49-7-58.2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO REPEAL SECTION 49-7-58.5, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE CHRONIC WASTING DISEASE TESTING OF WHITE-TAIL DEER HARVESTED WITHIN ANY ENCLOSURE, AND IMPOSES CLASS II AND CLASS I VIOLATION PENALTIES FOR FIRST AND SUBSEQUENT VIOLATIONS; AND FOR RELATED PURPOSES.

H. B. No. 1091: AN ACT TO AMEND SECTION 27-71-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "RETAILER" AND TO DEFINE THE TERM "MICROBREWERY" FOR PURPOSES OF THE LAWS THAT RELATE TO LICENSE AND EXCISE TAXES ON LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER; TO AMEND SECTION 27-71-303, MISSISSIPPI CODE OF 1972, TO IMPOSE A PRIVILEGE TAX ON HOLDERS OF MICROBREWERY AND SMALL CRAFT BREWERY PERMITS; TO AMEND SECTION 27-71-307, MISSISSIPPI CODE OF 1972, TO IMPOSE AN EXCISE TAX ON LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PROVIDED BY MICROBREWERIES; TO AMEND SECTION 27-71-509, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT FOR LIGHT SPIRIT PRODUCTS THAT MAY BE MANUFACTURED, DISTRIBUTED AND SOLD; TO AMEND SECTION 67-3-3, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT PERTAINING TO THE DEFINITION OF THE TERM "LIGHT SPIRIT PRODUCT," AND TO DEFINE THE TERM "MICROBREWERY" FOR PURPOSES OF THE LAWS REGULATING THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER; TO AMEND SECTION 67-3-48, MISSISSIPPI CODE OF 1972, TO REVISE THE AMOUNT OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PRODUCED AT A SMALL CRAFT BREWERY THAT THE BREWERY MAY SELL AT RETAIL; TO LIMIT THE AMOUNT OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER PRODUCED AT A MICROBREWERY THAT THE MICROBREWERY MAY SELL AT RETAIL; TO AMEND SECTION 67-3-49, MISSISSIPPI CODE OF 1972, TO INCREASE THE ALCOHOL CONTENT FOR LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER THAT MAY BE LAWFULLY MANUFACTURED AND DISTRIBUTED; TO AMEND SECTION 67-3-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROHIBITIONS IN SUCH SECTION SHALL NOT PROHIBIT A MICROBREWERY OR SMALL CRAFT BREWERY FROM BEING ELIGIBLE TO OBTAIN A RETAIL PERMIT FOR THE SALE OF BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCTS ON ITS PREMISES; TO AMEND SECTION 67-3-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROHIBITIONS RELATING TO THE SALE OF LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER SHALL NOT APPLY TO LIGHT WINE, LIGHT SPIRIT PRODUCT AND BEER SOLD ON THE PREMISES OF A MICROBREWERY; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE SMALL CRAFT BREWERIES AND MICROBREWERIES TO OBTAIN ON-PREMISES RETAILER'S PERMITS UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTIONS 67-3-9, 67-3-17 AND 67-3-28, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE INCREASED ALCOHOL CONTENT FOR LIGHT SPIRIT PRODUCTS; TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO AMEND THE DEFINITION OF "DISTILLED SPIRITS"; AND FOR RELATED PURPOSES.

H. B. No. 1333: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF WESSON, MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED VEHICLES AND GOLF CARTS ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE TOWN; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE AND PROOF OF INSURANCE; TO REQUIRE LOW-SPEED VEHICLES AND GOLF CARTS TO BE REGISTERED WITH THE TOWN; TO AUTHORIZE THE TOWN TO CHARGE A REGISTRATION FEE; AND FOR RELATED PURPOSES.

H. B. No. 1334: AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF GEORGETOWN, MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED VEHICLES AND GOLF CARTS ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE TOWN; TO REQUIRE INDIVIDUALS OPERATING A GOLF CART OR LOW-SPEED VEHICLE TO HAVE A VALID DRIVER'S LICENSE AND PROOF OF INSURANCE; TO REQUIRE LOW-SPEED VEHICLES AND GOLF CARTS TO BE REGISTERED WITH THE TOWN; TO AUTHORIZE THE TOWN TO CHARGE A REGISTRATION FEE; AND FOR RELATED PURPOSES.

H. B. No. 1393: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

H. B. No. 572: AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES AT CERTAIN LOCATIONS; AND FOR RELATED PURPOSES.

H. B. No. 1139: AN ACT TO AMEND SECTION 27-7-309, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES EMPLOYERS WITH AN AVERAGE MONTHLY WITHHOLDING TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE WITHHOLDING TAX LIABILITY FOR THE CURRENT TAXABLE YEAR OR AT LEAST 75% OF THEIR JUNE WITHHOLDING TAX LIABILITY FOR THE PRECEDING TAXABLE YEAR; TO AMEND SECTION 27-65-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES TAXPAYERS WHO ARE REQUIRED TO COLLECT SALES TAX AND WHO HAVE AN AVERAGE MONTHLY SALES TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE SALES TAX LIABILITY FOR THE CURRENT CALENDAR YEAR OR AT LEAST 75% OF THEIR JUNE SALES TAX LIABILITY FOR THE PRECEDING CALENDAR YEAR; TO AMEND SECTION 27-67-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT REQUIRES TAXPAYERS WHO ARE REQUIRED TO COLLECT USE TAX AND WHO HAVE AN AVERAGE MONTHLY USE TAX LIABILITY OF AT LEAST \$50,000.00 FOR THE PRECEDING CALENDAR YEAR TO PAY, ON OR BEFORE JUNE 25, AT LEAST 75% OF THEIR ESTIMATED JUNE USE

TAX LIABILITY FOR THE CURRENT CALENDAR YEAR OR AT LEAST 75% OF THEIR JUNE USE TAX LIABILITY FOR THE PRECEDING CALENDAR YEAR; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO REVISE THE COUNTIES ELIGIBLE FOR A DIVERSION OF A PORTION OF THE SALES TAX REVENUE COLLECTED ON BUSINESS ACTIVITIES WITHIN A REDEVELOPMENT PROJECT AREA DEVELOPED UNDER THE TAX INCREMENT FINANCING ACT IF THE COUNTY HAS ISSUED BONDS UNDER THE TAX INCREMENT FINANCING ACT TO FINANCE ALL OR A PORTION OF SUCH REDEVELOPMENT PROJECT, ANY DEBT SERVICE FOR SUCH INDEBTEDNESS IS OUTSTANDING, AND A DEVELOPMENT WITH A VALUE OF \$10,000,000.00 OR MORE IS, OR WILL BE, LOCATED IN THE REDEVELOPMENT AREA; AND FOR RELATED PURPOSES.

H. B. No. 1197: AN ACT TO AMEND SECTION 31-7-13.1, MISSISSIPPI CODE OF 1972, TO REVISE THE DUAL-PHASE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING; TO REMOVE THE REQUIREMENT FOR TWO PHASES OF DESIGN-BUILD CONSTRUCTION CONTRACTING; TO PROVIDE THAT DESIGN-BUILD CONSTRUCTION CONTRACTING MAY BE USED FOR RESIDENTIAL BUILDINGS, RESIDENTIAL-MIXED USED DEVELOPMENTS, PARKING GARAGES AND OTHER PRESCRIPTIVE TYPE FACILITIES; TO PROVIDE THAT THE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING MAY ONLY BE USED WHEN THE DEPARTMENT OF FINANCE AND ADMINISTRATION OR A GOVERNING AUTHORITY HAS DETERMINED THAT USING THE DESIGN-BUILD METHOD OF CONSTRUCTION CONTRACTING SATISFIES THE PUBLIC INTEREST BETTER THAN TRADITIONAL DESIGN BID OR WHEN THE LEGISLATURE HAS SPECIFICALLY REQUIRED OR AUTHORIZED THE USE OF THIS METHOD IN THE LEGISLATION AUTHORIZING A PROJECT; TO PROVIDE THAT INSTEAD OF THE DUAL-PHASE PROCEDURE FOR AWARDED A CONTRACT, FOR EACH PROPOSED DESIGN-BUILD PROJECT, EITHER A FIXED FIRM PRICE OR GUARANTEED MAXIMUM PRICE CONTRACT MUST BE ADOPTED; TO REVISE WHAT MUST BE INCLUDED IN THE WORK STATEMENT; TO PROVIDE THAT NOTICE SHALL ALSO BE POSTED ON THE MISSISSIPPI PROCUREMENT PORTAL; TO PROVIDE THAT PROPOSALS WHICH INCLUDE CRITERIA OTHER THAN COST ONLY SHALL BE EVALUATED BY AN EVALUATION COMMITTEE ESTABLISHED BY THE PROCURING ENTITY; TO PROVIDE THE MAKEUP OF THE EVALUATION COMMITTEE AND THE SELECTION CRITERIA THAT THE EVALUATION COMMITTEE SHALL CONSIDER WHEN EVALUATING SUBMITTED PROPOSALS; TO PROVIDE THAT AN AGENCY OR GOVERNING AUTHORITY MAY NOT AWARD A STIPULATED FEE TO AN OFFEROR FOR PREPARATION COSTS TO SUBMIT A RESPONSE TO THE REQUEST FOR PROPOSALS; TO AMEND SECTIONS 31-11-3, 61-3-15 AND 31-7-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

H. B. No. 1413: AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2022; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

EIGHTY-EIGHTH DAY, FRIDAY, APRIL 2, 2021

Pursuant to adjournment order of Thursday, April 1, 2021, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Thursday, April 1, 2021, the Senate thereupon adjourned until 10:00 AM, Saturday, April 3, 2021.

Eugene S. Clarke, Secretary of the Senate

EIGHTY-NINTH DAY, SATURDAY, APRIL 3, 2021

Pursuant to adjournment order of Thursday, April 1, 2021, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Thursday, April 1, 2021, the Senate thereupon adjourned until 10:00 AM, Sunday, April 4, 2021.

Eugene S. Clarke, Secretary of the Senate

NINETIETH DAY, SUNDAY, APRIL 4, 2021

Pursuant to adjournment order of Thursday, April 1, 2021, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Thursday, April 1, 2021, the Senate thereupon adjourned Sine Die at 6:00 PM.

Eugene S. Clarke, Secretary of the Senate

In accordance with the provisions of Section 72 of the Mississippi Constitution of 1890, as amended, the following Reports of Committee on Enrolled Bills and messages from the Governor were received subsequent to the Sine Die adjournment:

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2435: AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1135, 2021 REGULAR SESSION, HOUSE BILL NO. 1288, 2021 REGULAR SESSION, AND SENATE BILL NO. 2606, 2021 REGULAR SESSION, TO ALLOW THE HOLDER OF A DISTILLERY RETAILER'S PERMIT TO SELL ALCOHOLIC BEVERAGES TO CONSUMERS FOR ON-PREMISES CONSUMPTION; TO ALLOW THE PERMITTEE SELLING FOR ON-PREMISES CONSUMPTION TO ADD OTHER BEVERAGES, ALCOHOLIC OR NOT, TO THE

PRODUCT MANUFACTURED BY THE MANUFACTURER AT THE DISTILLERY DESCRIBED IN THE PERMIT, SO LONG AS THE TOTAL VOLUME OF OTHER BEVERAGE COMPONENTS CONTAINING ALCOHOL DOES NOT EXCEED 20%; TO SPECIFY THAT HOURS OF ON-PREMISES SALES SHALL BE THE SAME AS THOSE AUTHORIZED FOR ON-PREMISES PERMITTEES IN THE CITY OR COUNTY IN WHICH THE DISTILLERY RETAILER IS LOCATED; TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2606, 2021 REGULAR SESSION, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE RULES FACILITATING A RETAILER'S ON-SITE PICKUP OF ALCOHOLIC BEVERAGES SOLD BY THE DEPARTMENT OR AS AUTHORIZED BY THE DEPARTMENT, SO THAT THOSE ALCOHOLIC BEVERAGES MAY BE DELIVERED TO THE RETAILER AT THE MANUFACTURER'S LOCATION INSTEAD OF VIA SHIPMENT FROM THE DEPARTMENT'S WAREHOUSE; TO AMEND SECTION 67-5-11, MISSISSIPPI CODE OF 1972, TO ALLOW DISTILLERY RETAILERS TO HOLD, FOR ONSITE PICKUP, SPIRITS SOLD TO RETAILERS THROUGH THE DEPARTMENT OF REVENUE, INSTEAD OF SHIPPING THEM TO THE DEPARTMENT WAREHOUSE; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1135, 2021 REGULAR SESSION, HOUSE BILL NO. 1288, 2021 REGULAR SESSION, AND SENATE BILL NO. 2606, 2021 REGULAR SESSION, TO CREATE TWO PRIVILEGE LICENSE TAX TIERS FOR THE MANUFACTURER'S PERMIT, CLASS 1, APPLYING TO DISTILLERS AND RECTIFIERS, BASED ON ANNUAL PRODUCTION VOLUME; TO REMOVE THE PROVISION THAT, IF A PERSON APPROVED FOR A MANUFACTURER'S PERMIT, CLASS 1, DISTILLER'S PERMIT PRODUCES A PRODUCT WITH AT LEAST 51% OF THE FINISHED PRODUCT BY VOLUME BEING OBTAINED FROM ALCOHOLIC FERMENTATION OF GRAPES, FRUITS, BERRIES, HONEY AND/OR VEGETABLES GROWN AND PRODUCED IN MISSISSIPPI, AND PRODUCES ALL OF THE PRODUCT BY USING NOT MORE THAN ONE STILL HAVING A MAXIMUM CAPACITY OF 150 LITERS, THE ANNUAL PRIVILEGE LICENSE TAX FOR SUCH A PERMIT SHALL BE \$10.00 PER 10,000 GALLONS OR PART THEREOF PRODUCED; AND FOR RELATED PURPOSES.

S. B. No. 2474: AN ACT TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GRANTS, CONTRACTS, PASS-THROUGH FUNDS, PROJECT FEES OR CHARGES FOR SERVICES BETWEEN THE STATE DEPARTMENT OF HEALTH AND OTHER STATE AGENCIES OR ENTITIES FOR THE OPERATION OF THE STATE'S MEDICAL MARIJUANA PROGRAM; TO CLARIFY PROVISIONS NECESSARY FOR THE IMPLEMENTATION, OPERATION AND/OR ENFORCEMENT OF THE STATE'S MEDICAL MARIJUANA PROGRAM RELATING TO EXPENDITURES BY THE DEPARTMENT WITHOUT AN APPROPRIATION, ESCALATING PERSONNEL POSITIONS IN THE DEPARTMENT, AND EXEMPTION FROM INFORMATION TECHNOLOGY LAWS AND REGULATIONS; AND FOR RELATED PURPOSES.

S. B. No. 2798: AN ACT TO PROVIDE FOR CERTAIN PARTICIPATION OF RATE-REGULATED ELECTRIC UTILITIES IN THE EXPANSION OF BROADBAND SERVICES IN THE STATE OF MISSISSIPPI; TO AMEND SECTION 77-3-2, MISSISSIPPI CODE OF 1972, TO DECLARE THAT IT IS THE POLICY OF THE STATE OF MISSISSIPPI TO SUPPORT EXPANSION OF EXISTING AND EMERGING TECHNOLOGIES TO FOSTER RELIABLE AND RESILIENT SERVICE AND CUSTOMER ACCESS TO ENHANCED SERVICES; TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO INCLUDE DEFINITIONS OF "BROADBAND SERVICE PROVIDER," "BROADBAND OPERATOR" AND "ELECTRIC DELIVERY SYSTEM"; TO AMEND SECTION 77-3-44, MISSISSIPPI CODE OF 1972, TO INCLUDE FIBER-OPTIC INFRASTRUCTURE AS AN ECONOMIC DEVELOPMENT ACTIVITY, TO ALLOW RATE-REGULATED ELECTRIC UTILITIES TO PERMIT BROADBAND PROVIDERS USE OF THE ELECTRIC DELIVERY SYSTEM TO PROVIDE BROADBAND SERVICES, TO REGULATE EASEMENTS, TO ALLOW CERTAIN

ENTITIES TO CONSTRUCT FIBER-OPTIC INFRASTRUCTURE ON PUBLIC UTILITIES' EXISTING RIGHTS-OF-WAY; AND FOR RELATED PURPOSES.

S. B. No. 2908: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2022.

S. B. No. 2920: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2022.

S. B. No. 2921: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2022.

S. B. No. 2924: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2022.

S. B. No. 2942: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE, FOR FISCAL YEAR 2022.

S. B. No. 2948: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022.

S. B. No. 2953: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2621: AN ACT TO ESTABLISH A "TASK FORCE TO STUDY MISSISSIPPI'S LAWS REGARDING THE AWARDED AND CALCULATING OF CHILD SUPPORT, ALIMONY AND OTHER RELATED MATTERS IN DOMESTIC LAW"; TO PRESCRIBE THE MEMBERSHIP OF THE TASK FORCE AND PROVIDE FOR ITS ORGANIZATION; TO PROVIDE FOR A REPORT BY THE TASK FORCE; AND FOR RELATED PURPOSES.

S. B. No. 2914: AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2022.

S. B. No. 2919: AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2022.

S. B. No. 2925: AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2907: AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2022.

S. B. No. 2971: AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING, COMMUNITY AND JUNIOR COLLEGES, AND STATE AGENCIES; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE STATE INSTITUTIONS OF HIGHER LEARNING EDUCATION AND RESEARCH CENTER MAY BE USED; TO AMEND SECTION 15, CHAPTER 492, LAWS OF 2020, TO INCREASE BY \$3,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS TO ASSIST THE CHICKASAW INKANA FOUNDATION IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION, FURNISHING AND EQUIPPING OF THE CHICKASAW HERITAGE CENTER IN TUPELO, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO AND TO ALLOW THE MONIES IN THE FUND TO BE DISBURSED AS GRANTS FOR UNIVERSITIES, COMMUNITY COLLEGES AND STATE AGENCIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$3,000,000.00 TO PROVIDE FUNDS FOR THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$20,000,000.00 FOR THE ACE FUND; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT; TO AMEND SECTION 57-61-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF BOND PROCEEDS THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY UTILIZE UNDER THE MISSISSIPPI BUSINESS INVESTMENT ACT TO MAKE GRANTS OR LOANS TO MUNICIPALITIES THROUGH AN EQUIPMENT AND PUBLIC FACILITIES GRANT AND LOAN FUND TO AID IN INFRASTRUCTURE-RELATED IMPROVEMENTS, THE PURCHASE OF EQUIPMENT, AND THE PURCHASE, CONSTRUCTION OR REPAIR AND RENOVATION OF PUBLIC FACILITIES; TO AMEND SECTION 65-4-25, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$7,000,000.00 THE AMOUNT OF BONDS AUTHORIZED TO BE ISSUED UNDER THE ECONOMIC DEVELOPMENT HIGHWAY ACT; TO AUTHORIZE AN ADDITIONAL \$1,000,000.00 IN BONDS TO BE USED TO PROVIDE FUNDING FOR A HIGH ECONOMIC BENEFIT PROJECT AS DEFINED IN SECTION 65-4-5(1)(C)(V); TO AMEND SECTION 25, CHAPTER 533, LAWS OF 2010, AS LAST AMENDED BY SECTION 8, CHAPTER 421, LAWS OF 2019, TO INCREASE BY \$36,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED FOR THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF LAWRENCE COUNTY IN PAYING COSTS ASSOCIATED WITH REPAIRS AND IMPROVEMENTS TO THE N.A. SANDIFER ROAD BRIDGE; TO AUTHORIZE THE ISSUANCE OF STATE

GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF MARSHALL COUNTY IN PAYING COSTS ASSOCIATED WITH BUILDING A FULL-TIME EMERGENCY RESPONSE CENTER TO SERVE THE GROWING AREA IN AND AROUND THE CHICKASAW TRAIL INDUSTRIAL PARK; TO AMEND SECTION 5, CHAPTER 454, LAWS OF 2019, AS AMENDED BY SECTION 130, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH THE REPAIR, RENOVATION AND OTHER IMPROVEMENTS TO BUILDINGS AND RELATED FACILITIES IN THE CITY OF BATESVILLE TO HOUSE THE CONCOURSE WORKFORCE TRAINING CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE PEARL AND LEAF RIVERS RAILS-TO-TRAILS RECREATIONAL DISTRICT WITH TRAIL OVERLAY OR BRIDGE REPAIRS ON THE LONGLEAF TRACE BETWEEN HATTIESBURG AND PRENTISS; TO AMEND SECTION 106, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST THE EAST METROPOLITAN CORRIDOR COMMISSION IN PAYING COSTS ASSOCIATED WITH LAND ACQUISITION AND IMPLEMENTATION OF THE EAST METRO CORRIDOR PROJECT IN RANKIN COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF YAZOO COUNTY IN PAYING COSTS ASSOCIATED WITH REPAIRS AND IMPROVEMENTS TO THE U.S. HIGHWAY 49 FRONTAGE ROAD; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF RIDGELAND, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH PRECONSTRUCTION, DESIGN, ENGINEERING, LAND ACQUISITION, RIGHT-OF-WAY ACQUISITION, CONSTRUCTION AND DEVELOPMENT OF THE COMMERCE PARK CONNECTOR PROJECT FROM LAKE HARBOUR DRIVE TO HIGHLAND COLONY PARKWAY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE YELLOW CREEK STATE INLAND PORT IN PAYING COSTS ASSOCIATED WITH THE CONSTRUCTION OF A MEDICAL CLINIC; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF PRENTISS COUNTY IN PAYING COSTS ASSOCIATED WITH THE REPLACEMENT OF BRIDGES 114 AND 115 ON COUNTY ROAD 4050 AND BRIDGE 147 ON COUNTY ROAD 5250; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WEST POINT IN PAYING COSTS ASSOCIATED WITH THE PAVING OF CITY STREETS; TO AMEND SECTION 112, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF LOWNDES COUNTY IN PAYING COSTS ASSOCIATED WITH THE EXTENSION OF MANUFACTURES DRIVE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF NESHOMA COUNTY IN PAYING COSTS ASSOCIATED WITH REPAIRS AND IMPROVEMENTS TO THE COUNTY ROAD 210 BRIDGE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO OKTOC ROAD; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1230, 2021 REGULAR SESSION, WHICH CREATES THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND, TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL DISBURSE A PORTION OF MONIES IN THE FUND TO DELTA HEALTH SYSTEM TO USE FOR CERTAIN PURPOSES; TO AMEND SECTION 57-119-9, MISSISSIPPI CODE OF 1972, TO EXEMPT A PROJECT FROM THE CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO RECEIVE FUNDING FROM THE GULF COAST RESTORATION FUND; TO PROVIDE THAT FOR ANY INCENTIVE PROGRAM FOR WHICH THE DEPARTMENT OF REVENUE AUDITS, VERIFIES OR OTHERWISE REVIEWS INFORMATION

SUBMITTED BY AN APPLICANT, PROGRAM PARTICIPANT OR OTHER ENTITY FOR THE PURPOSES OF THE INCENTIVE PROGRAM AND ELIGIBILITY FOR ANY INCENTIVE UNDER THE PROGRAM, THE APPLICANT, PROGRAM PARTICIPANT OR OTHER ENTITY MAY EMPLOY A QUALIFIED ACCOUNTANT TO PERFORM A THIRD-PARTY AUDIT, VERIFICATION OR OTHER REVIEW OF SUCH INFORMATION, IN LIEU OF THE DEPARTMENT OF REVENUE DOING SO, FOR THE PURPOSES OF THE INCENTIVE PROGRAM AND ELIGIBILITY FOR ANY INCENTIVE UNDER THE PROGRAM; TO PROVIDE THAT THE APPLICANT, PROGRAM PARTICIPANT OR OTHER ENTITY SHALL BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH SUCH PURPOSES, AND THAT THE DEPARTMENT OF REVENUE SHALL ACCEPT AND APPROVE THE THIRD-PARTY AUDIT, VERIFICATION OR OTHER REVIEW OF INFORMATION FOR THE PURPOSES OF THE INCENTIVE PROGRAM AND ELIGIBILITY FOR ANY INCENTIVE UNDER THE PROGRAM AND SHALL NOTIFY THE APPLICANT, PROGRAM PARTICIPANT OR OTHER ENTITY OF SUCH ACCEPTANCE AND APPROVAL WITHIN 30 DAYS AFTER RECEIPT OF THE THIRD-PARTY AUDIT, VERIFICATION OR OTHER REVIEW OF INFORMATION; TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE TO SUCH ORGANIZATIONS; TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL DISBURSE FUNDS TO THE LOCAL TAX COLLECTORS FOR THE AMOUNT OF THE TAX CREDITS APPLIED AGAINST AD VALOREM TAXES; TO INCREASE THE MAXIMUM AGGREGATE AMOUNT OF TAX CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT UNDER THIS SECTION DURING A CALENDAR YEAR; TO PROVIDE THAT A CERTAIN PORTION OR AMOUNT OF TAX CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT UNDER THIS SECTION SHALL BE AVAILABLE SOLELY FOR ALLOCATION FOR CONTRIBUTIONS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF AND UPGRADES AND IMPROVEMENTS TO PROPERTY, ROADWAYS, INFRASTRUCTURE, FACILITIES AND STRUCTURES AT LEFLEUR'S BLUFF STATE PARK, IN JACKSON, MISSISSIPPI, FOR THE PURPOSE OF ENHANCING AND DEVELOPING THE ENTRANCE TO THE MISSISSIPPI CHILDREN'S MUSEUM AND THE MISSISSIPPI MUSEUM OF NATURAL SCIENCE, AND AREAS AND AMENITIES RELATED TO THE MUSEUMS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF INDIANOLA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST ALCORN COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND REPLACEMENT OF ROOFING FOR THE ALCORN COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO THE JACINTO FOUNDATION, INC., TO PAY COSTS ASSOCIATED WITH CAPITAL IMPROVEMENTS, REPAIRING, RENOVATING, RESTORING, REHABILITATING, PRESERVING, FURNISHING AND/OR EQUIPPING THE JACINTO COURTHOUSE AND RELATED FACILITIES IN ALCORN COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO EAST CORINTH ELEMENTARY SCHOOL TO PROVIDE ENHANCED CAREER TECHNICAL TRAINING TO CORINTH STUDENTS IN ADVANCED TECHNOLOGY SKILLS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TISHOMINGO COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO COUNTY ROAD 961 IN TISHOMINGO COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST GEORGE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, RECONSTRUCTION, REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO EVANSTON ROAD AT AND NEAR THE MAIN ENTRANCE TO THE GEORGE

COUNTY INDUSTRIAL PARK IN GEORGE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF BRUCE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH EXPANSION OF AND REPAIRS, UPGRADES AND IMPROVEMENTS TO THE TOWN'S SEWER SYSTEM, SEWAGE LAGOON AND RELATED INFRASTRUCTURE AND FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF VARDAMAN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO TOWN STREETS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF CALHOUN CITY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO TOWN STREETS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH MAKING IMPROVEMENTS AT THE PETE BROWN GOLF COURSE IN THE CITY OF JACKSON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, FURNISHING AND EQUIPPING OF THE TOUGALOO SENIOR CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE PASCAGOULA REDEVELOPMENT AUTHORITY WITH THE FLAGSHIP DISTRICT PROJECTS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO MISSISSIPPI HIGHWAY 4; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST FORREST COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND/OR REPLACEMENT OF THE BRIDGE ON TEMPLE ROAD OVER REESE CREEK AND THE REPAIR AND/OR REPLACEMENT OF THE BRIDGE ON BROOKLYN-JANICE ROAD OVER CHANEY BRANCH CREEK IN FORREST COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH SITE PREPARATION AND CONSTRUCTION OF THE WEST LAUDERDALE ATHLETIC COMPLEX IN LAUDERDALE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, FURNISHING AND EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE JACKSON PUBLIC SCHOOL DISTRICT'S CAREER DEVELOPMENT CENTER IN JACKSON, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST WILKINSON COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPLACEMENT OF THE JACKSON POINT ROAD BRIDGE IN WILKINSON COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST UNION COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND/OR REPLACEMENT OF A BRIDGE ON COUNTY ROAD 81 IN UNION COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF JACKSON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, REPAIR, RENOVATION, REPLACEMENT AND IMPROVEMENT OF FACILITIES AND INFRASTRUCTURE AT LIVINGSTON PARK IN THE CITY OF JACKSON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF BROOKHAVEN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH RECONSTRUCTION, REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO BROOKWAY BOULEVARD; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST LAFAYETTE COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE EXTENSION OF WEST OXFORD LOOP IN LAFAYETTE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF OXFORD, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF OXFORD SQUARE PARK AND RELATED FACILITIES IN THE CITY OF OXFORD; TO

AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HORN LAKE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH ACQUISITION AND INSTALLATION OF A PRESSURE FILTRATION SYSTEM FOR THE WELL HEAD PROVIDING WATER FOR THE SYSTEM PROVIDING WATER SERVICE TO THE TWIN LAKES SUBDIVISION AREA IN THE CITY OF HORN LAKE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF D'IBERVILLE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO MALLET ROAD; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH ACQUISITION OF A FIRE TRUCK FOR THE 3 MILE CORNER VOLUNTEER FIRE DEPARTMENT IN KEMPER COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, REPAIR, RENOVATION, REPLACEMENT AND IMPROVEMENT OF FACILITIES, EQUIPMENT, GROUNDS AND INFRASTRUCTURE AT LAKE HICO PARK AND NORTHGATE PARK IN HINDS COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST CLAY COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE OVERLAY OF NORTH BEASELY ROAD AND SOUTH BEASELY ROAD IN CLAY COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST MONROE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, UPGRADES AND IMPROVEMENTS TO CHAPEL GROVE ROAD AND BISHOP ROAD IN MONROE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST HINDS COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF THE HINDS PARKWAY PROJECT IN HINDS COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF FLORA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO THE TOWN'S WATER SYSTEM AND SEWER SYSTEM INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF MADISON COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO BOZEMAN ROAD, BEGINNING AT ITS INTERSECTION WITH MISSISSIPPI HIGHWAY 463 AND PROCEEDING NORTH; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CLINTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING AND OTHER IMPROVEMENTS AND UPGRADES TO ARROW DRIVE AND NORTHSIDE DRIVE IN THE CITY OF CLINTON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI PORTS IMPROVEMENTS FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST DESOTO COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH FIVE-LANING THE PORTION OF GETWELL ROAD FROM LESTER TO PLEASANT HILL ROAD IN DESOTO COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE ASU FOUNDATION, INC., IN PAYING COSTS ASSOCIATED WITH REPAIRING, RENOVATING, RESTORING, REHABILITATING, PRESERVING, UPGRADING, IMPROVING, FURNISHING AND/OR EQUIPPING THE HISTORIC OAKLAND MEMORIAL CHAPEL, BELLES LETTRES HALL, THE OLD PRESIDENT'S HOME, AND THE HISTORIC OAKLAND MEMORIAL CEMETERY IN CLAIBORNE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HAZLEHURST, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF A COMMUNITY CENTER/EMERGENCY STORM SHELTER AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF LOUISVILLE, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH CONSTRUCTING A ROAD AND OTHER TRANSPORTATION INFRASTRUCTURE IN

THE CITY OF LOUISVILLE THAT WILL PROVIDE AND IMPROVE ACCESS TO LAND OWNED BY THE CITY DESIGNATED FOR AN ECONOMIC DEVELOPMENT PROJECT ON OR NEAR THE LOCATION OF WINSTON PLYWOOD & VENEER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF EUPORA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS IN THE TOWN OF EUPORA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF FRENCH CAMP, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS AND OTHER IMPROVEMENTS TO THE TOWN'S SEWER SYSTEM, SEWER LAGOON AND RELATED INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST CHOCTAW COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO REFORM/STURGIS ROAD IN CHOCTAW COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST WEBSTER COUNTY, MISSISSIPPI, AND CHOCTAW COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO CHESTER - TOMNOLAN ROAD IN WEBSTER AND CHOCTAW COUNTIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST GRENADA COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF BUSINESS/INDUSTRIAL PARK ROAD IN GRENADA COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PONTOTOC COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE PONTOTOC COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PONTOTOC COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, FURNISHING AND EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE W. A. GRIST BUILDING; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PONTOTOC COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE CHANCERY COURT BUILDING AND YOUTH COURT FACILITY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF SHELBY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO MARTIN LUTHER KING, JR. DRIVE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST ADAMS COUNTY, MISSISSIPPI, IN PAYING THE COSTS RELATED TO THE COMPLETION OF THE BELWOOD LEVEE IN ADAMS COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST HANCOCK COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, UPGRADES, IMPROVEMENTS AND ADDITIONS TO THE HANCOCK COUNTY FAIRGROUNDS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF HICKORY FLAT, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS IN THE TOWN OF HICKORY FLAT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST MARSHALL COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPLACEMENT OF BETHLEHAM WATERFORD BRIDGE IN MARSHALL COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF HATTIESBURG, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS IN INFRASTRUCTURE IN THE MIDTOWN AREA OF THE CITY, INCLUDING, BUT NOT LIMITED TO, ROADS, BRIDGES, WATER, SEWER, DRAINAGE, SIDEWALKS, STORMWATER DETENTION, LAND ACQUISITION, UTILITY RELOCATION AND LIGHTING; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION

BONDS TO PROVIDE FUNDS TO ASSIST NOXUBEE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, FURNISHING AND EQUIPPING OF A COUNTY EMERGENCY OPERATIONS CENTER AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF MORTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS AROUND MORTON HIGH SCHOOL AND SURROUNDING AREAS IN THE CITY OF MORTON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST SCENIC RIVERS DEVELOPMENT ALLIANCE IN PAYING COSTS ASSOCIATED WITH THE ACQUISITION OF APPROXIMATELY ONE HUNDRED FIFTY ACRES OF LAND FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE AND LOCATED IN FRANKLIN COUNTY, MISSISSIPPI, AND RELATED ROAD AND OTHER INFRASTRUCTURE IMPROVEMENTS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST PIKE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE PIKE COUNTY COURTHOUSE COMPLEX BUILDINGS AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF COLUMBIA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS AND OTHER INFRASTRUCTURE IMPROVEMENTS TO AND NEAR THE MARION COUNTY COURTHOUSE SQUARE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION AND REPLACEMENT OF WALTER PAYTON FIELD AND RELATED FACILITIES AT COLUMBIA HIGH SCHOOL IN THE CITY OF COLUMBIA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST WITH CONSTRUCTION OF A BRIDGE EXTENDING FROM THE INTERSECTION OF THE EXTENSION OF WARE STREET AND RELOCATED ST. AUGUSTINE STREET TO PEARSON ROAD IN THE CITY OF PEARL, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF CARROLLTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF STORMWATER DRAINAGE CULVERTS AND OTHER INFRASTRUCTURE IMPROVEMENTS FOR THE PURPOSE OF IMPROVING DRAINAGE AND REDUCING THE RISK OF FLOODING IN THE TOWN OF CARROLLTON; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST MONTGOMERY COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE OVERLAY OF FISHER ROAD FROM U.S. HIGHWAY 51 TO WILLETTE LANE IN MONTGOMERY COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF WINONA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH OVERLAYING ROADS AND STREETS IN THE CITY OF WINONA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF DUNCAN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH SITE GRADING, PLAYGROUND IMPROVEMENTS AND ACQUISITION OF PLAYGROUND EQUIPMENT FOR THE TOWN'S COMMUNITY PARK; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST WALTHALL COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE RENOVATION OF THE WALTHALL COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF TYLERTOWN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION, RESTORATION, FURNISHING AND EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE FORMER WALTHALL HOTEL BUILDING AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF CHARLESTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTING, FURNISHING AND EQUIPPING THE CITY OF CHARLESTON SHADE STREET HEALTH COMPLEX; TO AUTHORIZE THE ISSUANCE OF STATE

GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TALLAHATCHIE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE ACQUISITION OF A SOLID WASTE COLLECTION TRANSFER STATION; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF OAKLAND, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO STREETS AND ROADS IN THE TOWN OF OAKLAND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF STARKVILLE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE EXTENSION OF STARK ROAD AND HOSPITAL ROAD IN THE CITY OF STARKVILLE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF SEBASTOPOL, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO A BUILDING THAT WILL BE THE TOWN'S MULTIPURPOSE COMMUNITY CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF UNION, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE ACQUISITION OF TWO MOTOR VEHICLES AND EQUIPMENT FOR SUCH MOTOR VEHICLES, TASERS AND OTHER SAFETY EQUIPMENT FOR THE CITY OF UNION POLICE DEPARTMENT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF SEMINARY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND EXPANSION OF AND UPGRADES AND IMPROVEMENTS TO THE TOWN'S WATER SYSTEM INFRASTRUCTURE AND/OR SEWER SYSTEM INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF BRANDON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR, RENOVATION AND UPGRADES OF AND IMPROVEMENTS TO ITS CITY HALL BUILDING AND RELATED FACILITIES AND CONSTRUCTION OF AN ADDITIONAL PARKING AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TIPPAAH COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE PURCHASE OF EQUIPMENT AT THE TIPPAAH COUNTY HOSPITAL; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF RIPLEY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH THE PURCHASE OF EQUIPMENT FOR THE CITY'S FIRE DEPARTMENT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF ARTESIA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF AND OTHER IMPROVEMENTS TO STORM WATER STRUCTURES AND FACILITIES FOR THE PURPOSES OF IMPROVING DRAINAGE AND REDUCING THE RISK FOR FLOODING IN THE TOWN OF ARTESIA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH A STUDY REGARDING THE CONSTRUCTION OF A SPORTS STADIUM FOR JACKSON STATE UNIVERSITY IN DOWNTOWN JACKSON, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF PLANTERSVILLE, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH INFRASTRUCTURE IMPROVEMENTS AND PARK IMPROVEMENTS; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE MISSISSIPPI'S TOUGHEST KIDS FOUNDATION IN PAYING THE COSTS ASSOCIATED WITH DESIGN, PREPLANNING, CONSTRUCTION, FURNISHING AND EQUIPPING OF BUILDINGS AND RELATED FACILITIES AT CAMP KAMASSA IN COPIAH COUNTY, MISSISSIPPI, AND DESIGN, PREPLANNING, CONSTRUCTION AND DEVELOPMENT OF INFRASTRUCTURE AT CAMP KAMASSA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF OCEAN SPRINGS, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH IMPROVEMENTS TO THE CITY'S WATER SYSTEM AND SEWER SYSTEM INFRASTRUCTURE AND DRAINAGE INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO

ASSIST ATTALA COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE ATTALA COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF KOSCIUSKO, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, UPGRADES AND IMPROVEMENTS TO HUGH ELLARD PARK IN THE CITY OF KOSCIUSKO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH THE ADMINISTRATION AND OPERATION OF THE KOSCIUSKO SCHOOL DISTRICT PRE-KINDERGARTEN PROGRAM; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST LEAKE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS, RESURFACING, UPGRADES AND IMPROVEMENTS TO HOOPER MILL CREEK ROAD IN LEAKE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TUNICA COUNTY, MISSISSIPPI, IN PAYING COSTS WITH ASSOCIATED REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO BATTLE ARENA; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO ITAWAMBA COUNTY SCHOOL DISTRICT BUILDINGS AND FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST ITAWAMBA COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTING, FURNISHING AND EQUIPPING OF A COUNTY 911 CENTER; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF FULTON, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH EXPANSION OF THE CITY'S NATURAL GAS SYSTEM AND RELATED INFRASTRUCTURE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION, FURNISHING AND EQUIPPING OF A TECHNOLOGY EDUCATION CENTER FOR THE LONG BEACH SCHOOL DISTRICT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF A NEW FIREHOUSE FOR THE KOSSUTH VOLUNTEER FIRE DEPARTMENT IN ALCORN COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF GAUTIER, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF AN AMPHITHEATER AND A SONG WRITERS' MUSEUM; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF LAUREL, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF A PARK AND WALKING TRAIL; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF D'LO, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION OF A FIRE STATION; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH PARKING LOT RECONSTRUCTION FOR THE TATE COUNTY COURTHOUSE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF SENATOBIA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH LIGHTING REPAIRS AT THE INTERSTATE 55/MISSISSIPPI HIGHWAY 740 INTERCHANGE; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH RESURFACING TATE - PANOLA ROAD IN TATE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION IN PAYING COSTS ASSOCIATED WITH THE CONSTRUCTION OF ADDITIONAL LANES FOR U.S. HIGHWAY 51 NORTH OF MISSISSIPPI HIGHWAY 740; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE GREENWOOD CEMETERY ASSOCIATION IN

PAYING COSTS ASSOCIATED WITH REPAIRS TO GREENWOOD CEMETERY IN JACKSON, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST ENTERPRISES OWNING AND OPERATING CERTAIN HYDROPONIC FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF BALDWIN, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIR AND RENOVATION AND UPGRADES AND IMPROVEMENTS TO THE CITY'S MUNICIPAL BUILDINGS AND RELATED FACILITIES; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST TATE COUNTY, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH CONSTRUCTION AND DEVELOPMENT OF INFRASTRUCTURE IMPROVEMENTS AND RECREATIONAL TRAILS AT CHROMCRAFT LAKE IN TATE COUNTY; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING COSTS ASSOCIATED WITH UPGRADES AND IMPROVEMENTS TO THE PORT OF VICKSBURG IN WARREN COUNTY, MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF PHILADELPHIA, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH MAINTENANCE, REPAIRS, UPGRADES AND IMPROVEMENTS TO THE LEVEE SYSTEM PROTECTING THE PHILADELPHIA UTILITIES WASTEWATER TREATMENT PLANT AND RELATED FACILITIES; TO AMEND SECTION 41, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE TOWN OF WESSON, MISSISSIPPI, IN PAYING CERTAIN COSTS ASSOCIATED WITH THE WESSON OLD SCHOOL VISITOR CENTER, MAY BE USED; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$2,870,000.00 TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

S. B. No. 2904: AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2022.

S. B. No. 2928: AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2022.

S. B. No. 2949: AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2022.

S. B. No. 2956: AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2021 AND FISCAL

YEAR 2022; THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2021; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2021; MISSISSIPPI STATE SUPREME COURT FOR FISCAL YEAR 2021; THE VETERANS AFFAIRS BOARD FOR FISCAL YEAR 2021; THE WIRELESS COMMUNICATION COMMISSION FOR FISCAL YEAR 2021; MISSISSIPPI EMERGENCY MANAGEMENT AGENCY FOR FISCAL YEAR 2021; THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2021; THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2021; THE SECRETARY OF STATE FOR FISCAL YEAR 2021; THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2021; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2021; THE DEPARTMENT OF REVENUE FOR FISCAL YEAR 2021; THE GOVERNOR'S OFFICE - DIVISION OF MEDICAID FOR FISCAL YEAR 2021; THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR FISCAL YEAR 2021; THE STATE BOARD OF MEDICAL LICENSURE FOR FISCAL YEAR 2021; AND FOR RELATED PURPOSES.

Tammy Witherspoon, Chairman

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

H. B. No. 1395: AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2022.

Tammy Witherspoon, Chairman

MESSAGE FROM THE GOVERNOR April 5, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2294: Veteran Driver's License Designation; allow proof of military service in person. (April 5, 2021, 9:19 AM)

S. B. No. 2824: State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature. (April 5, 2021, 9:20 AM)

S. B. No. 2827: Public purchases; specify prequalification process for construction manager at risk soliciting bids for projects. (April 5, 2021, 9:21 AM)

S. B. No. 3072: Lafayette County; change governing law for county trust fund investments from PERS to MS Uniform Prudent Investor Act. (April 5, 2021, 9:22 AM)

S. B. No. 3080: City of Vicksburg; authorize adoption of vacant commercial building registration ordinance. (April 5, 2021, 9:24 AM)

S. B. No. 3087: Warren County; authorize contributions to various organizations. (April 5, 2021, 9:25 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE GOVERNOR
April 6, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2539: Hinds County; authorize assessments on convictions for improvements to courthouses and pretrial detention facilities. (April 6, 2021, 9:17 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE GOVERNOR
April 9, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2024: Depositories; revise bid process for selection by counties and municipalities. (April 9, 2021, 2:20 PM)

S. B. No. 2434: Department of Public Safety; authorize contract with counties for custody of certain offenders. (April 9, 2021, 2:21 PM)

S. B. No. 2474: Health department; authorize certain charges for services with other agencies for operation of medical marijuana program. (April 9, 2021, 1:12 PM)

S. B. No. 2569: Urine; create the crime of selling or tampering with urine. (April 9, 2021, 2:23 PM)

S. B. No. 2638: Electronic documents; provide recording procedure for counties without electronic-recording capability. (April 9, 2021, 2:24 PM)

S. B. No. 2816: Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors. (April 9, 2021, 2:26 PM)

S. B. No. 2832: Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026. (April 9, 2021, 2:27 PM)

S. B. No. 2850: Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership. (April 9, 2021, 2:28 PM)

S. B. No. 2909: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. (April 9, 2021, 2:29 PM)

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S. B. No. 2920: Appropriation; Ethics Commission. (April 9, 2021, 2:52 PM)

S. B. No. 2921: Appropriation; Judicial Performance Commission. (April 9, 2021, 2:55 PM)

S. B. No. 2924: Appropriation; Tax Appeals Board. (April 9, 2021, 2:56 PM)

S. B. No. 2944: Appropriation; Animal Health, Board of. (April 9, 2021, 2:57 PM)

S. B. No. 2945: Appropriation; Agriculture and Commerce - Dixie National Livestock Shows and County Livestock Shows. (April 9, 2021, 2:59 PM)

S. B. No. 2952: Appropriation; Personnel Board. (April 9, 2021, 2:33 PM)

S. B. No. 2954: Appropriation; Treasurer's Office. (April 9, 2021, 2:36 PM)

S. B. No. 3086: Lauderdale County; extend repeal date on the Lauderdale County Tourism Commission. (April 9, 2021, 2:40 PM)

S. B. No. 3088: City of Baldwin; authorize to expand and operate natural gas distribution system to serve certain areas of Tippah County. (April 9, 2021, 2:40 PM)

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE GOVERNOR
April 15, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2649: Public contracts for energy efficiency; extend repeal date on use of. (April 14, 2021, 1:35 PM)

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE GOVERNOR
April 16, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2062: Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities. (April 16, 2021, 11:41 AM)

S. B. No. 2121: Intimate visual material; criminalize disclosure of. (April 16, 2021, 2:50 PM)

S. B. No. 2261: Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained and seek reimbursement. (April 16, 2021, 11:38 AM)

S. B. No. 2267: Teacher license; allow reciprocity if teacher possesses standard license from other state and passes background check. (April 16, 2021, 2:52 PM)

S. B. No. 2313: Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness. (April 16, 2021, 10:55 AM)

S. B. No. 2435: Alcoholic beverages; revise various provisions relating to distilleries. (April 16, 2021, 11:44 AM)

S. B. No. 2598: Department of Public Safety; revise licensing. (April 16, 2021, 2:55 PM)

S. B. No. 2621: Task Force; establish to study domestic law matters. (April 16, 2021, 11:47 AM)

S. B. No. 2623: Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act. (April 16, 2021, 11:47 AM)

S. B. No. 2807: Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized. (April 16, 2021, 11:51 AM)

S. B. No. 2834: Mississippi Historic Site Preservation Fund; create and provide for administration by Department of Archives and History. (April 16, 2021, 11:56 AM)

S. B. No. 2839: SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate. (April 16, 2021, 2:57 PM)

S. B. No. 2872: Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area. (April 16, 2021, 3:00 PM)

S. B. No. 2895: Ad valorem taxation; allow county to exempt up to 50% of assessed value of renewable energy project property from. (April 16, 2021, 11:23 AM)

S. B. No. 2915: Appropriation; Corrections, Department of. (April 16, 2021, 2:58 PM)

S. B. No. 2916: Appropriation; Public Safety, Department of. (April 16, 2021, 11:24 AM)

S. B. No. 2955: Appropriation; Debt Service-Gen. Obli. (April 16, 2021, 3:01 PM)

S. B. No. 3090: Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax. (April 16, 2021, 11:59 AM)

Respectfully submitted,
Cindy Stanley, Legislative Aide

TO THE MISSISSIPPI STATE SENATE

MESSAGE FROM THE GOVERNOR
April 19, 2021

SENATE JOURNAL
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I am directed by the Governor to advise you that the following Senate Bill was purposely left **unsigned**, and will become a part of the laws of Mississippi, without the approval signature of the Governor.

S.B. No. 2799: Mississippi Medicaid Program; make technical amendments to reimbursements and administration.

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE GOVERNOR
April 20, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2904: Appropriation; IHL - general support. (April 20, 2021, 10:05 AM)

S. B. No. 2905: Appropriation; IHL - Subsidiary programs. (April 20, 2021, 10:10 AM)

S. B. No. 2906: Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs. (April 20, 2021, 10:11 AM)

S. B. No. 2907: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. (April 20, 2021, 10:14 AM)

S. B. No. 2908: Appropriation; IHL - Mississippi State University - Cooperative Extension Service. (April 20, 2021, 10:15 AM)

S. B. No. 2910: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. (April 20, 2021, 10:19 AM)

S. B. No. 2912: Appropriation; IHL - University of Mississippi Medical Center. (April 20, 2021, 10:21 AM)

S. B. No. 2913: Appropriation; Community and Junior Colleges Board - Administrative expenses. (April 20, 2021, 10:28 AM)

S. B. No. 2914: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. (April 20, 2021, 10:29 AM)

S. B. No. 2917: Appropriation; Emergency Management Agency. (April 20, 2021, 10:35 AM)

S. B. No. 2918: Appropriation; Military Department. (April 20, 2021, 10:36 AM)

S. B. No. 2919: Appropriation; Veterans Affairs Board. (April 20, 2021, 10:37 AM)

S. B. No. 2922: Appropriation; Employment Security, Department of. (April 20, 2021, 10:40 AM)

S. B. No. 2923: Appropriation; Revenue, Department of. (April 20, 2021, 10:41 AM)

S. B. No. 2925: Appropriation; Workers' Compensation Commission. (April 20, 2021, 10:42 AM)

S. B. No. 2926: Appropriation; Mental Health, Department of. (April 20, 2021, 10:43 AM)

S. B. No. 2927: Appropriation; Transportation, Department of - State Aid Road Construction, Office of. (April 20, 2021, 10:50 AM)

S. B. No. 2928: Appropriation; Tennessee-Tombigbee Waterway Development Authority. (April 20, 2021, 10:51 AM)

S. B. No. 2937: Appropriation; Gaming Commission. (April 20, 2021, 10:53 AM)

S. B. No. 2942: Appropriation; Agriculture and Commerce, Department of. (April 20, 2021, 10:55 AM)

S. B. No. 2946: Appropriation; Audit, Department of. (April 20, 2021, 10:58 AM)

S. B. No. 2947: Appropriation; Banking and Consumer Finance, Department of. (April 20, 2021, 11:00 AM)

S. B. No. 2949: Appropriation; Governor's Office and Mansion. (April 20, 2021, 11:03 AM)

S. B. No. 2950: Appropriation; Information Technology Services, Department of. (April 20, 2021, 11:05 AM)

S. B. No. 2953: Appropriation; Secretary of State. (April 20, 2021, 11:07 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

MESSAGE FROM THE GOVERNOR
April 22, 2021

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

S. B. No. 2795: "Mississippi Earned Parole Eligibility Act"; enact. (April 22, 2021, 8:00 AM)

S. B. No. 2798: Public utilities; authorize rate-regulated electric utilities to permit broadband provider use of the electric delivery system. (April 22, 2021, 7:15 AM)

S. B. No. 2825: Transportation; revise provisions relating to motor carrier enforcement, harvest permits, and funding. (April 22, 2021, 7:20 AM)

S. B. No. 2874: Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit. (April 22, 2021, 7:04 AM)

S. B. No. 2911: Appropriation; IHL - Student Financial Aid. (April 22, 2021, 7:40 AM)

S. B. No. 2951: Appropriation; Development Authority, Mississippi. (April 22, 2021, 8:10 AM)

S. B. No. 2956: Appropriations; additional appropriations for various state agencies. (April 22, 2021, 7:10 AM)

S. B. No. 2971: Bonds; authorize for various purposes. (April 22, 2021, 8:05 AM)

Respectfully submitted,
Debbie Carney, Legislative Aide

April 22, 2021

TO THE MISSISSIPPI SENATE

GOVERNOR'S PARTIAL VETO MESSAGE FOR SENATE BILL 2948

I am returning Senate Bill 2948: "AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2022" partly approved and partly not approved pursuant to Article IV, Section 73 of the Mississippi Constitution as an "exercise of the authority endowed the office of the Governor by the people of Mississippi in our Constitution." *Governor Reeves v. Representative Gunn and Representative White*, 307 So.3d 436, 439-442 (Miss. 2020).

I am vetoing Section 29(jj) (Lines 518-520) providing a \$500,000 appropriation to the City of Greenville to assist in paying the costs associated with downtown park improvements.

I am also vetoing Section 29(ww) (Lines 556-559) providing a \$50,000 appropriation to the City of Scooba to assist in paying the costs associated with making improvements to sports and athletic fields and related facilities.

Finally, I am vetoing Section 29(aaa) (Lines 570-574) making a \$50,000 appropriation to the Town of Mathiston to assist in paying costs associated with construction, repair, renovation, upgrades and improvements to the town's baseball park and related facilities.

Article IV, Section 73 of the Mississippi Constitution states: "The Governor may veto parts of any appropriation bill, and approve parts of the same, and the portions approved shall be law." The removal of these separate, distinct and complete appropriations does not affect any other appropriations in Senate Bill 2948. *See Reeves*, 307 So.3d at 442.

Respectfully submitted,

TATE REEVES
GOVERNOR
(April 22, 2021, 8:15 AM)

April 22, 2021

TO THE MISSISSIPPI SENATE

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2624

I am returning Senate Bill 2624: "AN ACT TO AMEND SECTION 73-35-23, MISSISSIPPI CODE OF 1972 TO REQUIRE THE REAL ESTATE COMMISSION TO ESTABLISH A PILOT PROGRAM ALLOWING ADMINISTRATIVE HEARINGS ON CERTAIN LICENSING MATTERS UNDER ITS JURISDICTION; TO PROVIDE THAT ADMINISTRATIVE HEARING OFFICERS SHALL BE STAFF ATTORNEYS EMPLOYED BY THE ATTORNEY GENERAL; TO AMEND SECTION 73-35-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN APPEAL TAKE [sic] A DEFENDANT FROM AN ADVERSE RULING OR ORDER OF THE MISSISSIPPI REAL ESTATE COMMISSION

SHALL ACT AS A SUPERSEDEAS; TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING AMENDMENT; AND FOR RELATED PURPOSES.”

Senate Bill 2624 allows persons licensed by the Mississippi Real Estate Commission and charged with a violation of Commission rules or procedures to bypass the Commission entirely and elect to have an administrative hearing officer (designated by the Attorney General) conduct the hearing and render a final decision on the charges. Specifically, Senate Bill 2624 confers on the administrative hearing officer “the same powers and authority in conducting hearings and rendering decisions as granted to the commission.” Further, Senate Bill 2624 requires that the “clear and convincing standard of proof shall be used to examine factors during all hearings.” Finally, Senate Bill 2624 amends Miss. Code Ann. § 73-35-25 to provide that if an appeal is taken to the Circuit Court from the decision of the Commission or administrative hearing officer, such appeal shall act as supersedeas until the appeal is resolved by the Circuit Court, unless the Commission can establish by clear and convincing evidence that immediate and irreparable harm will result to the public if the licensee is permitted to continue to operate.

While I am troubled that the Commission has failed to adopt comprehensive written policies and procedures to ensure consistent procedural due process is followed in connection with the handling of complaints and disciplinary proceedings, I am unwilling at this time to remove final disciplinary authority from the Commission. While there is nothing unusual about the use of a hearing officer to preside over a disciplinary proceeding, the hearing officer’s findings and decision must be subject to review and final approval by the governing board or commission charged with the responsibility of licensing and regulating that profession in the State. Senate Bill 2624 completely removes the Commission from the disciplinary process at the election of the person charged with a violation and confers upon the hearing officer the full disciplinary authority of the Commission.

Additionally, while it may be appropriate to apply the clear and convincing standard of proof to alleged violations implicating charges of fraud or intentional misconduct, this heightened standard of proof should not be applied to alleged negligence-based violations of Commission rules or procedures. Finally, the proposed amendment to Miss. Code Ann. § 73-35-25 to provide that if an appeal is taken to the Circuit Court from the decision of the Commission, such appeal should act as supersedeas until the appeal is resolved by the Circuit Court is a good proposed change in the law. Such a stay of the Commission’s final disciplinary decision, absent the Commission establishing irreparable harm to the public, will ensure that a licensee’s appellate rights are meaningfully protected.

Despite some positive changes to current law proposed by Senate Bill 2624, I am compelled at this time to veto the bill. I encourage all stakeholders to come together for a meaningful discussion of these and other issues and attempt to reach a resolution that is agreeable to all parties prior to the 2022 Legislative session.

Respectfully submitted,

TATE REEVES
GOVERNOR
(April 22, 2021, 8:16 AM)

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PART III

A History of Actions on All Legislative Matters Considered by the Senate

Titles of all Senate bills in this part of the index are condensed and appear in numerical order, showing the authors and committees to which they were referred. Senate bills with more than two authors will reflect only the first recorded author. Senate bill numbers begin at 2001, so as to prevent duplication of House Bill numbers.

Titles of all House bills which reached the Senate are condensed and appear in numerical order in this part of the index, showing the committees to which they were referred.

Following these titles are abbreviations indicating actions on the bills, followed by figures showing the pages in the Journal where such actions will be found. Explanations of these abbreviations are shown below. The chapter in the General Laws or in the Local and Private Laws, as the case may be, is shown for each bill that became law. The General Laws and the Local and Private Laws are published in separate volumes.

EXPLANATION OF ABBREVIATIONS

ap - Approved by Governor	msrp - Motion to suspend rules prevailed
ca - Conference committee appointed	nca - New conferee(s) appointed
caa - Co-author added	ph - Passed House
cg - Conference granted	pin - Parliamentary inquiry
Ch. - Chapter of laws	po - Point of order
cr - Committee Report	pv - Partial veto
cra - Conference report adopted	rbr - Request bill to be read
crah - Conference report adopted by House	rc - Recommitted
crf - Conference report failed	rcbh - Recalled by House
cro - Conference report offered	rcc - Recommit conf.report for further conf.
csa - Committee substitute adopted	rf - Referred
csf - Committee substitute failed	rh - Received from House
cu - Called up for consideration	rmc - Remanded to heel of Calendar
e - Explanation	rt - Removed from table
ev - Explanation of vote	ru - Ruling
hc - House concurred in Senate amendment	s - Submitted
hdc - House declined to concur, invited conf., named conf.	sc - Senate concurred in House amendments
hrcc - House recommitted conf. report for further conference	sdcc - Senate declined to concur and invited conference
i - Introduced and referred	sp - Signed by the President
lws - Law without signature	tsc - Tabled subject to call
mr - Motion to reconsider entered	uc - Unanimous consent
mrc - Motion to reconsider called up	uco - Object to unanimous consent
mrp - Motion to reconsider prevailed	v - Yea and nay vote
mrt - Motion to reconsider tabled	vp - Paired vote
	vt - Vetoes

A. SENATE BILLS

S. B. No.

- 2001 - (Education; Appropriations) Teachers' salaries; provide for increase. DeBar, et al. i20; cr232; cu239; v239; caa239.
- 2002 - (Medicaid) Durable medical equipment; fix Medicaid reimbursement rate at 100% of Medicare rate. Blackwell. i20.
- 2003 - (Medicaid) Medicaid reimbursement; authorize for accredited community mental health service providers. Blackwell. i20.
- 2004 - (Public Health and Welfare) Health Care Certificate of Need; bring forward section. Blackwell. i21; cr283; msrp312; cu312; csa312; v312.
- 2005 - (Public Health and Welfare; Accountability, Efficiency, Transparency) State Board of Examiners for Audiology and Speech Language Pathology; create. Kirby. i21.
- 2006 - (Public Health and Welfare) Physical therapy practice laws; revise various provisions of. Blackwell. i21.

- 2007 - (Public Health and Welfare) Advanced practice registered nurses; revise certain provisions relating to, including collaboration requirement. Blackwell. i22.
- 2008 - (Public Health and Welfare) Nurse practitioners; authorize to dispense legend drugs to patients. Blackwell. i22.
- 2009 - (Energy; Judiciary, Division A) Rural water associations; owner of rental property shall not be liable for his tenant's unpaid water bill. Johnson. i22.
- 2010 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Interception of wire or oral communications; authorize sheriff departments to possess, operate or monitor such devices. McCaughn. i22.
- 2011 - (Judiciary, Division B) Chemical endangerment of a child or fetus; create crime of. McCaughn. i22.
- 2012 - (Constitution; Judiciary, Division B) United States Flag; prohibit burning. Chism. i23.
- 2013 - (Judiciary, Division B) Statute of limitations; except sexual battery from. Blackwell. i23.
- 2014 - (Elections) Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. Blackwell. i23.
- 2015 - (Elections; Accountability, Efficiency, Transparency) Online voter registration; revise to allow for first-time voters to register through. Blackwell. i23.
- 2016 - (Elections) Secretary of State Statewide Elections Management System; provide for voter's proof of citizenship. Blackwell. i23.
- 2017 - (Elections) Marking election ballots; delete option of using indelible pencil to mark ballots. Blackwell. i23.
- 2018 - (Energy; Appropriations) Mississippi Telephone Solicitation Act; extend repealer on provision requiring deposit of fees to State General Fund. Carter. i24; cr284; cu370; v370.
- 2019 - (Labor) Ban the Box Act; enact. Witherspoon. i24; cr262; cu381; ev381; mr381; v381; ev382.
- 2020 - (Judiciary, Division A) Tribal identification cards; recognize as legal means of personal identification. Branning. i24; cr232; cu300; v300.
- 2021 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Coordinator of Mental Health Accessibility; house position under DFA, exempt contracts from rules of contract review board. Bryan. i24; cr41; cu75; v76; ph347; sp365; ap372.
- 2022 - (Judiciary, Division A) Justice courts; required to accept electronic filing. Johnson. i25; cr277; cu419; v419; mr420; mrc483; mrp483; v483.
- 2023 - (Insurance) Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs. Blackwell. i25.
- 2024 - (County Affairs) Depositories; revise bid process for selection by counties and municipalities. Blackwell, et al. i25; cr279; cu352; v352; caa352; caa357;

ph1277; sdc1336; ca1666; cg2162; msrp2320; cro2320; cra2335; v2335; crah2443; sp3423; ap3461.

- 2025 - (Insurance; Accountability, Efficiency, Transparency) Travel Insurance Act of 2021; create. Blackwell. i25.
- 2026 - (Insurance; Appropriations) State Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. Polk. i26.
- 2027 - (Municipalities) Local governmental entities; prohibit from requiring a license for certain businesses operated by a minor. Blackwell. i26.
- 2028 - (Public Health and Welfare) Health care CON review; party requesting or appealing a hearing on application is responsible for costs and attorney fees. Blackwell. i26.
- 2029 - (Judiciary, Division B) Sexual battery; conform statute of limitations to the statute of limitations for rape. Fillingane. i26.
- 2030 - (County Affairs; Municipalities) Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. Kirby. i26.
- 2031 - (Local and Private) City of Louisville; extend the hotel and motel tax repeal date to July 1, 2025. Branning. i26; cr580; msrp935; cu935; v935; ph2145; sp2151; ap2589.
- 2032 - (Local and Private) City of Olive Branch; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation. Blackwell. i27; cr580; msrp935; cu935; v936.
- 2033 - (Public Property) Columbia Training School property; DFA may transfer portion of to the Marion County Board of Supervisors. Hill. i27.
- 2034 - (Public Property) Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. Hill. i27.
- 2035 - (Wildlife, Fisheries and Parks) Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection. Blackwell. i27; cr279; cu311; csa311; v312; ph1284; sdc1386; ca1666; cg2162; rcc2493; hrcc2509.
- 2036 - (Wildlife, Fisheries and Parks) Deer hunting; allow the use of electronically amplified sound devices. Blackwell. i27.
- 2037 - (Medicaid; Housing) Medicaid Access and Opportunity Act of 2021; enact. Blackwell. i28.
- 2038 - (Education) Civics Test; require passing score for high school graduates and high school equivalency diploma applicants. Blackwell. i28.
- 2039 - (Education) Local school board members; prescribe salary scale based on school district student enrollment. Blackwell. i28.
- 2040 - (Education) Kindergarten-age children; require compulsory school attendance for all. Jordan. i28.

- 2041 - (Education) Teachers' salary; implement a four-year phase in to increase to the southeastern average. Jordan. i28.
- 2042 - (Education) Assistant teachers; require school districts to notify of nonreemployment. Jordan. i28.
- 2043 - (Accountability, Efficiency, Transparency) State agencies; require all chief financial officers and accountants to be employed by DFA. Johnson. i29.
- 2044 - (Finance) Bonds; authorize to assist Marshall County in improving Barringer Road for Chickasaw Trail Industrial Park access. Blackwell. i29.
- 2045 - (Finance) Bonds; authorize to assist Marshall County in building emergency response center to serve Chickasaw Trail Industrial Park. Blackwell. i29.
- 2046 - (Finance) Ad valorem tax on inventory; phase in exemption for certain small businesses. Blackwell. i29.
- 2047 - (Accountability, Efficiency, Transparency) Appointed state officers; provide for the removal of for certain forms of willful neglect. Blackwell. i29.
- 2048 - (Accountability, Efficiency, Transparency) Regulatory Reduction Program; require certain pilot agencies to implement. Blackwell. i29.
- 2049 - (Finance) Bonds; authorize issuance of general obligation bonds for repair and renovation of Triangle Cultural Center in Yazoo City. Thomas. i29.
- 2050 - (Finance) Bonds; authorize issuance for demolition and cleanup of dilapidated structures in downtown Rolling Fork. Thomas. i30.
- 2051 - (Finance) Bonds; authorize issuance of general obligation bonds for repair and renovation of Oakes African American Cultural Center. Thomas. i30.
- 2052 - (Finance) Bonds; authorize issuance of general obligation bonds for improvements to Rolling Fork Civic and Event Center. Thomas. i30.
- 2053 - (Finance) Bonds; authorize issuance of general obligation bonds for West Central Mississippi Incubator Grant Program. Thomas. i30.
- 2054 - (Finance) Bonds; authorize to assist Serenity on the Bayou in Anguilla renovate and equip building for Emmanuel Community Center. Thomas. i30.
- 2055 - (Finance) Bonds; authorize issuance to assist Perry County Board of Supervisors with costs of extension of natural gas line. Johnson. i30.
- 2056 - (Finance) Bonds; authorize for street improvement in the City of Greenville. Simmons (12th). i30.
- 2057 - (Finance) Bonds; authorize issuance for Local System Bridge Replacement and Rehabilitation Fund. Hill. i30.
- 2058 - (Appropriations) Appropriation FY2022; Church of God in Christ historical markers in Holmes County, Mississippi. Jordan. i31.
- 2059 - (Appropriations) Appropriation FY2022; to Department of Archives and History for an historical statue of Emmett Till at Leflore County Courthouse. Jordan. i31.

- 2060 - (Appropriations) State employee salaries; direct State Personnel Board to implement across-the-board increase. Simmons (12th), et al. i31.
- 2061 - (Appropriations; Accountability, Efficiency, Transparency) State Superintendent of Education; provide limitation on salary. Hill. i31.
- 2062 - (Appropriations) Rural Fire Truck Acquisition Assistance Program; authorize an additional round for counties and municipalities. Hill, et al. i31; cr268; caa355; caa356; caa357; cu434; csa434; v434; caa435; ph628; sdc1760; ca2151; cg2162; cro3248; cra3251; v3251; crah3426; sp3438; ap3462.
- 2063 - (Finance) Sales tax; exempt motor vehicle transfers to and from trusts, corporations, partnerships and limited liability companies. Johnson. i31.
- 2064 - (Finance) Income tax; authorize credit for expenditures for participation of a child in a private education program. Hill. i31.
- 2065 - (Appropriations) Appropriation; Rural Fire Truck Fund for additional round of trucks under Acquisition Assistance Program. Hill. i32.
- 2066 - (Rules) State flag; adopt as the official state flag the design approved by 72% of the voters in the statewide special election. Wiggins, et al. i32.
- 2067 - (Judiciary, Division B) Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription. Hill. i32.
- 2068 - (Judiciary, Division B) Voyeurism; revise sentencing. Fillingane. i32; cr248; cu300; v300.
- 2069 - (Education) Community schools planning grant program; establish fund. Simmons (12th). i32.
- 2070 - (Judiciary, Division B) Suffrage; restore suffrage to Vedo Kyles. Thomas. i42.
- 2071 - (Agriculture) Food establishments; prohibit single-use plastic straws unless requested by consumer. Simmons (12th). i42.
- 2072 - (Agriculture) Pecan Harvesting Law; revise penalties for violating. Seymour. i42; cr287; cu354; v354.
- 2073 - (Wildlife, Fisheries and Parks) Wild hogs; require metallic tags to be affixed to the ear of one that is being transported. Seymour, et al. i42.
- 2074 - (Wildlife, Fisheries and Parks) Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides. Seymour, et al. i42.
- 2075 - (Rules) State parks; change name of Natchez State Park to "Bob M. Dearing Natchez State Park." Parker, et al. i42; cr230; cu295; v295; caa295; ph1078; sp1354; ap1756.
- 2076 - (Agriculture) Mississippi Fair Commission; remove repealer and revise advisory council composition. Younger, et al. i42; cr287; cu423; csa423; caa424; v424; ph1078; sp1399; ap1942.
- 2077 - (Accountability, Efficiency, Transparency) Central Market Board; abolish and transfer functions to the Department of Agriculture and Commerce. Younger, et al. i43; cr272; cu333; v333; caa355.

- 2078 - (Highways and Transportation) Highways; include Old State Highways 6 and 9 in Pontotoc County in the state highway system. Chism. i43.
- 2079 - (Labor; Accountability, Efficiency, Transparency) Mississippi Minimum Wage Act; establish. Simmons (12th). i43.
- 2080 - (Labor; Accountability, Efficiency, Transparency) Temporary day workers; protect labor and employment rights of. Simmons (12th) (By Request). i43.
- 2081 - (Public Property) University of Mississippi Medical Center property; revise leasing authority by removing provision requiring mixed-use development. Blount, et al. i43; cr258; cu377; v377; caa377.
- 2082 - (Insurance) Health insurance; require certain policies to provide coverage for physician-prescribed hypofractionated proton beam therapy. Hill. i43.
- 2083 - (Insurance) Uninsured Motorist Act; allow political subdivisions to offset claim by medical expenses paid under workers' comp. Hill. i44.
- 2084 - (Judiciary, Division A) Child support; allow restricted driver's license for work. Hill. i44.
- 2085 - (Judiciary, Division A) Jurors; expand pool to citizens with driver's license who have filed state income taxes. Simmons (12th). i44.
- 2086 - (Judiciary, Division A) Child advocacy centers; immunity from civil liability. Wiggins, et al. i44; cr270; cu417; v417; caa417.
- 2087 - (Judiciary, Division A; Public Health and Welfare) Cemetery owners; authorize to disinter dead human remains for reinterment, reburial or delivery to a carrier for transportation. Wiggins. i44; cr258; cu326; v326; ph1227.
- 2088 - (Judiciary, Division A) Eminent domain; provide compensation for the loss of a business's goodwill. Hill. i44.
- 2089 - (Judiciary, Division A) Mississippi Civil Rights Act; enact. Simmons (12th). i45.
- 2090 - (Judiciary, Division A) Female genital mutilation; prohibit and create civil cause of action. Hill. i45.
- 2091 - (Judiciary, Division A) Domestic abuse; allow protection of pets in a protection order. Hill. i45.
- 2092 - (Judiciary, Division A) Birth certificate; adoptee may obtain certified copy of original after 18 years. Hill. i45.
- 2093 - (Judiciary, Division A) Local government; prohibit ordinances authorizing camping on public property and sidewalks. Hill. i45.
- 2094 - (Municipalities; Accountability, Efficiency, Transparency) Municipalities; authorize discretionary control within corporate limits. McCaughn. i45.
- 2095 - (Wildlife, Fisheries and Parks) Hunting & fishing licenses; include manager or member of LLC owning land within exemption for resident landowners. Michel. i46; cr280.
- 2096 - (Judiciary, Division A) Subdivision plats; revise effectiveness. McCaughn. i46.

- 2097 - (Judiciary, Division A; Accountability, Efficiency, Transparency) Criminal procedure; allow interlocutory appeal by prosecution of certain adverse rulings. Fillingane. i46.
- 2098 - (Accountability, Efficiency, Transparency) State Board of Funeral Service; extend repealer on. Caughman, et al. i46; cr272; cu334; v334; caa355; ph751; sp759; ap1286.
- 2099 - (County Affairs) Cleaning private property; revise county procedures used to clean property adjudicated a menace to public health and safety. Blackwell, et al. i46.
- 2100 - (Judiciary, Division A) Charitable organization; revise definition of and service of process on. Branning. i46.
- 2101 - (Labor; Judiciary, Division A) Mississippi Pay Equity Act; prohibit wage discrimination based on gender. Witherspoon. i46.
- 2102 - (Elections; Accountability, Efficiency, Transparency) Agreement Among the States to Elect the President by National Popular Vote; create. Blount. i51.
- 2103 - (Corrections; Accountability, Efficiency, Transparency) Correctional system cost-per-day reviews; transfer responsibility from PEER to MDOC. Chassaniol. i51.
- 2104 - (Corrections; Accountability, Efficiency, Transparency) Parole Board; bring forward sections relating to powers and duties of. Chassaniol. i52.
- 2105 - (Judiciary, Division B) Nonadjudication; revise courts' authority. McCaughn. i52.
- 2106 - (Judiciary, Division B) Off-duty law enforcement officers; authorized to use public vehicles for private security duty. Fillingane, et al. i52; cr229; cu298; csa298; v298; caa298.
- 2107 - (Judiciary, Division B) Firearms; prohibit local governments and state agencies from restricting possession. DeBar, et al. i52; cr281; cu400; csa400; v400; caa401; ph980; msrp1430; sdc1430; ca1938; cg2162.
- 2108 - (Elections) Nonpartisan elections; require for offices of chancery clerk, circuit clerk, tax assessor, tax collector, surveyor and coroner. DeBar. i52.
- 2109 - (Corrections; Appropriations) State offenders; MDOC to reimburse counties for medical and legal fees of. DeBar. i52.
- 2110 - (Drug Policy) Kratom; include in Schedule I of the Uniform Controlled Substance Act. Tate. i53.
- 2111 - (Judiciary, Division B) Rapid DNA Task Force; establish within the Department of Public Safety. Wiggins. i53.
- 2112 - (Judiciary, Division B) DNA samples; collected from person arrested for any felony and provide for destruction of samples only upon expungement request. Wiggins. i53.
- 2113 - (Elections) Voting equipment; require certification by the United States Election Assistance Commission. Tate, et al. i53; cr251; cu324; csa324; v324; caa325; caa355; mr357.

- 2114 - (Accountability, Efficiency, Transparency) Mississippi Companion Animal Abuser Registry Act; enact. Hill. i53.
- 2115 - (Judiciary, Division B) Probation and parole officers; limit number of cases that may be handled. Hill. i53.
- 2116 - (Judiciary, Division B) Terroristic threats; revise elements of. Fillingane. i53.
- 2117 - (Judiciary, Division B) Juvenile offenders; provide alternative sentencing and parole options. Fillingane, et al. i54; cr264; cu328; csa328; v328; mr354; caa355; caa356; mrc482; mpr482; v483; ph1277; sdc1421; ca1938; cg2180.
- 2118 - (Elections) Mississippi Student Absentee Voter Act; enact. Blackwell. i54.
- 2119 - (Drug Policy; Judiciary, Division B) Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription. Fillingane, et al. i54; cr264; cu331; csa331; v331; caa332; ph1078; sp1354; ap1756.
- 2120 - (Judiciary, Division B) Parole revocation; revise definition of technical violation. Hill. i54.
- 2121 - (Judiciary, Division B) Intimate visual material; criminalize disclosure of. Fillingane, et al. i55; cr264; cu329; csa329; v329; caa357; mr357; mrc483; mrt483; ph1285; sdc1428; ca1938; cg2162; cro2300; cra2303; v2303; crah2443; sp3424; ap3462.
- 2122 - (Drug Policy; Judiciary, Division B) Opioid and other controlled substances epidemic; provide enhanced penalties. Jordan. i55.
- 2123 - (Municipalities; Energy) Political subdivisions; prohibit ordinance that bans or restricts a person's ability to use a natural gas or electric public utility. Carter. i55.
- 2124 - (Economic and Workforce Development) Mississippi Department of Employment Security; revise various provisions regarding authority of. Parker. i55; cr260; cu302; csa302; v302; ph1228; sp1399; ap1942.
- 2125 - (Judiciary, Division B) Violent habitual offender; require jury determination. Simmons (12th). i55.
- 2126 - (Judiciary, Division B) DUI; nonadjudication of a first offense for CDL holder who was not operating a commercial vehicle. Simmons (12th). i56.
- 2127 - (Judiciary, Division B) Fleeing or eluding a law enforcement officer; revise offense of. England, et al. i56.
- 2128 - (Elections; Judiciary, Division B) Vote fraud; increase penalties. Seymour, et al. i56.
- 2129 - (Judiciary, Division B) Organized retail theft; revise. Seymour. i56.
- 2130 - (Judiciary, Division B) Scrap metal; exclude nonfunctioning window units and stainless steel sinks. Seymour. i56.
- 2131 - (Corrections; Judiciary, Division B) Nonviolent habitual offender; revise sentencing. Simmons (12th). i56.

- 2132 - (Judiciary, Division B) The Juvenile Offender Parole and Rehabilitation Act; enact. Simmons (12th). i56.
- 2133 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Restitution centers; transition to post-release reentry centers. Simmons (12th). i57.
- 2134 - (Corrections; Accountability, Efficiency, Transparency) Restitution centers; transition to pre-release centers. Simmons (12th). i57.
- 2135 - (Judiciary, Division B) Youthful offenses; revise when may be tried in circuit court. Simmons (12th). i58.
- 2136 - (Corrections; Judiciary, Division B) Expunction; allow after 20 years' good behavior with certain exceptions. Simmons (12th). i58.
- 2137 - (Judiciary, Division B) House burglary; create separate violent and nonviolent offenses. Simmons (12th). i58.
- 2138 - (Corrections; Accountability, Efficiency, Transparency) Office of Department of Corrections Ombudsman; establish. Simmons (12th). i58.
- 2139 - (Corrections; Accountability, Efficiency, Transparency) Corrections; create a Corrections Inspection Council to serve in advisory capacity to state officials. Simmons (12th). i58.
- 2140 - (Elections; Accountability, Efficiency, Transparency) Absentee voting; establish electronic application procedure for college students. Blount. i58.
- 2141 - (Public Health and Welfare; Medicaid) Certificate of need; issue CON to Panola Medical Center for adult psych beds and North MS Medical Center for child psych beds. Boyd, et al. i59.
- 2142 - (Education) School boards; require policy that allows for corporal punishment opt in of students annually. Wiggins. i59.
- 2143 - (Universities and Colleges) Hinds Community College; revise trustee districts. Kirby. i59.
- 2144 - (Education) MHSAA; must allow member schools to participate against nonaccredited schools and schools with home-schooled students. Johnson. i59.
- 2145 - (Universities and Colleges) Protection of free speech and association at public universities; withhold state funds for unconstitutional policy. Hill. i59.
- 2146 - (Education) Charter School Authorizer Board; reconstitute. Chassaniol. i60.
- 2147 - (Education) School recognition program; bring forward for possible amendment to salary supplements. DeBar. i60.
- 2148 - (Education; Accountability, Efficiency, Transparency) School buildings; require new construction and certain renovations to include water bottle filling stations. DeBar. i60.
- 2149 - (Education) MAEP; Department of Education required to hold harmless school district from calculating 2020-2021 average daily attendance. DeBar, et al. i60; cr95; cu439; csa439; v439; caa439; ph1078; sp1400; ap1943.

- 2150 - (Education) School property; schools may withhold transcripts from students who fail to return textbooks or mobile devices. Carter. i60.
- 2151 - (Accountability, Efficiency, Transparency) Education Continuum for Mississippi's Future Task Force; create. Boyd, et al. i61.
- 2152 - (Education; Accountability, Efficiency, Transparency) High-performing education systems design; establish task force. Boyd, et al. i61.
- 2153 - (Education) Teacher licenses; allow reciprocity if teacher possesses valid license from other state. Blount. i61.
- 2154 - (Judiciary, Division B) Juvenile sentencing; provide criteria for determining parole eligibility and require hearing before imposing life without parole. Simmons (12th). i61.
- 2155 - (Judiciary, Division B) Trusty and earned-time programs; change eligibility to participate in. Simmons (12th). i61.
- 2156 - (Judiciary, Division B) Shoplifting; revise penalties. Seymour. i62.
- 2157 - (Medicaid) Managed care organizations; require certain standards and extend repealer. Simmons (12th). i62.
- 2158 - (Public Health and Welfare) Require the PEER Committee to conduct biennial reviews of the Department of Child Protection Services. Chassaniol. i62.
- 2159 - (Medicaid) Mississippi Medicaid program; authorize extended postpartum care for recipients and require standardized credentialing process. Blount. i62.
- 2160 - (Public Health and Welfare) Health Care Certificate of Need Law; repeal. Hill. i62.
- 2161 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Simmons (12th). i63.
- 2162 - (Judiciary, Division B) Child Protection Services; require disclosure of reporter in cases of false abuse and neglect reports. Hill. i63.
- 2163 - (Public Health and Welfare; Appropriations) SNAP Health Food Incentive Program; create. Boyd. i63.
- 2164 - (Public Health and Welfare; Judiciary, Division B) Marijuana; legalize. Simmons (12th). i63.
- 2165 - (Veterans and Military Affairs; Accountability, Efficiency, Transparency) Veterans Service Officers; revise certain qualifications and requirements. Seymour, et al. i63; cr290; cu424; v424; caa425; ph1078; sp1400; ap1942.
- 2166 - (Finance) Ad valorem taxation; exempt property used for housing and providing services to victims of domestic violence and sexual assault. Simmons (12th). i64.
- 2167 - (Finance; Accountability, Efficiency, Transparency) Capitol Complex Improvement District; increase DFA's borrowing authority and divert use tax revenue for. Blount. i64.

- 2168 - (Finance) Tax Payer Pay Raise Act; remove phase-out of income & franchise tax & remove deduction of federal employment tax. Simmons (12th), et al. i64.
- 2169 - (Finance) Bonds; create a rural counties and municipalities emergency infrastructure loan program and authorize issuance of bonds. Simmons (12th). i64.
- 2170 - (Public Health and Welfare) Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. Hill. i64.
- 2171 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Transgender 21 Act; enact. Hill. i65.
- 2172 - (Medicaid) Medicaid reimbursement for assisted living services under federal waivers; authorize assessment and exemption from 5% reduction. Blackwell. i65.
- 2173 - (Finance) Alcoholic beverages; allow package retail sales on Sundays. Carter. i65.
- 2174 - (Accountability, Efficiency, Transparency) County prosecuting attorney; revise annual salary of for Jackson County. Wiggins. i65.
- 2175 - (Accountability, Efficiency, Transparency; Appropriations) District attorney criminal investigators; revise salary of. Wiggins. i65.
- 2176 - (Finance) Bonds; authorize to assist Sunflower County Ministerial Alliance Counseling Services in constructing transitional shelter. Simmons (13th), et al. i66.
- 2177 - (Finance) Bonds; issue for the construction of career tech buildings at the Greenville Higher Education Center. Simmons (12th). i66.
- 2178 - (Finance) Bonds; authorize the issuance of g.o. bonds for the E.E. Bass Cultural Arts Center. Simmons (12th). i66.
- 2179 - (Finance) Bonds; authorize the issuance of state general obligation bonds to construct the Mississippi River Museum in Greenville. Simmons (12th). i66.
- 2180 - (Finance) City of Greenville; authorize the issuance of general obligation bonds for improvements to certain city streets. Simmons (12th). i66.
- 2181 - (Finance) Income tax; authorize credit for costs of building storm shelters or safe rooms for multifamily residential construction. Caughman. i66.
- 2182 - (Finance) Tobacco tax; define tobacco products to include electronic smoking devices for purposes of 15% excise tax. Blount. i66.
- 2183 - (County Affairs; Municipalities) Counties, municipalities and school districts; require to publish their annual budget online. Simmons (12th). i67.
- 2184 - (Accountability, Efficiency, Transparency) Occupational Licensing Review Commission; require supervision of civil actions brought by occupational licensing boards. Hill. i67; cr283.
- 2185 - (Finance) Sales tax; exempt sales of groceries. Simmons (12th). i67.

- 2186 - (Finance; Accountability, Efficiency, Transparency) Sales tax; create diversion to counties. Hill. i67.
- 2187 - (Accountability, Efficiency, Transparency) Universal Recognition of Occupational Licenses Act; enact. Blackwell. i67; cr288; cu425; csa425; v425; vp425; mr425.
- 2188 - (Accountability, Efficiency, Transparency) State agencies; revise reporting requirements when personnel actions are exempted from State Personnel Board procedures. Chassaniol, et al. i67; cr272; cu387; v387; caa387; caa427.
- 2189 - (Accountability, Efficiency, Transparency) Counties and municipalities; authorize to offer Medicare-eligible employees supplemental compensation if employees secure Medicare. Hill. i68; cr272; cu334; v334; ph1078; sp1400; ap1943.
- 2190 - (Accountability, Efficiency, Transparency) Emergency Management Law; revise definition to include a public health emergency and revise emergency powers of the Governor. Chassaniol. i68.
- 2191 - (Public Property) Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. Seymour. i68.
- 2192 - (Accountability, Efficiency, Transparency) Sheriffs; revise annual salary for counties with population of more than 100,000. Wiggins. i68.
- 2193 - (Accountability, Efficiency, Transparency) DA criminal investigators; revise salary of. Fillingane. i68.
- 2194 - (Public Property) State flag; require governmental entities, public colleges, universities and school districts to display or be subject to penalty. Seymour. i68.
- 2195 - (Accountability, Efficiency, Transparency) Motor vehicle tags; allow legislators to have both legislator and regular/personalized tags and display them alternately. Blackwell. i69.
- 2196 - (Accountability, Efficiency, Transparency) Appointment of officers; require Governor and Lt. Governor to make appointments to fill vacant offices within a certain period of time. Parker. i69; cr283.
- 2197 - (Accountability, Efficiency, Transparency) Secretary of State; create no more than two deputy secretary of state positions. Parker. i69.
- 2198 - (Finance) Sales tax; exempt sales of poultry products to tax-exempt charities operating food banks, food pantries or food lines. McCaughn. i69.
- 2199 - (Appropriations; Corrections) Department of Corrections; shall pay correctional facility employees for all accumulated comp time upon termination or death. DeBar. i69.
- 2200 - (Finance; Accountability, Efficiency, Transparency) West Central Mississippi Incubator Grant Program; establish with county governments, DFA and local development districts. Thomas. i70.
- 2201 - (Appropriations) Appropriation FY2022; West Central Mississippi Incubator Grant Program. Thomas. i70.
- 2202 - (Accountability, Efficiency, Transparency) Sales tax; divert certain sales tax revenue to special fund for state parks improvement. Chassaniol. i70.

- 2203 - (Municipalities; Finance) Ad valorem taxes; consider annexed business "new enterprise" for purposes of eligibility for certain municipal tax exemptions. Blackwell. i70.
- 2204 - (Business and Financial Institutions) Revised LLC Act and MS Registered Agents Act; require listing of registered agent's email address. Parker. i70; cr270; cu332; v332; ph1078; sp1354; ap1756.
- 2205 - (Judiciary, Division A) Birth certificate; adoptee may obtain certified copy of original after 18 years. Younger, et al. i70; cr277; cu351; v351; caa355.
- 2206 - (Judiciary, Division A) Guardian ad litem fees; failure to pay enforced as any other civil debt. Hill. i71.
- 2207 - (Insurance; Judiciary, Division A) Workers' compensation; increase maximum total recovery and remove cap on permanent total disability compensation. Simmons (12th). i71.
- 2208 - (County Affairs) County jail dockets; require additional data for transparency purposes and require uniform recording of data. Chassaniol. i71.
- 2209 - (County Affairs; Finance) Counties; require to participate in the ACT Work Ready Community Initiative. Simmons (12th). i71.
- 2210 - (Municipalities; Energy) Municipally owned waterworks; prohibit from charging higher rates to certain customers in another municipality. Blount. i71.
- 2211 - (Judiciary, Division A) Juries; prohibit peremptory challenges based on certain factors. Simmons (12th). i71.
- 2212 - (Business and Financial Institutions) Practice of surveying; exclude certain activities from the definition of. Hill. i72.
- 2213 - (Judiciary, Division A) Divorce; either or both parties may be determined an injured party. McCaughn. i72.
- 2214 - (Accountability, Efficiency, Transparency) Individual bond; require for public officers and employees handling public funds. Branning. i72.
- 2215 - (Accountability, Efficiency, Transparency) Capitol Complex Improvement District; revise boundaries to include Battlefield Park. Blount. i72.
- 2216 - (Finance) Bonds; authorize issuance for Phase II of construction of a new headquarters building for the Department of Public Safety. Kirby. i72.
- 2217 - (Appropriations) Appropriation; UMMC to support a medical residency program at Delta Regional Medical Center. Simmons (12th). i72.
- 2218 - (Finance) Bonds; authorize to assist Greenwood Cemetery Association in Jackson with preservation of cemetery grounds and monuments. Blount. i72.
- 2219 - (Appropriations) Appropriation FY 2022; to University of Mississippi Medical Center for fire protection. Blount. i73.
- 2220 - (Judiciary, Division A) Child support; may continue past age of majority for a disabled child. Parker. i73.

- 2221 - (Public Health and Welfare; Appropriations) Mississippi Dementia Care Program, Food Bank Pilot Programming; create. Boyd, et al. i73; cr284; rmc442; cu473; csa473; caa474; v474; ph629; msrp718; sc718; v721; sp752; ap1276.
- 2222 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Board of Nursing; revise penalties for prohibited conduct and authorize the recovery of reasonable costs. Blount. i73.
- 2223 - (Judiciary, Division B) Arrest warrants; authorize issuance for sex offenses against children upon oral testimony. Fillingane. i73; cr264; cu329; csa329; v330; ph980; msrp1447; sdc1447; ca1938; cg2162.
- 2224 - (Judiciary, Division A) Law enforcement officers; immunity under certain circumstances. Fillingane. i73.
- 2225 - (Judiciary, Division A) False report of child abuse or neglect; provide for civil liability. Hill. i73.
- 2226 - (Education) Education standards; replace Common Core with ELA Standards. Hill. i77.
- 2227 - (Judiciary, Division A; Appropriations) Public Defenders Education Fund; establish education and training cost. Simmons (12th). i78.
- 2228 - (Corrections) Parole of prisoners; revise list of offenses that cause ineligibility of offenders convicted between 1995-2014. Simmons (12th). i78.
- 2229 - (Corrections) Medical prison release program; revise authority of MDOC and Mississippi Parole Board. Simmons (12th). i78.
- 2230 - (Corrections; Judiciary, Division B) Supervised prison release programs; revise terms and conditions. Simmons (12th). i78.
- 2231 - (Elections; Constitution) Suffrage; provide for restoration upon completion of sentence or placement on probation. Simmons (12th). i78.
- 2232 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Intervention court; amend criteria for participation in. Simmons (12th). i79.
- 2233 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Violent habitual offender; require both previous crimes to have been crimes of violence. Simmons (12th). i79.
- 2234 - (Judiciary, Division B; Accountability, Efficiency, Transparency) County jail census data; facilitate availability of. Simmons (12th). i79.
- 2235 - (Judiciary, Division B) Misdemeanants; may not possess a weapon under certain circumstances. Simmons (12th). i79.
- 2236 - (Judiciary, Division B) Habitual offender; crimes punishable by imprisonment for 5 years or less not considered. Simmons (12th). i79.
- 2237 - (Judiciary, Division B) Habitual offender; crimes committed before 18 years of age not considered. Simmons (12th). i80.
- 2238 - (Judiciary, Division B) Habitual offender; revise. Simmons (12th). i80.

- 2239 - (Judiciary, Division B) Simple possession of controlled substances; revise certain. Simmons (12th). i80.
- 2240 - (Judiciary, Division B) Habitual offender; prior felonies with completed sentences more than 10 years prior not considered. Simmons (12th). i80.
- 2241 - (Judiciary, Division B) Youth court; revise transfer to circuit court. Simmons (12th). i80.
- 2242 - (Judiciary, Division A; Accountability, Efficiency, Transparency) Landlord-tenant law; revise. Simmons (12th) (By Request). i80.
- 2243 - (Judiciary, Division B) Expunction; reduce waiting period for eligibility. Simmons (12th). i80.
- 2244 - (Judiciary, Division B) Crimes of violence; revise list of offenses designated as such. Simmons (12th). i80.
- 2245 - (Judiciary, Division B) Habitual offender; revise sentencing under. Simmons (12th). i80.
- 2246 - (Judiciary, Division B) Methamphetamine; revise penalty for simple possession of smaller amounts. Sparks. i81.
- 2247 - (Judiciary, Division A; Accountability, Efficiency, Transparency) Concealed weapon permit; authorize Secretary of State to designate certain employees for. Fillingane. i81.
- 2248 - (Labor) Law enforcement officers; entitled to certain follow-up drug testing before loss of certification. Sparks, et al. i81; cr262; cu439; v439; caa439.
- 2249 - (Judiciary, Division B) Suffrage; restore to Riney Spiller. Simmons (12th). i81.
- 2250 - (Judiciary, Division B) Conviction; clarify subsequent offense for certain crimes and post-conviction relief. Jordan. i81.
- 2251 - (Judiciary, Division B) Assistant district attorneys; revise number authorized. Wiggins. i81.
- 2252 - (Medicaid) Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement. Wiggins, et al. i81; cr259; cu301; csa301; v301; caa301.
- 2253 - (Judiciary, Division A) Concealed carry weapons permit; combine with driver's license or identification card. Fillingane. i82; cr270; cu369; v369; ph1078; sp1400; ap1943.
- 2254 - (Elections; Constitution) Voter registration; applicants must submit documentation proving U.S. citizenship. Hill. i82.
- 2255 - (Elections; Constitution) Civil rights; restore all to a person who has paid his or her debt to society. Jordan. i82.
- 2256 - (Elections) Voting; require printed record of each vote. Hill. i83.
- 2257 - (Elections; Accountability, Efficiency, Transparency) Elections; public official's qualification as candidate deemed resignation of current office. Blackwell. i83.

- 2258 - (Corrections) Earned-release supervision; Parole Board to approve before offender is released on. Hill. i83.
- 2259 - (Judiciary, Division B) Controlled substance offenses; revise enhanced penalties. Simmons (12th). i83.
- 2260 - (Judiciary, Division A) Public official corruption; authorize prosecution by Attorney General upon request of the State Auditor. Fillingane, et al. i87; cr276; cu419; csa419; v419; caa419.
- 2261 - (Municipalities; County Affairs) Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained and seek reimbursement. England. i87; cr279; cu441; csa441; caa442; v442; ph1227; sdc1329; mr1351; mrc1418; mrt1418; ca1666; cg2162; cro3293; cra3301; v3301; crah3426; sp3440; ap3463.
- 2262 - (Judiciary, Division A) "Mississippi Unmanned Aircraft Systems Act of 2021"; enact. Wiggins. i87.
- 2263 - (Judiciary, Division A) Cemeteries and burial grounds; make misleading filings unlawful. England. i87; cr232; cu322; rc322.
- 2264 - (Judiciary, Division A) Child support; add income of custodial spouse to criteria considered in rebutting presumption of fairness. Jackson (11th). i88.
- 2265 - (Judiciary, Division A) Towing; limit charges. Jackson (11th). i88.
- 2266 - (Business and Financial Institutions; Judiciary, Division A) Retail sales; prohibit seller from refusing to accept cash as a form of payment for goods and services. McMahan, et al. i88.
- 2267 - (Education) Teacher license; allow reciprocity if teacher possesses standard license from other state and passes background check. DeBar, et al. i88; cr95; cu321; csa321; v321; caa322; caa355; ph1228; sdc1356; ca1666; cg2181; cro2303; cra2314; v2314; crah3122; sp3427; ap3463.
- 2268 - (Judiciary, Division A) Justice court; revise jurisdictional amount. Jackson (11th). i88.
- 2269 - (Education) Schools; provide for mental health services providers and trauma informed training. Boyd. i88.
- 2270 - (Judiciary, Division B) Autopsies; provide for confidentiality of photographs and recordings of. Boyd, et al. i89; cr229; cu298; csa298; caa299; v299; caa325.
- 2271 - (Judiciary, Division B; Accountability, Efficiency, Transparency) Arrest warrants; require probable cause hearing for legislators before issuance. Jackson (11th). i89.
- 2272 - (Judiciary, Division B) Railroad right-of-way; unlawful to enter and remain upon without the permission of the owner or operator of the railroad. Jackson (11th). i89.
- 2273 - (Economic and Workforce Development; Corrections) Department of Corrections; contract with the Multi-County Community Service Agency to provide workforce training. Jackson (32nd). i89.

- 2274 - (Elections) Suffrage; clarify person's right to register and vote following a disenfranchising conviction. Barnett. i89.
- 2275 - (Judiciary, Division B) Statutory rape; raise age of consent. Barnett. i89.
- 2276 - (Corrections) Meritorious earned-time credits; revise application of in relation to parole eligibility date. Hopson. i89.
- 2277 - (Judiciary, Division B) Hate crimes; revise delineation of victim. Blount, et al. i90.
- 2278 - (Drug Policy) Uniform Controlled Substances Act; revise schedules. Jordan, et al. i90; cr257; cu325; v325.
- 2279 - (Judiciary, Division B) Parole and earned release; criminalize absconding. Wiggins, et al. i90; cr263; cu302; csa302; v302; caa302; ph1228; msrp1449; sdc1450; ca1938; cg2162.
- 2280 - (Corrections; Accountability, Efficiency, Transparency) Mississippi correctional system; establish Department of Reentry and Supervision and Office of Corrections Ombudsman. Wiggins. i90.
- 2281 - (Judiciary, Division B; Accountability, Efficiency, Transparency) The Mississippi First Responder Protection Act; enact. England. i91.
- 2282 - (Judiciary, Division B) Youth detention; raise minimum age for youth commitment to state training school and secure detention. England, et al. i91; cr264; cu330; v330; caa355; ph1229; sp1354; lws1756.
- 2283 - (Judiciary, Division B) Freedom of Roadway Act; increase penalties for the obstruction of public passageways. McMahan, et al. i91; cr264; cu331; csa331; v331; caa356.
- 2284 - (Highways and Transportation; Municipalities) Golf carts and low-speed vehicles; authorize municipalities to allow operation on municipal streets. Moran. i91.
- 2285 - (Wildlife, Fisheries and Parks; Judiciary, Division B) Wildlife; clarify that a conservation officer must have probable cause to conduct a search without a warrant. Seymour. i91.
- 2286 - (Highways and Transportation; Appropriations) Highways; require four-laning of portions of Highway 6 in Coahoma, Panola and Quitman Counties. Jackson (11th). i91.
- 2287 - (Judiciary, Division A; Agriculture) Price gouging; create exemption for producers, growers or processors of food products. Younger. i91.
- 2288 - (Local and Private) City of Guntown; allow low-speed vehicles and golf carts on certain public roads. McMahan. i91.
- 2289 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Solemn Covenant of the States to Award Prizes for Curing Diseases Compact; enact and prescribe provisions. Blackwell, et al. i92.
- 2290 - (Public Health and Welfare) Tanning facilities; prohibit use by anyone under 18 years of age. Wiggins. i92.

- 2291 - (Technology; Accountability, Efficiency, Transparency) Public Service Commission; require to study the funding and expenditures of emergency communications districts. Hopson. i92.
- 2292 - (Medicaid; Public Health and Welfare) Certificate of need; issue CON to Panola Medical Center for adult psych beds and North MS Medical Center for child psych beds. McMahan, et al. i92.
- 2293 - (Veterans and Military Affairs; Finance) Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge. Seymour, et al. i93; cr278; cu351; csa351; v351; caa355; ph1078; sp1354; ap1756.
- 2294 - (Veterans and Military Affairs; Finance) Veteran Driver's License Designation; allow proof of military service in person. Seymour, et al. i93; cr278; cu352; v352; caa355; caa357; ph1277; sdc2204; ca2242; cg2243; crah2443; cro2493; cra2495; v2495; sp3304; ap3460.
- 2295 - (Public Health and Welfare) Board of Chiropractic Examiners; extend repealer on. Fillingane. i93.
- 2296 - (Economic and Workforce Development) Office of Workforce Development; exempt executive director from certain salary and compensation requirements. Parker. i95; cr260; cu378; ev378; mr378; v378; vp378; mrc483; mrt483.
- 2297 - (Education; Appropriations) School athletic trainers; provide annual salary supplement for those acquiring national certification. Fillingane. i95.
- 2298 - (Education) Payroll date for school district employees; authorize semimonthly payroll in discretion of local school board. Jackson (11th). i96.
- 2299 - (Education; Appropriations) School board members; increase pay. Hopson. i96.
- 2300 - (Education; Accountability, Efficiency, Transparency) Schools; require carbon monoxide detectors in all. Jackson (11th). i96.
- 2301 - (Education; Appropriations) Assistant teachers; increase salaries for. Jackson (11th). i96.
- 2302 - (Education) School Recognition Program; require board of education and department of education to implement rules. Chassaniol. i96.
- 2303 - (Labor; Accountability, Efficiency, Transparency) Women's Economic Security Act of 2021; enact. Witherspoon. i96.
- 2304 - (Education; Appropriations) School Resource Officers; require uniform statewide training program. Jackson (32nd). i101.
- 2305 - (Education; Appropriations) William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create. Blount, et al. i101; cr250; cu323; csa323; v323; caa324.
- 2306 - (Education; Appropriations) Average daily attendance for MAEP purposes; shall include any student sick day. Jackson (32nd), et al. i102.
- 2307 - (Education) Dyslexia Awareness Training Program; require teachers to complete two hours of training for. Boyd, et al. i102; cr237; cu322; csa323; v323; caa323.

- 2308 - (Education; Appropriations) Department of Education; implement dyslexia screenings and awareness programs. Turner-Ford. i102.
- 2309 - (Education) Requirements for standard high school diploma; discontinue subject area tests. Turner-Ford. i102.
- 2310 - (Universities and Colleges) State institutions of higher learning; allow income-sharing agreements between students and institutions. Parks. i103.
- 2311 - (Education; Appropriations) Economic and Academic Need Forgivable Loan Program; create. Turner-Ford. i103.
- 2312 - (Education) Office of Early Childhood; establish and prescribe responsibilities. Turner-Ford. i103.
- 2313 - (Universities and Colleges) Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness. Parks, et al. i103; cr270; cu385; v385; caa386; ph980; sdc1629; ca1756; cg2181; cro2279; cra2286; v2286; crah2316; sp3305; ap3463.
- 2314 - (Education; Appropriations) Kindergarten-age children; require compulsory school attendance for all. Blount. i104.
- 2315 - (Business and Financial Institutions) Mississippi Employment Protection Act; revise penalties and authorize regulations for enforcement. Branning. i104.
- 2316 - (Judiciary, Division A) Paternity; clarify circumstances when putative father cannot contest. Turner-Ford. i104.
- 2317 - (Judiciary, Division A) Landlords; prohibit discriminatory action against prospective or current tenant based on source of income. Turner-Ford. i104.
- 2318 - (Municipalities; Elections) Municipalities; authorize those of certain size to conduct special elections at one polling place. Chassaniol. i105.
- 2319 - (Judiciary, Division A; Appropriations) Tenth Circuit Court District; create subdistrict and additional judge. Jackson (32nd). i105.
- 2320 - (Judiciary, Division A) Open-box items; retailers required to prominently display exchange policies. Jackson (32nd). i105.
- 2321 - (Judiciary, Division A) Keyaundra's Law; require unique identifying mark on bullet casings. Jackson (32nd). i105.
- 2322 - (Insurance) Health insurance policies; prohibit step therapy requirements for certain prescription drugs to treat stage-four cancer. Wiggins. i105.
- 2323 - (Insurance) Mississippi Health Care Cost Transparency Act; enact. Hill. i105.
- 2324 - (Judiciary, Division A) Bad Faith Assertions of Patent Infringement; extend repealer on. Wiggins. i106; cr270; cu310; v310; ph1078; sp1354; ap1756.
- 2325 - (Labor; Accountability, Efficiency, Transparency) Mississippi Pregnant Workers Fairness Act; create. Turner-Ford. i106.
- 2326 - (Judiciary, Division A) Seized property; clarify purpose for which proceeds from forfeitures may be used. England. i106.

- 2327 - (Business and Financial Institutions) Credit transaction; prohibit discrimination against an applicant. Turner-Ford. i106.
- 2328 - (Judiciary, Division A) Public records; award attorney's fees for duplicative requests. Thompson. i106.
- 2329 - (Municipalities; Energy) Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. Thomas, et al. i106.
- 2330 - (Labor; Judiciary, Division A) Equal pay; prohibit paying state employees at rates less than those paid to employees of a different sex for equal work. Boyd, et al. i106.
- 2331 - (Insurance) Health insurance; Commissioner of Insurance must approve rate filings containing an increase in premiums. Norwood, et al. i107.
- 2332 - (Insurance) Comprehensive Hurricane Damage Mitigation Program; extend repealer on development and implementation of program. Michel. i107; cr266; cu307; v307; ph1079; sp1400; ap1942.
- 2333 - (Labor; Judiciary, Division A) Mississippi Paid Family Leave Act; enact. Witherspoon. i107.
- 2334 - (Judiciary, Division A) Uninsured motorists; impose strict liability for traffic accidents. Younger, et al. i107.
- 2335 - (Business and Financial Institutions) State Board of Funeral Service; authorize to establish continuing education requirements for certain licensees. Witherspoon. i107.
- 2336 - (Insurance) MS First Responders Health and Safety Act; delay effective date of. Michel. i107; cr266; cu307; v307; ph1031; sp1401; ap1942.
- 2337 - (Insurance) Surplus Lines Association; transfer fees collected by the association upon written request by certain officials. Michel. i107; cr266; cu308; v308.
- 2338 - (Insurance) Health insurance policies; require coverage for hearing aids and services for children under 21. Chism, et al. i108.
- 2339 - (Accountability, Efficiency, Transparency; Appropriations) Local governmental entities; may publish public notices online. Blackwell, et al. i108.
- 2340 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Minority subgrantees contracted by Department of Human Services; require study and policy. Turner-Ford. i109.
- 2341 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Certificate of Need; direct issue to City of Newton for adult psychiatric beds. McCaughn. i109.
- 2342 - (Public Health and Welfare) Board of Cosmetology; exempt certain beauty services from licensing and registration requirements. England. i109.
- 2343 - (Public Health and Welfare) Cosmetology; provide definition and registration requirement for hair arranging, threading and extending eyelashes. England. i109.

- 2344 - (Gaming; Finance) Public Employees' Retirement System Protection Act of 2021; create. Barnett. i110.
- 2345 - (Medicaid) Medicaid program; extend repealer on and revise reimbursement for telehealth services for community health centers. Jackson (11th). i111.
- 2346 - (Medicaid) Medicaid coverage; coverage for eligible women up to 12 months postpartum. Turner-Ford. i112.
- 2347 - (Medicaid; Appropriations) Division of Medicaid; increase fee to private reimbursement level for children on Medicaid who receive dental services. Turner-Ford. i112.
- 2348 - (Medicaid; Appropriations) Division of Medicaid; allow recipients to receive four single-source prescriptions per month. Turner-Ford. i112.
- 2349 - (Public Health and Welfare; Judiciary, Division A) Healthy and Safe Families and Workplaces Act; create. Turner-Ford. i112.
- 2350 - (Judiciary, Division A; Corrections) Child support; duty to pay suspended upon incarceration for a felony. Turner-Ford. i112.
- 2351 - (Judiciary, Division A; Labor) Evelyn Gandy Fair Pay Act; create. Turner-Ford. i112.
- 2352 - (Judiciary, Division A) Liquefied petroleum gas providers; provide affirmative defense in civil actions for damage or injury caused by certain circumstances. Tate. i113; cr277.
- 2353 - (Judiciary, Division A) Circuit court; prohibit political candidates from addressing the public during court terms. Tate. i113.
- 2354 - (Housing; Judiciary, Division A) Mississippi Fair Housing Act; enact. Turner-Ford. i113.
- 2355 - (Judiciary, Division A) Age of majority; revise. DeBar. i113; cr285; cu423; csa423; v423.
- 2356 - (Elections) Absentee ballots; authorize electronic in-person voting. Tate. i114.
- 2357 - (Judiciary, Division B) Expungement; consolidate statutes concerning. Norwood. i115.
- 2358 - (Elections; Constitution) Expunction and reenfranchisement; revise procedure for requesting. Norwood. i115.
- 2359 - (Elections; Constitution) Suffrage; provide for restoration upon completion of sentence and other conditions. Norwood, et al. i116.
- 2360 - (Judiciary, Division B) Voluntary search; require officers to obtain written consent. Turner-Ford. i116.
- 2361 - (Elections; Constitution) Restore the Right to Vote Act; create. Turner-Ford. i116.
- 2362 - (Judiciary, Division B; Corrections) Juvenile offenders; provide alternative sentencing and early-release options when convicted of certain crimes. Turner-Ford. i116.

- 2363 - (Judiciary, Division B) Juvenile offenders; authorize alternative sentencing and parole options. Turner-Ford. i117.
- 2364 - (Judiciary, Division A) Fresh Start Act; remove limitations on the applicability of. Turner-Ford. i117.
- 2365 - (Judiciary, Division B) Sex offenders; prohibited from registering with online dating services for ten years. Turner-Ford. i117.
- 2366 - (Judiciary, Division B) Suffrage; restore to Dexter Foster. Turner-Ford. i117.
- 2367 - (Corrections; Judiciary, Division B) Parole; early release for nonviolent offenders with less than 3 years to serve for participation in drug court. Turner-Ford. i117.
- 2368 - (Elections) Early voting; authorize up to 10 days prior to any election. Turner-Ford. i117.
- 2369 - (Elections) Mississippi Recall Act of 2021; enact. England, et al. i117.
- 2370 - (Judiciary, Division A) Kratom; authorize Department of Health to regulate. Fillingane. i118.
- 2371 - (Judiciary, Division B) Community Policing and Transparency Act; create body-worn camera policy standards. Turner-Ford. i118.
- 2372 - (Energy) Oil and gas; to extend repeal date on the use of the conservation fund to plug orphan or gas wells. Carter. i118; cr269; cu308; v308.
- 2373 - (Energy) Motor fuel sales; provide immunity for damages caused by the use of incompatible fuel upon certain conditions. Branning. i118; cr269; cu309; v309; mr325; msrp427; mrc427; mrt427; ph1228; sc1366; v1366; sp1665; ap2156.
- 2374 - (Judiciary, Division A; Judiciary, Division B) Violent or disorderly assemblies; criminalize. Hill. i118.
- 2375 - (Judiciary, Division B) County attorneys; authorize sanction of for failure to appear in justice court. Wiggins. i119.
- 2376 - (Judiciary, Division B) Expunction; revise for certain felony convictions. Jackson (32nd). i119.
- 2377 - (Corrections; Judiciary, Division B) Parole; revise length of sentence to be served before offenders may request judicial recommendation of. Jackson (32nd). i119.
- 2378 - (Judiciary, Division B) Corrections; require annual reports to the Legislature on successes and accomplishments. Jackson (32nd). i120.
- 2379 - (Judiciary, Division B) Crimes of violence; require jury finding to classify burglary and certain other felony offenses as. Jackson (32nd). i120.
- 2380 - (Corrections) MDOC supervised release; prohibit incarceration for minor violations of and reduce maximum term for certain forms of. Jackson (32nd). i120.
- 2381 - (Judiciary, Division B) Drones; prohibit near and above correctional facilities. Jackson (32nd). i120.

- 2382 - (Education; Finance) Critical Teacher Shortage Area License; create alternative license to be issued for educators who teach in designated areas. Norwood. i120.
- 2383 - (Universities and Colleges; Appropriations) Community colleges; board of trustees approve policies for out-of-state tuition waiver. Parks. i121.
- 2384 - (Education; Appropriations) School employee salary supplements; remove limitation on number of school nurses and language therapists eligible for. DeBar. i121.
- 2385 - (Elections) Absentee ballot; require placement in unmarked envelope to ensure ballot secrecy. Jackson (32nd). i121.
- 2386 - (Public Property) Historical monuments and memorials; delete authority to move. Seymour, et al. i122.
- 2387 - (County Affairs; Finance) Radar; authorize limited use of by sheriffs. McLendon, et al. i125.
- 2388 - (Accountability, Efficiency, Transparency; Appropriations) "Mississippi Coastal Master Plan Act of 2021"; enact. Thompson. i125.
- 2389 - (Housing; Judiciary, Division A) Domestic violence shelters; revise eligibility for funds. Witherspoon, et al. i125; cr285; cu402; v402; caa402.
- 2390 - (Wildlife, Fisheries and Parks) Wildlife Trafficking Prevention Act; enact. Jackson (32nd). i125.
- 2391 - (Wildlife, Fisheries and Parks) Wildlife; require the Department of Wildlife, Fisheries and Parks to identify existing and needed wildlife corridors. Jackson (32nd). i126.
- 2392 - (Ports and Marine Resources) County port and harbor commission; provide for holdover of appointees. Moran. i126; cr263; cu327; v327; mr355; msrp426; mrc427; mrp427; v427; ph1277; sc1636; v1637; sp1759; ap2207.
- 2393 - (Environment Prot, Cons and Water Res) Department of Environmental Quality; may contract for environmental impact study on poultry houses. Witherspoon. i126.
- 2394 - (Technology) Public officers and employees; revise policy regulating personal use of state-owned wireless communication devices. DeLano. i126; cr268; cu416; v417.
- 2395 - (Gaming; Finance) Gaming; authorize aboard cruise vessels on the Pearl River within a city with a population of 150,000 or more. Horhn. i126.
- 2396 - (Gaming) Online betting, gaming and wagering; legalize under certain conditions. DeLano. i126.
- 2397 - (Veterans and Military Affairs; Municipalities) Compatability of land use development with Mississippi military installations. DeLano. i126.
- 2398 - (Veterans and Military Affairs; Accountability, Efficiency, Transparency) Military bases; establish a process to ensure adequate notice and opportunity to mitigate adverse mission impacts. DeLano. i127.

- 2399 - (Veterans and Military Affairs) Committee to Study Veteran Homelessness, Unemployment, PTSD and Human Services; make an annual report to the Legislature. Blackmon. i127.
- 2400 - (Medicaid) Division of Medicaid; apply for necessary waivers to eliminate waiting period services. Blackmon. i127.
- 2401 - (Medicaid; Appropriations) Medicaid eligibility; provide coverage Program of All-Inclusive Care for the Elderly. Blackmon. i127.
- 2402 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Blackmon. i127.
- 2403 - (Medicaid; Appropriations) Medicaid reimbursement; extend for community-based home-visitation and pregnancy support services. Blackmon. i127.
- 2404 - (Medicaid; Appropriations) Medicaid reimbursement; authorize for substance abuse and mental health services for pregnant and postpartum women. Blackmon. i128.
- 2405 - (Medicaid) Medicaid coverage; coverage for eligible women up to 12 months postpartum. Blackmon. i128.
- 2406 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Emergency medical services; prohibit sole participation in nonemergency, interfacility transfers. Horhn. i128.
- 2407 - (Public Health and Welfare) Certified nurse aides; clarify recertification. Horhn. i128.
- 2408 - (Public Health and Welfare) Health Care Certificate of Need review; provide for automatic transfer of certain beds. Boyd. i128.
- 2409 - (Public Health and Welfare) Podiatric medicine and podiatrist; revise definitions of. Frazier. i128.
- 2410 - (Public Health and Welfare) Certificate of need; direct issuance for an existing ambulatory surgical center. Blackmon. i129.
- 2411 - (Housing; Public Health and Welfare) Services to individuals who are homeless or at risk of experiencing homelessness; DHS pilot project. Blackmon. i129; cr286; cu423; v423; mr423.
- 2412 - (Public Health and Welfare) State Board of Dental Examiners; require state-at-large appointee to be a member of the Mississippi Dental Society. Turner-Ford. i129.
- 2413 - (Public Health and Welfare) Certificate of Need; direct issuance for a free-standing comprehensive medical rehabilitation facility. Kirby. i129.
- 2414 - (Medicaid; Appropriations) Certificate of need; issue CON to North Mississippi Medical Center for child psych beds and geriatric psych beds. McMahan. i129.
- 2415 - (Public Health and Welfare) Hospice; allow medical directors to prescribe controlled substances for pain for terminally ill patients without in person visit; extend repealer on. Bryan. i129.

- 2416 - (Public Health and Welfare) Nursing home administrators; extend repealer on licensure requirements for. Bryan. i129.
- 2417 - (Public Health and Welfare) State Board of Cosmetology; extend repealer on. Bryan. i130.
- 2418 - (Public Health and Welfare) State Department of Health; extend repealer on. Bryan. i130.
- 2419 - (Public Health and Welfare) State Medical Examiner fees; extend repealer on. Bryan. i130; cr263; cu440; v440; ph980; sc1679; v1680; sp1940; ap2207.
- 2420 - (Public Health and Welfare) Temporary license for social workers; authorize to practice in nonprofit facilities. Wiggins. i130; cr285; cu371; v371; ph980; sc1767; v1767; sp2152; ap2589.
- 2421 - (Technology; Accountability, Efficiency, Transparency) Mississippi Emergency Communications Act; create. DeLano. i130.
- 2422 - (Public Health and Welfare) Barber Licensure Law; revise fees and other regulatory laws. Jackson (32nd). i131.
- 2423 - (Accountability, Efficiency, Transparency) Cosmetology; board shall issue license by reciprocity to persons who present certain documentation. Hill. i131.
- 2424 - (Public Health and Welfare; Appropriations) Mississippi Rural Physicians Scholarship Residency Program; include emergency medicine students. McLendon, et al. i131.
- 2425 - (Labor; Accountability, Efficiency, Transparency) Mississippi Minimum Wage Act; establish. Jackson (11th). i132.
- 2426 - (Public Health and Welfare; Appropriations) Department of Human Services; establish a grant program for regional food banks and SNAP incentives. Jackson (11th), et al. i132; cr284; cu442; csa442; v442; caa442.
- 2427 - (Finance) Charitable solicitation; revise reporting period. Jackson (11th). i132.
- 2428 - (Finance; Accountability, Efficiency, Transparency) PERS; reduce vesting period for retirement benefits from eight years to four years. Jackson (11th). i132.
- 2429 - (Appropriations) State-owned vehicles; create study committee to study the management of. Hopson. i132; cr268; cu291; v291.
- 2430 - (Rules) Juneteenth Freedom Day; designate June 19 as. Barnett. i132.
- 2431 - (Finance) Residential roofers; require licensing, and exclude labor from "installation charges" for sales tax purposes. McMahan. i132.
- 2432 - (Finance) Tax credit; include contributions to charitable organizations spending on education services for children. McMahan. i133.
- 2433 - (Finance) Alcoholic beverages; authorize the sale of wine at grocery stores. Michel. i133.
- 2434 - (Judiciary, Division A) Department of Public Safety; authorize contract with counties for custody of certain offenders. Wiggins, et al. i133; cr270; cu310;

csa311; v311; mr311; caa481; mrc481; mrp481; v481; ph1032; sdc1419; ca1666; cg2162; crah2443; cro2496; cra2498; v2498; sp3424; ap3461.

- 2435 - (Finance; Accountability, Efficiency, Transparency) Alcoholic beverages; revise various provisions relating to distilleries. Boyd. i133; cr289; cu369; v369; ph1277; sdc1698; ca1940; cg2180; msrp2530; cro2530; cra2545; v2545; crah3427; sp3447; ap3463.
- 2436 - (Appropriations) Appropriation; require annual transfer of general funds to Office of State Aid Roads. Turner-Ford. i134.
- 2437 - (Finance) Distinctive motor vehicle license tags; authorize for Wildlife Mississippi. Michel. i134; cr268; cu292; csa292; v292; ph1228; sdc1681; ca1940; cg2180.
- 2438 - (Finance) Taxpayer Pay Raise Act; remove phase-out of income & franchise tax, and remove deduction of federal employment tax. Blount, et al. i134.
- 2439 - (Finance) Childcare Advance Act; provide income tax deferral for parents incurring childcare expenses. Turner-Ford. i134.
- 2440 - (Appropriations) Appropriation from State General Fund; to Department of Archives & History for renovation of Northside School for FY 2021. Turner-Ford. i134.
- 2441 - (Finance) Bonds; authorize issuance to assist City of West Point in the remodeling, renovation and improvement of Northside School. Turner-Ford. i134.
- 2442 - (Finance) Bonds; authorize for West Jackson County Utility District construction of new water and sewer infrastructure at I-10 corridor. England. i135.
- 2443 - (Finance) Bonds; authorize issuance to assist West Jackson County Utility District pay costs of constructing water tank. England. i135.
- 2444 - (Finance) Motorcycle/ATV Trauma Care Fee; exclude sales of motorcycles and ATVs to out-of-state residents. Parks. i135.
- 2445 - (Finance) Bonds; authorize issuance to assist in upgrades to Kansas City Southern Rail Line south of Meridian. Jackson (32nd). i135.
- 2446 - (Labor; Finance) Income tax credit; authorize for taxpayers employing persons who have been convicted of certain nonviolent crimes. Jackson (32nd). i135.
- 2447 - (Appropriations) Department of Finance & Administration; transfer bond funds to community colleges for facility renovation and repairs. Turner-Ford. i135.
- 2448 - (Accountability, Efficiency, Transparency) PEER Committee; require to conduct a review of wrap-around services. Turner-Ford. i135.
- 2449 - (Finance) Alcoholic beverages; authorize the direct shipment of wine. Michel. i135.
- 2450 - (Accountability, Efficiency, Transparency) Appointments to executive agency boards; to be made from current Mississippi congressional districts. Hill. i136.
- 2451 - (Judiciary, Division B) Department of Finance & Administration; may contract with certain counties to take custody of misdemeanor offenders. Younger. i136.

- 2452 - (Appropriations) Mississippi Workers' Compensation Commission; reestablish as special fund agency. Michel. i136.
- 2453 - (Finance) Bonds; increase authorized amount for improvements to facilities to house Concourse Workforce Training Center. Boyd. i136.
- 2454 - (Rules) Compact for a Balanced Budget; revise delegate membership and extend sunset provision. Fillingane. i137.
- 2455 - (Finance) Sales tax; exempt sales of tangible personal property or services to DeafBlind Community of Mississippi, Inc. Fillingane. i137.
- 2456 - (Judiciary, Division A) Open Meetings Law; allow executive sessions for certain discussions by public hospital boards. Wiggins. i137; cr270; cu440; csa440; v441.
- 2457 - (Finance) Bonds; authorize issuance for repairs and storm shelter construction at Red Hills Community Center in Union County. McMahan. i137.
- 2458 - (Finance) Bonds; authorize to assist Sand Creek Wastewater Authority in building regional wastewater facility in Northeast Mississippi. McMahan. i137.
- 2459 - (Finance) Bonds; authorize issuance for property purchase and update to firehouse building for Richmond Volunteer Fire Department. McMahan. i137.
- 2460 - (Finance) Bonds; authorize issuance to assist City of Guntown in paying costs associated with sewer expansion. McMahan. i138.
- 2461 - (Finance) Bonds; authorize issuance for acquiring and renovating property to house Hinds CC Maritime Training Center in Vicksburg. Hopson. i138.
- 2462 - (Finance) Bonds; authorize issuance of to assist Marks, MS, in the construction of a building to house a community center and its city hall. Jackson (11th). i138.
- 2463 - (Finance) Bonds; authorize to assist Marks, MS, in construction of building for emergency shelter, community center and city hall. Jackson (11th). i138.
- 2464 - (Appropriations) General funds; FY2022 appropriation to the City of Byram for a flood control project. Blount. i138.
- 2465 - (Appropriations) Appropriation FY2022; to North Mississippi Symphony Orchestra for junior-high or high-school performances. McMahan. i138.
- 2466 - (Finance) Alcoholic beverages; reduce privilege tax for package retailer's permits for locations in cities with a population of 5,000 or less. Jackson (11th). i138.
- 2467 - (Finance) Sales taxation; exempt sales to certain community action agencies exempted from federal income taxation. Jackson (11th). i138.
- 2468 - (Finance) Sales tax; exempt sales to Head Start programs. Jackson (11th). i139.
- 2469 - (Accountability, Efficiency, Transparency) Counties and municipalities; prohibit surcharge on certain payments by credit or debit cards. Jackson (11th). i139.
- 2470 - (Rules) Official Mississippi state song; authorize two state songs. Jackson (11th). i139.

- 2471 - (Accountability, Efficiency, Transparency) Law enforcement training expenses; revise time for reimbursement of formerly employing entity. Jackson (11th). i139.
- 2472 - (Finance) Bonds; authorize issuance to assist in restoration and renovation of Scott Ford Midwife Houses in downtown Jackson. Norwood. i139.
- 2473 - (Finance) Bonds; authorize issuance to assist Lafayette County in paying costs of road projects. Boyd. i139.
- 2474 - (Appropriations) Health department; authorize certain charges for services with other agencies for operation of medical marijuana program. Blackwell. i139; cr284; cu435; v435; ph774; sdc1766; ca2151; cg2162; cro3251; cra3253; v3253; crah3427; sp3448; ap3461.
- 2475 - (Finance) Retirement; persons convicted of certain felonies shall forfeit benefits from PERS, SLRP and MHSPRS. Parks. i139.
- 2476 - (Finance) Electric and hybrid motor vehicle taxes; exclude vehicles incapable of exceeding 35 miles per hour. Chassaniol. i141.
- 2477 - (Finance) Mississippi Home Corporation; remove reverter on statute granting authority to issue negotiable bonds and notes. Harkins. i141; cr249; cu318; v318.
- 2478 - (Highways and Transportation) Motor carrier safety improvements; prohibit consideration of use in evaluation of employment status. Branning, et al. i141; cr288; cu424; v424; caa424.
- 2479 - (Accountability, Efficiency, Transparency) Regulatory reduction program for Department of Environmental Quality; provide pilot program. McDaniel. i141.
- 2480 - (Wildlife, Fisheries and Parks) CWD; make testing of white-tailed deer harvested in enclosures discretionary with WF&P Department and Commission. Whaley. i141; cr287.
- 2481 - (Highways and Transportation) Memorial highways; designate various segments. DeBar, et al. i141; cr262; cu380; csa380; caa381; v381; ph1277; sc1336; v1336; sp1406; ap1942.
- 2482 - (Judiciary, Division A) Mississippi Fair Housing Act; enact. Horhn. i142.
- 2483 - (Judiciary, Division A) Electric bicycles; classify as bicycles and not as motor vehicles, and regulate. Whaley. i142; cr270; cu333; v333.
- 2484 - (Wildlife, Fisheries and Parks) Bears; legalize shooting by landowner when on landowner's property. Butler. i142.
- 2485 - (Wildlife, Fisheries and Parks) Homochitto National Forest Dog Permit; authorize statewide. Whaley, et al. i143.
- 2486 - (Wildlife, Fisheries and Parks) State parks; create study committee on restructuring ownership and management arrangements. Whaley. i143; cr280; cu353; csa353; v353; vp353.
- 2487 - (Wildlife, Fisheries and Parks) Wild hogs; clarify designation of Class I violation for transportation of, and eliminate permits. Whaley, et al. i143; cr280.

- 2488 - (Agriculture) Mississippi Fair Advisory Council; revise council composition. Butler, et al. i143.
- 2489 - (Highways and Transportation) Outdoor advertisement signs; revise the height requirements for. DeLano. i143.
- 2490 - (Highways and Transportation) Highways; include certain entrances and exits to and from Interstate 55 in the state highway system. Horhn. i144.
- 2491 - (Environment Prot, Cons and Water Res) Solid waste; prohibit new solid waste facility if within 1 mile of an existing permitted facility, unless a referendum is held. Horhn. i144.
- 2492 - (Agriculture) Industrial hemp growth and processing; include minority farmers in policies and regulations. Horhn. i144.
- 2493 - (Economic and Workforce Development; Appropriations) "Partnerships for Growth" program grants; prescribe conditions for administration by the Mississippi Development Authority. Blackmon. i144.
- 2494 - (Finance) Qualified Affordable Elderly Mississippi Housing Project tax credit; establish and prescribe criteria. Blackmon. i144.
- 2495 - (Housing; Appropriations) Mississippi Affordable Housing Opportunity Fund; establish and authorize Mississippi Home Corporation to administer. Blackmon. i144.
- 2496 - (Economic and Workforce Development; Municipalities) Urban Renewal Law; revise definition of "urban renewal project." Blackmon. i145.
- 2497 - (Economic and Workforce Development; Municipalities) Inclusionary zoning plans; authorize municipalities to adopt to attract economic development. Blackmon. i145.
- 2498 - (Finance) Mississippi Home Corporation Down-Payment Assistance Program for university graduates who remain in Mississippi; establish. Blackmon. i145.
- 2499 - (Veterans and Military Affairs; Wildlife, Fisheries and Parks) Fishing and hunting licenses; free license for veterans who are 50% disabled or more. Seymour. i145; cr287.
- 2500 - (Wildlife, Fisheries and Parks; Judiciary, Division B) Hunting on streets and railroads; clarify prohibition on. Seymour, et al. i146.
- 2501 - (Accountability, Efficiency, Transparency) Commission on Wildlife, Fisheries and Parks; convert into advisory commission. Seymour. i146.
- 2502 - (Ports and Marine Resources) Live bait dealers; delete restriction that only licensed commercial shrimpers may cross state lines. Seymour. i146.
- 2503 - (Finance) Municipal ad valorem taxes; exempt real property and motor vehicles in an annexed area for 12 months after annexation. McLendon. i146.
- 2504 - (Appropriations) Appropriation FY 2022; IHL-University of Mississippi Medical Center for Mississippi Rural Physicians Scholarship Program. McLendon, et al. i146.

- 2505 - (Finance) Legislature; allow PERS retirees to receive retirement allowance while serving as a member of. Norwood. i146.
- 2506 - (Finance) Citizens for Economic Development Act; create. McMahan. i147.
- 2507 - (Finance) Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs. Branning. i147; cr268; cu367; v367.
- 2508 - (Judiciary, Division A) Open meetings; revise accessibility to information on meeting times, agenda and minutes. Norwood. i147.
- 2509 - (Finance) Alcoholic beverages; authorize issuance of retailer's permits to businesses deriving majority of revenue from tobacco sales. Horhn. i148.
- 2510 - (Finance) Bonds; authorize issuance to assist Noxubee County with construction of an emergency operations center. Turner-Ford. i148.
- 2511 - (Accountability, Efficiency, Transparency) Salary cap; exempt attorneys employed by Attorney General from. Branning. i148; cr272.
- 2512 - (Appropriations) Appropriation FY2022; fully fund Ayers Settlement Agreement. Turner-Ford. i148.
- 2513 - (Appropriations) Donation of surplus medical supplies and equipment by UMMC to nonprofit charitable organizations; authorize. Horhn. i148.
- 2514 - (Appropriations) Emerging Crops Fund; increase amount that may be loaned to assist in financing minority economic development. Horhn. i148.
- 2515 - (Finance) Income tax; authorize credits for donations to Habitat for Humanity Mississippi Capital Area. Horhn. i148.
- 2516 - (Accountability, Efficiency, Transparency) Construction manager at-risk program; exempt under public bidding laws. Horhn. i149.
- 2517 - (Accountability, Efficiency, Transparency) Public works construction; performance bond not required if contract is less than \$50,000.00 and paid in two equal installments. Horhn. i149.
- 2518 - (Finance) Ad valorem tax; exempt one vehicle per teacher in shortage areas, and discount tax on one vehicle per teacher in other areas. Horhn. i149.
- 2519 - (Finance) Ad valorem taxation; exempt 20% of the assessed value of one motor vehicle owned by a full-time public school classroom teacher. Horhn. i149.
- 2520 - (Accountability, Efficiency, Transparency) Disposal of certain municipal records after 20 years; authorize. Parker, et al. i149.
- 2521 - (Economic and Workforce Development; Finance) Mississippi Advantage Jobs Act; revise definition of "new direct job" for incentive applicants from and after July 1, 2010. Parker, et al. i150; cr269; cu308; v308; caa308; mr325; msrp426; mrc426; mrt426; ph1229; sp1355; ap1756.
- 2522 - (Labor; Judiciary, Division A) "Ban the Box"; facilitate post-incarceration employment opportunities for nonviolent felons. Horhn. i150.

- 2523 - (Economic and Workforce Development; Finance) Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. Horhn. i150.
- 2524 - (Labor; Economic and Workforce Development) Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. Horhn. i150.
- 2525 - (Labor; Accountability, Efficiency, Transparency) State Workplace Safety and Health Office; establish under State Board of Health. Simmons (12th), et al. i150.
- 2526 - (Universities and Colleges) State Resident Forgivable Student Loan Program; provide student loan forgiveness to residents of five years. Blackmon. i150.
- 2527 - (Education) Mississippi Critical Teacher Shortage Act; extend repealer on. DeBar, et al. i151; cr261; cu327; csa327; v327; caa355; caa356.
- 2528 - (Appropriations) Stay on Track Act of 2021; provide grants to parents for tutoring of children. Horhn. i151.
- 2529 - (Education) High school graduation; end-of-course assessments required by federal law shall only be required. Sparks. i151.
- 2530 - (Education; Appropriations) Teachers and assistant teachers; provide incentive programs to experienced teachers. Jackson (32nd). i151.
- 2531 - (Education) "T Initiative of 2021"; create program that provides support to schools for virtual learning. Simmons (13th), et al. i151.
- 2532 - (Education) Expand Mississippi Connectivity for Education Act; create. Turner-Ford. i152.
- 2533 - (Education; Accountability, Efficiency, Transparency) Community schools; authorize implementation under the administration of a District of Innovation. Wiggins. i152.
- 2534 - (Education) New educational programs; allow school districts to enter into agreements for vocational and other educational programs. Turner-Ford. i152.
- 2535 - (Accountability, Efficiency, Transparency) School prayer; require school boards to designate a period of reflection in which prayer shall be allowed. Barnett. i152.
- 2536 - (Universities and Colleges; Accountability, Efficiency, Transparency) Athletics; provide that schools designate teams by biological sex. Hill, et al. i152; cr290; rmc452; cu478; csa478; v478; caa479; ph751; sp759; ap1286.
- 2537 - (Education; Appropriations) Tim Tebow Act; authorize interscholastic extracurricular activity participation of students enrolled in homeschools. Younger. i153.
- 2538 - (Education; Appropriations) Saving American History in Mississippi Schools Act; prevent funds from being used to teach the 1619 Project. Hill. i153.
- 2539 - (Local and Private) Hinds County; authorize assessments on convictions for improvements to courthouses and pretrial detention facilities. Horhn. i153; cr580; msrp1926; cu1926; v1927; ph2443; sp2577; ap3461.

- 2540 - (Universities and Colleges; Appropriations) Step Ahead Program; create standardized dual enrollment program. Parks. i153.
- 2541 - (Universities and Colleges; Appropriations) Graduate Nursing Loan Repayment Program; create to provide student loan repayment to nurse educators. Parks. i153.
- 2542 - (Universities and Colleges; Appropriations) Community/Junior College Grant Program; establish to provide financial aid to community/junior college students. Turner-Ford. i153.
- 2543 - (Universities and Colleges) IHL; must allocate funding for nonresident students to student financial aid programs. Polk. i154.
- 2544 - (Accountability, Efficiency, Transparency) University of Mississippi Medical Center; create joint committee to study the organization of. Thompson. i154; cr272; cu387; csa387; v388.
- 2545 - (Universities and Colleges; Appropriations) Community/Junior College Grant Program; establish to provide financial aid to community/junior college students. Blackmon. i154.
- 2546 - (Universities and Colleges; Accountability, Efficiency, Transparency) Procurement of wireless communication devices for students; exempt institutions of higher learning in emergency situations. Butler, et al. i154.
- 2547 - (Universities and Colleges; Appropriations) Scholarship eligibility requirements; increase minimum ACT scores for MTAG, HELP and MESG. Hopson. i154; cr285; cu421; csa421; v422.
- 2548 - (Universities and Colleges; Appropriations) "Mississippi Targeted Student Loan Forgiveness Act"; create program under IHL Board of Trustees. Turner-Ford. i155.
- 2549 - (Elections) Election results; prohibit the release of the number of votes cast for the Office of President of the United States. Fillingane. i155.
- 2550 - (Judiciary, Division A) Department of Human Services; provide law-enforcement authority to. Fillingane. i155.
- 2551 - (Judiciary, Division B) Wiretapping; authorize in investigations of child exploitation. Sparks. i155.
- 2552 - (Judiciary, Division B) Pretrial Intervention Program; prohibit eligibility for persons charged with public embezzlement over a certain amount. Sparks, et al. i156; cr248; cu300; csa300; v300; ph1079; sp1354; ap1756.
- 2553 - (Corrections) State offenders in county jail; MDOC to pay increased rate to county to expedite removal of. Sparks, et al. i156; cr251; cu324; csa324; v324; caa324; mr325; caa426; mrc426; mrp426; msrp426; v426.
- 2554 - (Judiciary, Division B; Appropriations) Bulletproof Vests Revolving Fund; create. Fillingane. i156.
- 2555 - (Elections) Municipal annexation; require an election be held in the proposed annexation territory. McLendon. i156.
- 2556 - (Judiciary, Division B) Habitual offenders; revise provisions for. Sparks. i156.

- 2557 - (Judiciary, Division B) Grocery items; prohibit cost-plus pricing. Norwood, et al. i156.
- 2558 - (Judiciary, Division B) Firearms; outlaw open carry of weapons at parades and demonstrations. Horhn. i157.
- 2559 - (Energy) Public Service Commission; may contract with federal agencies for the collection of data and mapping of broadband availability. Carter. i157; cr269; cu309; v309.
- 2560 - (Judiciary, Division B) DUI; allow expunction for first offense under certain circumstances. Sparks, et al. i157.
- 2561 - (Judiciary, Division B) "Empower Reentry Through Licensing Act"; authorize provisional driver's licenses for eligible inmates. Sparks, et al. i157; cr248; cu301; v301; caa301.
- 2562 - (Elections) Early voting; authorize up to 20 days before any election. Simmons (12th), et al. i157.
- 2563 - (Elections) Absentee voting; authorize every qualified elector. Simmons (12th), et al. i158.
- 2564 - (Judiciary, Division B) Firearms; interpose state law in place of any federal law confiscating firearms. Sojourner. i158.
- 2565 - (Judiciary, Division B) Concealed carry; allow licensee to update permanent address information online. Sojourner. i158; cr282.
- 2566 - (Judiciary, Division A) Youth court disposition hearings; require consideration of Department of Child Protection Services' report. Sojourner. i158.
- 2567 - (Judiciary, Division B) "Second Amendment Preservation Act"; state firearm law preempts any local ordinance or regulation. Sojourner. i158.
- 2568 - (Judiciary, Division A; Judiciary, Division B) Firearms; prohibit state cooperation with federal effort to ban. McDaniel. i158.
- 2569 - (Judiciary, Division B) Urine; create the crime of selling or tampering with urine. Harkins. i158; cr264; cu302; v303; ph1277; sdc1425; ca1938; cg2163; cro2498; cra2500; v2500; crah3122; sp3429; ap3461.
- 2570 - (Elections) Early voting; authorize. Horhn. i159.
- 2571 - (Elections) Elections; authorize online voter registration and preelection day voting. Blount. i159.
- 2572 - (Judiciary, Division B) DUI law; revise fourth offense of and require all expunctions to be confidentially registered. Parker. i160; cr282; cu401; csf401; v401.
- 2573 - (Judiciary, Division B) Department of Public Safety; implement uniform reporting standards for jail census data & create & maintain a centralized database. Barnett, et al. i160; cr264; cu330; csa330; v330; caa355; ph1286; sdc1428; ca1938; cg2163.

- 2574 - (Corrections; Judiciary, Division B) Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC. Barnett, et al. i160; cr282; cu353; v353; caa355; caa356; caa357.
- 2575 - (Elections) Online voter registration; implement. Turner-Ford. i160.
- 2576 - (Elections; Constitution) Create a system to restore voting rights for people who have served their sentence. Turner-Ford. i161.
- 2577 - (Elections) Mississippi Election Reform Act of 2021; enact. Blackwell. i161.
- 2578 - (Judiciary, Division B) Arrest warrants; authorize electronic signatures. Blackwell. i162; cr264; cu303; csa303; v303.
- 2579 - (Judiciary, Division B; Accountability, Efficiency, Transparency) White-Collar Crime Offender List; create. England. i162.
- 2580 - (Judiciary, Division B) Juvenile offenders; provide alternative sentencing options. Thompson. i162.
- 2581 - (Judiciary, Division B) Trespass; criminalize offense on property other than a structure or conveyance. Hill. i162.
- 2582 - (Elections) Candidate entry fees; authorize parties to determine. Carter. i162.
- 2583 - (Judiciary, Division B) Excessive window tint; allow county law enforcement officers to issue tickets. Williams. i162.
- 2584 - (Judiciary, Division B; Appropriations) Violent Crimes Indigent Defendant Defense Counsel Fund; create to fund Public Defender system. Turner-Ford. i163.
- 2585 - (Judiciary, Division B) Marijuana; legalize possession of certain amount. Turner-Ford. i163.
- 2586 - (Appropriations) State offenders; increase rate of reimbursement of costs to county for housing state offenders. Barrett. i163.
- 2587 - (Elections) Absentee ballots; authorize registrar to alphabetize and sort by precinct. Tate. i163; cr251; cu405; csa405; v405.
- 2588 - (Elections) Statewide Elections Management System; remove electors who fail to respond to notice. Tate, et al. i163; cr251; cu405; csa406; po412; rbr412; ru412; v412; mr413; caa413; mrc502; mrt502.
- 2589 - (Elections) Municipal executive committees; require county executive committee to appoint. Tate. i163; cr276; rmc441; cu463; po472; rc472; ru472.
- 2590 - (Elections) Political parties; require interim officers for registration purposes. Tate. i164; cr276.
- 2591 - (Elections) Election Commissioners; revise to be a nonpartisan office. Tate. i164.
- 2592 - (Elections) Absentee ballot; revise application form. Tate. i164; cr276.
- 2593 - (Elections) Electioneering; prohibit in any public area within a set distance of polling place. Tate. i164.

- 2594 - (Elections) Early voting; authorize up to 21 days before any election. Blackmon. i164.
- 2595 - (Drug Policy; Judiciary, Division A) Marijuana; civil penalty for simple possession of small amount. Blackmon. i165.
- 2596 - (Judiciary, Division B) Criminalization; eliminate regulatory "catch-all" provisions to create criminal offenses. McDaniel. i165.
- 2597 - (Corrections; Judiciary, Division B) Correctional facilities; revise penalty for bringing a controlled substance onto the property of. Horhn. i165.
- 2598 - (Judiciary, Division B) Department of Public Safety; revise licensing. Branning. i165; cr264; cu415; csa415; v416; ph1284; sdc1427; ca1938; cg2221; cro2548; cra2564; v2564; crah3367; sp3429; ap3463.
- 2599 - (Elections) Voting rights; restore to people who have been released from incarceration. Blackmon. i165.
- 2600 - (Elections) Online voter registration; implement. Blackmon. i166.
- 2601 - (Judiciary, Division B) Revocation of probation; remove absconding from supervision as a ground for revocation of probation. Fillingane, et al. i166.
- 2602 - (Insurance; Appropriations) Nonadmitted insurer policy fee; divert certain amount to fund fire trucks and fire apparatus/protection grants. Michel, et al. i166; cr284; cu401; v401; caa401; ph1277; sdc1377; ca1666; cg2187.
- 2603 - (Insurance) Salvage or abandoned vehicles; authorize disposition by auction firms on behalf of insurers. Michel. i166; cr266; cu332; v332; ph1079; sp1401; ap1942.
- 2604 - (Accountability, Efficiency, Transparency) Municipally owned utilities; authorize accounting system accommodation of certain uncollectible indebtedness owed by a customer. Horhn. i167.
- 2605 - (Municipalities) Golf carts and low-speed vehicles; authorize municipalities to permit operation on municipal streets. Simmons (12th), et al. i167; cr276; cu419; v419; caa419; ph1079; sp1401; ap1942.
- 2606 - (Tourism; Finance) Mississippi Native Spirit Law; create. Chassaniol, et al. i167; cr282; cu354; v354; vp354; caa355; ph1079; sp1451; ap2156.
- 2607 - (Judiciary, Division A; Appropriations) Statewide county court system; create. Wiggins. i167.
- 2608 - (Business and Financial Institutions; Judiciary, Division A) Occupational license; revise judicial review related to suspension of. Blackmon. i168.
- 2609 - (Business and Financial Institutions; Finance) Individual development accounts; authorize for certain low-income individuals. Caughman. i169.
- 2610 - (Judiciary, Division A) Liens; create statute of limitations for assessments by property owner's associations. Suber, et al. i169.
- 2611 - (Judiciary, Division A; Finance) Motor vehicles; do not require power of attorney for issuance of new certificate of title for out-of-state purchases. Sojourner. i169.

- 2612 - (Judiciary, Division A) Mississippi Consumer Data Privacy Act; enact. Turner-Ford. i170.
- 2613 - (Judiciary, Division A) Civil immunity; provide to participants of child-abuse investigations, evaluations or judicial proceedings. Wiggins. i170.
- 2614 - (Judiciary, Division A) Appellate procedure; exempt constitutional challenges to ordinances from the filing deadline. England. i170.
- 2615 - (Judiciary, Division A) Department of Human Services; authorize methods of communication for notices of encumbrance of assets for child support. Fillingane. i170.
- 2616 - (Judiciary, Division A) Eminent domain and quick-take proceedings; require business damages for compensation. Hill. i171.
- 2617 - (Judiciary, Division A) Stop Social Media Censorship Act; create. Hill. i171.
- 2618 - (Judiciary, Division A) Gun Violence Intervention Grant Program and funding; earmark federal VOCA victim assistance funds. Turner-Ford. i171.
- 2619 - (Insurance) Unemployment compensation claims; change experience rating requirement and require claimant integrity data checks. Branning, et al. i171.
- 2620 - (Judiciary, Division A) Cyberstalking; authorize injunction when criminal charges filed. Norwood. i171.
- 2621 - (Judiciary, Division A) Task Force; establish to study domestic law matters. Wiggins, et al. i172; cr271; cu386; csa386; v386; caa387; ph1228; sdc1419; ca1666; cg2163; cro2500; caa2503; cra2503; v2503; crah3122; sp3449; ap3463.
- 2622 - (Municipalities) Buffer zone free speech preemption for municipalities; authorize. Hill. i172.
- 2623 - (Insurance) Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act. Michel. i172; cr266; cu384; csa384; v384; ph1277; sdc1381; ca1666; cg2187; cro2565; cra2565; v2565; crah3122; sp3440; ap3463.
- 2624 - (Business and Financial Institutions) MS Real Estate Commission; require to establish pilot program using administrative hearing officers. Thompson, et al. i172; cr288; cu444; csa444; v444; caa444; ph1277; sdc1425; ca1667; cg2163; cro2565; cra2570; v2570; crah3368; sp3440; vt3466; vt3467.
- 2625 - (Business and Financial Institutions; Accountability, Efficiency, Transparency) Occupational Board Compliance Act of 2017; bring forward provisions for purpose of possible amendment. Thompson. i172.
- 2626 - (Business and Financial Institutions) MS Business Corporation Act; amend to allow corporations to hold annual or special shareholder meetings remotely. Caughman. i172; cr270; cu369; v369; ph1079; sp1407; ap1942.
- 2627 - (Business and Financial Institutions) Home inspector license; require applicants to undergo certain background checks. Caughman. i172; cr270; cu417; v417.

- 2628 - (Business and Financial Institutions) Credit Availability Act; extend repealer on. Caughman, et al. i173; cr270; cu333; v333.
- 2629 - (Business and Financial Institutions; Municipalities) Contractors; allow to do business in any municipality or county without local license under certain conditions. Horhn. i173.
- 2630 - (County Affairs) County law library; authorize use of money for technological purposes. DeBar, et al. i173; cr279; cu353; csa353; v353; caa355; ph1079; sp1401; ap1942.
- 2631 - (Insurance) Health insurance; revise mandated coverage for telemedicine services. Michel. i173; cr266; cu384; csa385; v385; ph1277; sdc1385; ca1667; cg2163.
- 2632 - (Judiciary, Division A) Bad Faith Assertions of Patent Infringement; extend repealer on. Fillingane. i173.
- 2633 - (Judiciary, Division A) Open-account suits; revise delivery of written demand. Fillingane. i173.
- 2634 - (Judiciary, Division A; Accountability, Efficiency, Transparency) District attorneys; authorize appointment of additional legal assistants and criminal investigators for circuit court district. Horhn. i174.
- 2635 - (Business and Financial Institutions) Public funds depositories; authorize certain credit unions to qualify as. Horhn. i174.
- 2636 - (Judiciary, Division A; Appropriations) Mississippi Foster Care Fund; increase assessment and transfer to Attorney General. Boyd. i174.
- 2637 - (County Affairs; Finance) Garbage liens; provide same assessments as ad valorem taxes. McCaughn. i174.
- 2638 - (Judiciary, Division A) Electronic documents; provide recording procedure for counties without electronic-recording capability. McCaughn. i174; cr277; cu389; v389; ph1277; sdc1425; ca1667; cg2163; cro2570; cra2573; v2573; crah3122; sp3429; ap3461.
- 2639 - (Judiciary, Division A) Tax sales; create study committee to study solutions to unmerchantable and uninsurable titles resulting from. McCaughn. i174.
- 2640 - (Judiciary, Division A) Alienation of affection; abolish cause of action. McCaughn. i174.
- 2641 - (Judiciary, Division A) Vexatious Litigant Act of 2021; enact. McDaniel. i174.
- 2642 - (Business and Financial Institutions) Credit transaction; prohibit discrimination against an applicant. Blackmon. i175.
- 2643 - (County Affairs) Service of tax sale notices; revise to allow service by a constable. Hill. i175; cr279; cu389; v389; ph1079; sp1401; ap1942.
- 2644 - (Judiciary, Division A; Municipalities) Law enforcement officers; regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). Sparks. i175.
- 2645 - (Insurance) Travel Insurance Act of 2021; create. Blackwell. i175.

- 2646 - (Insurance) Uninsured motorist coverage; political subdivision policy may not pay for same loss through another policy. Hill, et al. i175.
- 2647 - (Accountability, Efficiency, Transparency) Public purchases; exempt certain purchases by local governing authorities from reverse auction requirement. Hill. i176.
- 2648 - (Energy; Accountability, Efficiency, Transparency) MS Geologic Sequestration of Carbon Dioxide Act; Oil and Gas Board shall have jurisdiction to enforce provisions of. Carter. i176; cr289; cu425; v425; ph1079; sp1401; ap1942.
- 2649 - (Energy) Public contracts for energy efficiency; extend repeal date on use of. Carter. i176; cr269; cu309; v309; ph1228; sc1367; v1371; mr1450; mrc1681; mrp1681; msrp1681; sdc1681; ca2188; cg2188; crah2443; cro2503; cra2504; v2504; sp3305; ap3462.
- 2650 - (Energy) Emergency Telephone Service 911; extend repeal date on. Carter. i176.
- 2651 - (Public Property) Surplus property; clarify current policy to conform with federal regulations for the Department of Finance and Administration. Turner-Ford. i176; cr258; cu377; v377; ph1079; sp1355; ap1756.
- 2652 - (Public Property; Accountability, Efficiency, Transparency) Smith-Wills Stadium; clarify authority for certain state property conveyed to Jackson to be used for park and recreational purposes. Turner-Ford. i176.
- 2653 - (Ports and Marine Resources; Public Property) Public Trust Tidelands; provide a procedure for the removal of submerged logs. Thompson. i177; cr283; cu421; v421.
- 2654 - (Finance) Driver's license fees; waive for applicants in MDCPS custody. Simmons (12th), et al. i177.
- 2655 - (Insurance) Health insurance policies; require coverage for hearing aids and services for deaf and hearing impaired. Simmons (13th), et al. i177.
- 2656 - (Education) School enrollment; allow for children with documentation of a parent's pending military relocation to the state. DeLano. i177.
- 2657 - (Education; Appropriations) Assistant teachers; Department of Education implement program to employ more assistant teachers in failing school districts. Turner-Ford. i178.
- 2658 - (Education; Appropriations) Mississippi Adequate Education Program; fully fund. Turner-Ford. i178.
- 2659 - (Education) Teacher licenses; lower the requirement for nontraditional route teachers. Turner-Ford. i178.
- 2660 - (Education; Appropriations) Failing school systems; Department of Education shall implement program to provide incentive to experienced teachers. Turner-Ford. i178.
- 2661 - (Education; Appropriations) Teacher pay; increase to southeastern average. Turner-Ford. i178.

- 2662 - (Education) Sixteenth section forest products; allow school districts to enter into long-term timber agreements. Caughman. i178.
- 2663 - (Education) School curriculum; require that schools teach civics and government before completion of twelfth grade. Wiggins. i178.
- 2664 - (Education) Early Learning Collaborative Act of 2013; prescribe standards and benchmarks. Wiggins. i179; cr261; cu326; v326; ph1228; sdc1372; ca1667.
- 2665 - (Education; Appropriations) Early Learning Collaborative Act of 2013; revise minimum funding levels. Wiggins. i179.
- 2666 - (Education; Appropriations) Tim Tebow Act; allow homeschooled students to participate in sports and provide funds to schools for their participation. Hill. i179.
- 2667 - (Education) Teachers; authorize licensure in individual subject areas. Turner-Ford. i179.
- 2668 - (Education) Accreditation of schools; allow schools to employ up to 10% of nonlicensed teachers to teach in core areas. Turner-Ford. i179.
- 2669 - (Education; Appropriations) Mississippi Save Our Schools Program; create. Turner-Ford. i179.
- 2670 - (Education) MHSAA; must allow member schools to participate against nonaccredited schools and schools with home schooled students. Johnson. i180.
- 2671 - (Education) Teacher assistant nonreemployment; provide that teacher assistants receive due process rights. Blount. i180.
- 2672 - (Education) School accountability; provide that accreditation score from 2018-2019 shall be used unless school receives higher grade. DeBar. i180.
- 2673 - (Education) School District System Design Partnership Program; create. Frazier. i180.
- 2674 - (Education) 2021 Mississippi Education Task Force; create to review state regulations and accountability system. Parks. i180.
- 2675 - (Education) Third-grade reading assessment for 2020-2021 school year; allow students who fail to be promoted to fourth grade with remediation. Boyd. i180.
- 2676 - (Education) Compulsory School Attendance Law; define "child with a disability" for purposes of creating exemption from unexcused absence. Boyd. i181.
- 2677 - (Education) Habitually disruptive students; require to be evaluated for disability under IDEA after disruptive behavior. Boyd. i181.
- 2678 - (Education) Computer science curriculum; require State Department of Education to implement in K-12 public schools. DeLano, et al. i181; cr261; cu413; csa413; caa414; po414; ru414; v414.
- 2679 - (Education) School attendance officer; require to attend training for understanding children with disabilities. Boyd. i181.
- 2680 - (Education; Appropriations) Department of Education; require central reporting system for federal data. Horhn. i181.

- 2681 - (Education; Appropriations) Mid-year budget reductions; exempt MAEP funds. Horn. i182.
- 2682 - (Education) Our Children's Health Impacts Our Future Law; require notice of the importance of a medical and dental physical. Horn. i182.
- 2683 - (Education; Appropriations) Teachers' salaries; provide for increase and implement plan to fund at the southeastern average. Blackmon. i182.
- 2684 - (Education; Appropriations) Mississippi Adequate Education Program; fully fund. Blackmon. i182.
- 2685 - (Education; Appropriations) Salary supplement; provide to experienced teachers willing to relocate and teach in an "F"-designated school. Blackmon. i182.
- 2686 - (Education) Mississippi Civic Literacy Act; enact. McDaniel. i182.
- 2687 - (Education; Accountability, Efficiency, Transparency) Active shooter drills; prohibit telling students and teachers that drill is real. McDaniel. i182.
- 2688 - (Education) Corporal punishment; prohibit administration of in public and charter schools for disciplinary matters. Norwood. i183.
- 2689 - (Accountability, Efficiency, Transparency) State Auditor; increase fee which may be charged for performing audits and other services. Polk, et al. i183; cr272; cu388; v388; caa388; ph1277.
- 2690 - (Finance) Bonds; authorize issuance to assist Choctaw County in paying costs of repairs to bridge on Fentriss Panhandle Road. Williams. i183.
- 2691 - (Finance) Bonds; increase amount to improve capacity and safety of intersection of MS Highway 7 and University Avenue in Oxford. Boyd. i183.
- 2692 - (Rules) Juneteenth Freedom Day; designate June 19 as. Blackmon. i183.
- 2693 - (Finance) Bonds; authorize issuance to assist Lawrence County in paying the costs associated with road and bridge repairs. Barrett. i183.
- 2694 - (Finance) Bonds; repurpose bonds authorized in 2020 for Town of Wesson Old School Visitor Center. Barrett. i183.
- 2695 - (Finance; Accountability, Efficiency, Transparency) Income tax; allow tax credit for investments in qualified clean-burning motor vehicle fuel property. Harkins. i184.
- 2696 - (Finance) Bonds; authorize issuance to assist Town of Monticello in paying costs of various projects. Barrett. i184.
- 2697 - (Finance) Bonds; authorize issuance to assist Town of New Hebron in paying costs of various projects. Barrett. i184.
- 2698 - (Finance) Bonds; authorize issuance to assist Town of Wesson in paying the costs associated with road and bridge repairs. Barrett. i184.
- 2699 - (Finance) Bonds; authorize issuance for construction of a new Highway Safety Patrol Substation in Starkville. Turner-Ford. i184.

- 2700 - (Finance) Bonds; authorize the issuance of general obligation bonds to assist Noxubee County in HVAC improvements and E-911 upgrades. Turner-Ford. i184.
- 2701 - (Finance) Bonds; authorize issuance to assist City of West Point in improvements and repairs to Marshall Park. Turner-Ford. i185.
- 2702 - (Finance) Bonds; authorize issuance to assist Lincoln County in paying the costs associated with road and bridge repairs. Barrett. i185.
- 2703 - (Finance) Bonds; authorize issuance to assist Walthall County in paying the costs associated with road and bridge repairs. Barrett. i185.
- 2704 - (Finance) Bonds; authorize issuance to assist Town of Mathiston in paying costs of replacement of two sewer lift pumps and housing. Williams. i185.
- 2705 - (Finance) Bonds; authorize issuance to assist Town of Mathiston in paying costs of repairs to and resurfacing of town streets. Williams. i185.
- 2706 - (Finance) Bonds; authorize issuance to assist City of Starkville in paying costs of extension of Hospital Road and Stark Road. Williams. i185.
- 2707 - (Finance) Bonds; authorize issuance to assist City of Starkville in paying costs of purchasing land for, and construction of, library. Williams. i185.
- 2708 - (Finance) Bonds; authorize issuance to assist City of Richland in paying costs associated with construction of pedestrian bridge. Caughman, et al. i185.
- 2709 - (Finance) Sales tax; exempt sales of feminine hygiene products, contraceptive products, baby formula and diapers. Frazier. i185.
- 2710 - (Finance; Accountability, Efficiency, Transparency) Bonds; authorize issuance for improvements at Hawkins Field Airport in Jackson. Horhn. i186.
- 2711 - (Finance) Bonds; authorize to assist Hinds County in paying costs associated with the Hinds Parkway Road project. Horhn. i186.
- 2712 - (Finance; Accountability, Efficiency, Transparency) Bonds; authorize issuance to assist Jackson Municipal Airport Authority with Aeroplex Development Project. Horhn. i186.
- 2713 - (Finance) Bonds; authorize to assist Hinds County with construction of a mental & behavioral health court/collaborative facility. Horhn. i186.
- 2714 - (Finance) Bonds; authorize issuance to provide funds to assist Hinds County in construction of the Byram-Clinton Parkway Project. Horhn. i186.
- 2715 - (Appropriations) Mississippi Workers' Compensation Commission; reestablish as special fund agency. Fillingane. i186.
- 2716 - (Finance) Tax amnesty; establish a program for tax liabilities that accrued after January 1, 2005, and before December 31, 2019. Horhn. i186.
- 2717 - (Finance; Accountability, Efficiency, Transparency) Income tax; allow tax credit for investments in qualified clean-burning motor vehicle fuel property. Horhn. i187.

- 2718 - (Accountability, Efficiency, Transparency) Pearl River Valley Water Supply District; add two board members from the City of Jackson. Horhn. i187.
- 2719 - (Accountability, Efficiency, Transparency) Disparity study; require MDA to file copies with the Legislature by not later than December 31, 2021. Horhn. i187.
- 2720 - (Finance; Accountability, Efficiency, Transparency) Tourism project sales tax incentive program; include certain hotel projects in. Horhn. i187.
- 2721 - (Rules) State Truth Commission; establish. Horhn. i187.
- 2722 - (Rules) Official Mississippi state song; authorize "Mississippi Beautiful." Horhn. i187.
- 2723 - (Finance) Sales tax; exempt sales of tangible personal property or services to Habitat for Humanity Mississippi Capital Area. Horhn. i188.
- 2724 - (Universities and Colleges; Appropriations) Mississippi Prepaid Affordable College Tuition Act; fully fund. Turner-Ford. i188.
- 2725 - (Appropriations) State Budget; bring forward certain provisions and transfer funds. Hopson. i188; cr250; cu317; v317; ph628; sdc1760; ca2151; cg2163.
- 2726 - (Finance) Mississippi Public Employees' Retirement System; bring forward provisions relating to. Harkins. i188.
- 2727 - (Accountability, Efficiency, Transparency) Department of Archives and History; revise appointing authority for members of the board of trustees. Thompson. i188; cr283; cu420; v421; mr473; mrc502; mrt502.
- 2728 - (Finance) Department of Revenue; allow retiring law enforcement officers to keep one issued sidearm each. Harkins. i188; cr249; cu318; v318.
- 2729 - (Public Health and Welfare; Finance) Practice of medicine; revise definitions, licensure procedures and disciplinary procedures under the Medical Practice Act. Fillingane. i188.
- 2730 - (Veterans and Military Affairs; Judiciary, Division A) Homestead exemption; veterans exemption is based on 100% service-connected disability. Seymour. i189.
- 2731 - (Veterans and Military Affairs; County Affairs) Counties and municipalities; encourage to exchange information with military installations relating to land use and development. Seymour. i189.
- 2732 - (Gaming; Finance) Mississippi Mobile Sports Pool and Race Book Wagering Act; create. Moran. i189.
- 2733 - (Medicaid; Appropriations) Division of Medicaid; allow reimbursement for telemedicine treatment for recipient's attention deficit hyperactivity disorder. Turner-Ford. i190.
- 2734 - (Medicaid) Division of Medicaid; require reimbursement to providers for long-acting reversible contraceptives for women of child-bearing age. Turner-Ford. i190.

- 2735 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Turner-Ford. i190.
- 2736 - (Medicaid; Appropriations) Medicaid program; provide reimbursement for all care and services under the PACE program for the elderly. Turner-Ford. i190.
- 2737 - (Medicaid; Accountability, Efficiency, Transparency) Medicaid reimbursement for certain home services; impose moratorium on new providers. Horhn. i190.
- 2738 - (Medicaid) Medicaid reimbursement for telehealth services by Federally Qualified Health Centers and Rural Health Clinics; clarify. Bryan. i191.
- 2739 - (Medicaid) Division of Medicaid; apply for waivers to eliminate waiting period for services for those with brain or spinal cord injury. Turner-Ford. i191.
- 2740 - (Medicaid) Medicaid coverage; coverage for eligible women to 12 months postpartum. Turner-Ford. i191.
- 2741 - (Public Health and Welfare; Accountability, Efficiency, Transparency) TANF; prohibit assistance to persons convicted of multiple felonies. Sojourner, et al. i191.
- 2742 - (Public Health and Welfare) Board of Barber Examiners; authorize the regulation of mobile shops. Horhn. i191.
- 2743 - (Public Health and Welfare) Health care CON; authorize Mississippi Department of Mental Health to convert beds for crisis or substance abuse treatment. Turner-Ford. i191.
- 2744 - (Public Health and Welfare; Finance) Anesthesiologist assistants; direct licensure by the State Board of Medical Licensure. Suber. i191.
- 2745 - (Public Health and Welfare) Health care practitioner; require identification during all patient encounters. Wiggins. i192.
- 2746 - (Public Health and Welfare) Hudson's Law; require healthcare providers to provide information to parents who receive a postnatal diagnosis of a chromosomal disorder. England, et al. i192; cr285; cu443; v443; caa443; ph1353; msrp1680; sc1680; v1681; sp1759; ap2207.
- 2747 - (Public Health and Welfare) Home health agencies; delete moratorium on establishment or expansion. England. i192.
- 2748 - (Public Health and Welfare) Certificate of need; authorize nursing facility in any underserved minority zip code area. Horhn. i192.
- 2749 - (Public Health and Welfare) Personal care homes; require licensure and regulation of those providing living arrangements for one or more persons. Norwood. i192.
- 2750 - (Public Health and Welfare) Pharmacy practice; revise definition of "written guideline or protocol" regarding location of delegated prescribing functions. Harkins. i192; cr285; cu443; csa443; v443; ph980; sc1768; v1772; sp2152; ap2590.

- 2751 - (Public Health and Welfare) Mississippi Professional Massage Therapy Act; provide new requirements and extend the repealer thereon. Harkins. i193; cr263; cu440; csa440; v440; ph980; sc1772; v1780; sp2151; ap2589.
- 2752 - (Public Health and Welfare) Physician billing for pathology services; prohibit fee division unless provided by the physician. England. i193.
- 2753 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Mississippi Rare Disease Advisory Council; establish. Moran, et al. i193.
- 2754 - (Public Health and Welfare) Hospice licensure; authorize eligible participants who have not been given a terminally ill diagnosis if approved by CMMS. Carter. i193; cr263.
- 2755 - (Public Health and Welfare; Appropriations) Statewide electronic health care information exchange; the Department of Health may enter into agreements for the creation of. Johnson. i193.
- 2756 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Rural Health Availability Act; allow all hospitals to enter into agreements. Fillingane. i194.
- 2757 - (Public Health and Welfare; Accountability, Efficiency, Transparency) South Mississippi Regional Health Care Authority; establish. Fillingane. i194; cr289; rmc452; cu477; csa477; v478.
- 2758 - (Public Health and Welfare) Telemedicine in health professional shortage areas; allow out-of-state health care providers. Fillingane. i194.
- 2759 - (Public Health and Welfare) Temporary Assistance for Needy Families; increase the monthly amount. Fillingane, et al. i194; cr263; cu327; csa327; v327; caa328; ph919; sc1669; v1679; sp1940; ap2208.
- 2760 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Mississippi State Board of Medical Licensure; revise membership and terms of office. Fillingane. i194.
- 2761 - (Public Health and Welfare) Practice of optometry; require the State Board of Optometry to define with certain exceptions. Blackwell. i195.
- 2762 - (Public Health and Welfare) Department of Human Services; permit use of a simplified reporting system. Fillingane. i195; cr263; cu328; v328.
- 2763 - (Public Health and Welfare) Practice of optometry; require the Board of Optometry to define with certain exceptions. Caughman. i195.
- 2764 - (Finance) Mississippi Medical Marijuana Program; create and provide fines, administration requirements, and fees related to the program. Blackwell. i195; cr282; rmc438; rmc452.
- 2765 - (Finance) Mississippi Medical Cannabis Act; create. Blackwell. i196; cr282; rmc438; cu453; csa453; v462; mr463; mrc484; mrp485; v485.
- 2766 - (Universities and Colleges; Accountability, Efficiency, Transparency) Universities; enact the Forming Open and Robust University Minds Act. McDaniel. i196.
- 2767 - (Finance) Mississippi Medical Cannabis Act; create. Fillingane. i196.

- 2768 - (Judiciary, Division B; Finance) Recreational marijuana; legalize and tax 7% of gross proceeds from retail sales. Turner-Ford. i197.
- 2769 - (Judiciary, Division A; Universities and Colleges) Institutions of higher education; protect lawful expression and create cause of action for violation of free speech. Wiggins. i197.
- 2770 - (Judiciary, Division A; Universities and Colleges) Harassment in institutions of higher education; provide cause of action for discriminatory harassment. Wiggins. i197.
- 2771 - (Judiciary, Division A; Agriculture) Price gouging; exempt certain raw agricultural products during declared emergencies. Fillingane. i197.
- 2772 - (Insurance) Health insurance; revise mandated coverage for telemedicine services. Boyd. i198.
- 2773 - (Insurance; Accountability, Efficiency, Transparency) Mississippi Professional Employer Organization Recognition and Registration Act; create. Michel. i198.
- 2774 - (Insurance; Accountability, Efficiency, Transparency) Workers' Compensation Law; revise various provisions of. Michel. i198.
- 2775 - (Insurance; Accountability, Efficiency, Transparency) Healthcare Contracting Simplification Act; create. McMahan. i198.
- 2776 - (Local and Private) Noxubee County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. Turner-Ford. i199; cr580; msrp936; cu936; v936; ph2145; sp2152; ap2589.
- 2777 - (Highways and Transportation) Motor carrier regulation; update and streamline. Branning. i199.
- 2778 - (Highways and Transportation) Bridges and culverts; revise provisions relating to design of. Branning. i200.
- 2779 - (Highways and Transportation) Highways; require Transportation Commission to include criteria use in changing priority of new capacity project in its minutes. Branning. i200.
- 2780 - (Environment Prot, Cons and Water Res) Solid waste; prohibit new solid waste landfill if two existing landfills in the county. Michel. i200.
- 2781 - (Agriculture; Finance) Cottage food operation; increase maximum annual gross sales and authorize to advertise over the internet. Sojourner. i200.
- 2782 - (Wildlife, Fisheries and Parks) White tailed deer; authorize game breeder's license allowing for raising in enclosures. Whaley. i201.
- 2783 - (Ports and Marine Resources) Ordinary high water mark (OHWM); authorize Mississippi Department of Marine Resources to determine. Moran. i201.
- 2784 - (Ports and Marine Resources) Administrative hearing procedures for Department of Marine Resources violations; clarify duties of Advisory Commission. Moran. i201; cr263.

- 2785 - (Highways and Transportation) Driver's license requirements; exempt military members, spouses and dependent children under certain conditions. Younger, et al. i201; cr262; cu415; v415; caa415; ph1284; sp1402; ap1942.
- 2786 - (Ports and Marine Resources) Mississippi Department of Marine Resources enforcement officers; revise functions of Marine Patrol Reserve Officers. Moran. i202; cr263.
- 2787 - (Wildlife, Fisheries and Parks) Water skiing; revise safety requirements. Sojourner. i202; cr280; cu312; v312; mr325; mrc482; mrp482; v482.
- 2788 - (Highways and Transportation) Radar speed detection; revise provisions concerning use by Highway Patrol and municipal law enforcement in certain cities. Blount, et al. i202; cr262; cu414; v414; caa415; ph1284; sp1407; ap1943.
- 2789 - (Constitution; Accountability, Efficiency, Transparency) High school curriculum; require Bible be taught in ethics and history classes during month of April. McMahan, et al. i202.
- 2790 - (Education) Teachers; revise licensure qualifications and requirements. Turner-Ford. i202.
- 2791 - (Education) Abstinence-only or abstinence-plus education; extend repealer on. DeBar. i202.
- 2792 - (Labor; Judiciary, Division A) Fresh Start Act of 2019; expand. Horhn. i202; cr271; cu441; v441.
- 2793 - (Education; Appropriations) Virtual public school; create pilot program for the creation of virtual public schools operated by school districts. Johnson. i203.
- 2794 - (Education; Appropriations) Public schools; allow to offer online career track program. Johnson. i203.
- 2795 - (Corrections) "Mississippi Earned Parole Eligibility Act"; enact. Barnett, et al. i203; cr266; cu383; csa383; v383; caa384; ph1032; sdc1288; mr1351; mrc1418; mrt1418; ca1667; cg2163; msrp3283; cro3283; cra3292; v3292; crah3427; sp3440; ap3465.
- 2796 - (Elections) Absentee voting; authorize the registrar to notify voter of provisional rejection. Tate. i203.
- 2797 - (Accountability, Efficiency, Transparency) Department of Public Safety; revise authority, make various amendments. Polk. i204; cr272; cu418; csa418; v418.
- 2798 - (Energy) Public utilities; authorize rate-regulated electric utilities to permit broadband provider use of the electric delivery system. Carter. i205; cr269; cu310; csa310; v310; ph1353; sdc1388; ca1667; cg2163; msrp3275; cro3275; cra3282; v3282; crah3427; sp3448; ap3465.
- 2799 - (Medicaid) Mississippi Medicaid Program; make technical amendments to reimbursements and administration. Blackwell. i205; cr279; cu390; csa390; v395; v399; v400; rcbh1931; ph1933; sdc1972; ca2147; cg2163; msrp3317; cro3317; cra3342; v3342; sp3424; lws3463.
- 2800 - (Medicaid) Mississippi Medicaid program; extend repealer on services and provider reimbursement rates. Blackwell. i207.

- 2801 - (Medicaid) Assessment levied on health care facilities for Medicaid program; make technical amendments to. Blackwell. i207.
- 2802 - (Medicaid) Division of Medicaid; make technical amendments. Blackwell. i207.
- 2803 - (Medicaid) Division of Medicaid; make technical amendments and revise assessment provision. Blackwell. i208.
- 2804 - (Finance) Alcoholic beverage; create delivery service permit. Harkins. i209; cr249; cu405; csa405; v405.
- 2805 - (Finance) Alcoholic beverages; remove provision requiring DOR to immediately revoke permit for certain unlawful sales. Harkins. i210; cr250; cu367; v367.
- 2806 - (Finance) Department of Revenue; bring forward code sections relating to ABC Division and authority to contract for services. Harkins. i210; cr277; cu375; v375; ph1277; sdc1710; ca1941; cg2180.
- 2807 - (Finance) Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized. Jackson (32nd). i210; cr277; cu321; csa321; v321; ph1228; sdc1683; ca1941; cg2180; msrp3302; cro3302; cra3303; v3303; crah3427; sp3439; ap3463.
- 2808 - (Accountability, Efficiency, Transparency) Bonds; provide for bonds issued for CCID to be paid mainly from CCID Project Fund. Turner-Ford. i210.
- 2809 - (Accountability, Efficiency, Transparency) Public records; extend repealer on provision requiring public access to records. Blount. i210; cr283; cu370; csa370; v370; ph751; sp759; ap1286.
- 2810 - (Accountability, Efficiency, Transparency) Mississippi Department of Labor; create. Simmons (12th), et al. i210.
- 2811 - (Finance) Abandoned manufactured or mobile homes; establish procedure for disposition. Branning, et al. i211; cr269; cu293; v294.
- 2812 - (Finance) Motor vehicles; limit period for DOR's retention of certificates of title to 15 years. Johnson. i211; cr250; cu292; v292.
- 2813 - (Finance) Amusement rides; change period for operating permit decals from 12 months to calendar year. Johnson. i211; cr250; cu292; v292.
- 2814 - (Finance) Unemployment benefits; allow withholding for state income taxes, corresponding to withholding for federal income taxes. Johnson. i211; cr268; cu293; v293.
- 2815 - (Finance) Motor vehicles; remove requirement for apportioned vehicles to have decal with expiration month and year on license tag. Johnson. i211; cr268; cu293; v293.
- 2816 - (Finance) Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors. Johnson. i212; cr268; cu319; v320; ph1277; sdc1730; ca1941; cg2187; crah2443; cro2483; cra2484; v2484; sp3425; ap3461.
- 2817 - (Elections; Finance) Public Employees' Retirement System; county and municipal election commissioners shall be members of. Chassaniol. i212.

- 2818 - (Accountability, Efficiency, Transparency) Public bidding; provide decision procedure on bid requirements for high complexity construction projects. Turner-Ford. i212.
- 2819 - (Finance) Alcoholic Beverage Control laws; reform various provisions. Carter. i212.
- 2820 - (Accountability, Efficiency, Transparency) Department of Tourism; create. Thompson, et al. i212; cr283; rmc442; cu472; csa472; caa473; v473.
- 2821 - (Finance) Distinctive motor vehicle license tags; authorize for serving and retired judges in the federal and state court systems. Hill. i213.
- 2822 - (Finance; Economic and Workforce Development) Mississippi Flexible Tax Incentive Act; create. Parker, et al. i213; cr515; cu525; v525; caa525; ph1755; sdc1787; ca2148; cg2180.
- 2823 - (Accountability, Efficiency, Transparency) County elected officers; provide that salaries shall not be reduced due to reduction in total assessed valuation or population. Suber. i214.
- 2824 - (Accountability, Efficiency, Transparency) State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature. Hopson. i214; cr272; cu388; v388; mr428; mrc484; mrp484; v484; ph1277; sdc1637; ca1941; cg2187; crah2317; cro2504; cra2505; v2505; sp3306; ap3460.
- 2825 - (Highways and Transportation) Transportation; revise provisions relating to motor carrier enforcement, harvest permits, and funding. Branning, et al. i214; cr288; rmc452; cu474; csa474; pin476; po476; ru476; v476; caa477; ph1277; sdc1637; ca1667; cg2204; msrp3302; rcc3302; hrcc3304; cro3391; cra3417; v3417; caa3418; crah3423; sp3438; ap3465.
- 2826 - (Accountability, Efficiency, Transparency; Finance) Board of supervisors; revise annual salary and allow cost-of-living adjustment. Johnson. i215.
- 2827 - (Accountability, Efficiency, Transparency) Public purchases; specify prequalification process for construction manager at risk soliciting bids for projects. Harkins. i215; cr272; cu418; v418; ph1278; sc2226; v2232; sp2318; ap3460.
- 2828 - (Finance) Alcoholic Beverage Control Division; remove provision that agents and inspectors do not have general police powers. Harkins. i215; cr269; cu320; v320.
- 2829 - (Finance; Accountability, Efficiency, Transparency) Department of Revenue; allow to use tag revenue to cover tag program expenses. Harkins. i215; cr289; cu376; csa376; v376.
- 2830 - (Finance) New Markets Tax Credit; extend MDA's ability to allocate by one year. Harkins. i216; cr269; cu320; v320; ph1228; sdc1684; ca1941; cg2180.
- 2831 - (Finance) Historic structure income tax credit; cap per taxpayer and authorize sale or transfer. Harkins. i216; cr282; cu294; csa294; v294; ph1228; sdc1689; ca1941; cg2180.
- 2832 - (Finance) Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026. Harkins. i216; cr250; cu319; v319; ph1228;

- sdc1693; ca1941; cg2180; cro2484; cra2484; v2484; crah3122; sp3430; ap3461.
- 2833 - (Finance) Motor Vehicle Commission Law; provide obligations of manufacturers, distributors & dealers regarding rates for parts and labor. Harkins. i216; cr269; cu294; v294.
- 2834 - (Appropriations; Accountability, Efficiency, Transparency) Mississippi Historic Site Preservation Fund; create and provide for administration by Department of Archives and History. Hopson, et al. i216; cr289; cu318; v318; caa318; caa355; ph628; sdc1950; ca2151; cg2164; caa3254; cra3254; cro3254; v3254; crah3427; sp3441; ap3463.
- 2835 - (Finance; Accountability, Efficiency, Transparency) Manufactured or mobile homes; bring forward provisions relating to the registration of. Johnson. i217; cr289.
- 2836 - (Finance) Wholesale to Retail Accountability Program ("WRAP"); establish. Johnson. i217.
- 2837 - (Ports and Marine Resources; Finance) Alcoholic beverages; create charter vessel operator's permit to authorize the sale by the holder of. DeLano. i217.
- 2838 - (Accountability, Efficiency, Transparency) Distinctive motor vehicle license tags; exempt Marty Wilson Foundation One Gulf One Goal from presale requirement. DeLano. i217.
- 2839 - (Finance) SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate. Harkins. i217; cr277; cu375; v375; ph1228; sdc1694; ca1941; cg2180; msrp2545; cro2545; cra2545; v2545; crah3368; sp3430; ap3463.
- 2840 - (Accountability, Efficiency, Transparency) State agencies; revise requirement for employing an internal audit director. Polk. i218.
- 2841 - (Finance) Public construction; revise authority to use design-build method of construction contracting. Harkins. i218.
- 2842 - (Appropriations) Rental Assistance Grant Program; correct provision regarding rents paid in full resulting from grant acceptance. Harkins. i218.
- 2843 - (Finance) Tax; phase out June 25 deadline for taxpayers with average liability of at least \$50,000 to remit 75% of June liability. Harkins. i218; cr277; cu435; csa435; v435; ph1278; sdc1730; ca1941; cg2180.
- 2844 - (Finance) Local option taxes; require renewal to be placed on ballot, instead of being subject to approval only by the Legislature. Sojourner. i219.
- 2845 - (Finance) Motor vehicle ad valorem taxes; assess based on actual purchase price of vehicle. Sojourner. i219.
- 2846 - (Municipalities; Accountability, Efficiency, Transparency) Minimum payment to defray the cost of public ambulance service by local governments; prescribe. Turner-Ford. i219.
- 2847 - (Business and Financial Institutions; Finance) Mississippi Small Business Recovery and Revitalization Program; establish under Mississippi Development Authority. Horhn. i219.

- 2848 - (Business and Financial Institutions; Accountability, Efficiency, Transparency) Foreign Company Accountability Act; create. Carter. i220.
- 2849 - (Accountability, Efficiency, Transparency) Public purchasing; reverse auction required for schools only when purchasing products sold through resellers. Younger. i220.
- 2850 - (Finance) Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership. Parks. i220; cr250; cu319; v319; ph1278; sdc1780; ca2148; cg2181; cro2485; cra2485; v2485; crah3122; sp3427; ap3461.
- 2851 - (Finance; Accountability, Efficiency, Transparency) Tax forfeited lands; revise statute of limitations, notice, price and fees. Kirby, et al. i220.
- 2852 - (Finance; Accountability, Efficiency, Transparency) Alcoholic beverages; bring forward code sections for purpose of possible amendment. DeLano. i220.
- 2853 - (Finance; Highways and Transportation) Peer-to-Peer Car Sharing Program Act; create. Harkins. i220.
- 2854 - (Appropriations; Accountability, Efficiency, Transparency) Department of Public Safety; revise salaries of officers. Polk. i221; cr289; cu404; csa404; v404.
- 2855 - (Finance; Accountability, Efficiency, Transparency) Individual development accounts; authorize for certain low-income individuals. Horhn. i221.
- 2856 - (Finance) Retailer Tax Fairness Act; create. Johnson. i222.
- 2857 - (Finance; Accountability, Efficiency, Transparency) Land banks; authorize counties and municipalities to create to convert certain property to productive use. Frazier. i222.
- 2858 - (Appropriations; Accountability, Efficiency, Transparency) Law Enforcement Officers; revise salary of. Fillingane. i222.
- 2859 - (Appropriations; Accountability, Efficiency, Transparency) Law enforcement officers; provide supplementary pay and revise statutory provisions. Fillingane. i223.
- 2860 - (Finance) Unfair Cigarette Sales Law; increase the presumptions of the cost of doing business and cartage cost by a wholesale dealer. Fillingane. i223.
- 2861 - (Accountability, Efficiency, Transparency; Finance) One percent sales tax; extend repealer 20 years for municipalities with population of 150,000 or more. Horhn. i223.
- 2862 - (Accountability, Efficiency, Transparency) Public purchases; revise exclusion of academic medical center or health services school. Fillingane. i223.
- 2863 - (Appropriations) MDH; revise appropriation for FY2021 to allow purchase of accumulated compensatory time incurred before June 30, 2021. Hopson. i224; cr268; cu404; csa404; v404.
- 2864 - (Finance) Children's Promise Act; expand definition of "qualifying foster care charitable organization" to include CASA programs. Blount. i224.

- 2865 - (Public Property) Secretary of State; shall certify all official state flags that are to be displayed over the State Capitol grounds. McCaughn. i224.
- 2866 - (Education; Appropriations) Mississippi Adequate Education Program state funding; dedicate at least 25% of any revenue growth. Blackmon. i224.
- 2867 - (Education; Appropriations) Assistant teachers; provide "C," "D" and "F" districts with additional. Blackmon. i224.
- 2868 - (Finance) Qualified resort areas; include certain municipalities. Barrett. i224; cr277; cu367; csa368; v368; ph1278; sdc1735; ca1941; cg2181.
- 2869 - (Accountability, Efficiency, Transparency) Sheriffs; remove the maximum limit on the annual salary supplement which may be paid to. Barrett. i224.
- 2870 - (Finance; Accountability, Efficiency, Transparency) Water authorities; allow board members to opt into the Public Employees' Retirement System pursuant to agreement with PERS. Younger. i225.
- 2871 - (Housing; Finance) Mississippi Workforce and Senior Affordable Housing Act; prescribe state tax credit for qualified projects. Blackmon. i225.
- 2872 - (Finance) Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area. Harkins. i225; cr277; cu376; v376; ph1278; sdc1784; ca2148; cg2181; msrp2546; cro2546; cra2546; v2546; crah3122; sp3430; ap3463.
- 2873 - (Finance) Sales tax; exempt sales of groceries. Norwood. i225.
- 2874 - (Finance) Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit. Harkins, et al. i225; cr277; cu376; v376; caa376; ph1278; sdc1751; ca1941; cg2181; cro3233; crf3236; v3236; mr3283; cra3303; mrc3303; mrp3303; msrp3303; v3303; crah3427; sp3439; ap3465.
- 2875 - (Judiciary, Division A) Child support; revise provisions of. Fillingane. i225.
- 2876 - (Corrections) "Mississippi Correctional Safety and Rehabilitation Act of 2021"; enact. Simmons (12th). i226.
- 2877 - (Finance) Net lottery proceeds; allocate to counties and municipalities for road and bridge repairs, instead of to State Highway Fund. Sojourner, et al. i226; cr282; rmc438; cu463; csa463; v463; caa463.
- 2878 - (Energy) Political subdivisions; may not prohibit expansion, connection or reconnection of services based on source of energy. Carter. i226.
- 2879 - (Appropriations) Appropriations; additional appropriations for Institutions of Higher Learning (IHL). Hopson. i264; cr268; cu374; csa374; v374; ev374; ph594; sc596; v598; sp752; ap1276.
- 2880 - (Local and Private) Caledonia Natural Gas District; reconstitute board of commissioners as natural gas users rather than district residents. Younger. i274.
- 2881 - (Local and Private) City of Brookhaven; extend repeal date on the tax upon room rentals of hotels, motels and bed-and-breakfast establishments. Barrett. i274; cr580; msrp936; cu936; v936; ph2145; sp2152; ap2589.

- 2882 - (Local and Private) Lowndes County; increase amount that may be contributed to the United Way for fiscal years 2021-2023, and extend repealer. Younger. i275; cr580; msrp937; cu937; v937; ph2145; sp2151; ap2589.
- 2883 - (Appropriations) General Funds; FY2022 appropriation to IHL-Student Financial Aid for the Nursing Forgivable Loan program. Butler, et al. i314.
- 2884 - (Appropriations) General Funds; FY2022 appropriation to Alcorn State University for STEM-related programs. Butler, et al. i314.
- 2885 - (Appropriations) General Funds; FY2022 appropriation to the Seventh Circuit Court District for additional contractual assistant district attorneys. Horhn, et al. i314.
- 2886 - (Appropriations) General Funds; FY2022 appropriation to Town of Scooba for repair and renovation of town baseball field. Jackson (32nd). i314.
- 2887 - (Finance) Bonds; authorize issuance to assist City of Hattiesburg in paying costs of stormwater and wastewater infrastructure. Johnson. i314.
- 2888 - (Finance) Bonds; authorize issuance for repair and renovation of facilities for 3-D School for children with dyslexia. Johnson. i314.
- 2889 - (Finance) Bonds; authorize issuance to assist City of Brookhaven in paying costs of various projects. Barrett. i314.
- 2890 - (Finance) Bonds; authorize issuance to assist Webster County in paying costs of constructing new command center and jail facility. Williams. i315.
- 2891 - (Finance) Bonds; authorize issuance to assist Choctaw County in paying costs associated with repairs to Chester-Tomnolen Road. Williams. i315.
- 2892 - (Finance) Bonds; authorize issuance to assist Madison County in paying costs of construction and improvements on Bozeman Road. Michel, et al. i315.
- 2893 - (Finance) Bonds; authorize issuance to assist City of Water Valley in paying costs of sand trap installation to protect sewage lagoon. Suber. i315.
- 2894 - (Finance) Bonds; authorize issuance to assist City of Water Valley in paying costs of replacement of sewage lines. Suber. i315.
- 2895 - (Finance) Ad valorem taxation; allow county to exempt up to 50% of assessed value of renewable energy project property from. Suber, et al. i315; cr562; msrp563; cu563; csa563; v563; caa563; ph1755; sdc1812; ca2148; cg2181; hrcc2439; rcc2485; msrp2546; cro2546; cra2547; v2547; crah3368; sp3430; ap3463.
- 2896 - (Finance) Bonds; authorize issuance to assist in paying costs associated with Commerce Park Connector in Madison County. Horhn, et al. i315.
- 2897 - (Finance) Bonds; authorize issuance to assist City of Forest in paying costs of paving in courthouse square and sidewalk ADA compliance. McCaughn. i316.
- 2898 - (Finance) Bonds; authorize to assist Philadelphia Utilities pay costs of maintenance and repairs to levee system for treatment plant. Branning. i316.
- 2899 - (Finance) Bonds; authorize issuance to assist City of Pearl with construction of a bridge. Kirby. i316.

- 2900 - (Finance) Bonds; authorize issuance to assist Oktibbeha County in paying costs of road improvements. Williams. i316.
- 2901 - (Finance) Bonds; authorize issuance to assist Pontotoc County with improvements to chancery court building and youth court facility. Chism, et al. i479.
- 2902 - (Finance) Bonds; authorize issuance to assist Pontotoc County with repair and renovation of the W.A. Grist Building. Chism, et al. i479.
- 2903 - (Finance) Bonds; authorize issuance to assist Town of Sumrall pay costs of Phase II of Sumrall Sportsplex. Fillingane. i480.
- 2904 - (Appropriations) Appropriation; IHL - general support. Hopson, et al. i518; cr536; cu543; v544; ph1351; sdc1817; ca2148; cg2164; hrcc2340; rcc2393; cro2663; cra2668; v2668; crah3368; sp3459; ap3464.
- 2905 - (Appropriations) Appropriation; IHL - Subsidiary programs. Hopson, et al. i518; cr536; cu544; v544; ph1351; sdc1822; ca2148; cg2164; hrcc2340; rcc2393; cro2668; cra2672; v2672; crah3368; sp3441; ap3464.
- 2906 - (Appropriations) Appropriation; IHL - Alcorn State - Agricultural Research, Extension and Land-Grant programs. Hopson, et al. i518; cr536; cu544; csa544; v544; ph1351; sdc1825; ca2149; cg2164; hrcc2340; rcc2393; cro2672; cra2673; v2673; crah3368; sp3441; ap3464.
- 2907 - (Appropriations) Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. Hopson, et al. i518; cr536; msrp541; cu541; v543; ph1351; sdc1826; ca2149; cg2164; hrcc2340; rcc2393; cro2673; cra2675; v2675; crah3368; sp3450; ap3464.
- 2908 - (Appropriations) Appropriation; IHL - Mississippi State University - Cooperative Extension Service. Hopson, et al. i519; cr536; msrp541; cu541; v543; ph1351; sdc1828; ca2149; cg2164; hrcc2340; rcc2393; cro2676; cra2678; v2678; crah3368; sp3449; ap3464.
- 2909 - (Appropriations) Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. Hopson, et al. i519; cr536; msrp541; cu541; v543; ph1351; sdc1830; ca2149; cg2164; hrcc2340; rcc2393; cro2678; cra2679; v2679; crah3368; sp3427; ap3461.
- 2910 - (Appropriations) Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. Hopson, et al. i519; cr536; msrp541; cu541; v543; ph1351; sdc1831; ca2149; cg2164; hrcc2340; rcc2393; cro2680; cra2682; v2682; crah3368; sp3439; ap3464.
- 2911 - (Appropriations) Appropriation; IHL - Student Financial Aid. Hopson, et al. i519; cr536; cu545; v545; ph1352; sdc1833; ca2149; cg2164; hrcc2340; rcc2393; cro2682; cra2684; v2684; crah3368; sp3441; ap3465.
- 2912 - (Appropriations) Appropriation; IHL - University of Mississippi Medical Center. Hopson, et al. i519; cr536; msrp541; cu541; v543; ph1352; sdc1835; ca2149; cg2164; hrcc2340; rcc2393; cro2685; cra2687; v2687; crah3368; sp3441; ap3464.
- 2913 - (Appropriations) Appropriation; Community and Junior Colleges Board - Administrative expenses. Hopson, et al. i519; cr536; cu545; v545; ph1352;

- sd1837; ca2149; cg2165; hrcc2340; rcc2393; cro2687; cra2690; v2690; crah3368; sp3441; ap3464.
- 2914 - (Appropriations) Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. Hopson, et al. i519; cr536; cu545; v545; ph1352; sdc1839; ca2149; cg2165; hrcc2340; rcc2393; cro2690; cra2695; v2695; crah3368; sp3449; ap3464.
- 2915 - (Appropriations) Appropriation; Corrections, Department of. Hopson, et al. i519; cr536; cu546; v546; ph1352; sdc1843; ca2149; cg2165; hrcc2340; rcc2393; cro2695; cra2702; v2702; crah3368; sp3428; ap3463.
- 2916 - (Appropriations) Appropriation; Public Safety, Department of. Hopson, et al. i519; cr536; cu546; v546; ph1352; sdc1850; ca2149; cg2165; hrcc2341; rcc2393; cro2703; cra2709; v2709; uc3308; crah3368; sp3430; ap3463.
- 2917 - (Appropriations) Appropriation; Emergency Management Agency. Hopson, et al. i520; cr537; msrp541; cu541; v543; ph1352; sdc1856; ca2149; cg2165; nca2294; cro2394; cra2398; v2398; crah3122; sp3441; ap3464.
- 2918 - (Appropriations) Appropriation; Military Department. Hopson, et al. i520; cr537; cu546; v546; ph1352; sdc1860; ca2149; cg2165; hrcc2341; rcc2398; cro2710; cra2712; v2712; crah3368; sp3442; ap3464.
- 2919 - (Appropriations) Appropriation; Veterans Affairs Board. Hopson, et al. i520; cr537; cu547; v547; ph1352; sdc1861; ca2149; cg2165; hrcc2341; rcc2398; cro2712; cra2715; v2715; crah3368; sp3449; ap3464.
- 2920 - (Appropriations) Appropriation; Ethics Commission. Hopson, et al. i520; cr537; msrp541; cu542; v543; ph1352; sdc1863; ca2149; cg2165; cro2398; cra2400; v2400; crah3122; sp3449; ap3462.
- 2921 - (Appropriations) Appropriation; Judicial Performance Commission. Hopson, et al. i520; cr537; msrp541; cu542; v543; ph1352; sdc1864; ca2149; cg2165; cro2400; cra2401; v2401; crah3122; sp3449; ap3462.
- 2922 - (Appropriations) Appropriation; Employment Security, Department of. Hopson, et al. i520; cr537; msrp541; cu542; v543; ph1352; sdc1866; ca2149; cg2165; hrcc2341; rcc2402; cro2715; cra2718; v2718; crah3368; sp3442; ap3464.
- 2923 - (Appropriations) Appropriation; Revenue, Department of. Hopson, et al. i520; cr537; cu547; v547; ph1352; sdc1868; ca2149; cg2165; hrcc2341; rcc2402; cro2718; cra2722; v2722; crah3368; sp3442; ap3464.
- 2924 - (Appropriations) Appropriation; Tax Appeals Board. Hopson, et al. i520; cr537; msrp541; cu542; v543; ph1352; sdc1873; ca2150; cg2165; cro2402; cra2403; v2403; crah3122; sp3449; ap3462.
- 2925 - (Appropriations) Appropriation; Workers' Compensation Commission. Hopson, et al. i520; cr537; msrp541; cu542; v543; ph1352; sdc1874; ca2150; cg2165; cro2404; cra2407; v2407; crah3122; sp3449; ap3464.
- 2926 - (Appropriations) Appropriation; Mental Health, Department of. Hopson, et al. i520; cr537; cu547; v547; mr550; mrc583; mrt583; ph1352; sdc1877; ca2150; cg2165; rcc2407; hrcc2439; cro2723; cra2729; v2729; crah3368; sp3439; ap3465.

- 2927 - (Appropriations) Appropriation; Transportation, Department of - State Aid Road Construction, Office of. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sdc1883; ca2150; cg2166; cro2407; cra2410; v2410; crah3122; sp3439; ap3465.
- 2928 - (Appropriations) Appropriation; Tennessee-Tombigbee Waterway Development Authority. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sdc1886; ca2150; cg2166; hrcc2341; rcc2411; cro2729; cra2731; v2731; crah3368; sp3459; ap3465.
- 2929 - (Appropriations) Appropriation; Chiropractic Examiners, Board of. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sc1953; v1954; sp2205; ap2590.
- 2930 - (Appropriations) Appropriation; Dental Examiners, Board of. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sc1954; v1956; sp2205; ap2590.
- 2931 - (Appropriations) Appropriation; Funeral Services Board. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sc1956; v1958; sp2205; ap2590.
- 2932 - (Appropriations) Appropriation; Massage Therapy, Board of. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sc1958; v1958; sp2205; ap2590.
- 2933 - (Appropriations) Appropriation; Pharmacy, Board of. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sc1959; v1961; sp2205; ap2590.
- 2934 - (Appropriations) Appropriation; Counselors, Board of Examiners for Licensed Professional. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sc1961; v1962; sp2205; ap2590.
- 2935 - (Appropriations) Appropriation; Veterinary Examiners, Board of. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sc1962; v1963; sp2205; ap2590.
- 2936 - (Appropriations) Appropriation; Architecture, Board of. Hopson, et al. i521; cr537; msrp541; cu542; v543; ph1352; sc1963; v1965; sp2205; ap2590.
- 2937 - (Appropriations) Appropriation; Gaming Commission. Hopson, et al. i522; cr537; msrp541; cu542; v543; ph1352; msrp1887; sdc1887; ca2150; cg2166; nca2294; cro2411; cra2413; v2413; crah3122; sp3442; ap3465.
- 2938 - (Appropriations) Appropriation; Geologists, Board of Registered Professional. Hopson, et al. i522; cr537; msrp541; cu542; v543; ph1353; sc1965; v1966; sp2205; ap2590.
- 2939 - (Appropriations) Appropriation; Motor Vehicle Commission. Hopson, et al. i522; cr538; msrp541; cu542; v543; ph1353; sc1967; v1968; sp2205; ap2590.
- 2940 - (Appropriations) Appropriation; Accountancy, Board of Public. Hopson, et al. i522; cr538; msrp541; cu542; v543; ph1353; sc1968; v1970; sp2205; ap2590.
- 2941 - (Appropriations) Appropriation; Contractors, Board of. Hopson, et al. i522; cr538; msrp541; cu542; v543; ph1353; sc1970; v1972; sp2205; ap2590.
- 2942 - (Appropriations) Appropriation; Agriculture and Commerce, Department of. Hopson, et al. i522; cr538; msrp541; cu542; v543; ph1353; msrp1889; sdc1889; ca2150; cg2166; hrcc2341; rcc2414; cro2731; cra2735; v2735; crah3368; sp3449; ap3465.

- 2943 - (Appropriations) Appropriation; Egg Marketing Board. Hopson, et al. i522; cr538; cu548; v548; vp548; ph1353; sdc1893; ca2150; cg2166.
- 2944 - (Appropriations) Appropriation; Animal Health, Board of. Hopson, et al. i522; cr538; msrp541; cu542; v543; ph1353; sdc1894; ca2150; cg2166; hrcc2341; rcc2414; cro2735; cra2737; v2737; crah3368; sp3442; ap3462.
- 2945 - (Appropriations) Appropriation; Agriculture and Commerce - Dixie National Livestock Shows and County Livestock Shows. Hopson, et al. i522; cr538; msrp541; cu542; v543; ph1353; sdc1895; ca2150; cg2166; cro2414; cra2416; v2416; crah3122; sp3442; ap3462.
- 2946 - (Appropriations) Appropriation; Audit, Department of. Hopson, et al. i523; cr538; cu548; v548; ph1353; sdc1897; ca2150; cg2166; cro2416; cra2419; v2419; crah3122; sp3439; ap3465.
- 2947 - (Appropriations) Appropriation; Banking and Consumer Finance, Department of. Hopson, et al. i523; cr538; msrp541; cu542; v543; ph1353; sdc1900; ca2150; cg2166; cro2420; cra2422; v2422; crah3123; sp3442; ap3465.
- 2948 - (Appropriations) Appropriation; Finance and Administration, Department of. Hopson, et al. i523; cr538; cu548; v548; ph1353; sdc1902; ca2150; cg2166; hrcc2341; rcc2422; cro2738; cra2749; v2749; uc3308; crah3369; uc3421; sp3449; pv3466.
- 2949 - (Appropriations) Appropriation; Governor's Office and Mansion. Hopson, et al. i523; cr538; msrp541; cu542; v543; ph1353; sdc1907; ca2150; cg2166; hrcc2341; rcc2422; cro2749; cra2750; v2750; crah3369; sp3459; ap3465.
- 2950 - (Appropriations) Appropriation; Information Technology Services, Department of. Hopson, et al. i523; cr538; msrp541; cu542; v543; ph1353; sdc1908; ca2150; cg2166; cro2422; cra2426; v2426; crah3123; sp3442; ap3465.
- 2951 - (Appropriations) Appropriation; Development Authority, Mississippi. Hopson, et al. i523; cr538; cu549; csa549; v549; ph1353; sdc1911; ca2150; cg2167; nca2295; hrcc2341; rcc2426; cro2750; cra2757; v2757; uc3308; crah3369; sp3443; ap3465.
- 2952 - (Appropriations) Appropriation; Personnel Board. Hopson, et al. i523; cr538; msrp541; cu542; v543; ph1353; sdc1916; ca2150; cg2167; cro2426; cra2428; v2428; crah3123; sp3430; ap3462.
- 2953 - (Appropriations) Appropriation; Secretary of State. Hopson, et al. i523; cr538; msrp541; cu542; v543; ph1353; sdc1917; ca2150; cg2167; nca2295; hrcc2341; rcc2428; cro2757; cra2761; v2761; crah3369; sp3449; ap3465.
- 2954 - (Appropriations) Appropriation; Treasurer's Office. Hopson, et al. i523; cr538; msrp541; cu543; v543; ph1353; sdc1920; ca2150; cg2167; cro2429; cra2431; v2431; crah3123; sp3430; ap3462.
- 2955 - (Appropriations) Appropriation; Debt Service-Gen. Obli. Hopson, et al. i523; cr538; msrp541; cu543; v543; ph1353; sdc1922; ca2151; cg2167; rcc2431; hrcc2440; cro2761; cra2762; ev2762; v2762; crah3369; sp3428; ap3463.
- 2956 - (Appropriations) Appropriations; additional appropriations for various state agencies. Hopson. cr538; i539; cu549; v549; ph1353; sdc1923; ca2151; cg2167; cro2431; cra2436; v2436; mrp2486; msrp2486; rcc2486; hrcc2511; cro2763; cra2767; v2767; crah3369; sp3459; ap3466.

- 2957 - (Appropriations) General Funds; FY 2022 appropriation to Department of Health for MAGnet Community Health Disparity Program. Jackson (11th), et al. i510.
- 2958 - (Appropriations) General funds; FY2022 appropriation Kipling Water Association for a running water line. Jackson (32nd). i510.
- 2959 - (Finance) Ad valorem tax; provide assessment ratio for transformative renewable energy project property designated by qualifying county. Jackson (11th). i510.
- 2960 - (Finance) Income tax; adjust rates for natural persons. McDaniel. i510.
- 2961 - (Finance) Bonds; authorize issuance to assist City of Purvis in paying costs of replacement of traffic signal system. Polk. i511.
- 2962 - (Finance) Bonds; authorize issuance to assist City of Purvis in paying costs of construction of new city hall. Polk. i511.
- 2963 - (Finance) Bonds; increased authorized amount to assist Adams County in paying costs of completion of Belwood Levee construction. Witherspoon. i511.
- 2964 - (Finance) Bonds; authorize issuance to assist Tunica County in paying costs of repair and renovation of historic county courthouse. Jackson (11th). i511.
- 2965 - (Finance) Bonds; authorize issuance to assist Tunica County in paying costs of improvements to local roads used by casino customers. Jackson (11th). i511.
- 2966 - (Finance) Bonds; authorize issuance to assist Lawrence County in paying the costs of pavement maintenance for the N.A. Sandifer Highway. Barrett. i511.
- 2967 - (Finance; Economic and Workforce Development) Taxation; amend or repeal certain tax credits, exemptions and incentives. Parker. i511; cr515; cu526; v526.
- 2968 - (Finance) Bonds; authorize issuance of general obligation bonds for the Ayers Restoration Fund. Horhn, et al. i524.
- 2969 - (Finance) Bonds; authorize issuance to assist Town of Leakesville construct walking trail and fishing pier and renovate bridge. DeBar. i524.
- 2970 - (Finance) Bonds; authorize issuance of \$20 million for interest-free loans to independent colleges in the state. Blount. i539.
- 2971 - (Finance) Bonds; authorize for various purposes. Harkins. i539; cr556; cu562; csa562; v562; ph1940; sdc2014; ca2148; cg2181; hrcc2439; rcc2486; msrp2767; cro2767; cra3116; v3116; ev3117; uc3117; uc3310; crah3369; sp3450; ap3466.
- 2972 - (Finance) Bonds; authorize issuance for various Mississippi Development Authority programs. Harkins. i539; cr556; cu563; csa563; v563.
- 2973 - (Local and Private) City of Oxford; amend code reference to conform to governing law change from PERS to MS Uniform Prudent Investor Act. Boyd. i556.
- 2974 - (Local and Private) City of Byram; extend repeal date on hotel and motel tax. Blount. i557; cr628; msrp937; cu937; v937; ph2146; sp2152; ap2589.

- 2975 - (Finance) Bonds; authorize issuance for Regulatory Sandbox Incentive Fund for Energy Tech Innovation. Hill. i557.
- 2976 - (Finance) Bonds; authorize issuance for Regulatory Sandbox Incentive Fund. Hill. i557.
- 2977 - (Finance; Accountability, Efficiency, Transparency) Fueling Station Tax Credit Act; create. Harkins, et al. i557.
- 2978 - (Finance) Income tax; authorize credit for certain railroad reconstruction/replacement expenditures. Kirby, et al. i557.
- 2979 - (Finance) Bonds; authorize issuance to assist City of Natchez pay costs of Concord Avenue Drainage Improvement Project. Witherspoon. i558.
- 2980 - (Finance) Bonds; authorize issuance to assist the Tibbee Development Club pay costs of community center building improvements. Turner-Ford. i558.
- 2981 - (Finance) Bonds; authorize issuance to assist City of West Point in paying costs of paving city roads. Turner-Ford. i558.
- 2982 - (Finance) Bonds; authorize issuance to assist Clay County in paying costs of road improvements in Supervisor District 5. Turner-Ford. i558.
- 2983 - (Finance) Bonds; authorize issuance to assist Clay County in paying costs of road improvements in Supervisor District 2. Turner-Ford. i558.
- 2984 - (Finance) Bonds; authorize issuance to assist City of Columbus in paying costs of phase 3 of the amphitheater project. Turner-Ford. i558.
- 2985 - (Finance) Bonds; authorize issuance to assist City of Columbus in paying costs of Propst Park Baseball Field renovations. Turner-Ford. i558.
- 2986 - (Finance) Bonds; authorize issuance to assist City of Columbus in paying costs of Fifth Street improvements. Turner-Ford. i558.
- 2987 - (Finance) Bonds; authorize issuance to assist City of Columbus in paying costs of Bluecutt Road Widening Project. Turner-Ford. i559.
- 2988 - (Finance) Bonds; authorize issuance to assist City of Winona pay costs of construction and placement of historic clock tower. Chassaniol. i559.
- 2989 - (Appropriations) General Funds; FY2022 appropriation to Clay County for street repairs in Supervisor District 2. Turner-Ford. i559.
- 2990 - (Appropriations) General Funds; FY2022 appropriation to City of Columbus for improvements to Fifth Street. Turner-Ford. i559.
- 2991 - (Appropriations) General Funds; FY2022 appropriation to City of Columbus for the Bluecutt Road Widening Project. Turner-Ford. i559.
- 2992 - (Appropriations) General Funds; FY2022 appropriation to Clay County for street repairs in Supervisor District 5. Turner-Ford. i559.
- 2993 - (Appropriations) General Funds; FY2022 appropriation to City of Natchez for the Concord Avenue Drainage Improvement Project. Witherspoon. i559.

- 2994 - (Appropriations) General Funds; FY2022 appropriation to Tibbee Development Club for improvements to community center building. Turner-Ford. i559.
- 2995 - (Appropriations) General Funds; FY2022 appropriation to City of West Point for street repairs. Turner-Ford. i559.
- 2996 - (Appropriations) General Funds; FY2022 appropriation to City of Columbus for renovations to Propst Park Baseball Field. Turner-Ford. i560.
- 2997 - (Appropriations) General Funds; FY2022 appropriation to City of Columbus for Phase 3 construction of amphitheater. Turner-Ford. i560.
- 2998 - (Appropriations) General Funds; FY2022 appropriation to City of Baldwin for regional wash center for personal protection equipment for first responders. McMahan. i560.
- 2999 - (Appropriations) General Funds; FY2022 appropriation to City of Hazlehurst for reflective street signs. Butler. i560.
- 3000 - (Appropriations) General Funds; FY2022 appropriation to the City of Shuqualak for a meter reader system. Jackson (32nd). i560.
- 3001 - (Finance) Bonds; authorize issuance to assist City of Canton in paying costs of improvements to water and sewer systems. Blackmon. i569.
- 3002 - (Finance) Bonds; authorize issuance to assist City of Canton in paying costs of construction of governmental complex. Blackmon. i570.
- 3003 - (Judiciary, Division B) Suffrage; restore to Edward Carter. Butler. i570.
- 3004 - (Judiciary, Division B) Suffrage; restore to Stanley Barnes. Butler. i570.
- 3005 - (Appropriations) General Funds; FY2022 appropriation to City of Durant for street repairs. Blackmon. i570.
- 3006 - (Appropriations) General Funds; FY2022 appropriation to Tougaloo College for the completion of restoration to historic Freedom Riders site. Blackmon. i570.
- 3007 - (Appropriations) General Funds; FY2022 appropriation to Attala County for street repairs in Supervisor District 4. Blackmon. i570.
- 3008 - (Appropriations) General Funds; FY2022 appropriation to Attala County for street repairs in Supervisor District 2. Blackmon. i570.
- 3009 - (Appropriations) General Funds; FY2022 appropriation to City of Tchula for street repairs. Blackmon. i570.
- 3010 - (Appropriations) General Funds; FY2022 appropriation to Holmes County for street repairs in the Ebenezer community. Blackmon. i571.
- 3011 - (Appropriations) General Funds; FY2022 appropriation to Holmes County for the purchase of a fire truck for the Ebenezer community. Blackmon. i571.
- 3012 - (Appropriations) General Funds; FY2022 appropriation to General Baptist Convention for renovations to Natchez Seminary Property. Blackmon. i571.
- 3013 - (Appropriations) General Funds; FY2022 appropriation to City of Carthage for street repairs. Blackmon. i571.

- 3014 - (Appropriations) General Funds; FY2022 appropriation to City of Carthage for the repair and renovation of its coliseum. Blackmon. i571.
- 3015 - (Appropriations) General Funds; FY2022 appropriation to City of Canton for improvements to the city's parks. Blackmon. i571.
- 3016 - (Appropriations) General Funds; FY2022 appropriation to City of Canton for repairs, resurfacing and making other improvements to streets. Blackmon. i571.
- 3017 - (Appropriations) General Funds; FY2022 appropriation to City of Canton for construction of governmental complex. Blackmon. i571.
- 3018 - (Finance) Bonds; authorize issuance for improvements at Alcorn State University, Jackson State University and MS Valley State University. Blackmon. i572.
- 3019 - (Finance) Income and franchise tax; exempt small business applicants not receiving PPP loans for 2020 and 2021. Blackmon. i572.
- 3020 - (Finance) Bonds; authorize issuance to assist the City of Durant in paying the costs of improvements to city roads. Blackmon. i572.
- 3021 - (Finance) Bonds; increase authorized issuance to assist in paying costs of restoration of historic Tougaloo College Freedom Riders site. Blackmon. i572.
- 3022 - (Finance) Bonds; authorize issuance to assist Attala County in paying costs of road improvements in Supervisor District 4. Blackmon. i572.
- 3023 - (Finance) Bonds; authorize issuance to assist Attala County in paying costs of road improvements in Supervisor District 2. Blackmon. i572.
- 3024 - (Finance) Bonds; authorize issuance to assist the Town of Tchula in paying the costs of improvements to town roads. Blackmon. i572.
- 3025 - (Finance) Bonds; authorize issuance to assist Holmes County in paying costs of road improvements for community of Ebenezer. Blackmon. i572.
- 3026 - (Finance) Bonds; authorize issuance to assist Holmes County in paying costs of fire truck purchase for community of Ebenezer. Blackmon. i573.
- 3027 - (Finance) Bonds; increase authorized amount to General Missionary Baptist Convention to complete Natchez Seminary renovations. Blackmon. i573.
- 3028 - (Finance) Bonds; authorize issuance to assist City of Carthage in paying costs of city street repairs. Blackmon. i573.
- 3029 - (Finance) Bonds; increase authorized amount to assist City of Carthage in paying costs of coliseum renovations. Blackmon. i573.
- 3030 - (Finance) Bonds; authorize issuance to assist City of Canton in paying costs of park improvements. Blackmon. i573.
- 3031 - (Finance) Bonds; authorize issuance to assist City of Canton in paying costs of city street repairs. Blackmon. i573.

- 3032 - (Local and Private) City of Pascagoula; extend the repeal date on tourism tax authorized to be levied on prepared food sold at restaurants. Wiggins. i573; cr628; msrp937; cu937; v938; ph2146; sp2152; ap2589.
- 3033 - (Finance; Local and Private) Tunica County; allow board to designate transformative renewable energy project at set ad valorem assessment ratio. Jackson (11th). i574.
- 3034 - (Finance) Bonds; authorize issuance to assist City of Magnolia in paying costs of repair and renovation of community center. Witherspoon. i574.
- 3035 - (Finance) Bonds; authorize issuance to assist Pontotoc County in paying costs of repair and renovation of county courthouse. Chism. i574.
- 3036 - (Appropriations) General Funds; FY2022 appropriation to City of Canton for improvement of water and sewer system. Blackmon. i574.
- 3037 - (Finance) Bonds; authorize issuance to assist Clay, Lowndes and Oktibbeha Counties with certain road projects. Younger, et al. i574.
- 3038 - (Finance) Bonds; authorize issuance to assist Houston School District to pay costs of construction completion for girls' softball facility. Suber. i574.
- 3039 - (Appropriations) Gulf Coast Restoration Funds; FY2022 appropriation to City of Pascagoula for downtown economic development. Wiggins. i574.
- 3040 - (Appropriations) General Funds; FY2022 appropriation to South Pike School District for renovations to its school buildings. Witherspoon. i574.
- 3041 - (Finance) Bonds; authorize issuance to assist Town of Bruce in paying costs associated with street repair and paving. Suber. i575.
- 3042 - (Finance) Bonds; authorize issuance to assist Town of Bruce in paying costs of repairing and expanding its sewage system and lagoon. Suber. i575.
- 3043 - (Finance) Bonds; authorize issuance to assist Calhoun County pay costs of replacing two vehicles for sheriff's department. Suber. i575.
- 3044 - (Finance) Bonds; authorize issuance to assist Town of Woodland in paying costs of repairs to town medical clinic. Suber. i575.
- 3045 - (Finance) Bonds; authorize issuance to assist Town of Calhoun City in paying costs associated with street repair and paving. Suber. i575.
- 3046 - (Finance) Bonds; authorize issuance to assist Town of Vardaman in paying costs associated with street repair and paving. Suber. i575.
- 3047 - (Finance) Bonds; authorize issuance to assist City of Houston in paying costs of various projects. Suber. i575.
- 3048 - (Finance) Bonds; authorize issuance to assist Chickasaw County in paying costs of repair and renovation of Houston courthouse. Suber. i576.
- 3049 - (Finance) Bonds; authorize to assist Pascagoula Redevelopment Authority attain qualified workforce through economic development. Wiggins. i576.
- 3050 - (Finance) Bonds; authorize issuance to assist Union County in paying costs of repair and renovation of New Albany courthouse. Chism. i576.

- 3051 - (Finance) Bonds; authorize issuance to assist City of Quitman with Quitman Village project. Tate. i576.
- 3052 - (Finance) Bonds; authorize issuance to assist Town of Leakesville in paying costs of construction of new sidewalks. DeBar. i576.
- 3053 - (Finance) Bonds; authorize issuance for Mississippi Ports Improvement Fund. Moran, et al. i576.
- 3054 - (Finance) Stay on Track Education Fund; create. McDaniel. i576.
- 3055 - (Finance) General Funds; FY2022 appropriation to Washington County for street repairs in Supervisor District 1. Simmons (12th). i576.
- 3056 - (Finance) Bonds; authorize issuance to assist City of Greenville in paying costs of improvements to its water and sewer systems. Simmons (12th). i577.
- 3057 - (Finance) Bonds; authorize issuance to assist City of Greenville in paying costs of improvements on the downtown green space. Simmons (12th). i577.
- 3058 - (Finance) Bonds; authorize issuance to assist Town of Metcalfe in paying costs of improvements to its water and sewer systems. Simmons (12th). i577.
- 3059 - (Finance) Bonds; authorize issuance to assist Town of Metcalfe in paying costs of repair and renovation of town park. Simmons (12th). i577.
- 3060 - (Finance) Bonds; authorize issuance to assist City of Greenville in paying costs of repair and renovation of city parks. Simmons (12th). i577.
- 3061 - (Finance) Bonds; authorize issuance to assist City of Leland in paying costs of repair and renovation of city park. Simmons (12th). i577.
- 3062 - (Finance) Bonds; authorize issuance to assist City of Rosedale in paying costs of repair and renovation of city park. Simmons (12th). i577.
- 3063 - (Appropriations) General Funds; FY2022 appropriation to Town of Coahoma for street repairs. Simmons (12th). i577.
- 3064 - (Appropriations) General Funds; FY2022 appropriation to Town of Friars Point for street repairs. Simmons (12th). i578.
- 3065 - (Appropriations) General Funds; FY2022 appropriation to Washington County for street repairs in Supervisor District 3. Simmons (12th). i578.
- 3066 - (Appropriations) General Funds; FY2022 appropriation to Leland Public School District for improvements to its Early Head Start Facility. Simmons (12th). i578.
- 3067 - (Appropriations) General Funds; FY2022 appropriation to Washington County for street repairs in Supervisor District 4. Simmons (12th). i578.
- 3068 - (Appropriations) General Funds; FY2022 appropriation to the Town of Rosedale for street repairs. Simmons (12th). i578.
- 3069 - (Appropriations) General Funds; FY2022 appropriation to Washington County for street repairs in Supervisor District 2. Simmons (12th). i578.

- 3070 - (Appropriations) General Funds; FY2022 appropriation to Bolivar County for street repairs in Supervisor District 1. Simmons (12th). i578.
- 3071 - (Appropriations) General Funds; FY2022 appropriation to Washington County for street repairs in Supervisor District 5. Simmons (12th). i578.
- 3072 - (Local and Private) Lafayette County; change governing law for county trust fund investments from PERS to MS Uniform Prudent Investor Act. Boyd. i595; cr1939; cu2199; v2199; ph2443; sp2577; ap3460.
- 3073 - (Finance) Bonds; authorize issuance to assist South Pike School District in paying costs of repair and renovation of buildings. Witherspoon. i579.
- 3074 - (Local and Private) Marshall County; expand boundaries of Marshall Utility Services Sewer District. Whaley. i756.
- 3075 - (Local and Private) Town of Sardis; extend repeal date on hotel, motel and restaurant tax. Jackson (11th), et al. i756; cr983; msrp1927; cu1927; v1927; ph2177; rcbh2204.
- 3076 - (Local and Private) Jackson County and the City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, Inc. Wiggins. i756; cr983; msrp1928; cu1928; v1928; ph2177; sp2225; ap2590.
- 3077 - (Local and Private) Town of Sardis; extend repeal date on hotel, motel and restaurant tax. Jackson (11th). i756.
- 3078 - (Local and Private; Finance) Tunica County; authorize occupancy assessment for the benefit of the Convention Center Complex. Jackson (11th), et al. i757; cr1939; cu2200; csa2200; caa2201; v2201.
- 3079 - (Local and Private) City of Greenwood; extend the repeal date on the tourism tax and the Greenwood Tourism Commission. Jordan, et al. i757; cr983; msrp1928; cu1928; v1928; ph2177; sp2225; ap2590.
- 3080 - (Local and Private) City of Vicksburg; authorize adoption of vacant commercial building registration ordinance. Hopson. i757; cr983; msrp1929; cu1929; tsc1929; csa1949; rt1949; v1949; ph2443; sp2577; ap3460.
- 3081 - (Local and Private) City of Vicksburg; authorize to execute agreement to contribute to Vicksburg Warren Economic Development Foundation. Hopson. i757.
- 3082 - (Local and Private) Marshall County; expand boundaries of Marshall Utility Services Sewer District. Blackwell. i757.
- 3083 - (Local and Private) City of Vicksburg; extend repealer on authority to contribute to various organizations. Hopson. i758; cr983; msrp1928; cu1929; v1929; ph2177; sp2225; ap2590.
- 3084 - (Local and Private) City of Jackson; authorize to continue contributions to Keep Jackson Beautiful, Inc. Norwood, et al. i759.
- 3085 - (Local and Private; Finance) City of Meridian; authorize occupancy assessment for the benefit of the Meridian-Lauderdale Sports Commission and complex. Tate. i1413; cr2179; cu2201; csa2201; v2202.

- 3086 - (Local and Private) Lauderdale County; extend repeal date on the Lauderdale County Tourism Commission. Tate. i1414; cr1939; cu2199; v2199; ph2441; msrp2506; sc2506; v2506; sp3425; ap3462.
- 3087 - (Local and Private) Warren County; authorize contributions to various organizations. Hopson. i1414; cr1939; cu2200; v2200; ph2443; sp2577; ap3460.
- 3088 - (Local and Private) City of Baldwyn; authorize to expand and operate natural gas distribution system to serve certain areas of Tippah County. Parks. i1414; cr2316; msrp2320; cu2320; v2320; ph3123; sp3425; ap3462.
- 3089 - (Local and Private) Panola County; exempt certain tracts of land from certain provisions of Individual On-Site Wastewater Disposal System Law. Boyd, et al. i1414; cr1938.
- 3090 - (Local and Private) Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax. Simmons (12th). i1667; cr1939; cu2200; v2200; ph2443; msrp2582; sdc2582; ca2588; cg2588; cro3236; cra3237; v3237; crah3427; sp3439; ap3463.
- 3091 - (Local and Private; Finance) Lee County; authorize 3/4% sales tax and bond issuance for a specific project by county board. McMahan. i1757; cr2179; msrp2208; cu2208; e2209; uco2209; v2209; mr2241; mrc2246; mrt2246.
- 3092 - (Local and Private; Energy) City of New Albany; authorize to lease fiber to internet service providers for provision of broadband service. Blackwell, et al. i2192.

B. SENATE CONCURRENT RESOLUTIONS

S. C. No.

- 501 - (Constitution) Constitution; amend Section 273 to revise initiative signature requirements and limit initiatives to one proposal of law. Hill. i32; cr276.
- 502 - (Rules) Remember the legacy of former Governor William F. Winter and extend deepest sympathy of the Legislature on his passing. Kirby, et al. i33; cr230; msrp295; cu295; caa296; v296; ph1032; sp1451.
- 503 - (Rules) Commend Aysa Branch for winning Miss USA. Sparks, et al. i33; cr230; msrp295; cu295; caa296; v296; ph438; sp752.
- 504 - (Rules) Ted Booth; commend for receiving the 2020 Legislative Staff Achievement Award from NCSL. Kirby, et al. i33; cr230; msrp295; cu295; caa296; v296; ph438; sp565.
- 505 - (Rules) Hydroxychloroquine; encourage availability for treating COVID-19 in the state. Hill. i33.
- 506 - (Rules) Express intent of Legislature that daylight saving time shall be the year-round standard time in Mississippi. Blackwell, et al. i33; cr623; msrp634; cu634; v634; caa635; ph2290; sp2318.
- 507 - (Rules) Article V Constitutional Convention; provide for selection and authority of commissioners. Hill. i33.
- 508 - (Constitution; Elections) Constitution; amend to allow felons to vote upon meeting certain conditions. Blount. i74.

- 509 - (Rules) Extend deepest sympathy of Legislature on the passing of Mississippi Sports Icon JSU Coach "W.C." Gorden. Norwood, et al. i74; cr230; msrp295; cu295; v296; caa297; ph438; sp565.
- 510 - (Rules) Mourn the passing of former Senator Tommy Moffatt, Sr., of Gautier, Mississippi, and commend his public and charitable service. Wiggins, et al. i74; cr231; msrp295; cu295; v296; caa297; ph438; sp596.
- 511 - (Rules) Commend Leake Academy "Rebels" Football Team for winning the MAIS Class 5A State Championship. Branning, et al. i74; cr231; msrp295; cu295; v296; caa297; ph438; sp566.
- 512 - (Rules) Commend the life of legendary college and NFL football player and Coach Ray Perkins from Petal, Mississippi. Fillingane, et al. i74; cr231; msrp295; cu295; v296; caa297; ph438; sp566.
- 513 - (Rules) Recognize the Bicentennial Celebration of Franklin Academy in Columbus, the first public school in Mississippi. Younger, et al. i74; cr231; msrp295; cu295; v296; caa297; ph438; sp565.
- 514 - (Rules) Extend sympathy of the Legislature to the family of the state's longest-serving Mayor, Dock Gabbert, of Derma, Mississippi. Suber, et al. i74; cr231; msrp295; cu295; v296; caa297; ph438; sp566.
- 515 - (Rules) Extending condolences of Mississippi Legislature on the passing of Wiggins Mayor Joel Travis Miles and remembering his legacy. Seymour, et al. i74; cr231; msrp295; cu296; v296; caa297; ph438; sp565.
- 516 - (Rules) Pay tribute to the memory and career of pioneering country music superstar Charley Pride from Sledge, Mississippi. Jackson (11th), et al. i75; cr231; msrp295; cu296; v296; caa297; ph438; sp565.
- 517 - (Rules) Pay tribute to the memory of former State Senator and Representative Nolan Mettetal. Boyd, et al. i75; cr231; msrp295; cu296; v296; caa297; ph1032; sp1759.
- 518 - (Rules) Commend Hillcrest Christian Girls Fast Pitch Softball Team for MAIS State Championship. Blount, et al. i75; cr231; msrp295; cu296; v296; caa298; ph438; sp1285.
- 519 - (Rules) Commend Brookhaven High School "Panthers" Boys Cross-Country Team for second consecutive state championship. Barrett, et al. i75; cr231; msrp295; cu296; v296; caa298; ph438; sp565.
- 520 - (Elections; Constitution) Constitution; amend Section 241 to restore right to vote after discharge from prison. Jordan. i83.
- 521 - (Rules) Recognize the induction of Grammy Award-Winning Country Music Artist Marty Stuart into the Country Music Hall of Fame. Branning, et al. i227; cr433; msrp500; cu500; caa501; v501; ph1032; sp1402.
- 522 - (Rules) United States Constitution Convention under Article V; apply for federal debt limitation. Wiggins. i227.
- 523 - (Rules) United States Constitutional Convention under Article V; apply for federal balanced budget requirement. Wiggins. i227.

- 524 - (Rules) Issue apology of the State of Mississippi to Curtis Flowers after six trials and 23 years in prison and dismissal of charges. Jackson (11th), et al. i227.
- 525 - (Constitution) Constitution; amend Section 273 to revise initiative signature requirements and limit initiatives to one proposal of law. Johnson. i227.
- 526 - (Constitution) Constitution; amend to provide certain rights to victims throughout the criminal and juvenile justice systems. England. i227.
- 527 - (Rules) Congratulate Coach Lane Kiffin and Ole Miss "Rebels" Football Team for impressive victory in Outback Bowl and for 2020 season. Michel, et al. i227; cr433; msrp500; cu500; caa501; v501; ph1032; sp1285.
- 528 - (Rules) Commend golf icon Randy Watkins upon his induction into the Mississippi Sports Hall of Fame and Museum. Michel, et al. i512; cr561; msrp580; cu581; v581; caa582; ph1032; sp1402.
- 529 - (Rules) Congratulate Ole Miss Lineman Terrence Metcalf upon his induction into the 2021 Mississippi Sports Hall of Fame and Museum. Boyd, et al. i512; cr561; msrp580; cu581; v581; caa582; ph1032; sp1407.
- 530 - (Rules) Commend Ole Miss and ATP tennis standout Dave Randall upon his induction into the Mississippi Sports Hall of Fame and Musuem. Michel, et al. i513; cr561; msrp580; cu581; v581; caa582; ph1032; sp1355.
- 531 - (Rules) Encourage counties and municipalities to exchange land use and development information with military installations. Seymour, et al. i524; cr561; msrp580; cu581; v581; caa582; ph1032; sp1285.
- 532 - (Rules) Recognize March 4, 2021, as "HPV Cancer Awareness Day" in Mississippi. Boyd, et al. i524; cr561; msrp580; cu581; v581; caa582; ph1032; sp1355.
- 533 - (Rules) Recommend that the United States Forest Service reconsider certain restrictive action on National Forest Lands in Mississippi. Seymour, et al. i595; cr1932; msrp2157; cu2157; caa2158; v2158; ph2290; sp2318.
- 534 - (Rules) Declare September 2021 as "Prostate Cancer Awareness Month." Frazier, et al. i759; cr1932; msrp2156; cu2156; caa2157; v2157; ph2290; sp2318.
- 535 - (Rules) Suspend rules; further consideration of Senate Bill No. 2799 and House Bill No. 1008, Medicaid Technical Amendments. Blackwell. cr1419; msrp1419; cu1419; v1419; i1456; ph1666; sc1786; v1787; sp1934.
- 536 - (Rules) State Taxation Study Committee; establish. Harkins, et al. i1757; cr1932; cu2158; v2158; caa2158.
- 537 - (Rules) Declare that March 21, 2021, is "World Down Syndrome Day in Mississippi." England, et al. cr1932; i1943; msrp2158; cu2158; v2159; caa2160; ph2290; sp3306.
- 538 - (Rules) Request Attorney General to petition the Mississippi Supreme Court to establish Covid-19 Landlord-Tenant Eviction Resolution Program. Moran, et al. i1943.
- 539 - (Rules) Urge U.S. Food and Drug Administration to protect American consumers with responsible Kratom regulation. McDaniel, et al. i2245.

C. SENATE RESOLUTIONS

S. R. No.

- 1 - (Rules) Commend Andy Ogletree for finishing his first Masters as Low Amateur. McCaughn, et al. i33; cr231; msrp295; cu296; v296; caa298; caa502.
- 2 - (Rules) Senate Rules; amend Rule 65 to provide for removal of members of the Rules Committee. Blackwell. i33.
- 3 - (Rules) Congratulate Magee Trojans Football Team for winning 3A State Championship. Caughman, et al. i227; cr433; msrp500; cu500; caa501; v501.
- 4 - (Rules) Recognize Noah Harris of Natchez/Hattiesburg as Harvard's first African American male Student Body President. Polk, et al. i228; cr433; msrp500; cu500; caa501; v501.
- 5 - (Rules) Commend judicial contributions and legacy of former 14th Chancery District Judge Dorothy Colom. Turner-Ford, et al. i316; cr433; msrp500; cu500; v501; caa502.
- 6 - (Rules) Congratulate Lumberton High School "Panthers" Football Team for MHSAA Class 1A State Championship. Polk, et al. i316; cr433; msrp500; cu500; v501; caa502.
- 7 - (Rules) Congratulating Oak Grove High School "Warriors" Football Team for winning Class 6A State Championship. Polk, et al. i316; cr433; msrp500; cu500; v501; caa502.
- 8 - (Rules) Paying tribute to 52-year law enforcement career of Constable Houston "Hoot" West of Caledonia, MS, and extending condolences. Younger, et al. i316; cr434; msrp500; cu500; v501; caa502.
- 9 - (Rules) Recognize Raphael Semmes as the recipient of the 2021 Governor's Arts Award as Mississippi Cultural Ambassador. Horhn, et al. i403; cr434; msrp500; cu500; v501; caa502.
- 10 - (Rules) Recognize Arthur Jafa as the recipient of the 2021 Governor's Arts Award for Excellence in Media Arts. Horhn, et al. i403; cr434; msrp500; cu501; v501.
- 11 - (Rules) Recognize the Tutwiler Quilters as the recipient of the 2021 Governor's Arts Award for Arts in the Community. Horhn, et al. i403; cr434; msrp500; cu501; v501.
- 12 - (Rules) Recognize Jesmyn Ward as the recipient of the 2021 Governor's Arts Award for Excellence in Literature. Horhn, et al. i403; cr434; msrp500; cu501; v501; caa502.
- 13 - (Rules) Recognize Benjamin Wright as the recipient of the 2021 Governor's Arts Award for Lifetime Achievement. Horhn, et al. i403; cr434; msrp500; cu501; v501; caa502.
- 14 - (Rules) Commend Florence Girls Soccer Team for winning MHSAA Class 4A State Championship. Caughman, et al. i480; cr561; msrp580; cu581; v581; caa582.

- 15 - (Rules) Commend the life of Pontotoc native and Hall of Fame Songwriter Jim Weatherly. Chism, et al. i480; cr561; msrp580; cu581; v581; caa582.
- 16 - (Rules) Recognize Nellie McInnis as the recipient of the 2021 Governor's Arts Award for Excellence in Music. Horhn, et al. i480; cr561; msrp580; cu581; v581; caa582.
- 17 - (Rules) Recognize Sarah Thomas as first female referee to officiate a Super Bowl. Wiggins, et al. i513; cr561; msrp580; cu581; v581; caa582.
- 18 - (Rules) Extend sympathy of Mississippi Senate to family of fallen officer Hancock County Deputy Sheriff Michael Anthony Boutte, Sr. Moran, et al. i513; cr561; msrp580; cu581; v581; caa582.
- 19 - (Rules) Recognize enduring influence of Mississippi businessman and civic leader Leland Rhymes Speed and extending sympathy of Senate. Michel, et al. i513; cr562; msrp580; cu581; v581; caa583.
- 20 - (Rules) Recognize the dedicated public service of MEMA Director Greg Michel on occasion of his retirement. DeLano, et al. i513; cr562; msrp580; cu581; v581; caa583.
- 21 - (Rules) Recognize "Native Plant Week" in Mississippi and commend the work of the Audubon Delta Region in native plant awareness. England, et al. i540; cr562; msrp580; cu581; v581; caa583.
- 22 - (Rules) Commend South Perry Elementary Kindergarten Teacher Maria James as "Mississippi Rural Teacher of the Year." DeBar, et al. i579; cr623; msrp634; cu634; v634.
- 23 - (Rules) Expressing deepest sympathy of Senate to surviving family of Greenville native Mary Wilson of "The Supremes." Simmons (12th), et al. i579; cr623; msrp634; cu634; v634.
- 24 - (Rules) Commend Gulfport High School "Lady Admirals" Girls Soccer Team for winning second consecutive Class 6A State Championship. Carter, et al. i579; cr623; msrp634; cu634; v634; caa635.
- 25 - (Rules) The Jones Act; affirm support for and celebrate the centennial anniversary of its passage. Hopson, et al. i595; cr623; msrp634; cu634; v634; caa635.
- 26 - (Rules) Commend Alan Sudduth upon selection as 2020-2021 Chairman of the MMA Board of Directors. England, et al. i595; cr624; msrp634; cu634; v634; caa635.
- 27 - (Rules) Recognize Biloxi native and Nashville Predators Mathieu Olivier for first NHL goal by player born in Mississippi. Harkins, et al. i760; cr1932; msrp2158; cu2159; v2159; caa2160.
- 28 - (Rules) Commend JSU Lady Tigers Basketball Team for 2019-2020 SWAC Championship. Frazier, et al. i760; cr1932; msrp2158; cu2159; v2159; caa2160.
- 29 - (Rules) Recognize Biloxi Elementary School and D'Iberville Elementary School for National Blue Ribbon School Award. DeLano, et al. i981; cr1932; msrp2158; cu2159; v2159; caa2160.

- 30 - (Rules) Commemorate Centennial Anniversary of Howell-Grantham American Legion Post 53. DeBar, et al. cr1932; i1944; msrp2158; cu2159; v2159; caa2160.
- 31 - (Rules) Congratulate Jackson Academy "Lady Raiders" Girls Basketball Team and Coach Jan Sojourner for MAIS Class 5A Championship. Michel, et al. cr1932; i1944; msrp2158; cu2159; v2159; caa2160.
- 32 - (Rules) Commend Lanier High School "Bulldogs" Boys Basketball Team for winning the 2021 Class 4A State Championship. Norwood, et al. cr1933; i1944; msrp2158; cu2159; v2159; caa2160.
- 33 - (Rules) Commend Willy Showah as "Instructor of the Year" at the Jackson County Campus of Mississippi Gulf Coast Community College. Wiggins, et al. cr1933; i1944; msrp2158; cu2159; v2159; caa2160.
- 34 - (Rules) Commend James Pittman as "Instructor of the Year" at the Perkinston Campus of Mississippi Gulf Coast Community College. Wiggins, et al. cr1933; i1944; msrp2158; cu2159; v2159; caa2160.
- 35 - (Rules) Commend Kristi Matthews as "Instructor of the Year" at the Bryant Center of Mississippi Gulf Coast Community College. Wiggins, et al. cr1933; i1944; msrp2158; cu2159; v2159; caa2160.
- 36 - (Rules) Commend Coahoma County High School "Red Panthers" Boys Basketball Team for Class 2A State Championship. Jackson (11th), et al. cr1933; i1944; msrp2158; cu2159; v2159; caa2160.
- 37 - (Rules) Commend Manchester Academy "Lady Mavericks" Girls Basketball Team for first State Championship. Thomas, et al. cr1933; i1944; msrp2158; cu2159; v2159; caa2161.
- 38 - (Rules) Commend Amanda Sharrow as "Instructor of the Year" at the Harrison County Campus of Mississippi Gulf Coast Community College. Wiggins, et al. cr1933; i1944; msrp2158; cu2159; v2159; caa2161.
- 39 - (Rules) Commemorate 100th Anniversary of Troop 8, Boy Scouts of America at First Baptist Church of Jackson, Mississippi. Kirby, et al. cr1933; i1945; msrp2158; cu2159; v2159; caa2161.
- 40 - (Rules) Commend JSU "Tigers" Men's Basketball Team for winning the Co-SWAC 2021 Regular Season Championship. Norwood, et al. cr1933; i1945; msrp2158; cu2159; v2159; caa2161.
- 41 - (Rules) Congratulate JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for consecutive SWAC Regular Season Championship. Norwood, et al. cr1933; i1945; msrp2158; cu2159; v2159; caa2161.
- 42 - (Rules) Commend Leake Academy "Lady Rebels" Girls Basketball Team for winning 2021 MAIS Overall Championship. Branning, et al. cr1933; i1945; msrp2158; cu2159; v2159; caa2161.
- 43 - (Rules) Honor the legacy of Marine Corporal Vonzia J. Rigsby of Jasper County, the oldest living Montford Point Marine, on his 100th birthday. Barnett, et al. cr1933; i1945; msrp2158; cu2159; v2159; caa2161.

- 44 - (Rules) Mourn the passing of longtime funeral home owner Luzern "Sonny" Dillon, the first black-elected official in Walthall County. Witherspoon. i1945; cr2317; msrp2511; cu2512; v2513.
- 45 - (Rules) Commend Lafayette High School "Lady Commodores" Girls Soccer Team for three-peat Class 5A State Championship. Boyd, et al. i1945; cr2317; msrp2511; cu2512; v2513.
- 46 - (Rules) Commend Ole Miss Womens Rifle Team for outstanding 2021 season. Boyd, et al. i2147; cr2318; msrp2511; cu2512; v2513; caa2513.
- 47 - (Rules) Extend congratulations of Senate to 87-year-old Blues Legend Bobby Rush for winning Grammy Award for Best Traditional Blues Album. Norwood, et al. i2296; cr2318; msrp2511; cu2512; v2513; caa2513.
- 48 - (Rules) Recognize Dr. Felecia Nave as first female President of Alcorn State University on the occasion of her inauguration. Butler, et al. i2296; cr2318; msrp2511; cu2512; v2513.
- 49 - (Rules) Commend Laurel High School "Lady Tornadoes" Girls Basketball Team for first-ever State Championship. Barnett. i2296; cr2576; msrp3124; cu3125; v3125.
- 50 - (Rules) Commend Hartfield Academy "Hawks" Boys Basketball Team for winning the MAIS Class 4A State Championship. Harkins. i2337; cr2576; msrp3124; cu3125; v3125.
- 51 - (Rules) Congratulate Mattie Grace Morris for Miss Mississippi Teen USA for 2021. Harkins. i2510; cr2576; msrp3124; cu3125; v3125.
- 52 - (Rules) Commend Clinton High School "Arrows" Boys Basketball Team for Class 6A State Championship. Frazier, et al. i2510; cr2576; msrp3124; cu3125; v3125; caa3125.
- 53 - (Rules) Commend Clinton Christian Academy Girls and Boys Basketball Teams for two State Championships. Frazier, et al. i2510; cr2576; msrp3124; cu3125; v3125; caa3125.
- 54 - (Rules) Recognize the 40-year career of The Clarion Ledger Capitol Correspondent Jimmie Gates. Norwood, et al. i2510; cr2577; msrp3124; cu3125; v3125; caa3125.
- 55 - (Rules) Commend Lafayette High School Boys Bowling Team for third consecutive State Championship. Boyd. i3123; cr3419; msrp3420; cu3420; v3420.
- 56 - (Rules) Declare the intent of Senate relative to the promotion of race or sex stereotyping or scapegoating. Hill. i3123.
- 57 - (Rules) Urging the President of the United States to designate a State Funeral for last surviving Medal of Honor recipient from WWII. Sojourner. i3123; cr3419; msrp3420; cu3420; v3420.
- 58 - (Rules) Urge U.S. Congress to enact legislation to include airguns and airbows as items taxed under the Pittman-Robertson Act. Blackwell, et al. i3124.

- 59 - (Rules) Commend Olive Branch High School "Lady Quistors" Girls Basketball Team for winning their third consecutive State Championship. Blackwell, et al. i3369; cr3419; msrp3420; cu3420; v3420.
- 60 - (Rules) Recognize Phi Beta Sigma Fraternity and Zeta Phi Beta Sorority for charitable service. Norwood, et al. i3369; cr3420; msrp3420; cu3420; v3420.
- 61 - (Rules) Commend Tishomingo County High School "Lady Braves" Cheerleading Squad for 2020 State Championship. Sparks. i3369; cr3420; msrp3420; cu3420; v3420.
- 62 - (Rules) Commend New Site "Lady Royals" Girls Basketball Team for winning 2A State Championship. Sparks. i3370; cr3420; msrp3420; cu3420; v3420.
- 63 - (Rules) Commend Belmont "Lady Cardinals" Girls Basketball Team for Class 3A State Championship. Sparks. i3370; cr3420; msrp3420; cu3420; v3420.

D. HOUSE BILLS

H. B. No.

- 1 - (Rules) State flag; shall be the design recommended by the Commission to Redesign the State Flag and approved in the November 2020 election. Gunn, et al. rh18; rf19; cr19; cu34; v34; sp38.
- 3 - (Judiciary, Division A) Outdoor advertisement signs; revise height requirements for. Powell. rh337; rf532.
- 5 - (Judiciary, Division B) Hazing; increase penalties for. Powell, et al. rh428; rf527.
- 6 - (Universities and Colleges; Judiciary, Division B) University and colleges anti-hazing policy; require Board of Trustees of IHL to develop policy against hazing and prescribe penalties. Powell. rh358; rf505.
- 8 - (Public Property) UMMC property; revise leasing authority by removing certain minimum requirements of improvements to development. Gunn, et al. rh358; rf506; cr613; cu920; v920; sp1407.
- 9 - (Public Property) MS Law Enforcement Officers' Training Academy; name firing range as the "Lieutenant Colonel Pat Cronin Firing Range." Gunn, et al. rh364; rf506; cr613; cu920; v920; sp1402.
- 68 - (Appropriations) Appropriation; additional to DFA for purchases of new state flags for state buildings and offices. Read, et al. rh18; rf19.
- 69 - (Appropriations) State Veterans Affairs Board; provide that certain employees of are nonstate service employees under state personnel system. Carpenter, et al. rh41; rf48; cr232; cu233; v236; hc241; sp244.
- 70 - (Judiciary, Division B) Autopsies; provide for confidentiality of photographs and video and audio recordings with exceptions. Bain, et al. rh372; rf527; cr608; cu645; v648; mr772; mrc1281; mrt1281; hc1755; sp1937.
- 72 - (Judiciary, Division A) Dentists; provide immunity for providing charitable and emergency services. Mims, et al. rh444; rf506; cr591; cu635; v635; mr761; mrc1280; mrt1280; sp1407.

- 73 - (Public Health and Welfare) Chiropractors; extend repealer on licensure law. Mims. rh337; rf507; cr566; cu626; v626; sp752.
- 74 - (Energy) Emergency Telecommunications Services (911); extend repealer on. Turner. rh359; rf527; cr619; cu928; v928; sp1407.
- 82 - (Finance) Community or junior colleges; authorize to administer construction contracts of \$1,000,000.00 or less, and exempt certain oversight. Scoggin, et al. rh359; rf505; cr610; msrp938; cu938; v942; hdc2167; ca2222; cro2445; cra2449; v2449; crah3120; sp3362.
- 87 - (Judiciary, Division A) MDHS fraud investigators; provide they shall be law enforcement officers. Bain, et al. rh428; rf527; cr617; cu765; v766; hdc2167; ca2189; cro2246; cra2248; v2248; crah2316; sp2438.
- 91 - (Appropriations; Accountability, Efficiency, Transparency) Public Service Commission; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Bounds, et al. rh444; rf527.
- 95 - (Public Health and Welfare) Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks. Turner. rh348; rf507; cr617; cu1080; v1083; mr1168; mrc1168; mrp1168; mrp1169; v1171; hdc2167; ca2189; cro2248; cra2251; v2251; crah2316; sp2438.
- 100 - (Accountability, Efficiency, Transparency) MS Telephone Solicitation Act; extend repealer on requirement that fees be deposited into State General Fund. Turner. rh485; rf507; cr600; msrp972; cu972; v972; sp1407.
- 104 - (County Affairs; Appropriations) Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county. Anderson (122nd), et al. rh359; rf527; cr615; cu1065; v1067; hdc2167; ca2189; cro2513; cra2515; v2515; crah3367; sp3432.
- 106 - (Appropriations) State budget; revise provisions in several FY21 appropriation bills. Read. rh242; rf291; cr615; cu777; v784; hc1455; sp1455.
- 108 - (Technology) Wireless Communication Commission; remove ITS control over. Read. rh445; rf527; cr614; msrp955; cu956; v960; mr1275; msrp1337; mrc1337; mrp1337; v1350; hdc2242.
- 109 - (Appropriations) State budget; enact and revise various provisions relating to. Read. rh304; rf516; cr615; cu784; v791; hdc2168; ca2172; cro3237; cra3247; v3247; crah3426; sp3435.
- 111 - (Universities and Colleges; Appropriations) Community and junior colleges; authorize boards of trustees to approve policies permitting waiver of out-of-state tuition. Bain, et al. rh485; rf505.
- 113 - (Universities and Colleges) Community College Boards of Trustees; revise composition of Northeast Mississippi and Coahoma Community Colleges. Bain. rh364; rf564.
- 119 - (Public Health and Welfare) Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes. Turner, et al. rh359; rf527; cr617; rmc1083; cu1229; po1274; mr1275; pin1275; ru1275; v1275; vp1275; mrc1287; mrp1287; uco1287; v1288; vp1288; hdc2168; ca2192; msrp3342; cro3342; cra3344; v3344; crah3426; sp3436.

- 122 - (Judiciary, Division B) Expungement; authorize up to three felony convictions to be expunged after 15 years. Owen, et al. rh382; rf527.
- 135 - (Education) MS Critical Teacher Shortage Act of 1998; extend repealer on. Turner, et al. rh445; rf505; cr609; cu910; v910; sp1403.
- 136 - (Finance) Individual bond; require for public officers and employees handling or having the custody of public funds. Turner. rh359; rf507; cr590; cu986; v986; hdc2168; ca2222; crah2442; cro2449; cra2450; v2450; sp3362.
- 148 - (Tourism; Appropriations) Mississippi Development Authority Tourism Advertising Fund; use portion of monies in to advertise state parks. Currie. rh485; rf527.
- 160 - (Public Health and Welfare) State Department of Health and State Board of Health; extend repealer on. Turner. rh337; rf507; cr617; cu1083; v1168; hc1755; sp1946.
- 162 - (Energy) Public contracts of energy efficiency services; extend repealer on authority and certain requirements for. Turner. rh359; rf528.
- 186 - (Veterans and Military Affairs) Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge. Carpenter, et al. rh337; rf516.
- 187 - (Veterans and Military Affairs) County veteran service officers; revise certain qualifications and requirements. Carpenter, et al. rh337; rf516.
- 188 - (Veterans and Military Affairs; Corrections) Required uniform designations for offenders; exempt offenders in Mississippi Statewide Incarcerated Veterans Program. Carpenter, et al. rh428; rf516.
- 189 - (Veterans and Military Affairs) Mississippi Persian Gulf War Memorial; authorize MSVA to move to another appropriate location. Carpenter, et al. rh337; rf516; cr618; msrp972; cu972; v972; sp1403.
- 195 - (Elections; Municipalities) Municipalities; authorize those of certain size to conduct special elections at one polling place. Rushing, et al. rh493; rf532.
- 196 - (Corrections; Public Health and Welfare) "Dignity for Incarcerated Women Act"; create. Bain, et al. rh428; rf528; cr618; cu705; v709; mr763; mrc1280; hdc2168; ca2189; cro2232; cra2237; v2237; crah2292; sp2336.
- 199 - (Appropriations) Appropriation; additional for various state agencies for Fiscal Year 2021. Read. rh242; rf291.
- 200 - (Public Health and Welfare) Remote patient monitoring services; delete requirement of 2 recent hospitalizations to qualify for. Mims. rh337; rf507; cr617; cu626; v626; sp753.
- 202 - (Finance) Mississippi Development Authority; bring forward various sections of law relating to. Lamar. rh338; rf516.
- 208 - (Public Health and Welfare) Psychologists; extend repealer on licensure law and remove postdoctoral training requirements for licensure. McGee, et al. rh339; rf507; cr617; cu626; v626; sp753.

- 211 - (Appropriations) Insurance Department; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Read. rh305; rf516.
- 212 - (Appropriations) State Fire Marshal and Fire Academy; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. Read. rh305; rf516.
- 213 - (Public Property) DFA; authorize Office of Surplus Property to administer the Federal Donation Program. Weathersby, et al. rh359; rf506; cr613; cu920; v920; mr978; mrc1283; mrp1283; rc1283.
- 219 - (County Affairs) Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. Powell. rh360; rf507.
- 274 - (Municipalities) Law enforcement officers; allow certain use of uniform, weapon, vehicle and equipment for disaster relief when off-duty. Zuber, et al. rh360; rf507; cr619.
- 277 - (Judiciary, Division A) Tribal identification cards; recognize as legal means of personal identification. Bounds, et al. rh428; rf517; cr591; cu635; v635; mr763; mrc1280; mrt1280; sp1410.
- 286 - (Judiciary, Division A) Cemeteries; authorize to disinter and reinter dead human remains for next of kin instructions. Bain, et al. rh429; rf529; cr617; cu704; v704; mr773; mrc1282; mrt1282; sp1403.
- 287 - (Judiciary, Division B) Drug Intervention Courts; standardize references. Bain. rh493; rf528; cr608; cu648; v664; mr761; mrc1280; mrt1280; hdc2168; ca2189.
- 290 - (Judiciary, Division B) Pre-trial Intervention; prohibit certain amount of public embezzlement for. Bain. rh429; rf528; cr608; cu664; v665; mr764.
- 294 - (Public Health and Welfare) Hospices; delete repealer on authority for prescribing certain drugs without in-person visit with a patient. Currie, et al. rh339; rf507; cr617; cu768; v772; uc1283; hc1455; sp1665.
- 296 - (Public Health and Welfare; Accountability, Efficiency, Transparency) Hospice licensure; extend moratorium on and authorize issuance of 2 pediatric palliative care licenses. Currie. rh339; rf507.
- 299 - (Judiciary, Division A) Property interest; conveyance to married individuals considered to create joint tenancy with right of survivorship. Reynolds. rh429; rf517.
- 300 - (Judiciary, Division A) Bail procedures; bring forward provisions for purposes of amendment. Newman. rh436; rf528.
- 302 - (Education; Accountability, Efficiency, Transparency) Community schools; authorize implementation under the administration of a District Innovation. Cockerham, et al. rh445; rf528.
- 307 - (Appropriations) Health department; authorize certain charges for services with other agencies for operation of medical marijuana program. Mims. rh305; rf507.
- 311 - (Finance) Sales tax; exempt certain transfers of motor vehicles involving partnerships, limited liability companies and corporations. Scoggin, et al. rh587; rf776.

- 312 - (Accountability, Efficiency, Transparency) Central Market Board; abolish and transfer functions of to the Mississippi Department of Agriculture and Commerce. Pigott, et al. rh339; rf532; cr610; cu696; v696; mr772; mrc1030; mrt1030; sp1284.
- 319 - (Judiciary, Division B) DPS; make revision to gun permit residency requirement and certain driver's license petitions for review. Busby. rh364; rf541.
- 320 - (County Affairs; Municipalities) Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained. McGee, et al. rh360; rf528; cr619; cu922; v928; mr1275.
- 327 - (Insurance) Comprehensive Hurricane Damage Mitigation Program; extend repealer on. Ford (54th). rh485; rf528; cr609.
- 328 - (County Affairs) State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain. Ford (54th), et al. rh485; rf532; cr596.
- 330 - (Accountability, Efficiency, Transparency) Uninsured motorist coverage law; revise to prohibit insurance policy from paying certain losses if another insurance policy must pay for such. Ford (54th). rh493; rf517; cr600; cu1034; v1034; hdc2187; ca2244; crah3120.
- 331 - (Insurance; Accountability, Efficiency, Transparency) Professional employer organizations; provide for registration and regulation by the Insurance Department. Ford (54th). rh486; rf528.
- 341 - (Judiciary, Division A) Motor carrier safety improvements; prohibit consideration of deployment of in determining an individual's employment status with motor carrier. Busby. rh340; rf532; cr617; cu1067; v1067; sp1410.
- 350 - (Judiciary, Division B) Certificate of rehabilitation; authorize those convicted in another state to apply for a. Sanford, et al. rh360; rf528.
- 352 - (Business and Financial Institutions) Home inspector license; require applicants to undergo certain background checks. Deweese, et al. rh429; rf517; cr612; cu764; v764; sp1031.
- 354 - (Judiciary, Division A) Municipal judges; authorize to order a defendant to remedy real property ordinance violations within a reasonable time period. McGee, et al. rh445; rf517; cr591; cu763; v763; sp1031.
- 356 - (Judiciary, Division A) Child abuse; expand immunity for good faith reports. Mims. rh445; rf528; cr617; cu766; v768; mr773; mrc1282; mrt1282; hdc2168; ca2189; cro2297; cra2297; v2297; hrcc2315; mr2335; mrc2335; msrp2335; rcc2336; msrp2573; cro2573; cra2576; v2576; crah3367; sp3432.
- 357 - (County Affairs) Bonding requirement for county purchase clerk; increase. Boyd. rh360; rf507; cr596; cu643; v643; mr764; mrc1281; mrt1281; sp1408.
- 358 - (Education) Bonding requirement for school purchasing agents; increase. Boyd. rh360; rf507.
- 359 - (Accountability, Efficiency, Transparency) Municipalities with a certain population; allow to establish overdue water/sewer programs. Bell (65th), et al. rh494; rf517; cr620; cu1221; v1223; vp1223; hdc2168; ca2244; cro2486; cra2489; v2489; crah3120; sp3362.

- 370 - (Education; Accountability, Efficiency, Transparency) Public purchasing laws; exempt purchase of nonadopted and adopted textbooks by MDE for nonpublic schools. Bennett. rh446; rf505.
- 374 - (Finance) Distinctive motor vehicle license tag; authorize for supporters of various organizations. Zuber. rh340; rf533; cr610; cu624; v625; hdc2182; ca2222; cro3125; cra3165; v3165; crah3426; sp3443.
- 382 - (Wildlife, Fisheries and Parks) Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures. Bounds. rh486; rf532; cr612; cu697; v700; mr722; mrc1280; mrt1280; hdc2168; ca2189; hrcc2440; rcc2489; cro3254; cra3258; v3258; crah3426; sp3444.
- 413 - (Tourism; Appropriations) Mississippi Gospel Music Trail; authorize MDA Division of Tourism to establish program and historical markers for. Hood, et al. rh486; rf528.
- 424 - (Highways and Transportation; Appropriations) Memorial highways; designate. Morgan, et al. rh494; rf532; cr616; cu1073; v1074; hdc2168; ca2184; cro2251; cra2253; v2253; crah2442; sp2577.
- 425 - (Finance) Ad valorem tax; revise certain provisions regarding when an application for change of property assessment may be made. Morgan, et al. rh340; rf507; cr610; cu987; v991; hdc2182; ca2222; cro2451; cra2453; v2453; crah3120; sp3363.
- 429 - (Business and Financial Institutions) Contracts; authorize persons eighteen years of age or older to enter into for the purpose of investing in mutual funds. Bennett. rh494; rf517; cr612; cu696; v696; mr772; mrc1281; mrt1281; sp1411.
- 453 - (Judiciary, Division B) Law enforcement officers; allow off-duty use of official vehicles while performing certain volunteer services in off-duty hours. Powell, et al. rh360; rf508.
- 464 - (Corrections; Appropriations) Parole board; revise notification time frame given to offender's victim for offender release and remove certain prohibition. Horan, et al. rh361; rf528.
- 466 - (Corrections; Appropriations) Inmate Welfare Fund; require DOC to expend unused portions of the fund on reentry purposes. Horan, et al. rh486; rf528.
- 479 - (Drug Policy; Judiciary, Division B) Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription. Roberson, et al. rh361; rf528.
- 487 - (Education) County and public libraries; repeal certain provisions related to. Bennett. rh446; rf506; cr609; cu910; v910; sp1403.
- 488 - (Business and Financial Institutions) Libraries; authorize use of debit and credit cards. Zuber, et al. rh446; rf518; cr612; cu697; v697; mr722; mrc1280; mrt1280; sp1408.
- 493 - (County Affairs) Counties and municipalities; authorize to offer Medicare eligible employee benefits when employees secures Medicare under certain circumstances. Byrd, et al. rh446; rf517; cr596; cu643; v645; mr772; mrc1281; mrt1281.

- 499 - (Finance) Qualified equity investment tax credits; extend authority of Mississippi Development Authority to allocate. Lamar. rh340; rf506; cr610; cu809; v809; sp1403.
- 500 - (Finance) Mississippi Home Corporation; extend reverter on authority to issue a certain amount of bonds. Lamar. rh340; rf508; cr590; cu630; v632; hc1931; sp1947.
- 504 - (Education) Commission on School Accreditation; clarify membership composition. Bennett. rh446; rf528; cr609; cu911; v912; hc2146; sp2153.
- 505 - (Energy; Appropriations) Mississippi Broadband Accessibility Act; create. Bounds, et al. rh430; rf528.
- 508 - (Finance) Department of Revenue; allow retiring law enforcement officer of to retain issued sidearm. Lamar, et al. rh340; rf508; cr590; cu632; v632; sp981.
- 509 - (Finance) Unemployment compensation; allow withholding of state income tax. Lamar. rh340; rf508; cr590; cu761; v761; sp1031.
- 510 - (Finance) Motor vehicle certificate of title; limit period for which Department of Revenue must retain. Lamar. rh340; rf508; cr590; cu633; v633; sp981.
- 511 - (Finance) Amusement ride operating permit decal; revise period for issuance. Lamar. rh340; rf508; cr590; cu761; v763; hc1931; sp1947.
- 512 - (Finance) ABC agents/inspectors; revise certain provisions regarding powers of. Lamar. rh341; rf508; cr590; cu987; v987; sp1412.
- 514 - (Finance) Sales tax; exempt sales of tangible personal property or services to DeafBlind Community of Mississippi, Inc. Lamar. rh589; rf776.
- 516 - (Finance) Department of Revenue; allow department appraisers to receive certain pay increases upon completing certain training. Lamar. rh341; rf508; cr591; cu791; v791; sp1403.
- 518 - (Finance) Department of Revenue; authorize to create wholesale to retail accountability program. Lamar. rh486; rf508.
- 519 - (Finance) Motor vehicle license tags; remove requirement for apportioned vehicles to have decal with expiration month/year on tag. Lamar. rh341; rf508; cr591; cu791; v791; sp1403.
- 520 - (Finance) Use tax; revise certain provisions regarding funds distributed to municipalities/counties for road improvements. Lamar, et al. rh341; rf508; cr610; cu810; v812; hdc2182; ca2222; cro3165; cra3165; v3165; crah3426; sp3436.
- 525 - (Corrections) Corrections omnibus bill; enact. Horan, et al. rh430; rf528; cr613; cu1056; v1065; hdc2168; ca2189; hrcc3120.
- 536 - (Education; Economic and Workforce Development) Mississippi Department of Employment Security; revise various provisions regarding authority of. Bell (21st). rh494; rf564; cr614.
- 550 - (Judiciary, Division A) Intermediate driver's license; delete all references to. Busby. rh341; rf532; cr591; cu636; v643; mr773; mrc1282; mrt1282; hdc2168; ca2189; cro2253; cra2261; v2261; crah2442; sp2578.

- 551 - (Judiciary, Division B) Driver's license; require Department of Public Safety to allow official identifying document of MDOC to suffice for. Bain, et al. rh436; rf528; cr608; cu665; v669; mr761; mrc1280; mrt1280; hc1755; sp1937.
- 556 - (Education) 16th Section lands; authorize local school boards to enter into public or private contracts for sale of forestry products grown on. Pigott, et al. rh341; rf533.
- 557 - (Corrections; Economic and Workforce Development) Nonadjudication; authorize completion of workforce training or similar training as an option for. Horan. rh361; rf529.
- 572 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Busby. rh341; rf508; cr591; cu792; v808; vp808; hdc2182; ca2222; nca2581; hrcc3293; msrp3293; rcc3293; cro3371; cra3390; v3390; crah3423; sp3445.
- 573 - (Accountability, Efficiency, Transparency) Bridges and culverts; revise laws regarding. Busby. rh342; rf533.
- 576 - (Highways and Transportation; Appropriations) Local System Bridge Replacement & Rehabilitation Fund; revise allocation formula. Busby, et al. rh446; rf594; cr616; cu1075; v1076; sp1412.
- 579 - (Highways and Transportation) Motor carrier regulation; update and streamline. Busby. rh342; rf594.
- 581 - (Universities and Colleges; Judiciary, Division B) The Sexual Assault Response For College Students Act; create. Cockerham, et al. rh446; rf529.
- 586 - (Accountability, Efficiency, Transparency; Elections) Statewide Elections Management System; compare to certain identification databases to ensure non-U.S. citizens are not registered to vote. Eubanks, et al. rh447; rf594.
- 594 - (Ports and Marine Resources) Coastal Wetlands Protection Act; revise definitions to include "ordinary high water mark". Ladner. rh362; rf594; cr611; msrp953; cu953; v955; hdc2168; ca2189; cro2515; cra2517; v2517; crah3120; sp3436.
- 609 - (Universities and Colleges; Accountability, Efficiency, Transparency) Public purchasing law; exempt procurement of certain aircraft by state institutions of higher learning from. Criswell, et al. rh362; rf508.
- 615 - (Judiciary, Division B) DUI suspension; clarify how the 120 days are counted. Roberson. rh364; rf529; cr608; cu670; v683; mr763.
- 628 - (Highways and Transportation; Finance) Highway privilege tax; add a gross vehicle weight category for carriers of property with additional tax. Evans (45th). rh588; rf594; cr1287; cu1664; v1664; sp1937.
- 631 - (Judiciary, Division B) Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours. Cockerham, et al. rh436; rf517; cr608; cu683; v685; mr722; mrc1279; mrp1279; v1279; vp1279; hdc2168; ca2189; cro2518; cra2520; v2520; crah3367; sp3432.
- 632 - (Energy) "All Fuels Act of 2021"; establish. Powell, et al. rh362; rf529; cr596; cu866; v866; sp1404.

- 633 - (Education) Computer science curriculum; require State Department of Education to implement in K-12 public schools. Felsher, et al. rh486; rf505; cr609; msrp960; cu960; v964; hc1666; sp1668.
- 634 - (Judiciary, Division B) Firearms restriction; limit those by cities, counties and state agencies. Barnett, et al. rh487; rf529; cr609; cu686; v689; mr722; mrc1279; mrt1279; hdc2169; ca2189.
- 638 - (Finance) Alcoholic beverages; revise various provisions relating to distilleries. Deweese. rh343; rf508; cr610.
- 667 - (Finance) Alcoholic beverages; delete requirement for immediate permit revocation for certain prohibited sales. Lamar, et al. rh343; rf508; cr591; cu808; v809; vp809; hc1931; sp1947.
- 695 - (Judiciary, Division A; Appropriations) State Domestic Violence Fund; remove the matching funds requirement for. Cockerham. rh431; rf517; cr620; cu718; v718; sp981.
- 718 - (Elections; Accountability, Efficiency, Transparency) Campaign finance reports; require those filed by all candidates to be available online. Ladner. rh362; rf508.
- 740 - (Highways and Transportation; Accountability, Efficiency, Transparency) State identification card; require commissioner of DPS to establish one that does not require proof of domicile. McGee, et al. rh343; rf533.
- 746 - (Finance) Mississippi Motor Vehicle Commission Law; revise regarding warranty reimbursement. Cockerham, et al. rh431; rf517; cr611; cu633; v633; sp981.
- 747 - (Corrections) Work release program; authorize pilot program to authorize sheriff to assign offenders to while confined in jail. Newman, et al. rh436; rf529; cr613; cu918; v919; mr935; msrp1225; mrc1225; mrp1225; po1226; ru1226; v1226; hdc2169; ca2189; cro2521; cra2524; v2524; crah3121; mr3283; mrc3371; mrt3371; crah3423; sp3432.
- 750 - (Accountability, Efficiency, Transparency) Deputy Secretaries of State; authorize creation of. Yancey. rh305; rf508.
- 754 - (Education) Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan. Deweese, et al. rh447; rf505; cr609; msrp965; cu965; v966; hdc2183; ca2188; cro2297; cra2300; v2300; crah3121; sp3363.
- 761 - (Veterans and Military Affairs; Appropriations) State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes. Carpenter. rh487; rf516; cr620; cu928; v929; hdc2183; nca2188; ca2189; cro3259; cra3261; v3261; crah3426; sp3436.
- 762 - (Finance) Bonds; revise purposes for which bonds authorized for Town of Wesson may be used. Currie. rh343; rf508.
- 796 - (Judiciary, Division B) Habitual offender; revise penalties for. Bain, et al. rh447; rf529; cr609; cu690; v693; hdc2169; ca2190; hrcc3316.
- 814 - (Accountability, Efficiency, Transparency; Appropriations) Public Procurement Review Board; exempt certain contracts entered into by Attorney General's office from oversight of. Boyd. rh487; rf508.

- 842 - (Accountability, Efficiency, Transparency) Reverse auction; revise method of receiving bids through for agencies and governing authorities. Bell (21st), et al. rh487; rf529.
- 849 - (Education; Economic and Workforce Development) State Workforce Investment Board; revise membership of. Bell (21st). rh343; rf564; cr614.
- 852 - (Education; Appropriations) Teachers' and teacher's assistants' salaries; provide increase to minimum salary. Bennett, et al. rh487; rf505; cr620; cu710; v717; hc2146; sp2153.
- 853 - (Education; Appropriations) Charter schools; revise deadlines for certain reporting requirements and to allow certain teacher units to those in first year of operation. Bennett. rh447; rf529.
- 872 - (Highways and Transportation; Appropriations) Memorial highway; designate a segment of United States Highway 61 in Jefferson County as the "Highway Patrol Lieutenant Troy Morris Memorial Highway." Harness. rh487; rf533; cr616; cu1074; v1074; sp1411.
- 874 - (Public Health and Welfare; Judiciary, Division B) Tobacco and alternative nicotine products; increase age to 21 and require government-issued photographic identification. Bain. rh488; rf529.
- 877 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Guice. rh344; rf509.
- 883 - (Judiciary, Division B) Traffic ticket quotas; prohibit state and local agencies from establishing. Thompson, et al. rh448; rf529.
- 886 - (Judiciary, Division B) Law enforcement officers; exempt from concealed firearms permit fees and renewal fees. Owen, et al. rh348; rf509; cr609; cu694; v694; mr773; mrc1282; mrt1282; sp1408.
- 887 - (Highways and Transportation; Appropriations) Memorial highway; designate a segment of United States Highway 82 in Webster County as "Corporal William Justin Cooper Memorial Highway." Hood, et al. rh488; rf533; cr616; cu1074; v1075; hdc2169; ca2184; cro2262; cra2262; v2262; crah2442; sp2578.
- 925 - (Education; Accountability, Efficiency, Transparency) School buildings; require new construction and certain renovations to include refillable water bottle stations. McCarty, et al. rh448; rf505.
- 928 - (Corrections; Accountability, Efficiency, Transparency) Commissioner of Corrections and community corrections; bring forward various sections relating to. Horan. rh364; rf529; cr610; cu912; v916; hdc2222; ca2222; cro2524; cra2530; v2530; crah3121; mr3283; mrc3371; mrt3371; crah3423; sp3432.
- 929 - (Corrections; Judiciary, Division B) Reentry for offenders; bring forward certain sections relating to. Horan. rh495; rf529; cr613; cu700; v704; mr772; mrc1281; mrt1281; hdc2222; ca2222; nca2337; cro3262; po3275; ru3275; msrp3293; rcc3293.
- 932 - (Judiciary, Division A) Child support withholding orders; revise provisions to comply with the federal Consumer Credit Protection Act. Yates. rh431; rf517.

- 940 - (Highways and Transportation; Appropriations) Highway sign; authorize erection of on MS Hwy 25 near Pisgah exit to honor Olympic Gold Medalist Tori Bowie. Rushing, et al. rh448; rf533.
- 942 - (Energy) Public utilities; authorize rate-regulated electric utilities to permit broadband provider use of the electric delivery system. Bounds, et al. rh431; rf529; cr619.
- 945 - (Finance) Light wine, beer and light spirit product; revise number of qualified electors required to petition for election to prohibit or authorize. Tubb, et al. rh344; rf509; cr611; cu991; v991; vp991; sp1413.
- 949 - (County Affairs) Solid waste landfills; prohibit new landfill in county where 2 or more exist, unless referendum held. Ford (73rd), et al. rh495; rf580; cr596; cu603; v608; hc751; sp753.
- 951 - (Judiciary, Division A; Accountability, Efficiency, Transparency) Department of Human Services; authorize to use additional methods of communication to send notices relating to child support to financial institutions. Ford (73rd). rh492; rf529.
- 953 - (Business and Financial Institutions) Homeowners' associations; regulate managing agents of and require financial reviews by. Yancey. rh488; rf517; cr612; msrp975; cu975; v978; hc2146; sp2153.
- 955 - (Finance) Abandoned mobile homes; establish a procedure to dispose of. Yancey. rh344; rf506; cr611; cu812; v813; sp1404.
- 974 - (Accountability, Efficiency, Transparency) DPS; revise law regarding. Bain, et al. rh488; rf529; cr601; cu1034; v1055; hc1931; sp1947.
- 992 - (Ports and Marine Resources) County port and harbor commission; provide that members hold appointment until successor appointed and installed. Ladner. rh489; rf541; cr611; cu917; v918.
- 995 - (Highways and Transportation; Appropriations) Memorial highway; designate segment in Marshall County, Mississippi as the "Representative Tommy Woods Memorial Highway." Kinkade, et al. rh489; rf533; cr616; cu1075; v1075; sp1413.
- 997 - (Finance) Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits. Lamar, et al. rh348; rf530; cr611; cu991; v998; hdc2182; ca2223.
- 1008 - (Medicaid) Medicaid; make technical amendments to services, manage care and assessment provisions. Hood. rh490; rf516; cr619; cu1177; v1220; mr1283; msrp1787; mrc1787; mrt1787; hdc2169; ca2190.
- 1012 - (Judiciary, Division A) Charitable solicitations; revise provisions relating to notice, demand and service of process. Cockerham. rh432; rf517; cr617.
- 1013 - (Medicaid; Accountability, Efficiency, Transparency) Medicaid; create Medicaid Commission to administer program and abolish Division of Medicaid. Lamar. rh496; rf516.
- 1018 - (Public Property) State buildings; name DPS Gulf Coast Regional Forensics Laboratory as the "Gary T. Hargrove Memorial Forensic Laboratory." Haney. rh490; rf506; cr614; msrp973; cu973; po974; ru974; v974; sp1405.

- 1019 - (Accountability, Efficiency, Transparency) Gubernatorial inaugurations funds; require contributions and expenditures to be reported to Secretary of State. Lamar, et al. rh448; rf533.
- 1029 - (Universities and Colleges; Accountability, Efficiency, Transparency) Income share agreements; authorize IHLs to enter into with eligible students. Huddleston. rh448; rf505.
- 1030 - (Universities and Colleges) "Mississippi Intercollegiate Athletics Compensation Rights Act"; enact. Huddleston, et al. rh514; rf530; cr600.
- 1034 - (Drug Policy) Uniform Controlled Substances Act; revise schedules. Roberson. rh362; rf530; cr612; cu919; v919; sp1404.
- 1036 - (Highways and Transportation; Veterans and Military Affairs) Driver's license; exempt active duty military, spouse and dependent children if they have valid license from their home state. Roberson, et al. rh345; rf533.
- 1037 - (Energy) Mississippi Geologic Sequestration of Carbon Dioxide Act; enact. Powell. rh362; rf530.
- 1047 - (Education; Appropriations) Nationally certified licensed school employees; delete caps on nurses and speech pathologists and add athletic trainers for salary supplements. McGee, et al. rh490; rf505; cr620; cu929; v934; hc2146; sp2153; uc2493.
- 1048 - (Elections) Qualification deadline; change to February 1 for certain statewide, state district, county and county district offices. Steverson, et al. rh448; rf533; cr615; cu921; v921; mr1276; mrc1288; mrt1288; hc1755; sp1937.
- 1062 - (Rules) Daylight saving time; observe year-round if federal law is amended to allow it. Arnold, et al. rh449; rf541; cr600; cu1029; v1029; sp1411.
- 1063 - (Energy; Finance) Transformative renewable energy projects; authorize boards of supervisors to designate as such for certain tax purposes. Lancaster, et al. rh382; rf530.
- 1075 - (Business and Financial Institutions) MS Credit Availability Act, Title Pledge Act, and Check Cashers Act; extend or remove repealer on certain provisions of. Zuber, et al. rh449; rf517; cr612; cu764; v764; mr773; mrc1281; mrt1281; sp1411.
- 1076 - (Finance) Retailer Tax Fairness Act; create. Roberson. rh490; rf509.
- 1077 - (Judiciary, Division A) Open account; revise definition and require account creditor to send demand to current address of account debtor through certain means. Zuber. rh449; rf518; cr617; msrp1225; cu1225; v1225; hdc2169; ca2190; hrcc2440; rcc2489.
- 1078 - (Judiciary, Division A) Perpetual care and preneed cemetery and funeral laws; unlawful to make false or misleading statements in records under. Zuber. rh432; rf518.
- 1091 - (Finance) Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law. Zuber. rh490; rf531; cr611; cu998; v1020; vp1020; hdc2182; ca2223; nca2589; cro3166; cra3189; v3189; uc3316; crah3426; sp3444.

- 1095 - (Finance; Accountability, Efficiency, Transparency) Department of Revenue; authorize to compromise and settle certain tax liabilities. Lamar. rh515; rf531; cr618; cu834; v835; mr935; mrc1227; mrp1227; msrp1227; v1227; hdc2182; ca2223; cro3189; cra3199; v3199; crah3426; sp3437.
- 1123 - (Education; Appropriations) Early Learning Collaborative Act of 2013; revise funding and specify teaching standards. McCarty, et al. rh449; rf505; cr616; cu1067; v1073; hc2146; sp2153.
- 1135 - (Finance) Alcoholic beverages; create delivery service permit. Lamar, et al. rh345; rf509; cr611; cu813; v828; vp828; hdc2182; ca2223; cro2453; cra2469; v2469; crah3121; sp3363.
- 1136 - (Economic and Workforce Development; Finance) Mississippi Educational Talent Recruitment Act; create. Lamar, et al. rh497; rf530.
- 1137 - (Finance; Agriculture) Ad valorem tax; revise certain provisions regarding the determination of true value of land used for agricultural purposes. Lamar. rh345; rf509; cr612; msrp943; cu943; v943; sp1408.
- 1139 - (Finance) Income, sales and use taxes; remove requirement that certain taxpayers pay June tax liability on or before June 25. Lamar, et al. rh491; rf509; cr611; cu828; v834; hdc2182; ca2223; cro3200; cra3212; v3212; crah3426; sp3445.
- 1140 - (Judiciary, Division B) First-degree murder; include unlawful distribution of controlled substances, when the distribution is proximate cause of death. Lamar. rh437; rf530.
- 1142 - (Finance) Construction; revise contractor's tax regarding certain, require permits in counties/municipalities with construction codes. Steverson. rh496; rf530.
- 1154 - (Wildlife, Fisheries and Parks; Appropriations) Mississippi Outdoors and Natural Resources Fund; create to provide source of private funds to promote outdoors and natural resources. Brown (20th), et al. rh449; rf533.
- 1156 - (Public Property; Accountability, Efficiency, Transparency) Public property; authorize certain state property conveyed to Jackson to be used for park and recreational purposes. Barton, et al. rh450; rf506.
- 1157 - (Municipalities) Golf carts and low-speed vehicles; allow municipalities to authorize operation on certain municipal streets. Barton, et al. rh450; rf518; cr619.
- 1160 - (Universities and Colleges; Appropriations) Dual Credit Community College Scholarship Program; create. Barton, et al. rh450; rf505.
- 1174 - (Corrections) Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness. Currie. rh363; rf530; cr595; msrp722; cu722; v750; mr773; mrc1282; mrt1282; hdc2222; ca2223; crah3121; rcc3293.
- 1177 - (Accountability, Efficiency, Transparency) General laws and journals of legislative sessions; copies of not provided to certain recipients of unless specifically requested. Read. rh306; rf516; cr601; cu867; v867; sp1404.
- 1179 - (Education; Appropriations) William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create. McCarty, et al. rh450; rf505; cr616; msrp966; cu966; v969; hdc2183; ca2188; cro2489; cra2492; v2492; crah3121; sp3363.

- 1181 - (Business and Financial Institutions) The MS Registered Agents Act; revise to include "email address." Deweese. rh432; rf518; cr612.
- 1182 - (Veterans and Military Affairs) Veterans; provide uniform definition and include NOAA Corps. Carpenter. rh345; rf517.
- 1195 - (Judiciary, Division A) Electric bicycles; regulate. McGee. rh346; rf518; cr617; cu704; v705; mr761; mrc1280; mrt1280; sp1413.
- 1197 - (Finance; Accountability, Efficiency, Transparency) Dual-phase design-build method of construction contracting; revise certain provisions of. Lamar. rh348; rf531; cr618; cu1020; v1028; hdc2182; ca2223; cro3212; cra3233; v3233; crah3426; sp3446.
- 1205 - (Insurance) Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services. Ford (54th). rh491; rf530; cr609; cu694; v696; mr764; mrc1281; mrt1281; hdc2169; ca2190.
- 1211 - (Ports and Marine Resources) Administrative hearing procedures for Commission on Marine Resources; revise to authorize executive director of Department of Marine Resources to make final decisions during. Ladner. rh363; rf533; cr611; msrp943; cu943; v953; hc1931; sp1948.
- 1213 - (Accountability, Efficiency, Transparency) State Personnel Board; require exempted agencies' reports to include quantifiable data and to be sent to SPB, PEER and LBO. Ladner. rh363; rf509; cr601; cu867; v867; sp1405.
- 1230 - (Finance) Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs. Bounds, et al. rh346; rf509; cr611; cu633; v633; mr772; mrc1282; msrp1282; mrt1283; sp1411.
- 1231 - (Accountability, Efficiency, Transparency; Wildlife, Fisheries and Parks; Appropriations) Mississippi Outdoor Stewardship Trust Fund; create. Bounds, et al. rh492; rf531; cr616; cu1172; v1176; hdc2182; ca2295.
- 1237 - (Accountability, Efficiency, Transparency) PEER committee; require to review the operations of Child Protection Services. Ladner. rh450; rf506.
- 1245 - (Municipalities) MDOT; require maintenance of rights-of-way of state highways inside municipal limits with 10,000 or less population. Rushing, et al. rh365; rf541; cr619; msrp969; cu969; v972; hdc2169; ca2223; crah2442; msrp2586; cro2586; cra2587; v2587; sp3433.
- 1246 - (Accountability, Efficiency, Transparency) Capitol Complex Improvement District; authorize demolition of slum and blighted properties located within. Crudup, et al. rh451; rf506.
- 1251 - (Appropriations) Mississippi Workers' Compensation Commission; return to a special fund agency. Ford (54th). rh306; rf516.
- 1253 - (Education; Accountability, Efficiency, Transparency) Construction management at risk method of project delivery; revise certain provisions related to. Bell (21st). rh496; rf564.
- 1256 - (Accountability, Efficiency, Transparency) State Auditor; increase fee to be charged by for performing audits and other services. Turner. rh306; rf516.

- 1263 - (Accountability, Efficiency, Transparency) Occupational licensing; provide for recognition of out-of-state licenses if applicants satisfy certain conditions. Currie, et al. rh349; rf530; cr601; cu867; v910; hc1755; sp1948.
- 1284 - (Finance) Department of Revenue License Tag Acquisition Fund; revise certain provisions regarding. Read. rh306; rf516; cr591; msrp938; cu938; v938; sp1405.
- 1288 - (Ports and Marine Resources) Charter vessel operator's permit; create to authorize the sale of alcoholic beverages by the holder of. Felsher, et al. rh346; rf509; cr611; cu918; v918; vp918; sp1408.
- 1290 - (Appropriations) Attorney General; allow salaries of assistants to exceed statutory limitation under certain circumstances. Steverson. rh306; rf516; cr615; cu984; v985; mr987; mrc1224; mpr1224; msrp1224; v1224; hdc2169; ca2172.
- 1296 - (Finance) Historic property income tax credit; revise certain provisions regarding. Lamar, et al. rh346; rf509; cr1286; cu1602; v1607; hdc2183; ca2223; cro2469; cra2474; v2474; crah3121; sp3364.
- 1297 - (Finance) Bonds; authorize issuance for the Water Pollution Control Revolving Fund. Lamar, et al. rh588; rf776; cr1286; cu1607; v1613.
- 1301 - (Education; Economic and Workforce Development) Career and technical education; revise curriculum, instructor license requirements and certain assessments. Gunn. rh498; rf565; cr614; cu1076; v1078; hdc2169; ca2188.
- 1302 - (Public Health and Welfare) Optometry; Board shall define practice of, and authorize to perform certain procedures and use and prescribe certain drugs. White, et al. rh346; rf507; cr556; cu583; v586; hc1032; sp1284.
- 1303 - (Public Health and Welfare) Advanced practice registered nurses; revise certain provisions relating to, including collaboration requirement. Scoggin, et al. rh347; rf507.
- 1312 - (Public Health and Welfare) State Board of Cosmetology; extend repealer on. Turner. rh451; rf506; cr567; cu836; v866; mr978; msrp1287; mrc1287; mrt1287; hdc2170; ca2244; cro2262; cra2279; v2279; mr2290; mpr2290; msrp2290; rcc2290; hrcc2315; crah3121; msrp3344; cro3344; cra3360; v3360; sp3433.
- 1313 - (Accountability, Efficiency, Transparency) State Board of Funeral Service; extend repealer on. Turner. rh451; rf506.
- 1315 - (Accountability, Efficiency, Transparency) Occupational licenses; repeal those for art therapists, auctioneers, interior designers, wigologists and massage therapists. Gunn. rh382; rf530.
- 1322 - (Finance) Income tax; authorize credit for certain railroad reconstruction/replacement expenditures. Steverson. rh588; rf776.
- 1323 - (Rules) Open meeting; authorize executive session for discussion of plans to combat human trafficking and commercial sexual exploitation of children. Gunn, et al. rh451; rf530; cr600; cu1029; v1029; hc1755; sp1937.
- 1326 - (Rules) Compact for a Balanced Budget; revise delegate membership and extend sunset provision. Read, et al. rh451; rf509; cr600; cu1030; v1030; vp1030; sp1413.

- 1327 - (Public Health and Welfare) State of emergency; provide a maximum time period for and authorize Department of Health to store dead bodies if necessary. Ladner, et al. rh303; rf509.
- 1328 - (Judiciary, Division B) The MS Warrants Task Force; create to study the issuance and execution of warrants in the state. Gunn, et al. rh451; rf530.
- 1333 - (Local and Private) Town of Wesson; authorize the use of low-speed vehicles and golf carts on certain public roads. Currie. rh592; rf594; cr627; msrp3390; cu3391; v3391; sp3445.
- 1334 - (Local and Private) Town of Georgetown; authorize use of low-speed vehicles and golf carts on certain public roads. Currie. rh593; rf594; cr627; msrp3391; cu3391; v3391; sp3445.
- 1335 - (Local and Private) Lincoln County; include food sold at county's civic center as retail merchandise when processing electronic payments for such merchandise. Currie. rh593; rf594; cr628; cu2194; v2194; mr2239; msrp2507; mrc2507; mrt2507; sp2578.
- 1346 - (Local and Private) City of Guntown; authorize use of low-speed vehicles and golf carts on certain public streets. Turner. rh593; rf594; cr627; msrp1927; cu1927; v1927; sp2154.
- 1350 - (Local and Private) City of Ripley; extend repeal date on hotel/motel and restaurant tax. Steverson. rh614; rf753; cr2206; cu2226; v2226; mr2241; msrp2508; mrc2508; mrt2508; sp2578.
- 1351 - (Finance) Bonds; increase amount that may be issued for the Local Governments and Rural Water Systems Improvements Revolving Loan Fund. Lamar, et al. rh588; rf776; cr1451; cu1619; v1622.
- 1356 - (Finance) Income tax; revise deduction for depreciation regarding certain aircraft and equipment. Lamar, et al. rh589; rf776; cr1451; cu1622; v1629; hdc2183; ca2223; cro2474; cra2481; v2481; crah3121; sp3364.
- 1360 - (Appropriations) Appropriation; additional for the Department of Marine Resources for Fiscal Year 2021. Read. rh437; rf506.
- 1365 - (Appropriations) Appropriation; Athletic Commission. Read, et al. rh551; rf754; cr1453; cu1584; v1585; hc2146; sp2154.
- 1366 - (Appropriations) Appropriation; Barber Examiners, Board of. Read, et al. rh551; rf754; cr1453; cu1564; v1566; hc2146; sp2154.
- 1367 - (Appropriations) Appropriation; Cosmetology, Board of. Read, et al. rh551; rf754; cr1453; cu1566; v1569; hc2146; sp2154.
- 1368 - (Appropriations) Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Read, et al. rh551; rf754; cr1453; cu1582; v1583; hc2146; sp2154.
- 1369 - (Appropriations) Appropriation; Medical Licensure, Board of. Read, et al. rh551; rf754; cr1453; cu1569; v1572; hc2146; sp2154.
- 1370 - (Appropriations) Appropriation; Nursing, Board of. Read, et al. rh552; rf754; cr1453; cu1572; v1574; hc2146; sp2154.

- 1371 - (Appropriations) Appropriation; Nursing Home Administrators, Board of. Read, et al. rh552; rf754; cr1453; cu1574; v1576; hc2146; sp2154.
- 1372 - (Appropriations) Appropriation; Optometry, Board of. Read, et al. rh552; rf754; cr1453; cu1576; v1578; hc2146; sp2155.
- 1373 - (Appropriations) Appropriation; Physical Therapy Board. Read, et al. rh552; rf754; cr1453; cu1578; v1579; hc2146; sp2155.
- 1374 - (Appropriations) Appropriation; Psychology, Board of. Read, et al. rh552; rf754; cr1453; cu1580; v1581; hc2146; sp2155.
- 1375 - (Appropriations) Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Read, et al. rh552; rf754; cr1453; cu1587; v1588; hc2146; sp2155.
- 1376 - (Appropriations) Appropriation; Auctioneers Commission. Read, et al. rh552; rf754; cr1453; cu1586; v1586; hc2146; sp2155.
- 1377 - (Appropriations) Appropriation: Real Estate Commission and Appraiser Licensing and Certification Board. Read, et al. rh552; rf754; cr1452; cu1528; v1531; hc2146; sp2155.
- 1378 - (Appropriations) Appropriation; District attorneys and staff. Read, et al. rh552; rf754; cr1452; cu1474; v1475; hdc2170; ca2172; cro2342; cra2343; v2343; crah3121; sp3364.
- 1379 - (Appropriations) Appropriation; Insurance, Department of. Read, et al. rh552; rf754; cr1452; cu1477; v1479; hdc2170; ca2172; hrcc2341; rcc2343; cro2591; cra2594; v2594; crah3367; sp3437.
- 1380 - (Appropriations) Appropriation; Fire Academy. Read, et al. rh552; rf754; cr1452; cu1480; v1481; hdc2170; ca2172; cro2343; cra2346; v2346; crah3121; uc3421; sp3433.
- 1381 - (Appropriations) Appropriation; Legislative expenses. Read, et al. rh552; rf754; cr1454; cu1513; v1514; hdc2170; ca2172; hrcc2341; rcc2346; cro2594; cra2597; v2597; ev2598; crah3367; sp3437.
- 1382 - (Appropriations) Appropriation; Capital Post-Conviction Counsel, Office of. Read, et al. rh553; rf754; cr1452; cu1472; v1473; hdc2170; ca2173; cro2346; cra2347; v2347; crah3121; sp3365.
- 1383 - (Appropriations) Appropriation; State Public Defender, Office of. Read, et al. rh553; rf754; cr1452; cu1475; v1477; hdc2170; ca2173; cro2348; cra2349; v2349; crah3121; sp3365.
- 1384 - (Appropriations) Appropriation; Supreme Court, Court of Appeals and trial judges services. Read, et al. rh553; rf754; cr1452; cu1525; v1528; hdc2170; ca2173; hrcc2341; rcc2350; hrcc2581; msrp2581; rcc2581; cro2598; cra2602; v2602; crah3367; uc3421; sp3437.
- 1385 - (Appropriations) Appropriation; Attorney General. Read, et al. rh553; rf754; cr1452; cu1520; v1524; hdc2170; ca2173; msrp2486; rcc2486; hrcc2511; cro2602; cra2606; v2606; crah3367; sp3437.

- 1386 - (Appropriations) Appropriation; Archives and History, Department of. Read, et al. rh553; rf754; cr1452; cu1550; v1553; hdc2170; ca2173; cro2350; cra2353; v2353; crah3121; sp3365.
- 1387 - (Appropriations) Appropriation; Education, Department of. Read, et al. rh553; rf754; cr1451; cu1459; v1469; hdc2170; ca2173; hrcc2341; rcc2353; cro2607; cra2617; v2617; crah3367; uc3421; sp3433.
- 1388 - (Appropriations) Appropriation; Educational Television, Authority for. Read, et al. rh553; rf755; cr1451; cu1517; v1520; hdc2170; ca2173; cro2353; cra2357; v2357; crah3121; sp3365.
- 1389 - (Appropriations) Appropriation; Arts Commission. Read, et al. rh553; rf755; cr1452; cu1485; v1487; hdc2170; ca2173; cro2357; cra2359; v2359; crah3121; sp3365.
- 1390 - (Appropriations) Appropriation; Library Commission. Read, et al. rh553; rf755; cr1452; cu1470; v1472; hdc2170; ca2173; cro2360; cra2362; v2362; crah3121; sp3365.
- 1391 - (Appropriations) Appropriation; reappropriation, DFA - Bureau of Building; FY21. Read. rh553; rf755; cr1454; cu1597; v1597; hdc2171; ca2173; rcc2363; hrcc2440; cro2617; cra2619; v2619; crah3367; sp3433.
- 1392 - (Appropriations) Appropriation; Environmental Quality, Department of. Read, et al. rh553; rf755; cr1454; cu1499; v1503; hdc2171; ca2173; hrcc2341; rcc2363; hrcc2581; msrp2581; rcc2581; cro2619; cra2624; v2624; crah3367; uc3421; sp3434.
- 1393 - (Appropriations) Appropriation; Wildlife, Fisheries and Parks, Department of. Read, et al. rh554; rf755; cr1454; cu1507; v1512; hdc2171; ca2173; hrcc2341; rcc2363; cro2624; cra2629; v2629; crah3367; sp3445.
- 1394 - (Appropriations) Appropriation; Grand Gulf Military Monument Commission. Read, et al. rh554; rf755; cr1452; cu1487; v1489; hdc2171; ca2173; cro2363; cra2365; v2365; crah3121; sp3365.
- 1395 - (Appropriations) Appropriation; Oil and Gas Board. Read, et al. rh554; rf755; cr1454; cu1503; v1505; hdc2171; ca2173; cro2365; cra2367; v2367; crah3121; sp3365; sp3460.
- 1396 - (Appropriations) Appropriation; Public Service Commission. Read, et al. rh554; rf755; cr1453; cu1496; v1499; hdc2171; ca2173; cro2368; cra2371; v2371; mr2438; mpr2438; msrp2438; rcc2438; hrcc2440; cro2630; cra2633; v2633; crah3367; sp3434.
- 1397 - (Appropriations) Appropriation; Public Utilities Staff. Read, et al. rh554; rf755; cr1453; cu1590; v1592; hdc2171; ca2173; cro2371; cra2373; v2373; crah3121; sp3365.
- 1398 - (Appropriations) Appropriation; Human Services, Department of. Read, et al. rh554; rf755; cr1452; cu1537; v1542; hdc2171; ca2173; hrcc2341; cro2633; cra2640; v2640; uc3308; crah3367; uc3421; sp3434.
- 1399 - (Appropriations) Appropriation; Rehabilitation Services, Department of. Read, et al. rh554; rf755; cr1452; cu1482; v1485; hdc2171; ca2173; hrcc2341; cro2640; cra2643; v2643; crah3367; sp3434.

- 1400 - (Appropriations) Appropriation; Medicaid, Division of. Read, et al. rh554; rf755; cr1452; cu1531; v1536; hdc2171; ca2173; hrcc2341; cro2644; cra2649; ev2649; v2649; crah3366; sp3434.
- 1401 - (Appropriations) Appropriation; Health, Department of. Read, et al. rh554; rf755; cr1452; cu1543; v1550; hdc2171; ca2174; cro2374; cra2381; v2381; crah3121; sp3365.
- 1402 - (Appropriations) Appropriation; Foresters, Board of Registration for. Read, et al. rh554; rf755; cr1453; cu1589; v1590; hdc2171; ca2192; cro2381; cra2382; v2382; crah3121; sp3365.
- 1403 - (Appropriations) Appropriation; Forestry Commission. Read, et al. rh554; rf755; cr1454; cu1594; v1597; hdc2172; ca2174; cro2382; cra2385; v2385; crah3121; sp3365.
- 1404 - (Appropriations) Appropriation; Soil and Water Conservation Commission. Read, et al. rh554; rf755; cr1454; cu1505; v1507; hdc2172; ca2174; cro2386; cra2388; v2388; crah3121; sp3366.
- 1405 - (Appropriations) Appropriation; Pat Harrison Waterway District. Read, et al. rh554; rf755; cr1452; cu1558; v1560; hc2147; sp2155.
- 1406 - (Appropriations) Appropriation; Pearl River Valley Water Supply District. Read, et al. rh554; rf755; cr1452; cu1560; v1563; hc2147; sp2155.
- 1407 - (Appropriations) Appropriation; Port Authority, State. Read, et al. rh555; rf755; cr1452; cu1557; v1558; hc2147; sp2155.
- 1408 - (Appropriations) Appropriation; Tombigbee River Valley Water Management District. Read, et al. rh555; rf755; cr1453; cu1489; v1491; hdc2172; ca2174; cro2388; cra2390; v2390; crah3121; sp3366.
- 1409 - (Appropriations) Appropriation; Yellow Creek State Inland Port Authority. Read, et al. rh555; rf755; cr1453; cu1563; v1564; hc2147; sp2155.
- 1410 - (Appropriations) Appropriation; Public Employees' Retirement System. Read, et al. rh555; rf755; cr1454; cu1515; v1517; hdc2172; ca2174; cro2391; cra2393; v2393; crah3122; sp3366.
- 1411 - (Appropriations) Appropriation; Veterans' Home Purchase Board. Read, et al. rh555; rf755; cr1453; cu1592; v1594; hc2147; sp2155.
- 1412 - (Appropriations) Appropriation; Marine Resources, Department of. Read, et al. rh555; rf756; cr1452; cu1553; v1557; hdc2172; ca2174; nca2295; hrcc2341; rcc2393; cro2650; cra2656; v2656; uc3308; crah3367; sp3434.
- 1413 - (Appropriations) Appropriation; Transportation, Department of. Read, et al. rh555; rf756; cr1453; cu1491; v1495; hdc2172; ca2174; hrcc2341; rcc2393; cro2656; cra2662; v2662; uc3308; crah3367; sp3446; partial veto.
- 1414 - (Appropriations) Appropriation; additional for various state agencies for Fiscal Year 2021. Read. rh555; rf756; cr1454; cu1598; v1602; hdc2172; ca2174; hrcc2342; rcc2393.
- 1415 - (Finance) Bonds; authorize issuance for IHL and community colleges capital improvements. Lamar. rh589; rf776.

- 1416 - (Finance) Mississippi Flexible Tax Incentive Act: create. Lamar. rh589; rf776.
- 1418 - (Local and Private) Oakland/Yalobusha Natural Gas District; authorize expansion of natural gas distribution system. Reynolds. rh593; rf594; cr628; cu2195; v2195; mr2239; msrp2319; mrc2319; mrt2319; sp2439.
- 1420 - (Finance) Ad valorem tax; exempt property of certain not-for-profit corporations used to provide swimming lessons and training. Yates. rh590; rf776; cr1286; cu1613; v1618; mr1669; mrc1669; mrp1669; v1669; hc2162; sp2176.
- 1433 - (Local and Private) Yalobusha County; authorize to loan funds to Oakland Yalobusha Natural Gas District to help pay off certain district debt. Reynolds. rh628; rf753; cr2206; msrp2219; cu2219; v2219; mr2239; mrc2319; msrp2319; mrt2320; sp2439.
- 1434 - (Local and Private) Tallahatchie County; authorize contributions to Mid-State Opportunity, Inc. Reynolds. rh593; rf594; cr628; cu2195; v2195; mr2239; msrp2507; mrc2507; mrt2507; sp2578.
- 1435 - (Local and Private) Lowndes County; authorize contributions to United Way of Lowndes County. McLean, et al. rh593; rf594; cr628.
- 1436 - (Local and Private) Caledonia Natural Gas District; authorize to enter into agreement with Mississippi Development Bank. McLean. rh2184; rf2184; cr2206; msrp2218; cu2218; v2219; mr2239; msrp2319; mrc2319; mrt2319; sp2439.
- 1437 - (Local and Private) Town of Byhalia; authorize transfer of certain funds for infrastructure improvements. Kinkade. rh1079; rf1411; cr2206; msrp2218; cu2218; v2218; mr2239; msrp2319; mrc2319; mrt2319; sp2439.
- 1438 - (Local and Private) City of Petal; authorize a tax on hotels, motels, bars and restaurants to promote tourism, parks and recreation. Byrd. rh593; rf594; cr628; cu2195; v2195; mr2239; msrp2507; mrc2507; mrt2507; sp2579.
- 1439 - (Finance) Mississippi Tax Freedom Act of 2021; create. Gunn, et al. rh567; rf759.
- 1441 - (Finance) Income tax and insurance premium tax; authorize credit for costs of qualified alternative-fuel fueling stations. Lamar. rh588; rf776.
- 1446 - (Finance) Income tax; allow deduction for Back to Business Mississippi Grant Program eligible expenses. Gunn. rh588; rf777; cr1286; cu1618; v1619; hdc2183; ca2223; cro2481; cra2483; v2483; crah3122; sp3366.
- 1453 - (Local and Private) City of Booneville; extend date of repeal on city's hotel, motel and restaurant tax. Arnold. rh1079; rf1411; cr2206; cu2226; v2226; mr2241; msrp2508; mrc2508; mrt2508; sp2579.
- 1465 - (Local and Private; Finance) Town of Mize; authorize a tax on restaurants to promote tourism, parks and recreation. Tullos. rh1079; rf1411; cr2206; msrp2220; cu2220; v2220; mr2239; msrp2508; mrc2508; mrt2508; sp2579.
- 1466 - (Local and Private) Oxford Municipal Reserve and Trust Fund; make technical correction concerning certain internal reference within. Deweese, et al. rh1080; rf1411; cr2206; msrp2218; cu2218; v2218; mr2239; msrp2508; mrc2508; mrt2508; sp2579.

- 1468 - (Judiciary, Division B) Suffrage; restore to Ronald Brent Self of Tippah County. Yancey. rh2177; rf2190.
- 1469 - (Judiciary, Division B) Suffrage; restore to Angela Porter-Williams of Amite County. Hines. rh2177; rf2190.
- 1471 - (Judiciary, Division B) Suffrage; restore to Cassidy Edward Jordan of Covington County. Sanford. rh2177; rf2190.
- 1472 - (Judiciary, Division B) Suffrage; restore to Randy Beckham of Simpson County. Wallace. rh2177; rf2190.
- 1475 - (Judiciary, Division B) Suffrage; restore to LaTonya Woodson of Warren County. Denton. rh2177; rf2190.
- 1476 - (Judiciary, Division B) Suffrage; restore to Buren Wayne Whitt of Chickasaw County. Lancaster. rh2177; rf2190.
- 1477 - (Judiciary, Division B) Suffrage; restore to Anthony Leroy Wallace of Harrison County. Williams-Barnes. rh2177; rf2190.
- 1478 - (Judiciary, Division B) Suffrage; restore to Janice O'Neal of Warren County. Denton. rh2178; rf2190.
- 1479 - (Local and Private) City of McComb; extend date of repeal on hotel/motel tourism tax. Mims, et al. rh1409; rf1412; cr1938; cu2245; v2246; mr2290; msrp2508; mrc2508; mrt2508; sp2579.
- 1480 - (Local and Private) Marshall County; expand boundaries of Marshall Utility Services Sewer District. Massengill, et al. rh1409; rf1412; cr1938; cu2196; v2196; sp2244.
- 1481 - (Local and Private) Town of Shannon; authorize expansion of its gas distribution system. Thompson. rh1409; rf1412; cr1939; cu2196; v2196; mr2239; msrp2319; mrc2319; mrt2319; sp2439.
- 1482 - (Local and Private) City of Indianola; extend repeal date on tourism commission and hotel, motel and restaurant tax. Anthony. rh1409; rf1412; cr1939; cu2196; v2197; mr2239; msrp2507; mrc2507; mrt2507; sp2579.
- 1483 - (Local and Private) City of Senatobia; extend repeal date on hotel/motel tourism tax. Lamar. rh1409; rf1412; cr1939; cu2197; v2197; mr2239; mrc2507; msrp2507; mrt2508; sp2580.
- 1487 - (Local and Private) City of Vicksburg; authorize to execute certain agreement to make contributions to Vicksburg Warren Economic Development Foundation. Denton. rh1409; rf1412; cr1939; cu2197; v2197; mr2239; mrc2507; msrp2507; mrt2508; sp2580.
- 1490 - (Local and Private) Coahoma County; authorize contributions to Tri-County Workforce Alliance. Paden. rh1409; rf1412; cr1939; cu2198; v2198; mr2239; mrc2507; msrp2507; mrt2508; sp2580.
- 1491 - (Local and Private) Coahoma County; authorize contributions to the Family and Youth Opportunities, Inc. Paden. rh1409; rf1412; cr1939; cu2198; v2198; mr2239; mrc2507; msrp2507; mrt2508; sp2580.

- 1493 - (Local and Private) Jackson County; revise duties of civil service commission for sheriff's department relating to certain personnel matters. Busby. rh1409; rf1412; cr1939; cu2198; v2198; mr2239; mrc2507; msrp2507; mrt2508; sp2580.
- 1494 - (Local and Private) Walnut Grove; authorize Walnut Grove Correctional Authority to contract with the state to operate correctional facility. Bounds. rh1930; rf2194; cr2206; msrp2210; cu2210; v2217; uco2220; mr2241; mrc2246; mrt2246; hc2442; sp2578.
- 1495 - (Local and Private) Tallahatchie County; authorize leasing of certain water well to City of Charleston. Reynolds. rh1410; rf1412; cr1939; cu2199; v2199; mr2239; msrp2586; mrc2586; mrt2586; sp3306.
- 1497 - (Local and Private) Jackson County; direct contributions to Management and Operations for the Mary C. O'Keefe Cultural Center of Arts and Education. Barton. rh1930; rf2176; cr2184; cu2203; v2203; mr2239; msrp2508; mrc2508; mrt2508; sp2580.
- 1498 - (Local and Private) Holmes County; authorize contributions to P.E.A.R.L.S. Mentoring for Girls, Inc. Clark. rh1930; rf2176; cr2185; msrp2209; cu2209; v2209; mr2239; msrp2508; mrc2508; mrt2508; sp2580.
- 1499 - (Local and Private) Holmes County; authorize contributions to Fannie Lou Hamer Cancer Foundation. Clark. rh1930; rf2176; cr2185; msrp2210; cu2210; v2210; mr2239; msrp2508; mrc2508; mrt2508; sp2580.
- 1500 - (Local and Private) Holmes County; authorize transfer of funds/property from defunct county economic development authority to county economic development district. Clark. rh1930; rf2176; cr2185; cu2225; v2225; mr2239; msrp2508; mrc2508; mrt2508; sp2580.
- 1502 - (Local and Private) MS Coast Transportation Authority; authorize to bear the full cost of processing electronic payments. Bennett. rh1930; rf2176; cr2185; cu2203; v2203; mr2241; msrp2507; mrc2507; mrt2507; hc3366; sp3434.
- 1504 - (Local and Private; Finance) City of Forest; authorize a tax on hotels/motels and restaurants to promote tourism, parks and recreation. Miles. rh1930; rf2176; cr2206; msrp2219; cu2219; v2220; mr2241; msrp2507; mrc2507; mrt2507; hc3366; sp3434.
- 1509 - (Local and Private) Hancock County; extend the date of repeal on the Hancock County Tourism Development Bureau and hotel/motel tax. Anderson (122nd). rh2178; rf2183; cr2184; cu2202; v2202; mr2239; mrc2340; mrt2340; sp2442.
- 1510 - (Local and Private) City of Baldwin; authorize to expand and operate natural gas distribution system to serve certain areas of Tippah County. Steverson. rh2316; rf2336.
- 1511 - (Judiciary, Division B) Suffrage; restore to Chester Allen Butler of Tippah County. Steverson. rh2178; rf2190.
- 1513 - (Judiciary, Division B) Suffrage; restore to Jay Wesley Jackson of Hinds County. Bell (65th). rh2178; rf2190.
- 1515 - (Judiciary, Division B) Suffrage; restore to Debra Denise Thomas of Hinds County. Bell (65th). rh2178; rf2190; cr2511; msrp2520; cu2520; v2520; sp3434.

- 1516 - (Judiciary, Division B) Suffrage; restore to Gerald O. Laird of Jefferson Davis County. Bell (65th). rh2178; rf2190.
- 1517 - (Judiciary, Division B) Suffrage; restore to Deborah Ledbetter of Hinds County. Summers. rh2178; rf2191.
- 1518 - (Judiciary, Division B) Suffrage; restore to Annie Grant of Hinds County. Summers. rh2178; rf2191.
- 1519 - (Judiciary, Division B) Suffrage; restore to Kenny Pritchard of Rankin County. Summers. rh2178; rf2191.
- 1520 - (Judiciary, Division B) Suffrage; restore to J.W. Jackson of Panola County. Jackson. rh2178; rf2191; cr2511; msrp2521; cu2521; v2521; sp3434.
- 1523 - (Judiciary, Division B) Suffrage; restore to Norman Ivey of Rankin County. Summers. rh2178; rf2191.
- 1524 - (Judiciary, Division B) Suffrage; restore to William Barber of Jackson County. Summers. rh2178; rf2191.
- 1525 - (Judiciary, Division B) Suffrage; restore to Charles Harris of Harrison County. Summers. rh2178; rf2191.
- 1526 - (Judiciary, Division B) Suffrage; restore to Antonio Simpson of Tunica County. Burnett. rh2178; rf2191.
- 1527 - (Judiciary, Division B) Suffrage; restore to Ray Ferrell of Harrison County. Williams-Barnes. rh2179; rf2191.
- 1529 - (Local and Private) Town of Como; extend repealer on authority to impose tourism tax on hotels, motels and restaurants. Jackson. rh2179; rf2183; cr2184; cu2203; v2203; mr2239; msrp2586; mrt2586; sp3306.
- 1530 - (Local and Private) City of Hattiesburg; authorize waiver of lien, under certain circumstances, for costs associated with cleaning menaced property. McGee. rh2179; rf2183.

E. HOUSE CONCURRENT RESOLUTIONS

H. C. No.

- 1 - (Rules) Bobby Paschal Martin; commend life and legacy upon his passing. Steverson, et al. rh244; rf291; cr434; msrp500; cu501; v501; sp536.
- 2 - (Rules) Former Representative Gary V. Staples; commend legislative career and mourn loss upon his passing. Robinson, et al. rh47; rf228; cr434; msrp500; cu501; v501; sp536.
- 4 - (Rules) Representative Gary Chism; commend dedicated legislative career and public service upon his retirement. Turner, et al. rh1931; rf1949; cr2317; msrp2511; cu2512; v2513; sp3306.
- 10 - (Rules) Arthur James Anderson, Sr.; commend the life, legacy and contributions upon his passing. Clarke. rh304; rf509; cr623; msrp634; cu634; v634; sp982.

- 11 - (Rules) Magee High School Football Team; commend upon winning MHSAA Class 3A State Championship. Wallace, et al. rh304; rf509; cr623; msrp634; cu634; v634; sp982.
- 19 - (Rules) Day of Tears in Mississippi; recognize January 22, 2021, as. Eubanks, et al. rh244; rf291.
- 20 - (Rules) Former Representative Nolan Mettetal; mourn loss and commemorate laudable legislative career upon his passing. Williamson. rh304; rf509; cr623; msrp634; cu634; v634; sp982.
- 21 - (Rules) State of the State address of the Governor; call joint session to hear. White. cr244; msrp244; rf244; rh244; cu245; v245; sp248.
- 22 - (Rules) Barabbas Leasy; commend contributions throughout many years of service in education. Thompson. rh304; rf509; cr623; msrp634; cu634; v634; sp983.
- 25 - (Rules) Former Representative Nolan "Ray" R. Rogers; mourn loss and commemorate laudable legislative career upon his passing. Newman. rh304; rf510; cr623; msrp634; cu634; v634; sp983.
- 27 - (Rules) Mississippi Highway Patrol Lt. Troy Morris; commend life and legacy upon his passing. Harness. rh304; rf510; cr623; msrp634; cu634; v634; sp983.
- 30 - (Rules) 2020 MHSAA Mr. Football Award recipients; commend and congratulate. Bennett, et al. rh304; rf510; cr623; msrp634; cu634; v634; sp983.
- 32 - (Rules) Sarcoidosis Awareness Month in Mississippi; designate April 2021 as. Taylor. rh1033; rf1758; cr1931; msrp2156; cu2156; v2157; sp2193.
- 33 - (Rules) Ruby Kate Bowles; commend her life upon her passing. Lancaster. rh437; rf506; cr623; msrp634; cu634; v634; sp983.
- 34 - (Rules) James "David" Alford, Sr.; commend life and legacy upon his passing. Lancaster. rh437; rf506; cr623; msrp634; cu634; v634; sp983.
- 35 - (Rules) Steve Hale; commend distinguished public service career including as a State Senator. Lamar. rh1033; rf1758; cr1932; msrp2156; cu2156; v2157; sp2193.
- 36 - (Rules) Kidney Disease Awareness Month; recognize March 2021 as. White. rh1033; rf1758; cr1932; msrp2156; cu2156; v2157; sp2193.
- 37 - (Rules) Franklin Academy; congratulate upon observance of the Bicentennial Celebration as first public school in Mississippi. McLean, et al. rh1033; rf1758; cr1932; msrp2156; cu2156; v2157; sp2193.
- 38 - (Rules) Robert Daniel "Dan" Camp; commend life, legacy and contributions of upon his passing. Roberson, et al. rh1033; rf1758; cr1932; msrp2156; cu2156; v2157; sp2193.
- 39 - (Rules) Gulf of Mexico continental shelf leasing and infrastructure development; urge and support continuation of. Powell. rh1033; rf1758; cr1932; msrp2157; cu2157; v2157; sp2193.
- 40 - (Rules) Governor William Winter; commend life and legacy upon his passing. Reynolds. rh1033; rf1758; cr1932; msrp2156; cu2156; v2157; sp2193.

- 41 - (Rules) Taiwan; recognize the friendship and encourage further economic ties with the State of Mississippi. Reynolds. rh1033; rf1758; cr1932; msrp2156; cu2156; v2157; sp2194.
- 42 - (Rules) Mississippi Electric Power Associations; commend for their tireless efforts to restore power after the winter storm in February 2021. Rushing, et al. rh1033; rf1758; cr1932; msrp2156; cu2156; v2157; sp2194.
- 43 - (Rules) "Mississippi Mosquito and West Nile Virus Awareness Week"; designate April 12-17, 2021, as. Tullos. rh1034; rf1758; cr1932; msrp2156; cu2156; v2157; sp2194.
- 44 - (Rules) Sara Barrett Harvey Roberts; commend life and legacy upon her passing. Gunn, et al. rh2291; rf2293; cr2317; msrp2511; cu2512; v2513; sp3306.
- 45 - (Rules) Kratom; urge the United States Food and Drug Administration to regulate. Yancey. rh2291; rf2293; rcbh2316.
- 46 - (Rules) Bishop Joseph Roscoe Campbell, Jr.; commend for service to his church and community. Holloway. rh2291; rf2293; cr2317; msrp2511; cu2512; v2513; sp3306.
- 47 - (Rules) Gary Hemphill Commercial Aviation Month; recognize April 2021 as. Criswell, et al. rh2291; rf2293; cr2317; msrp2511; cu2512; v2513; sp3307.
- 48 - (Rules) Alcorn State University; commend and congratulate upon its 150th year anniversary. Holloway. rh2291; rf2293; cr2317; msrp2511; cu2512; v2513; sp3307.
- 49 - (Rules) Eris Knott; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. Watson. rh2291; rf2294; cr2317; msrp2511; cu2512; v2513; sp3307.
- 50 - (Rules) Wayne Ulrich; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. Bennett. rh2291; rf2294; cr2317; msrp2511; cu2512; v2513; sp3307.
- 51 - (Rules) Jamie Cooper; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. Read. rh2291; rf2294; cr2317; msrp2511; cu2512; v2513; sp3307.
- 52 - (Rules) Bobby Rush; congratulate upon winning his second Grammy Award for Best Traditional Blues Album. Banks. rh2291; rf2294; cr2317; msrp2511; cu2512; v2513; sp3307.
- 53 - (Rules) 2021 "Alpha Kappa Alpha Sorority Day at the Capitol"; observe virtually on May 6, 2021. Gibbs (72nd). rh2291; rf2294; cr2317; msrp2511; cu2512; v2513; sp3307.
- 54 - (Rules) Noah Harris; commend for being elected as Harvard University's First African-American student body president. McCarty, et al. rh2292; rf2294; cr2317; msrp2511; cu2512; v2513; sp3307.
- 55 - (Rules) Asya Branch; commend and congratulate upon being crowned Miss USA 2020. Arnold. rh2292; rf2294; cr2317; msrp2511; cu2512; v2513; sp3307.

- 56 - (Rules) Native Plant Appreciation Week; recognize observance of on April 19-25, 2021. Anderson (110th). rh2292; rf2294; cr2317; msrp2511; cu2512; v2513; sp3307.
- 57 - (Rules) The Mississippi Commission on Children's Justice; urge to create a study committee to consider and recommend proposals. Cockerham, et al. rh2441; rf2445.
- 59 - (Rules) MS Tails n' Scales program; recognize as best scientific information available for monitoring red snapper catch and effort in MS. Zuber, et al. rh2441; rf2445.
- 60 - (Rules) Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 21, 2021, as. Blackmon. rh2441; rf2445; cr2577; msrp3124; cu3125; v3125; sp3431.
- 61 - (Rules) New Site Lady Royals Basketball Team; commend for winning the MHSAA Class 2A State Basketball Championship. Arnold. rh2441; rf2445; cr2577; msrp3124; cu3125; v3125; sp3431.

F. EXECUTIVE MATTERS

Ardillo, Jr., Col., Nick Paul, Mississippi State Personnel Board to represent the Third Supreme Court District, Accountability, Efficiency, Transparency. s774; rf775; cr2175; msrp2287; cu2287; v2288.

Arrington, Derek Royce, State Bond Attorney, Finance. s86; rf86; cr777; cu1417; v1417.

Baker, Sr., Mark Charles, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, Education. s1415; rf1416; cr1759; cu2238; v2238.

Baker, Sr., Mark Charles, Mississippi Charter School Authorizer Board, Education. s492; rf493.

Barrett, Pshon, Board of Directors for the Mississippi Industries for the Blind, Public Health and Welfare. s231; rf232; cr2293; msrp3418; cu3418; v3419.

Bass, Ph.D., Angela Sade Wheeler, State Board of Education, Education. s86; rf86; cr262; cu380; v380.

Blackwell, Vicki Lynn Bryant, Mississippi Real Estate Commission as the real estate broker, Business and Financial Institutions. s260; rf261; cr1030; cu1663; v1663.

Blackwell, Vicki Lynn Bryant, Mississippi Real Estate Commission as the real estate broker, Business and Financial Institutions. s260; rf261; cr1030; cu1663; v1663.

Boerner, Michael Warren, Mississippi Business Finance Corporation, Finance. s49; rf50; cr777; cu1416; v1417.

Bosarge, Oliver Steven (Steve), Mississippi Advisory Commission on Marine Resources as the Commercial Fisherman representative, Ports and Marine Resources. s1406; rf1406.

Brown, Donald Geaty (Don), Mississippi State Personnel Board to serve the state at large, Accountability, Efficiency, Transparency. s122; rf122; cr2175; msrp2287; cu2287; v2288.

Buys, Sr., Mark Talbot, Mississippi Business Finance Corporation, Finance. s51; rf51; cr777; cu1417; v1417.

Carpenter, Nancy Rea Luke, Board of Trustees of the Mississippi Department of Archives and History, Accountability, Efficiency, Transparency. s48; rf49; cr601; msrp1753; cu1754; v1754.

Chamblee, Philip Alan, Mississippi Lottery Corporation Board of Directors, Finance. s351; rf351; cr777; cu1418; v1418.

Clark, Larry Wayne, Mississippi Motor Vehicle Commission to represent the state at large as chairman, Highways and Transportation. s452; rf452; cr2207; cu2288; v2288.

Cook, Jean, Mississippi Charter School Authorizer Board, Education. s1454; rf1454; cr1759; msrp2238; cu2238; v2238.

Cook, Jean, Mississippi Charter School Authorizer Board, Education. rf760; s760.

Cook, Jean, Mississippi Charter School Authorizer Board, Education. rf1454; s1454; cr1759; msrp2238; cu2238; v2238.

Cook, Jr., Charles William (Bill), Information Technology Services Authority, Accountability, Efficiency, Transparency. s2242; rf2243; cr2588; msrp3304; cu3304; v3304.

Coopwood, John Scott, Commission on Wildlife, Fisheries and Parks, Wildlife, Fisheries and Parks. s122; rf123.

Coopwood, John Scott, Commission on Wildlife, Fisheries and Parks, Wildlife, Fisheries and Parks. rf1934; s1934; cr2243; cu2289; v2289.

Dailey, Vivian Walker, Mississippi Commission on the Status of Women, Rules. s85; rf86; cr434; msrp499; cu500; v500.

Davis, DVM, Franklin Keith, Mississippi Board of Veterinary Medicine, Agriculture. s271; rf272.

Davis, DVM, Franklin Keith, Mississippi Board of Veterinary Medicine, Agriculture. s1415; rf1416; cr2208; msrp2587; cu2587; v2587.

Davis, IV, MD, John Daniel, State Board of Health as a Licensed Physician, Public Health and Welfare. rf566; s566; cr2444; msrp3418; cu3418; v3419.

Delcomyn, Carl EuGene (Gene), Mississippi Home Corporation, Finance. s452; rf452; cr1940; cu1949; v1949.

Denman, Jr., DVM, Stuart G., Mississippi Board of Veterinary Medicine, Agriculture. s1415; rf1416; cr2208; msrp2587; cu2587; v2587.

Denman, Jr., DVM, Stuart G., Mississippi Board of Veterinary Medicine, Agriculture. s271; rf272.

East, Glen Vernon, State Board of Education as the School Administrator, Education. rf86; s86; cr262; cu379; v379.

Edds, Stephen Charles (Steve), Mississippi Tort Claims Board as Chairman, Judiciary, Division A. s260; rf261; cr532; cu550; v550.

Emerson, Owen Bowdre (Hammer), State Oil and Gas Board to represent the Third Supreme Court District, Energy. s1934; rf1934; cr2179; msrp2289; cu2289; v2289.

Emerson, Owen Bowdre (Hammer), State Oil and Gas Board, Energy. s241; rf241.

Flatgard, Spencer J. (Spence), Board of Trustees of the Mississippi Department of Archives and History, Accountability, Efficiency, Transparency. s48; rf49; cr601; msrp1753; cu1754; v1754.

Flowers, Jr., Nehemiah, State Parole Board, Corrections. s2186; rf2187; cr2221; msrp2314; cu2314; v2314.

Foster, Pharm.D., Jillian James, State Board of Pharmacy to represent the First Congressional District as it existed on July 1, 2001, designated as Post 1, Public Health and Welfare. s1415; rf1416; cr2444; msrp3418; cu3418; v3419.

Foster, Pharm.D., Jillian James, State Board of Pharmacy, Public Health and Welfare. s452; rf452.

Frusha, Amanda, Mississippi Commission on the Status of Women, Rules. s85; rf86; cr434; msrp499; cu500; v500.

Givens, MD, Roderick Clarence (Rod), State Board of Medical Licensure to represent the Second Supreme Court District, Public Health and Welfare. s1406; rf1406; cr2444; msrp3418; cu3418; v3419.

Gollott, Sr., Edgar Richard, Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, Ports and Marine Resources. s774; rf775.

Greenhaw, Dayton Allen, Mississippi Forestry Commission to represent the First Congressional District, Forestry. s2186; rf2186; cr2337; cu2506; v2506.

Grubbs, Gary Mack, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, Highways and Transportation. s286; rf286; cr2207; msrp2288; cu2288; v2288.

Hall, David Bradley, State Board of Registration for Foresters to represent the South Central Forestry Commission District, Forestry. s2223; rf2224; cr2337; cu2506; v2506.

Hanna, Russell, Appeals Board of the Mississippi Transportation Commission, Highways and Transportation. s1941; rf1942; cr2244; cu2289; v2289.

Harkins, Elizabeth Ashley (Beth), Mississippi Workers' Compensation Commission as the Commissioner representing the employee interest, Insurance. s122; rf123; cr266; cu332; v332.

Harper, Pharm.D., Ryan Charles, State Board of Pharmacy to represent the Third Congressional District as it existed in 1983, designated as Post 3, Public Health and Welfare. s566; rf566.

Harper, Pharm.D., Ryan Charles, State Board of Pharmacy to represent the Third Congressional District as it existed on July 1, 2001, designated as Post 3, Public Health and Welfare. s1415; rf1416; cr2444; msrp3418; cu3418; v3419.

Hegwood, Lauren Michelle, Board of Directors for the Mississippi Industries for the Blind as an individual who has at least five years' actual experience in marketing or a related field, Public Health and Welfare. s266; rf267; cr2293; msrp3418; cu3418; v3419.

Hegwood, Lauren Michelle, Board of Directors for the Mississippi Industries for the Blind, Public Health and Welfare. s49; rf50.

Hinton, Jr., Donald Everett (Don), Mississippi Charter School Authorizer Board to represent the Second Supreme Court District, Education. s1415; rf1416; cr1759; cu2237; v2237.

Hinton, Jr., Donald Everett (Don), Mississippi Charter School Authorizer Board, Education. s492; rf493.

Hopper, Ph.D., George Martin, Mississippi Forestry Commission to represent the state at large, Forestry. s2186; rf2186; cr2337; cu2505; v2505.

Hughes, Jr., Edmond Earl, Board of Trustees of the Mississippi Department of Archives and History, Accountability, Efficiency, Transparency. s48; rf49; cr601; msrp1753; cu1754; v1754.

Irvin, Sr., Brig. Gen., George Edward, State Veterans Affairs Board to represent the Second Congressional District, Veterans and Military Affairs. rf1456; s1456; cr2242; cu2505; v2505.

Johnson, David Charles, Executive Director of the Mississippi Department of Information Technology Services, Accountability, Efficiency, Transparency. s240; rf241; cr2175; cu2287; v2287.

Jones, Betty Lou Stuart, State Parole Board, Corrections. s2186; rf2187; cr2221; msrp2314; cu2314; v2314.

Kelly, Rhoshunda G., Mississippi Department of Banking and Consumer Finance as the Commissioner of Banking and Consumer Finance, Business and Financial Institutions. s2185; rf2186; cr2338; cu2573; v2573.

Latino, III, Russell (Russ), Mississippi Authority for Educational Television to represent the state at large, Education. s1934; rf1934; cr2243; cu3301; v3301.

Lee, Francis Clark (Franc), Mississippi Gaming Commission, Gaming. s260; rf261; cr1283; cu1754; v1754.

Lippincott, MD, Kenneth Charles (Ken), Mississippi State Board of Medical Licensure to represent the Third Supreme Court District, Public Health and Welfare. s1456; rf1456; cr2293; msrp3418; cu3418; v3419.

Lipscomb, DVM, Betsy Anne Lum, Mississippi Board of Animal Health as the beef cattle breeder and producer representative, Agriculture. s1934; rf1934; cr2208; msrp2587; cu2587; v2587.

Lipscomb, DVM, Betsy Anne Lum, Mississippi Board of Animal Health as the beef cattle breeder and producer, Agriculture. s260; rf261.

McGehee, Dr., Ronnie Lynn, State Board of Education, Education. s49; rf50; cr262; cu379; v379.

McGrath, Margaret Melinda L., Executive Director of the Mississippi Department of Transportation, Highways and Transportation; Accountability, Efficiency, Transparency. s271; rf271.

Miller, Jane Stroble, Board of Directors for the Mississippi Industries for the Blind as an individual who is legally blind, Public Health and Welfare. s49; rf50; cr2293; msrp3418; cu3418; v3419.

Moore, Phillip W. (Phil), Mississippi Motor Vehicle Commission to represent the Third Congressional District, Highways and Transportation. rf630; s630; cr2207; msrp2288; cu2288; v2288.

Morehead, Dr., William Alonzo (Billy), Public Procurement Review Board, Finance. s86; rf86; cr250; msrp371; cu371; v371.

Mullins, Larry, Mississippi Home Corporation as a resident of the Third Supreme Court District, Finance. s2191; rf2192; cr2293; cu2339; v2339.

Owens, MD, Michelle Yvette Taylor, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, Public Health and Welfare. s2186; rf2187; cr2444; msrp3418; cu3418; v3419.

Parker, Michael Scott, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, Public Health and Welfare. s2242; rf2243; cr2444; msrp3418; cu3419; v3419.

Patterson, D.C., Michael Ray (Mike), State Board of Chiropractic Examiners, Public Health and Welfare. s260; rf261; cr2444; msrp3418; cu3419; v3419.

Phillips, II, Chatham Hurst (Chat), Mississippi Commission on Environmental Quality to represent the state at large, Environment Prot, Cons and Water Res. s260; rf261; cr2185; cu2239; v2239.

Pickett, Steven Wayne (Steve), State Parole Board to serve as Chairman, Corrections. s2186; rf2187; cr2221; msrp2314; cu2314; v2314.

Poindexter, III, William Green (Will Green), State Tax Appeals Board as an associate member, Finance. s241; rf241; cr777; cu1417; v1418.

Remak, Kimberly Kay, Mississippi Charter School Authorizer Board, Education. s49; rf49; cr261; cu379; v379.

Roberds, Sr., Cammack A. (Cam), Mississippi Advisory Commission on Marine Resources as the Recreational Sports Fisherman representative, Ports and Marine Resources. s774; rf775; cr2185; cu2239; v2239.

Rossi, Warren G., State Board of Cosmetology as a Third Supreme Court District representative, Public Health and Welfare. s286; rf287; cr2444; msrp3418; cu3419; v3419.

Rounsaville, John Walter, Mississippi Development Authority as the Executive Director, Finance. s241; rf241; cr751; cu835; v835.

Russell, David Banister, Public Procurement Review Board, Finance. s48; rf48; cr777; cu1416; v1416.

Sanders, Andrea Adkins, Mississippi Department of Child Protection Services as Commissioner of Child Protection Services, Public Health and Welfare. s50; rf51; cr567; cu835; v835.

Shoemaker, Scott Roach, Mississippi State Personnel Board, Accountability, Efficiency, Transparency. s286; rf286; cr2175; msrp2287; cu2287; v2288.

Smith, DVM, Thomas Kevin (Kevin), Mississippi Board of Veterinary Medicine, Agriculture. s1415; rf1416; cr2208; msrp2587; cu2587; v2587.

Smith, DVM, Thomas Kevin (Kevin), Mississippi Board of Veterinary Medicine, Agriculture. s260; rf261.

Smith, Helen Moss, Board of Trustees of the Mississippi Department of Archives and History, Accountability, Efficiency, Transparency. s48; rf49.

Spraggins, Brig. Gen., Benjamin Joseph (Joe), MS Commission on Marine Resources as the Exe. Director of the Dept. of Marine Resources, Ports and Marine Resources. s50; rf50; cr565; cu602; v602.

Stedman, Sue, Mississippi Home Corporation as a resident of the Second Supreme Court District, Finance. s2191; rf2192; cr2293; cu2339; v2339.

Townsend, Jr., Hue, Mississippi Home Corporation as a resident of the First Supreme Court District, Finance. s2191; rf2191; cr2292; cu2339; v2339.

Van Devender, Jr., William Jarvis, Appeals Board of the Mississippi Transportation Commission, Highways and Transportation. s51; rf51; cr288; msrp533; cu534; v534.

Wansley, Sr., David Steen, Appeals Board of the Mississippi Transportation Commission, Highways and Transportation. s50; rf50; cr262; msrp533; cu534; v534.

Wells, P.E., Christopher Glenn (Chris), Mississippi Department of Environmental Quality as the Executive Director, Environment Prot, Cons and Water Res. s50; rf50; cr2185; cu2238; v2238.

White, Anthony Chester, Mississippi State Board of Massage Therapy as the consumer at large, Public Health and Welfare. s2186; rf2187; cr2444; msrp3418; cu3419; v3419.

Wicker, Thomas Allen (Tom), Information Technology Services Authority, Accountability, Efficiency, Transparency. s122; rf122; cr2175; cu2287; v2287.

Willis, Carolyn Renee Grice, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, Education. s2186; rf2186; cr2243; cu3302; v3302.

Wofford, MAI, Al-, Tracy Koby, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the state at large, Business and Financial Institutions. rf286; s286; cr1030; cu1664; v1664.

de Gruy, Andre-Louis Verloin (Andre), State Defender in the Office of the State Public Defender, Judiciary, Division A. s122; rf123; cr532; cu549; v549.

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PART VI**Subject matter of Senate and House Bills
and Resolutions by Committee**

(bold print indicates bill became law)

A. APPROPRIATIONS COMMITTEE**APPROPRIATIONS**

Accountancy, Board of Public; appropriation. **SB2940**.

Additional:

DFA for purchases of new state flags for state buildings and offices. HB68.

Department of Marine Resources for Fiscal Year 2021. HB1360.

Institutions of Higher Learning (IHL). **SB2879**.

Various state agencies for Fiscal Year 2021. HB 199; HB1414; **SB2956**.

Adequate Education Program:

Fully fund. SB2658, SB2684.

State funding; dedicate at least 25% of any revenue growth. SB2866.

Affordable Housing Opportunity Fund; establish and authorize Mississippi Home Corporation to administer. SB2495.

Agriculture and Commerce:

Appropriation. **SB2942**.

Dixie National Livestock Shows and County Livestock Shows. **SB2945**.

Animal Health, Board of; appropriation. **SB2944**.

Architecture, Board of; appropriation. **SB2936**.

Archives and History, Department of:

Appropriation. **HB1386**.

Historical statue of Emmett Till at Leflore County Courthouse. SB2059.

Renovation of Northside School for FY 2021. SB2440.

Arts Commission; appropriation. **HB1389**.

Assistant teachers:

Department of Education implement program to employ more assistant teachers in failing school districts. SB2657.

Increase salaries for. SB2301.

Provide "C," "D" and "F" districts with additional. SB2867.

Athletic Commission; appropriation. **HB1365**.

Attala County for street repairs:

Supervisor District 2. SB3008.

Supervisor District 4. SB3007.

Attorney General:

Allow salaries of assistants to exceed statutory limitation under certain circumstances. HB1290.

Appropriation. **HB1385**.

Auctioneers Commission; appropriation. **HB1376**.

Audit, Department of; appropriation. **SB2946**.

Average daily attendance for MAEP purposes; shall include any student sick day. SB2306.

Ayers Settlement Agreement fully fund. SB2512.

Baldwyn, City of; regional wash center for personal protection equipment for first responders. SB2998.

Banking and Consumer Finance, Department of; appropriation. **SB2947**.

Barber Examiners, Board of; appropriation. **HB1366**.

Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county. **HB104**.

Bolivar County; street repairs in Supervisor District 1. SB3070.

Broadband Accessibility Act; create. **HB505**.
 Bulletproof Vests Revolving Fund; create. **SB2554**.
 Byram, City of; flood control project. **SB2464**.
 Canton, City of:
 City's parks improvements. **SB3015**.
 Construction of governmental complex. **SB3017**.
 Repairs, resurfacing and making other improvements to streets. **SB3016**.
 Water and sewer system improvement. **SB3036**.
 Capital Post-Conviction Counsel, Office of. **HB1382**.
 Carthage, City of:
 Coliseum, repair and renovation. **SB3014**.
 Street repairs. **SB3013**.
 Certificate of need; issue CON to North Mississippi Medical Center for child psych beds and geriatric psych beds. **SB2414**.
 Charter schools; revise deadlines for certain reporting requirements and to allow certain teacher units to those in first year of operation. **HB853**.
 Chiropractic Examiners, Board of. **SB2929**.
 Church of God in Christ historical markers in Holmes County, Mississippi. **SB2058**.
 Clay County; street repairs:
 in Supervisor District 2. **SB2989**.
 in Supervisor District 5. **SB2992**.
 Coahoma, Town of; street repairs. **SB3063**.
 Coastal Master Plan Act of 2021, Mississippi; enact. **SB2388**.
 Columbus, City of:
 Bluecutt Road Widening Project. **SB2991**.
 Fifth Street improvements. **SB2990**.
 Phase 3 construction of amphitheater. **SB2997**.
 Propst Park Baseball Field renovations. **SB2996**.
 Community and junior colleges:
 Authorize boards of trustees to approve policies permitting waiver of out-of-state tuition. **HB111**.
 Board of trustees approve policies for out-of-state tuition waiver. **SB2383**.
 Community and Junior Colleges Board:
 Administrative expenses. **SB2913**.
 Support for community and junior colleges. **SB2914**.
 Community/Junior College Grant Program; establish to provide financial aid to community/junior college students. **SB2542**, **SB2545**.
 Contractors, Board of. **SB2941**.
 Corrections, Department of:
 Appropriation. **SB2915**.
 Pay correctional facility employees for all accumulated comp time upon termination or death. **SB2199**.
 Cosmetology, Board of; appropriation. **HB1367**.
 Counselors, Board of Examiners for Licensed Professional; appropriation. **SB2934**.
 Debt Service-Gen. Obli. **SB2955**.
 Dementia Care Program, Food Bank Pilot Programming; create. **SB2221**.
 Dental Examiners, Board of; appropriation. **SB2930**.
 Department of Finance & Administration:
 Reappropriation, DFA - Bureau of Building; FY21. **HB1391**.
 Transfer bond funds to community colleges for facility renovation and repairs. **SB2447**.
 Department of Human Services; establish a grant program for regional food banks and SNAP incentives. **SB2426**.
 Department of Public Safety; revise salaries of officers. **SB2854**.
 Development Authority, Mississippi; appropriation. **SB2951**.
 Development Authority Tourism Advertising Fund; use portion of monies in to advertise state parks. **HB148**.
 District attorneys and staff; appropriation. **HB1378**.

District attorney criminal investigators; revise salary of. **SB2175**.
 Donation of surplus medical supplies and equipment by UMMC to nonprofit charitable organizations; authorize. **SB2513**.
 Dual Credit Community College Scholarship Program; create. **HB1160**.
 Durant, City of; street repairs. **SB3005**.
 Early Learning Collaborative Act of 2013:
 Funding and specify teaching standards, revise. **HB1123**.
 Minimum funding levels, revise. **SB2665**.
 Economic and Academic Need Forgivable Loan Program; create. **SB2311**.
 Education, Department of:
 Appropriation. **HB1387**.
 Implement dyslexia screenings and awareness programs. **SB2308**.
 Require central reporting system for federal data. **SB2680**.
 Educational Television, Authority for. **HB1388**.
 Egg Marketing Board. **SB2943**.
 Emergency Management Agency. **SB2917**.
 Emerging Crops Fund; increase amount that may be loaned to assist in financing minority economic development. **SB2514**.
 Employment Security, Department of; appropriation. **SB2922**.
 Engineers and Land Surveyors, Board of Registration for Professional. **HB1375**.
 Environmental Quality, Department of; appropriation. **HB1392**.
 Ethics Commission; appropriation. **SB2920**.
 Failing school systems; Department of Education shall implement program to provide incentive to experienced teachers. **SB2660**.
 Finance and Administration, Department of; appropriation. **SB2948 (Partially Vetoed)**.
 Fire Academy; appropriation. **HB1380**.
 Foresters, Board of Registration for; appropriation. **HB1402**.
 Forestry Commission; appropriation. **HB1403**.
 Foster Care Fund; increase assessment and transfer to Attorney General. **SB2636**.
 Friars Point, Town of; street repairs. **SB3064**.
 Funeral Services Board; appropriation. **SB2931**.
 Gaming Commission; appropriation. **SB2937**.
 General Baptist Convention for renovations to Natchez Seminary Property. **SB3012**.
 Geologists, Board of Registered Professional; appropriation. **SB2938**.
 Governor's Office and Mansion; appropriation. **SB2949**.
 Grand Gulf Military Monument Commission; appropriation. **HB1394**.
 Gospel Music Trail; authorize MDA Division of Tourism to establish program and historical markers for. **HB413**.
 Graduate Nursing Loan Repayment Program; create to provide student loan repayment to nurse educators. **SB2541**.
 Gulf Coast Restoration Funds; FY2022 appropriation to City of Pascagoula for downtown economic development. **SB3039**.
 Hazlehurst, City of; reflective street signs. **SB2999**.
 Health, Department of:
 Appropriation. **HB1401**.
 Authorize certain charges for services with other agencies for operation of medical marijuana program. **HB307, SB2474**.
 MAGnet Community Health Disparity Program. **SB2957**.
 Revise appropriation for FY2021 to allow purchase of accumulated compensatory time incurred before June 30, 2021. **SB2863**.
 Highway sign; authorize erection of on MS Hwy 25 near Pisgah exit to honor Olympic Gold Medalist Tori Bowie. **HB940**.
 Highways; require four-laning of portions of Highway 6 in Coahoma, Panola and Quitman Counties. **SB2286**.
 Historic Site Preservation Fund; create and provide for administration by Department of Archives and History. **SB2834**.
 Holmes County:

Fire truck for the Ebenezer community, purchase of. SB3011.
 Street repairs in the Ebenezer community. SB3010.

Human Services, Department of; appropriation. **HB1398**.

Inmate Welfare Fund; require DOC to expend unused portions of the fund on reentry purposes. HB466.

Institutions of Higher Learning (IHL):
 Alcorn State - Agricultural Research, Extension and Land-Grant programs. **SB2906**.
 Alcorn State University for STEM-related programs. SB2884.
 Appropriation; general support. **SB2904**.
 Mississippi State University:
 Agricultural and Forestry Experiment Station. **SB2907**.
 Cooperative Extension Service. **SB2908**.
 Forest and Wildlife Research Center. **SB2909**.
 Veterinary Medicine, College of. **SB2910**.
 Student Financial Aid; appropriation. **SB2911**.
 Student Financial Aid for the Nursing Forgivable Loan program. SB2883.
 Subsidiary programs. **SB2905**.
 University of Mississippi Medical Center:
 Appropriation. **SB2912**.
 Mississippi Rural Physicians Scholarship Program. SB2504.

Insurance, Department of:
 Appropriation. **HB1379**.
 Remove from the provisions of the Mississippi Budget Transparency and Simplification Act. HB211.

Judicial Performance Commission; appropriation. **SB2921**.

Kindergarten-age children; require compulsory school attendance for all. SB2314.

Kipling Water Association for a running water line. SB2958.

Law Enforcement Officers:
 Provide supplementary pay and revise statutory provisions. SB2859.
 Revise salary of. SB2858.

Legislative expenses; appropriation. **HB1381**.

Leland Public School District for improvements to its Early Head Start Facility. SB3066.

Library Commission; appropriation. **HB1390**.

Local governmental entities; may publish public notices online. SB2339.

Local System Bridge Replacement & Rehabilitation Fund; revise allocation formula. **HB576**.

Marine Resources, Department of; appropriation. **HB1412**.

Massage Therapy, Board of; appropriation. **SB2932**.

Medicaid:
 Appropriation. **HB1400**.
 Eligibility; provide coverage Program of All-Inclusive Care for the Elderly. SB2401.
 Provide reimbursement for all care and services under the PACE program for the elderly. SB2736.
 Authorize reimbursement for substance abuse and mental health services for pregnant and postpartum women. SB2404.
 Extend reimbursement for community-based home-visitation and pregnancy support services. SB2403.
 Expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. SB2161, SB2402, SB2735.
 Increase fee to private reimbursement level for children on Medicaid who receive dental services. SB2347.
 Recipients to receive four single-source prescriptions per month. SB2348.
 Reimbursement for telemedicine treatment for recipient's attention deficit hyperactivity disorder. SB2733.

Medical Licensure, Board of; appropriation. **HB1369**.
 Mental Health, Department of; appropriation. **SB2926**.
 Military Department; appropriation. **SB2918**.
 Memorial Highways; designate segments:
 Jefferson County, United States Highway 61, as the "Highway Patrol
 Lieutenant Troy Morris Memorial Highway." **HB872**.
 Marshall County, Mississippi, as the "Representative Tommy Woods
 Memorial Highway." **HB995**.
 Various throughout the state. **HB424**.
 Webster County, United States Highway 82, as "Corporal William Justin
 Cooper Memorial Highway." **HB887**.
 Mid-year budget reductions; exempt MAEP funds. **SB2681**.
 Motor Vehicle Commission; appropriation. **SB2939**.
 Natchez, City of; Concord Avenue Drainage Improvement Project. **SB2993**.
 Nationally certified licensed school employees; delete caps on nurses and speech
 pathologists and add athletic trainers for salary supplements. **HB1047**.
 Nonadmitted insurer policy fee; divert certain amount to fund fire trucks and fire
 apparatus/protection grants. **SB2602**.
 North Mississippi Symphony Orchestra for junior-high or high-school performances.
 SB2465.
 Nursing, Board of; appropriation. **HB1370**.
 Nursing Home Administrators, Board of; appropriation. **HB1371**.
 Oil and Gas Board; appropriation. **HB1395**.
 Optometry, Board of; appropriation. **HB1372**.
 Outdoor Stewardship Trust Fund; create. **HB1231**.
 Outdoors and Natural Resources Fund; create to provide source of private funds to
 promote outdoors and natural resources. **HB1154**.
 Parole board; revise notification time frame given to offender's victim for offender
 release and remove certain prohibition. **HB464**.
 Partnerships for Growth program grants; prescribe conditions for administration by the
 Mississippi Development Authority. **SB2493**.
 Pat Harrison Waterway District; appropriation. **HB1405**.
 Pearl River Valley Water Supply District; appropriation. **HB1406**.
 Personnel Board; appropriation. **SB2952**.
 Pharmacy, Board of; appropriation. **SB2933**.
 Physical Therapy Board; appropriation. **HB1373**.
 Port Authority, State; appropriation. **HB1407**.
 Prepaid Affordable College Tuition Act; fully fund. **SB2724**.
 Psychology, Board of; appropriation. **HB1374**.
 Public Defenders Education Fund; establish education and training cost. **SB2227**.
 Public Employees' Retirement System; appropriation. **HB1410**.
 Public Procurement Review Board; exempt certain contracts entered into by Attorney
 General's office from oversight of. **HB814**.
 Public Safety, Department of; appropriation. **SB2916**.
 Public schools; allow to offer online career track program. **SB2794**.
 Public Service Commission:
 Appropriation. **HB1396**.
 Remove from the provisions of the Mississippi Budget Transparency and
 Simplification Act. **HB91**.
 Public Utilities Staff; appropriation. **HB1397**.
 Real Estate Commission and Appraiser Licensing and Certification Board. **HB1377**.
 Rehabilitation Services, Department of; appropriation. **HB1399**.
 Rental Assistance Grant Program; correct provision regarding rents paid in full
 resulting from grant acceptance. **SB2842**.
 Revenue, Department of; appropriation. **SB2923**.
 Rosedale, Town of; street repairs. **SB3068**.
 Rural Fire Truck Acquisition Assistance Program; authorize an additional round for
 counties and municipalities. **SB 2065, SB2062**.

Rural Physicians Scholarship Residency Program; include emergency medicine students. SB2424.

SNAP Health Food Incentive Program; create. SB2163.

Salary supplement; provide to experienced teachers willing to relocate and teach in an "F"-designated school. SB2685.

Save Our Schools Program; create. SB2669.

Saving American History in Mississippi Schools Act; prevent funds from being used to teach the 1619 Project. SB2538.

Scholarship eligibility requirements; increase minimum ACT scores for MTAG, HELP and MESG. SB2547.

School athletic trainers; provide annual salary supplement for those acquiring national certification. SB2297.

School board members; increase pay. SB2299.

School employee salary supplements; remove limitation on number of school nurses and language therapists eligible for. SB2384.

School Resource Officers; require uniform statewide training program. SB2304.

Scooba, Town of; repair and renovation of town baseball field. SB2886.

Secretary of State; appropriation. **SB2953.**

Seventh Circuit Court District for additional contractual assistant district attorneys. SB2885.

Shuqualak, City of; meter reader system. SB3000.

Social Workers and Marriage and Family Therapists, Board of Examiners for; appropriation. **HB1368.**

Soil and Water Conservation Commission; appropriation. **HB1404.**

South Pike School District for renovations to its school buildings. SB3040.

State Budget; bring forward certain provisions and transfer funds. SB2725.

State Domestic Violence Fund; remove the matching funds requirement for. **HB695.**

State Fire Marshal and Fire Academy; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. HB212.

State Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. SB2026.

State Public Defender, Office of; appropriation. **HB1383.**

State Superintendent of Education; provide limitation on salary. SB2061.

State Veterans Affairs Board:
 Provide that certain employees of are nonstate service employees under state personnel system. **HB69.**
 Revise powers and duties relating to the operation of the State Veterans Homes. **HB761.**

State budget:
 Enact and revise various provisions relating to. **HB109.**
 Revise provisions in several FY21 appropriation bills. **HB106.**

State employee salaries; direct State Personnel Board to implement across-the-board increase. SB2060.

State offenders:
 Increase rate of reimbursement of costs to county for housing state offenders. SB2586.
 MDOC to reimburse counties for medical and legal fees of. SB2109.

State-owned vehicles; create study committee to study the management of. SB2429.

Statewide county court system; create. SB2607.

Statewide electronic health care information exchange; the Department of Health may enter into agreements for the creation of. SB2755.

Stay on Track Act of 2021; provide grants to parents for tutoring of children. SB2528.

Step Ahead Program; create standardized dual enrollment program. SB2540.

Supreme Court, Court of Appeals and trial judges services; appropriation. **HB1384.**

Targeted Student Loan Forgiveness Act, Mississippi; create program under IHL Board of Trustees. SB2548.

Tax Appeals Board; appropriation. **SB2924.**

Tchula, City of; street repairs. SB3009.

Teacher pay:

Incentive programs to experienced teachers. SB2530.

Increase to southeastern average. SB2661; SB2683.

Minimum salary, increase to. SB2001; **HB852**.

Telephone Solicitation Act; extend repealer on provision requiring deposit of fees to State General Fund. SB2018.

Tennessee-Tombigbee Waterway Development Authority; appropriation. **SB2928**.

Tenth Circuit Court District; create subdistrict and additional judge. SB2319.

Tibbee Development Club for improvements to community center building. SB2994.

Tim Tebow Act:

Allow homeschooled students to participate in sports and provide funds to schools for their participation. SB2666.

Authorize interscholastic extracurricular activity participation of students enrolled in homeschools. SB2537.

Tombigbee River Valley Water Management District; appropriation. **HB1408**.

Tougaloo College for the completion of restoration to historic Freedom Riders site. SB3006.

Transportation, Department of:

Appropriation **HB1413 (Partially Vetoed)**.

State Aid Road Construction, Office of:

Appropriation. **SB2927**.

Require annual transfer of general funds to Office of State Aid Roads. SB2436.

Treasurer's Office; appropriation. **SB2954**.

University of Mississippi Medical Center:

Fire protection. SB2219.

Medical residency program at Delta Regional Medical Center. SB2217.

Veterans Affairs Board; appropriation. **SB2919**.

Veterans' Home Purchase Board; appropriation. **HB1411**.

Veterinary Examiners, Board of; appropriation. **SB2935**.

Violent Crimes Indigent Defendant Defense Counsel Fund; create to fund Public Defender system. SB2584.

Virtual public school; create pilot program for the creation of virtual public schools operated by school districts. SB2793.

Washington County for street repairs:

Supervisor District 2. SB3069.

Supervisor District 3. SB3065.

Supervisor District 4. SB3067.

Supervisor District 5. SB3071.

West Central Mississippi Incubator Grant Program. SB2201.

West Point, City of; street repairs. SB2995.

Wildlife, Fisheries and Parks, Department of; appropriation. **HB1393**.

William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create. SB2305, **HB1179**.

Workers' Compensation Commission:

Appropriation. **SB2925**.

Reestablish as special fund agency. SB2452, SB2715.

Return to a special fund agency. HB1251.

Yellow Creek State Inland Port Authority; appropriation. **HB1409**.

B. STANDING COMMITTEES

(Except Appropriations and Local and Private)

ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Absentee voting; establish electronic application procedure for college students. SB2140.

Active shooter drills; prohibit telling students and teachers that drill is real. SB2687.
 Agreement Among the States to Elect the President by National Popular Vote; create. SB2102.
 Alcoholic beverages; bring forward code sections for purpose of possible amendment. SB2852.
 Alcoholic beverages; revise various provisions relating to distilleries. **SB2435**.
 Appointed state officers; provide for the removal of for certain forms of willful neglect. SB2047.
 Appointment of officers; require Governor and Lt. Governor to make appointments to fill vacant offices within a certain period of time. SB2196.
 Appointments to executive agency boards; to be made from current Mississippi congressional districts. SB2450.
 Arrest warrants; require probable cause hearing for legislators before issuance. SB2271.
 Athletics; provide that schools designate teams by biological sex. **SB2536**.
 Board of Nursing; revise penalties for prohibited conduct and authorize the recovery of reasonable costs. SB2222.
 Board of supervisors; revise annual salary and allow cost-of-living adjustment. SB2826.
 Bonds; authorize issuance for improvements at Hawkins Field Airport in Jackson. SB2710.
 Bonds; authorize issuance to assist Jackson Municipal Airport Authority with Aeroplex Development Project. SB2712.
 Bonds; provide for bonds issued for CCID to be paid mainly from CCID Project Fund. SB2808.
 Bridges and culverts; revise laws regarding. HB573.
 Campaign finance reports; require those filed by all candidates to be available online. HB718.
 Capitol Complex Improvement District; authorize demolition of slum and blighted properties located within. HB1246.
 Capitol Complex Improvement District; increase DFA's borrowing authority and divert use tax revenue for. SB2167.
 Capitol Complex Improvement District; revise boundaries to include Battlefield Park. SB2215.
 Central Market Board; abolish and transfer functions of to the Mississippi Department of Agriculture and Commerce. **HB312**, SB2077.
 Certificate of Need; direct issue to City of Newton for adult psychiatric beds. SB2341.
 Commission on Wildlife, Fisheries and Parks; convert into advisory commission. SB2501.
 Commissioner of Corrections and community corrections; bring forward various sections relating to. **HB928**.
 Community schools; authorize implementation under the administration of a District Innovation. HB302, SB2533.
 Concealed weapon permit; authorize Secretary of State to designate certain employees for. SB2247.
 Construction management at risk method of project delivery; revise certain provisions related to. HB1253.
 Construction manager at-risk program; exempt under public bidding laws. SB2516.
 Coordinator of Mental Health Accessibility; house position under DFA, exempt contracts from rules of contract review board. **SB2021**.
 Correctional system cost-per-day reviews; transfer responsibility from PEER to MDOC. SB2103.
 Corrections; create a Corrections Inspection Council to serve in advisory capacity to state officials. SB2139.
 Cosmetology; board shall issue license by reciprocity to persons who present certain documentation. SB2423.
 Counties and municipalities; authorize to offer Medicare-eligible employees supplemental compensation if employees secure Medicare. **SB2189**.

Counties and municipalities; prohibit surcharge on certain payments by credit or debit cards. SB2469.

County elected officers; provide that salaries shall not be reduced due to reduction in total assessed valuation or population. SB2823.

County jail census data; facilitate availability of. SB2234.

County prosecuting attorney; revise annual salary of for Jackson County. SB2174.

Criminal procedure; allow interlocutory appeal by prosecution of certain adverse rulings. SB2097.

DA criminal investigators; revise salary of. SB2193.

DPS; revise law regarding. **HB974.**

Department of Archives and History; revise appointing authority for members of the board of trustees. SB2727.

Department of Human Services; authorize to use additional methods of communication to send notices relating to child support to financial institutions. HB951.

Department of Public Safety; revise authority, make various amendments. SB2797.

Department of Public Safety; revise salaries of officers. SB2854.

Department of Revenue; allow to use tag revenue to cover tag program expenses. SB2829.

Department of Revenue; authorize to compromise and settle certain tax liabilities. **HB1095.**

Department of Tourism; create. SB2820.

Deputy Secretaries of State; authorize creation of. HB750.

Disparity study; require MDA to file copies with the Legislature by not later than December 31, 2021. SB2719.

Disposal of certain municipal records after 20 years; authorize. SB2520.

Distinctive motor vehicle license tags; exempt Marty Wilson Foundation One Gulf One Goal from presale requirement. SB2838.

District attorney criminal investigators; revise salary of. SB2175.

District attorneys; authorize appointment of additional legal assistants and criminal investigators for circuit court district. SB2634.

Dual-phase design-build method of construction contracting; revise certain provisions of. **HB1197.**

Education Continuum for Mississippi's Future Task Force; create. SB2151.

Elections; public official's qualification as candidate deemed resignation of current office. SB2257.

Emergency Management Law; revise definition to include a public health emergency and revise emergency powers of the Governor. SB2190.

Emergency medical services; prohibit sole participation in nonemergency, interfacility transfers. SB2406.

Foreign Company Accountability Act; create. SB2848.

Fueling Station Tax Credit Act; create. SB2977.

General laws and journals of legislative sessions; copies of not provided to certain recipients of unless specifically requested. **HB1177.**

Gubernatorial inaugurations funds; require contributions and expenditures to be reported to Secretary of State. HB1019.

Healthcare Contracting Simplification Act; create. SB2775.

High school curriculum; require Bible be taught in ethics and history classes during month of April. SB2789.

High-performing education systems design; establish task force. SB2152.

Hospice licensure; extend moratorium on and authorize issuance of 2 pediatric palliative care licenses. HB296.

Income share agreements; authorize IHLs to enter into with eligible students. HB1029.

Income tax; allow tax credit for investments in qualified clean-burning motor vehicle fuel property. SB2695, SB2717.

Individual bond; require for public officers and employees handling public funds. SB2214.

Individual development accounts; authorize for certain low-income individuals. SB2855.

Interception of wire or oral communications; authorize sheriff departments to possess, operate or monitor such devices. SB2010.

Intervention court; amend criteria for participation in. SB2232.

Land banks; authorize counties and municipalities to create to convert certain property to productive use. SB2857.

Landlord-tenant law; revise. SB2242.

Law Enforcement Officers; revise salary of. SB2858, SB2859.

Law enforcement training expenses; revise time for reimbursement of formerly employing entity. SB2471.

Local governmental entities; may publish public notices online. SB2339.

Manufactured or mobile homes; bring forward provisions relating to the registration of. SB2835.

Medicaid reimbursement for certain home services; impose moratorium on new providers. SB2737.

Medicaid; create Medicaid Commission to administer program and abolish Division of Medicaid. HB1013.

Military bases; establish a process to ensure adequate notice and opportunity to mitigate adverse mission impacts. SB2398.

Minimum payment to defray the cost of public ambulance service by local governments; prescribe. SB2846.

Minority subgrantees contracted by Department of Human Services; require study and policy. SB2340.

Mississippi Coastal Master Plan Act of 2021; enact. SB2388.

Mississippi Companion Animal Abuser Registry Act; enact. SB2114.

Mississippi correctional system; establish Department of Reentry and Supervision and Office of Corrections Ombudsman. SB2280.

Mississippi Department of Labor; create. SB2810.

Mississippi Emergency Communications Act; create. SB2421.

Mississippi First Responder Protection Act; enact. SB2281.

Mississippi Geologic Sequestration of Carbon Dioxide Act; Oil and Gas Board shall have jurisdiction to enforce provisions of. **SB2648.**

Mississippi Historic Site Preservation Fund; create and provide for administration by Department of Archives and History. **SB2834.**

Mississippi Minimum Wage Act; establish. SB2079, SB2425.

Mississippi Outdoor Stewardship Trust Fund; create. HB1231.

Mississippi Pregnant Workers Fairness Act; create. SB2325.

Mississippi Professional Employer Organization Recognition and Registration Act; create. SB2773.

Mississippi Rare Disease Advisory Council; establish. SB2753.

Mississippi State Board of Medical Licensure; revise membership and terms of office. SB2760.

Mississippi State Personnel Board; require exempted agencies' reports to include quantifiable data and to be sent to SPB, PEER and LBO. **HB1213.**

Mississippi Telephone Solicitation Act; extend repealer on requirement that fees be deposited into State General Fund. **HB100.**

Motor vehicle tags; allow legislators to have both legislator and regular/personalized tags and display them alternately. SB2195.

Municipalities with a certain population; allow to establish overdue water/sewer programs. **HB359.**

Municipalities; authorize discretionary control within corporate limits. SB2094.

Municipally owned utilities; authorize accounting system accommodation of certain uncollectible indebtedness owed by a customer. SB2604.

Occupational Board Compliance Act of 2017; bring forward provisions for purpose of possible amendment. SB2625.

Occupational Licensing Review Commission; require supervision of civil actions brought by occupational licensing boards. SB2184.

Occupational licenses; repeal those for art therapists, auctioneers, interior designers, wigologists and massage therapists. HB1315.

Occupational licensing; provide for recognition of out-of-state licenses if applicants satisfy certain conditions. **HB1263.**

Office of Department of Corrections Ombudsman; establish. SB2138.

One percent sales tax; extend repealer 20 years for municipalities with population of 150,000 or more. SB2861.

Online voter registration; revise to allow for first-time voters to register through. SB2015.

PEER Committee; require to conduct a review of wrap-around services. SB2448.

PEER Committee; require to review the operations of Child Protection Services. HB1237.

PERS; reduce vesting period for retirement benefits from eight years to four years. SB2428.

Parole Board; bring forward sections relating to powers and duties of. SB2104.

Pearl River Valley Water Supply District; add two board members from the City of Jackson. SB2718.

Procurement of wireless communication devices for students; exempt institutions of higher learning in emergency situations. SB2546.

Professional employer organizations; provide for registration and regulation by the Insurance Department. HB331.

Public Procurement Review Board; exempt certain contracts entered into by Attorney General's office from oversight of. HB814.

Public Service Commission; remove from the provisions of the Mississippi Budget Transparency and Simplification Act. HB91.

Public Service Commission; require to study the funding and expenditures of emergency communications districts. SB2291.

Public bidding; provide decision procedure on bid requirements for high complexity construction projects. SB2818.

Public property; authorize certain state property conveyed to Jackson to be used for park and recreational purposes. HB1156.

Public purchases; exempt certain purchases by local governing authorities from reverse auction requirement. SB2647.

Public purchases; revise exclusion of academic medical center or health services school. SB2862.

Public purchases; specify prequalification process for construction manager at risk soliciting bids for projects. **SB2827.**

Public purchasing law; exempt procurement of certain aircraft by state institutions of higher learning from. HB609.

Public purchasing laws; exempt purchase of nonadopted and adopted textbooks by MDE for nonpublic schools. HB370.

Public purchasing; reverse auction required for schools only when purchasing products sold through resellers. SB2849.

Public records; extend repealer on provision requiring public access to records. **SB2809.**

Public works construction; performance bond not required if contract is less than \$50,000.00 and paid in two equal installments. SB2517.

Regulatory Reduction Program; require certain pilot agencies to implement. SB2048.

Regulatory reduction program for Department of Environmental Quality; provide pilot program. SB2479.

Restitution centers; transition to post-release reentry centers. SB2133.

Restitution centers; transition to pre-release centers. SB2134.

Reverse auction; revise method of receiving bids through for agencies and governing authorities. HB842.

Rural Health Availability Act; allow all hospitals to enter into agreements. SB2756.

Salary cap; exempt attorneys employed by Attorney General from. SB2511.

Sales tax; create diversion to counties. SB2186.

Sales tax; divert certain sales tax revenue to special fund for state parks improvement. SB2202.

School buildings; require new construction and certain renovations to include refillable water bottle stations. HB925, SB2148.

School prayer; require school boards to designate a period of reflection in which prayer shall be allowed. SB2535.

Schools; require carbon monoxide detectors in all. SB2300.

Secretary of State; create no more than two deputy secretary of state positions. SB2197.

Sheriffs; remove the maximum limit on the annual salary supplement which may be paid to. SB2869.

Sheriffs; revise annual salary for counties with population of more than 100,000. SB2192.

Smith-Wills Stadium; clarify authority for certain state property conveyed to Jackson to be used for park and recreational purposes. SB2652.

Solemn Covenant of the States to Award Prizes for Curing Diseases Compact; enact and prescribe provisions. SB2289.

South Mississippi Regional Health Care Authority; establish. SB2757.

State Auditor; increase fee to be charged by for performing audits and other services. HB1256, SB2689.

State Board of Examiners for Audiology and Speech Language Pathology; create. SB2005.

State Board of Funeral Service; extend repealer on. **SB2098**, HB1313.

State Superintendent of Education; provide limitation on salary. SB2061.

State Workplace Safety and Health Office; establish under State Board of Health. SB2525.

State agencies; require all chief financial officers and accountants to be employed by DFA. SB2043.

State agencies; require annual reporting of pass-through money from line-item appropriation by the Legislature. **SB2824**.

State agencies; revise reporting requirements when personnel actions are exempted from State Personnel Board procedures. SB2188.

State agencies; revise requirement for employing an internal audit director. SB2840.

State identification card; require commissioner of DPS to establish one that does not require proof of domicile. HB740.

Statewide Elections Management System; compare to certain identification databases to ensure non-U.S. citizens are not registered to vote. HB586.

TANF; prohibit assistance to persons convicted of multiple felonies. SB2741.

Tax forfeited lands; revise statute of limitations, notice, price and fees. SB2851.

Temporary day workers; protect labor and employment rights of. SB2080.

Tourism project sales tax incentive program; include certain hotel projects in. SB2720.

Transgender 21 Act; enact. SB2171.

Travel Insurance Act of 2021; create. SB2025.

Uninsured motorist coverage law; revise to prohibit insurance policy from paying certain losses if another insurance policy must pay for such. HB330.

Universal Recognition of Occupational Licenses Act; enact. SB2187.

Universities; enact the Forming Open and Robust University Minds Act. SB2766.

University of Mississippi Medical Center; create joint committee to study the organization of. SB2544.

Veterans Service Officers; revise certain qualifications and requirements. **SB2165**.

Violent habitual offender; require both previous crimes to have been crimes of violence. SB2233.

Water authorities; allow board members to opt into the Public Employees' Retirement System pursuant to agreement with PERS. SB2870.

West Central Mississippi Incubator Grant Program; establish with county governments, DFA and local development districts. SB2200.

White-Collar Crime Offender List; create. SB2579.

Women's Economic Security Act of 2021; enact. SB2303.

Workers' Compensation Law; revise various provisions of. SB2774.

Nominations:

- Ardillo, Col. Nick Paul, Jr., Columbus, Mississippi, Mississippi State Personnel Board to represent the Third Supreme Court District, five year term beginning July 1, 2021 and ending June 30, 2026. **SN61.**
- Brown, Donald Geaty (Don), Vicksburg, Mississippi, Mississippi State Personnel Board to serve the state at large, five year term effective immediately and ending June 30, 2025. **SN23.**
- Carpenter, Nancy Rea Luke, Columbus, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026. **SN2.**
- Cook, Charles William (Bill), Jr., Oxford, Mississippi, Information Technology Services Authority, term effective immediately for the unexpired balance of a five year term ending June 30, 2022, vice Alan Lange. **SN93.**
- Flatgard, Spencer J. (Spence), Ridgeland, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026. **SN3.**
- Hughes, Edmond Earl, Jr., Ocean Springs, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026. **SN4.**
- Johnson, David Charles, Flowood, Mississippi, Executive Director of the Mississippi Department of Information Technology Services, term effective November 1, 2020. **SN29.**
- McGrath, Margaret Melinda L., Clinton, Mississippi, Executive Director of the Mississippi Department of Transportation, term set to expire April 1, 2025. **SN42.**
- Shoemaker, Scott Roach, Jackson, Mississippi, Mississippi State Personnel Board, term effective immediately and ending June 30, 2023, representing the First Supreme Court District, vice Greg Moore. **SN47.**
- Smith, Helen Moss, Natchez, Mississippi, Board of Trustees of the Mississippi Department of Archives and History, six year term beginning January 1, 2020 and ending January 1, 2026. **SN5.**
- Wicker, Thomas Allen (Tom), Tupelo, Mississippi, Information Technology Services Authority, five year term effective immediately and ending June 30, 2025. **SN24.**

AGRICULTURE

Ad valorem tax; revise certain provisions regarding the determination of true value of land used for agricultural purposes. **HB1137.**

Food:

Cottage food operation; increase maximum annual gross sales and authorize to advertise over the internet. **SB2781.**

Food establishments; prohibit single-use plastic straws unless requested by consumer. **SB2071.**

Industrial hemp growth and processing; include minority farmers in policies and regulations. **SB2492.**

Mississippi Fair Advisory Council; revise council composition. **SB2488.**

Mississippi Fair Commission; remove repealer and revise advisory council composition. **SB2076.**

Pecan Harvesting Law; revise penalties for violating. **SB2072.**

Price Gouging:

Price gouging; create exemption for producers, growers or processors of food products. **SB2287.**

Price gouging; exempt certain raw agricultural products during declared emergencies. **SB2771.**

Nominations:

Lipscomb, Betsy Anne Lum, DVM, Port Gibson, Mississippi, Mississippi Board of Animal Health as the beef cattle breeder and producer, four year term effective immediately and ending July 31, 2024. **SN35**.

Lipscomb, Betsy Anne Lum, DVM, Port Gibson, Mississippi, Mississippi Board of Animal Health as the beef cattle breeder and producer representative, four year term effective immediately and ending January 18, 2024. **SN78**.

Franklin Keith Davis, DVM, Hattiesburg, Mississippi, Mississippi Board of Veterinary Medicine, five year term beginning July 1, 2021 and ending June 30, 2026, representing the Second Supreme Court. **SN43**.

Franklin Keith Davis, DVM, Hattiesburg, Mississippi, Mississippi Board of Veterinary Medicine, five year term beginning May 23, 2021 and ending May 22, 2026, representing the Second Supreme Court. **SN64**.

Stuart G. Denman, Jr., DVM, Charleston, Mississippi, Mississippi Board of Veterinary Medicine, term effective immediately and ending June 30, 2024, representing the Third Supreme Court District. **SN44**.

Stuart G. Denman, Jr., DVM, Charleston, Mississippi, Mississippi Board of Veterinary Medicine, term effective immediately and ending April 22, 2024, representing the Third Supreme Court District. **SN66**.

Thomas Kevin (Kevin) Smith, DVM, Carriere, Mississippi, Mississippi Board of Veterinary Medicine, term effective immediately and ending June 30, 2025, representing the Second Supreme Court District. **SN40**.

Thomas Kevin (Kevin) Smith, DVM, Carriere, Mississippi, Mississippi Board of Veterinary Medicine, term effective immediately and ending May 22, 2025, representing the Second Supreme Court District. **SN65**.

BUSINESS AND FINANCIAL INSTITUTIONS

Contractors; allow to do business in any municipality or county without local license under certain conditions. **SB2629**.

Contracts; authorize persons eighteen years of age or older to enter into for the purpose of investing in mutual funds. **HB429**.

Credit Availability Act:
Credit Availability Act; extend repealer on. **SB2628**.
MS Credit Availability Act, Title Pledge Act, and Check Cashers Act; extend or remove repealer on certain provisions of. **HB1075**.

Credit transaction:
Credit transaction; prohibit discrimination against an applicant. **SB2327**.
Credit transaction; prohibit discrimination against an applicant. **SB2642**.

Foreign Company Accountability Act; create. **SB2848**.

Home inspector:
Home inspector license; require applicants to undergo certain background checks. **HB352**.
Home inspector license; require applicants to undergo certain background checks. **SB2627**.

Homeowners' associations; regulate managing agents of and require financial reviews by. **HB953**.

Individual development accounts; authorize for certain low-income individuals. **SB2609**.

Libraries; authorize use of debit and credit cards. **HB488**.

MS Business Corporation Act; amend to allow corporations to hold annual or special shareholder meetings remotely. **SB2626**.

MS Credit Availability Act, Title Pledge Act, and Check Cashers Act; extend or remove repealer on certain provisions of. **HB1075**.

MS Real Estate Commission; require to establish pilot program using administrative hearing officers. **SB2624 (Vetoed)**.

Mississippi Employment Protection Act; revise penalties and authorize regulations for enforcement. **SB2315**.

Mississippi Small Business Recovery and Revitalization Program; establish under Mississippi Development Authority. SB2847.
 Occupational Board Compliance Act of 2017; bring forward provisions for purpose of possible amendment. SB2625.
 Occupational license; revise judicial review related to suspension of. SB2608.
 Practice of surveying; exclude certain activities from the definition of. SB2212.
 Public funds depositories; authorize certain credit unions to qualify as. SB2635.
 Retail sales; prohibit seller from refusing to accept cash as a form of payment for goods and services. SB2266.
 Revised LLC Act and MS Registered Agents Act; require listing of registered agent's email address. **SB2204**.
 State Board of Funeral Service; authorize to establish continuing education requirements for certain licensees. SB2335.
 The MS Registered Agents Act; revise to include "email address." HB1181.
 Mississippi Real Estate Commission:
 MS Real Estate Commission; require to establish pilot program using administrative hearing officers. **SB2624 (Vetoed)**.

Nominations:

Blackwell, Vicki Lynn Bryant, Southaven, Mississippi, Mississippi Real Estate Commission as the real estate broker, term effective February 16, 2021 and ending June 30, 2021, representing the First Congressional District, vice Alvin (Al) Gilles. **SN37**.
 Blackwell, Vicki Lynn Bryant, Southaven, Mississippi, Mississippi Real Estate Commission as the real estate broker, four year term beginning July 1, 2021 and ending June 30, 2025, representing the First Congressional District. **SN38**.
 Kelly, Rhoshunda G., Madison, Mississippi, Mississippi Department of Banking and Consumer Finance as the Commissioner of Banking and Consumer Finance, term effective immediately for the unexpired portion of a four year term expiring June 30, 2024. **SN80**.
 Wofford, Tracy Koby, MAI, AI-GRS, Ridgeland, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board to represent the state at large, four year term beginning January 1, 2022 and ending December 31, 2025. **SN46**.

CONSTITUTION

Civil rights; restore all to a person who has paid his or her debt to society. SB2255.
 Constitution; amend Section 273 to revise initiative signature requirements and limit initiatives to one proposal of law. SC501, SC525.
 Constitution; amend Section 241 to restore right to vote after discharge from prison. SC520.
 Constitution; amend to allow felons to vote upon meeting certain conditions. SC508.
 Constitution; amend to provide certain rights to victims throughout the criminal and juvenile justice systems. SC526.
 Create a system to restore voting rights for people who have served their sentence. SB2576.
 Expunction and reenfranchisement; revise procedure for requesting. SB2358.
 High school curriculum; require Bible be taught in ethics and history classes during month of April. SB2789.
 Restore the Right to Vote Act; create. SB2361.
 Suffrage; provide for restoration upon completion of sentence or placement on probation. SB2231, SB2359.
 United States Flag; prohibit burning. SB2012.
 Voter registration; applicants must submit documentation proving U.S. citizenship. SB2254.

CORRECTIONS

Child support; duty to pay suspended upon incarceration for a felony. SB2350.
 Commissioner of Corrections and community corrections; bring forward various sections relating to. **HB928**.
 Correctional facilities; revise penalty for bringing a controlled substance onto the property of. SB2597.
 Correctional system cost-per-day reviews; transfer responsibility from PEER to MDOC. SB2103.
 Corrections omnibus bill; enact. HB525.
 Corrections; create a Corrections Inspection Council to serve in advisory capacity to state officials. SB2139.
 Department of Corrections; authorize to provide for hospice care services to inmates with a terminal illness. HB1174.
 Department of Corrections; shall pay correctional facility employees for all accumulated comp time upon termination or death. SB2199.
 Department of Corrections; contract with the Multi-County Community Service Agency to provide workforce training. SB2273.
 "Dignity for Incarcerated Women Act"; create. **HB196**.
 Earned-release supervision; Parole Board to approve before offender is released on. SB2258.
 Expunction; allow after 20 years' good behavior with certain exceptions. SB2136.
 Inmate Welfare Fund; require DOC to expend unused portions of the fund on reentry purposes. HB466.
 Juvenile offenders; provide alternative sentencing and early-release options when convicted of certain crimes. SB2362.
 MDOC supervised release; prohibit incarceration for minor violations of and reduce maximum term for certain forms of. SB2380.
 Medical prison release program; revise authority of MDOC and Mississippi Parole Board. SB2229.
 Meritorious earned-time credits; revise application of in relation to parole eligibility date. SB2276.
 "Mississippi Correctional Safety and Rehabilitation Act of 2021"; enact. SB2876.
 Mississippi correctional system; establish Department of Reentry and Supervision and Office of Corrections Ombudsman. SB2280.
 "Mississippi Earned Parole Eligibility Act"; enact. **SB2795**.
 Nonadjudication; authorize completion of workforce training or similar training as an option for. HB557.
 Nonviolent habitual offender; revise sentencing. SB2131.
 Office of Department of Corrections Ombudsman; establish. SB2138.
 Parole Board; bring forward sections relating to powers and duties of. SB2104.
 Parole board; revise notification time frame given to offender's victim for offender release and remove certain prohibition. HB464.
 Parole of prisoners; revise list of offenses that cause ineligibility of offenders convicted between 1995-2014. SB2228.
 Parole; early release for nonviolent offenders with less than 3 years to serve for participation in drug court. SB2367.
 Parole; revise length of sentence to be served before offenders may request judicial recommendation of. SB2377.
 Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC. SB2574.
 Reentry for offenders; bring forward certain sections relating to. HB929.
 Required uniform designations for offenders; exempt offenders in Mississippi Statewide Incarcerated Veterans Program. HB188.
 Restitution centers; transition to pre-release centers. SB2134.
 State offenders in county jail; MDOC to pay increased rate to county to expedite removal of. SB2553.

State offenders; MDOC to reimburse counties for medical and legal fees of. SB2109.
 Supervised prison release programs; revise terms and conditions. SB2230.
 Work release program; authorize pilot program to authorize sheriff to assign offenders to while confined in jail. **HB747.**

Nominations:

Flowers, Nehemiah, Jr., Brandon, Mississippi, State Parole Board, term effective immediately to serve at the will and pleasure of the Governor. **SN86.**
 Jones, Betty Lou Stuart, Meridian, Mississippi, State Parole Board, term effective immediately to serve at the will and pleasure of the Governor. **SN85.**
 Pickett, Steven Wayne (Steve), Raymond, Mississippi, State Parole Board to serve as Chairman, term effective immediately to serve at the will and pleasure of the Governor. **SN87.**

COUNTY AFFAIRS

Board of Supervisors of Hancock County; revise salary of attorney hired to prosecute cases for county. **HB104.**
 Bonding requirement for county purchase clerk; increase. **HB357.**
 Cleaning private property; revise county procedures used to clean property adjudicated a menace to public health and safety. SB2099.
 Counties and municipalities; authorize to offer Medicare eligible employee benefits when employees secures Medicare under certain circumstances. HB493.
 Counties and municipalities; encourage to exchange information with military installations relating to land use and development. SB2731.
 Counties, municipalities and school districts; require to publish their annual budget online. SB2183.
 Counties; require to participate in the ACT Work Ready Community Initiative. SB2209.
 County jail dockets; require additional data for transparency purposes and require uniform recording of data. SB2208.
 County law library; authorize use of money for technological purposes. **SB2630.**
 Depositories; revise bid process for selection by counties and municipalities. **SB2024.**
 Garbage liens; provide same assessments as ad valorem taxes. SB2637.
 Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. HB219, SB2030.
 Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained and seek reimbursement. HB320, **SB2261.**
 Radar; authorize limited use of by sheriffs. SB2387.
 Service of tax sale notices; revise to allow service by a constable. **SB2643.**
 Solid waste landfills; prohibit new landfill in county where 2 or more exist, unless referendum held. **HB949.**
 State and Interstate highways; authorize Mississippi Transportation Commission and counties to contract for counties to maintain. HB328.

DRUG POLICY

Kratom; include in Schedule I of the Uniform Controlled Substance Act. SB2110.
 Marijuana; civil penalty for simple possession of small amount. SB2595.
 Opioid and other controlled substances epidemic; provide enhanced penalties. SB2122.
 Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription. HB479.
 Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription. **SB2119.**
 Uniform Controlled Substances Act; revise schedules. **HB1034.**
 Uniform Controlled Substances Act; revise schedules. SB2278.

ECONOMIC AND WORKFORCE DEVELOPMENT

Career and technical education; revise curriculum, instructor license requirements and certain assessments. HB1301.
 Department of Corrections; contract with the Multi-County Community Service Agency to provide workforce training. SB2273.
 Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. SB2523.
 Inclusionary zoning plans; authorize municipalities to adopt to attract economic development. SB2497.
 Mississippi Advantage Jobs Act; revise definition of "new direct job" for incentive applicants from and after July 1, 2010. SB2521.
 Mississippi Department of Employment Security; revise various provisions regarding authority of. HB536, **SB2124**.
 Mississippi Educational Talent Recruitment Act; create. HB1136.
 Mississippi Flexible Tax Incentive Act; create. SB2822.
 Nonadjudication; authorize completion of workforce training or similar training as an option for. HB557.
 Office of Workforce Development; exempt executive director from certain salary and compensation requirements. SB2296.
 "Partnerships for Growth" program grants; prescribe conditions for administration by the Mississippi Development Authority. SB2493.
 Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. SB2524.
 State Workforce Investment Board; revise membership of. HB849.
 Taxation; amend or repeal certain tax credits, exemptions and incentives. SB2967.
 Urban Renewal Law; revise definition of "urban renewal project." SB2496.

EDUCATION

16th Section lands; authorize local school boards to enter into public or private contracts for sale of forestry products grown on. HB556.
 2021 Mississippi Education Task Force; create to review state regulations and accountability system. SB2674.
 Abstinence-only or abstinence-plus education; extend repealer on. SB2791.
 Accreditation of schools; allow schools to employ up to 10% of nonlicensed teachers to teach in core areas. SB2668.
 Active shooter drills; prohibit telling students and teachers that drill is real. SB2687.
 Assistant teachers:
 Implement program to employ more assistant teachers in failing school districts. SB2657.
 Increase salaries for. SB2301.
 Provide "C," "D" and "F" districts with additional. SB2867.
 Require school districts to notify of nonreemployment. SB2042.
 Average daily attendance for MAEP purposes; shall include any student sick day. SB2306.
 Bonding requirement for school purchasing agents; increase. HB358.
 Career and technical education; revise curriculum, instructor license requirements and certain assessments. HB1301.
 Charter School Authorizer Board; reconstitute. SB2146.
 Charter schools; revise deadlines for certain reporting requirements and to allow certain teacher units to those in first year of operation. HB853.
 Civics Test; require passing score for high school graduates and high school equivalency diploma applicants. SB2038.
 Commission on School Accreditation; clarify membership composition. **HB504**.

Community schools; authorize implementation under the administration of a District Innovation. **HB302**, **SB2533**.

Community schools planning grant program; establish fund. **SB2069**.

Compulsory School Attendance Law; define "child with a disability" for purposes of creating exemption from unexcused absence. **SB2676**.

Computer science curriculum; require State Department of Education to implement in K-12 public schools. **SB2678**, **HB633**.

Construction management at risk method of project delivery; revise certain provisions related to. **HB1253**.

Corporal punishment; prohibit administration of in public and charter schools for disciplinary matters. **SB2688**.

County and public libraries; repeal certain provisions related to. **HB487**.

Critical Teacher Shortage Area License; create alternative license to be issued for educators who teach in designated areas. **SB2382**.

Department of Education:
 Implement dyslexia screenings and awareness programs. **SB2308**.
 Require central reporting system for federal data. **SB2680**.

Dyslexia Awareness Training Program; require teachers to complete two hours of training for. **SB2307**.

Dyslexia education; revise provisions for determining student eligibility for IEP or 504 Plan. **HB754**.

Early Learning Collaborative Act of 2013:
 Prescribe standards and benchmarks. **SB2664**.
 Revise funding and specify teaching standards. **HB1123**.
 Revise minimum funding levels. **SB2665**.

Economic and Academic Need Forgivable Loan Program; create. **SB2311**.

Education standards; replace Common Core with ELA Standards. **SB2226**.

Expand Mississippi Connectivity for Education Act; create. **SB2532**.

Failing school systems; Department of Education shall implement program to provide incentive to experienced teachers. **SB2660**.

Habitually disruptive students; require to be evaluated for disability under IDEA after disruptive behavior. **SB2677**.

High school graduation; end-of-course assessments required by federal law shall only be required. **SB2529**.

High-performing education systems design; establish task force. **SB2152**.

Kindergarten-age children; require compulsory school attendance for all. **SB2040**, **SB2314**.

Local school board members; prescribe salary scale based on school district student enrollment. **SB2039**.

MAEP; Department of Education required to hold harmless school district from calculating 2020-2021 average daily attendance. **SB2149**.

MHSAA; must allow member schools to participate against nonaccredited schools and schools with home-schooled students. **SB2144**, **SB2670**.

MS Critical Teacher Shortage Act of 1998; extend repealer on. **HB135**.

Mid-year budget reductions; exempt MAEP funds. **SB2681**.

Mississippi Adequate Education Program:
 Fully fund. **SB2658**, **SB2684**.
 State funding; dedicate at least 25% of any revenue growth. **SB2866**.

Mississippi Civic Literacy Act; enact. **SB2686**.

Mississippi Critical Teacher Shortage Act; extend repealer on. **SB2527**.

Mississippi Department of Employment Security; revise various provisions regarding authority of. **HB536**.

Mississippi Save Our Schools Program; create. **SB2669**.

Nationally certified licensed school employees; delete caps on nurses and speech pathologists and add athletic trainers for salary supplements. **HB1047**.

New educational programs; allow school districts to enter into agreements for vocational and other educational programs. **SB2534**.

Office of Early Childhood; establish and prescribe responsibilities. **SB2312**.

Our Children's Health Impacts Our Future Law; require notice of the importance of a medical and dental physical. SB2682.

Payroll date for school district employees; authorize semimonthly payroll in discretion of local school board. SB2298.

Public purchasing laws; exempt purchase of nonadopted and adopted textbooks by MDE for nonpublic schools. HB370.

Public schools; allow to offer online career track program. SB2794.

Requirements for standard high school diploma; discontinue subject area tests. SB2309.

Salary supplement; provide to experienced teachers willing to relocate and teach in an "F"-designated school. SB2685.

Saving American History in Mississippi Schools Act; prevent funds from being used to teach the 1619 Project. SB2538.

School accountability; provide that accreditation score from 2018-2019 shall be used unless school receives higher grade. SB2672.

School athletic trainers; provide annual salary supplement for those acquiring national certification. SB2297.

School attendance officer; require to attend training for understanding children with disabilities. SB2679.

School board members; increase pay. SB2299.

School boards; require policy that allows for corporal punishment opt in of students annually. SB2142.

School buildings; require new construction and certain renovations to include refillable water bottle stations. HB925, SB2148.

School curriculum; require that schools teach civics and government before completion of twelfth grade. SB2663.

School District System Design Partnership Program; create. SB2673.

School employee salary supplements; remove limitation on number of school nurses and language therapists eligible for. SB2384.

School enrollment; allow for children with documentation of a parent's pending military relocation to the state. SB2656.

School property; schools may withhold transcripts from students who fail to return textbooks or mobile devices. SB2150.

School Recognition Program:
Bring forward for possible amendment to salary supplements. SB2147.
Require board of education and department of education to implement rules. SB2302.

School Resource Officers; require uniform statewide training program. SB2304.

Schools:
Provide for mental health services providers and trauma informed training. SB2269.
Require carbon monoxide detectors in all. SB2300.

Sixteenth section forest products; allow school districts to enter into long-term timber agreements. SB2662.

State Workforce Investment Board; revise membership of. HB849.

T Initiative of 2021; create program that provides support to schools for virtual learning. SB2531.

Teacher assistant nonreemployment; provide that teacher assistants receive due process rights. SB2671.

Teacher licenses:
Allow reciprocity if teacher possesses valid license from other state. SB2153, **SB2267**.
Lower the requirement for nontraditional route teachers. SB2659.

Teacher pay; increase to southeastern average. SB2661.

Teachers:
Authorize licensure in individual subject areas. SB2667.
Revise licensure qualifications and requirements. SB2790.

Teachers and assistant teachers; provide incentive programs to experienced teachers. SB2530.

Teachers' and teacher's assistants' salaries; provide increase to minimum salary. **HB852.**

Teachers' salaries:

Provide for increase. SB2001.

Implement a four-year phase in to increase to the southeastern average. SB2041.

Increase and implement plan to fund at the southeastern average. SB2683.

Third-grade reading assessment for 2020-2021 school year; allow students who fail to be promoted to fourth grade with remediation. SB2675.

Tim Tebow Act:

Allow homeschooled students to participate in sports and provide funds to schools for their participation. SB2666.

Authorize interscholastic extracurricular activity participation of students enrolled in homeschools. SB2537.

Virtual public school; create pilot program for the creation of virtual public schools operated by school districts. SB2793.

William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; create. SB2305, **HB1179.**

Nominations:

Baker, Sr., Mark Charles, Brandon, Mississippi, Mississippi Charter School Authorizer Board, term effective immediately and ending June 30, 2023, representing the First Supreme Court District. SN51.

Baker, Sr., Mark Charles, Brandon, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired balance of the three year term ending August 31, 2023. **SN70.**

Bass, Angela Sade Wheeler, Ph.D., Jackson, Mississippi, State Board of Education, term effective immediately and ending June 30, 2025, representing the First Supreme Court District, vice Johnny Franklin. **SN21.**

Cook, Jean, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning June 2020 and ending June 2023. SN58.

Cook, Jean, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning immediately and ending August 31, 2021. **SN71.**

Cook, Jean, Clinton, Mississippi, Mississippi Charter School Authorizer Board, term beginning September 1, 2021 and ending August 31, 2024. **SN72.**

East, Glen Vernon, Gulfport, Mississippi, State Board of Education as the School Administrator, term effective immediately and ending June 30, 2023, vice Buddy Bailey. **SN20.**

Hinton, Jr., Donald Everett (Don), Hattiesburg, Mississippi, Mississippi Charter School Authorizer Board, term effective immediately and ending June 30, 2023, representing the Second Supreme Court District. SN50.

Hinton, Jr., Donald Everett (Don), Hattiesburg, Mississippi, Mississippi Charter School Authorizer Board to represent the Second Supreme Court District, unexpired balance of the three year term ending August 31, 2023. **SN69.**

Latino III, Russell (Russ), Madison, Mississippi, Mississippi Authority for Educational Television to represent the state at large, unexpired portion of a four year term beginning immediately and ending June 30, 2024. **SN75.**

McGehee, Dr. Ronnie Lynn, Madison, Mississippi, State Board of Education, term effective immediately and ending June 30, 2028. **SN7.**

Remak, Kimberly Kay, Olive Branch, Mississippi, Mississippi Charter School Authorizer Board, term effective December 8, 2020 and ending August 30, 2022. **SN6.**

Willis, Carolyn Renee Grice, Carrollton, Mississippi, Mississippi Charter School Authorizer Board to represent the Third Supreme Court District, unexpired balance of the three year term ending August 31, 2023. **SN83.**

ELECTIONS

Absentee ballot; require placement in unmarked envelope to ensure ballot secrecy. SB2385.

Absentee ballot; revise application form. SB2592.

Absentee ballots; authorize electronic in-person voting. SB2356.

Absentee ballots; authorize registrar to alphabetize and sort by precinct. SB2587.

Absentee voting; authorize every qualified elector. SB2563.

Absentee voting; authorize the registrar to notify voter of provisional rejection. SB2796.

Absentee voting; establish electronic application procedure for college students. SB2140.

Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. SB2014.

Agreement Among the States to Elect the President by National Popular Vote; create. SB2102.

Campaign finance reports; require those filed by all candidates to be available online. HB718.

Candidate entry fees; authorize parties to determine. SB2582.

Civil rights; restore all to a person who has paid his or her debt to society. SB2255.

Constitution; amend Section 241 to restore right to vote after discharge from prison. SC520.

Constitution; amend to allow felons to vote upon meeting certain conditions. SC508.

Create a system to restore voting rights for people who have served their sentence. SB2576.

Early voting; authorize up to 10 days prior to any election. SB2368.

Early voting; authorize up to 20 days before any election. SB2562.

Early voting; authorize up to 21 days before any election. SB2594.

Early voting; authorize. SB2570.

Election Commissioners; revise to be a nonpartisan office. SB2591.

Election results; prohibit the release of the number of votes cast for the Office of President of the United States. SB2549.

Electioneering; prohibit in any public area within a set distance of polling place. SB2593.

Elections; authorize online voter registration and preelection day voting. SB2571.

Elections; public official's qualification as candidate deemed resignation of current office. SB2257.

Expunction and reenfranchisement; revise procedure for requesting. SB2358.

Marking election ballots; delete option of using indelible pencil to mark ballots. SB2017.

Mississippi Election Reform Act of 2021; enact. SB2577.

Mississippi Recall Act of 2021; enact. SB2369.

Mississippi Student Absentee Voter Act; enact. SB2118.

Municipal annexation; require an election be held in the proposed annexation territory. SB2555.

Municipal executive committees; require county executive committee to appoint. SB2589.

Municipalities; authorize those of certain size to conduct special elections at one polling place. HB195, SB2318.

Nonpartisan elections; require for offices of chancery clerk, circuit clerk, tax assessor, tax collector, surveyor and coroner. SB2108.

Online voter registration; revise to allow for first-time voters to register through. SB2015.

Online voter registration; implement. SB2575, SB2600.

Political parties; require interim officers for registration purposes. SB2590.

Public Employees' Retirement System; county and municipal election commissioners shall be members of. SB2817.

Qualification deadline; change to February 1 for certain statewide, state district, county and county district offices. **HB1048**.
 Restore the Right to Vote Act; create. SB2361.
 Secretary of State Statewide Elections Management System; provide for voter's proof of citizenship. SB2016.
 Statewide Elections Management System; compare to certain identification databases to ensure non-U.S. citizens are not registered to vote. HB586.
 Statewide Elections Management System; remove electors who fail to respond to notice. SB2588.
 Suffrage; clarify person's right to register and vote following a disenfranchising conviction. SB2274.
 Suffrage; provide for restoration upon completion of sentence or placement on probation. SB2231.
 Suffrage; provide for restoration upon completion of sentence and other conditions. SB2359.
 Vote fraud; increase penalties. SB2128.
 Voter registration; applicants must submit documentation proving U.S. citizenship. SB2254.
 Voting equipment; require certification by the United States Election Assistance Commission. SB2113.
 Voting rights; restore to people who have been released from incarceration. SB2599.
 Voting; require printed record of each vote. SB2256.

ENERGY

All Fuels Act of 2021; establish. **HB632**.
 City of New Albany; authorize to lease fiber to internet service providers for provision of broadband service. SB3092.
 Emergency Telecommunications Services (911); extend repealer on. **HB74**, SB2650.
 Mississippi Broadband Accessibility Act; create. HB505.
 Mississippi Geologic Sequestration of Carbon Dioxide Act; Oil and Gas Board shall have jurisdiction to enforce provisions of. **SB2648**, HB1037.
 Mississippi Telephone Solicitation Act; extend repealer on provision requiring deposit of fees to State General Fund. SB2018.
 Motor fuel sales; provide immunity for damages caused by the use of incompatible fuel upon certain conditions. **SB2373**.
 Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. SB2329.
 Municipally owned waterworks; prohibit from charging higher rates to certain customers in another municipality. SB2210.
 Oil and gas; to extend repeal date on the use of the conservation fund to plug orphan or gas wells. SB2372.
 Political subdivisions; may not prohibit expansion, connection or reconnection of services based on source of energy. SB2878.
 Political subdivisions; prohibit ordinance that bans or restricts a person's ability to use a natural gas or electric public utility. SB2123.
 Public Service Commission; may contract with federal agencies for the collection of data and mapping of broadband availability. SB2559.
 Public contracts for energy efficiency; extend repeal date on use of. **SB2649**.
 Public contracts of energy efficiency services; extend repealer on authority and certain requirements for. HB162.
 Public utilities; authorize rate-regulated electric utilities to permit broadband provider use of the electric delivery system. **SB2798**, HB942.
 Rural water associations; owner of rental property shall not be liable for his tenant's unpaid water bill. SB2009.
 Transformative renewable energy projects; authorize boards of supervisors to designate as such for certain tax purposes. HB1063.

Nominations:

Emerson, Owen Bowdre (Hammer), Hernando, Mississippi, State Oil and Gas Board, six year term effective immediately and ending June 30, 2026, representing the Third Supreme Court District. **SN32**.
Emerson, Owen Bowdre (Hammer), Hernando, Mississippi, State Oil and Gas Board to represent the Third Supreme Court District, six year term effective immediately and ending May 7, 2026. **SN76**.

ENVIRONMENT PROT, CONS AND WATER RES

Department of Environmental Quality; may contract for environmental impact study on poultry houses. **SB2393**.
Solid waste; prohibit new solid waste facility if within 1 mile of an existing permitted facility, unless a referendum is held. **SB2491, SB2780**.

Nominations:

Chatham Hurst (Chat) Phillips, II, Yazoo City, Mississippi, Mississippi Commission on Environmental Quality to represent the state at large, seven year term effective immediately and ending June 30, 30, 2027. **SN36**.
Christopher Glenn (Chris) Wells, P.E., Pearl, Mississippi, Mississippi Department of Environmental Quality as the Executive Director, term effective October 20, 2020 and the appointee shall serve at the pleasure of the Governor. **SN13**.

FINANCE

ABC agents/inspectors; revise certain provisions regarding powers of. **HB512**.
Abandoned mobile homes; establish a procedure to dispose of. **HB955, SB2811**.
Ad valorem tax on inventory; phase in exemption for certain small businesses. **SB2046**.
Ad valorem tax; exempt one vehicle per teacher in shortage areas, and discount tax on one vehicle per teacher in other areas. **SB2518**.
Ad valorem tax; exempt property of certain not-for-profit corporations used to provide swimming lessons and training. **HB1420**.
Ad valorem tax; provide assessment ratio for transformative renewable energy project property designated by qualifying county. **SB2959**.
Ad valorem tax; revise certain provisions regarding the determination of true value of land used for agricultural purposes. **HB1137**.
Ad valorem tax; revise certain provisions regarding when an application for change of property assessment may be made. **HB425**.
Ad valorem taxation; allow county to exempt up to 50% of assessed value of renewable energy project property from. **SB2895**.
Ad valorem taxation; exempt property used for housing and providing services to victims of domestic violence and sexual assault. **SB2166**.
Ad valorem taxation; exempt 20% of the assessed value of one motor vehicle owned by a full-time public school classroom teacher. **SB2519**.
Ad valorem taxes; consider annexed business "new enterprise" for purposes of eligibility for certain municipal tax exemptions. **SB2203**.
Alcoholic Beverage Control laws; reform various provisions. **SB2819**.
Alcoholic Beverage Control Division; remove provision that agents and inspectors do not have general police powers. **SB2828**.
Alcoholic beverages; allow package retail sales on Sundays. **SB2173**.
Alcoholic beverages; authorize the sale of wine at grocery stores. **SB2433**.
Alcoholic beverages; authorize the direct shipment of wine. **SB2449**.
Alcoholic beverages; authorize issuance of retailer's permits to businesses deriving majority of revenue from tobacco sales. **SB2509**.

Alcoholic beverages; bring forward code sections for purpose of possible amendment. SB2852.

Alcoholic beverages; create delivery service permit. **HB1135**, SB2804.

Alcoholic beverages; create charter vessel operator's permit to authorize the sale by the holder of. SB2837.

Alcoholic beverages; delete requirement for immediate permit revocation for certain prohibited sales. **HB667**.

Alcoholic beverages; reduce privilege tax for package retailer's permits for locations in cities with a population of 5,000 or less. SB2466.

Alcoholic beverages; remove DOR from being wholesale distributor, authorize issuance of wholesaler's permits. HB997.

Alcoholic beverages; remove provision requiring DOR to immediately revoke permit for certain unlawful sales. SB2805.

Alcoholic beverages; remove election requirement for designation of area in Rankin County as a qualified resort area. **SB2872**.

Alcoholic beverages; restore provision restricting areas in which manufacture, sale and distribution are authorized. **SB2807**.

Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. **HB572**, HB877.

Alcoholic beverages; revise various provisions relating to distilleries. **SB2435**, HB638.

Amusement ride operating permit decal; revise period for issuance. **HB511**, SB2813.

Anesthesiologist assistants; direct licensure by the State Board of Medical Licensure. SB2744.

Board of supervisors; revise annual salary and allow cost-of-living adjustment. SB2826.

Bonds; authorize for West Jackson County Utility District construction of new water and sewer infrastructure at I-10 corridor. SB2442.

Bonds; authorize for street improvement in the City of Greenville. SB2056.

Bonds; authorize for various purposes. **SB2971**.

Bonds; authorize issuance for the Water Pollution Control Revolving Fund. HB1297.

Bonds; authorize issuance for IHL and community colleges capital improvements. HB1415.

Bonds; authorize issuance of general obligation bonds for repair and renovation of Triangle Cultural Center in Yazoo City. SB2049.

Bonds; authorize issuance for demolition and cleanup of dilapidated structures in downtown Rolling Fork. SB2050.

Bonds; authorize issuance of general obligation bonds for repair and renovation of Oakes African American Cultural Center. SB2051.

Bonds; authorize issuance of general obligation bonds for improvements to Rolling Fork Civic and Event Center. SB2052.

Bonds; authorize issuance of general obligation bonds for West Central Mississippi Incubator Grant Program. SB2053.

Bonds; authorize issuance to assist Perry County Board of Supervisors with costs of extension of natural gas line. SB2055.

Bonds; authorize issuance for Local System Bridge Replacement and Rehabilitation Fund. SB2057.

Bonds; authorize issuance for Phase II of construction of a new headquarters building for the Department of Public Safety. SB2216.

Bonds; authorize issuance to assist City of West Point in the remodeling, renovation and improvement of Northside School. SB2441.

Bonds; authorize issuance to assist West Jackson County Utility District pay costs of constructing water tank. SB2443.

Bonds; authorize issuance to assist in upgrades to Kansas City Southern Rail Line south of Meridian. SB2445.

Bonds; authorize issuance for repairs and storm shelter construction at Red Hills Community Center in Union County. SB2457.

Bonds; authorize issuance for property purchase and update to firehouse building for Richmond Volunteer Fire Department. SB2459.

Bonds; authorize issuance to assist City of Guntown in paying costs associated with sewer expansion. SB2460.

Bonds; authorize issuance for acquiring and renovating property to house Hinds CC Maritime Training Center in Vicksburg. SB2461.

Bonds; authorize issuance of to assist Marks, MS, in the construction of a building to house a community center and its city hall. SB2462.

Bonds; authorize issuance to assist in restoration and renovation of Scott Ford Midwife Houses in downtown Jackson. SB2472.

Bonds; authorize issuance to assist Lafayette County in paying costs of road projects. SB2473.

Bonds; authorize issuance to assist Noxubee County with construction of an emergency operations center. SB2510.

Bonds; authorize issuance to assist Choctaw County in paying costs of repairs to bridge on Fentress Panhandle Road. SB2690.

Bonds; authorize issuance to assist Lawrence County in paying the costs associated with road and bridge repairs. SB2693.

Bonds; authorize issuance to assist Town of Monticello in paying costs of various projects. SB2696.

Bonds; authorize issuance to assist Town of New Hebron in paying costs of various projects. SB2697.

Bonds; authorize issuance to assist Town of Wesson in paying the costs associated with road and bridge repairs. SB2698.

Bonds; authorize issuance for construction of a new Highway Safety Patrol Substation in Starkville. SB2699.

Bonds; authorize issuance to assist City of West Point in improvements and repairs to Marshall Park. SB2701.

Bonds; authorize issuance to assist Lincoln County in paying the costs associated with road and bridge repairs. SB2702.

Bonds; authorize issuance to assist Walthall County in paying the costs associated with road and bridge repairs. SB2703.

Bonds; authorize issuance to assist Town of Mathiston in paying costs of replacement of two sewer lift pumps and housing. SB2704.

Bonds; authorize issuance to assist Town of Mathiston in paying costs of repairs to and resurfacing of town streets. SB2705.

Bonds; authorize issuance to assist City of Starkville in paying costs of extension of Hospital Road and Stark Road. SB2706.

Bonds; authorize issuance to assist City of Starkville in paying costs of purchasing land for, and construction of, library. SB2707.

Bonds; authorize issuance to assist City of Richland in paying costs associated with construction of pedestrian bridge. SB2708.

Bonds; authorize issuance for improvements at Hawkins Field Airport in Jackson. SB2710.

Bonds; authorize issuance to assist Jackson Municipal Airport Authority with Aeroplex Development Project. SB2712.

Bonds; authorize issuance to provide funds to assist Hinds County in construction of the Byram-Clinton Parkway Project. SB2714.

Bonds; authorize issuance to assist City of Hattiesburg in paying costs of stormwater and wastewater infrastructure. SB2887.

Bonds; authorize issuance for repair and renovation of facilities for 3-D School for children with dyslexia. SB2888.

Bonds; authorize issuance to assist City of Brookhaven in paying costs of various projects. SB2889.

Bonds; authorize issuance to assist Webster County in paying costs of constructing new command center and jail facility. SB2890.

Bonds; authorize issuance to assist Choctaw County in paying costs associated with repairs to Chester-Tomnolen Road. SB2891.

Bonds; authorize issuance to assist Madison County in paying costs of construction and improvements on Bozeman Road. SB2892.

Bonds; authorize issuance to assist City of Water Valley in paying costs of sand trap installation to protect sewage lagoon. SB2893.

Bonds; authorize issuance to assist City of Water Valley in paying costs of replacement of sewage lines. SB2894.

Bonds; authorize issuance to assist in paying costs associated with Commerce Park Connector in Madison County. SB2896.

Bonds; authorize issuance to assist City of Forest in paying costs of paving in courthouse square and sidewalk ADA compliance. SB2897.

Bonds; authorize issuance to assist City of Pearl with construction of a bridge. SB2899.

Bonds; authorize issuance to assist Oktibbeha County in paying costs of road improvements. SB2900.

Bonds; authorize issuance to assist Pontotoc County with improvements to chancery court building and youth court facility. SB2901.

Bonds; authorize issuance to assist Pontotoc County with repair and renovation of the W.A. Grist Building. SB2902.

Bonds; authorize issuance to assist Town of Sumrall pay costs of Phase II of Sumrall Sportsplex. SB2903.

Bonds; authorize issuance to assist City of Purvis in paying costs of replacement of traffic signal system. SB2961.

Bonds; authorize issuance to assist City of Purvis in paying costs of construction of new city hall. SB2962.

Bonds; authorize issuance to assist Tunica County in paying costs of repair and renovation of historic county courthouse. SB2964.

Bonds; authorize issuance to assist Tunica County in paying costs of improvements to local roads used by casino customers. SB2965.

Bonds; authorize issuance to assist Lawrence County in paying the costs of pavement maintenance for the N.A. Sandifer Highway. SB2966.

Bonds; authorize issuance of general obligation bonds for the Ayers Restoration Fund. SB2968.

Bonds; authorize issuance to assist Town of Leakesville construct walking trail and fishing pier and renovate bridge. SB2969.

Bonds; authorize issuance of \$20 million for interest-free loans to independent colleges in the state. SB2970.

Bonds; authorize issuance for various Mississippi Development Authority programs. SB2972.

Bonds; authorize issuance for Regulatory Sandbox Incentive Fund for Energy Tech Innovation. SB2975, SB2976.

Bonds; authorize issuance to assist City of Natchez pay costs of Concord Avenue Drainage Improvement Project. SB2979.

Bonds; authorize issuance to assist the Tibbee Development Club pay costs of community center building improvements. SB2980.

Bonds; authorize issuance to assist City of West Point in paying costs of paving city roads. SB2981.

Bonds; authorize issuance to assist Clay County in paying costs of road improvements in Supervisor District 5. SB2982.

Bonds; authorize issuance to assist Clay County in paying costs of road improvements in Supervisor District 2. SB2983.

Bonds; authorize issuance to assist City of Columbus in paying costs of phase 3 of the amphitheater project. SB2984.

Bonds; authorize issuance to assist City of Columbus in paying costs of Propst Park Baseball Field renovations. SB2985.

Bonds; authorize issuance to assist City of Columbus in paying costs of Fifth Street improvements. SB2986.

Bonds; authorize issuance to assist City of Columbus in paying costs of Bluecutt Road Widening Project. SB2987.

Bonds; authorize issuance to assist City of Winona pay costs of construction and placement of historic clock tower. SB2988.

Bonds; authorize issuance to assist City of Canton in paying costs of improvements to water and sewer systems. SB3001.

Bonds; authorize issuance to assist City of Canton in paying costs of construction of governmental complex. SB3002.

Bonds; authorize issuance for improvements at Alcorn State University, Jackson State University and MS Valley State University. SB3018.

Bonds; authorize issuance to assist the City of Durant in paying the costs of improvements to city roads. SB3020.

Bonds; authorize issuance to assist Attala County in paying costs of road improvements in Supervisor District 4. SB3022.

Bonds; authorize issuance to assist Attala County in paying costs of road improvements in Supervisor District 2. SB3023.

Bonds; authorize issuance to assist the Town of Tchula in paying the costs of improvements to town roads. SB3024.

Bonds; authorize issuance to assist Holmes County in paying costs of road improvements for community of Ebenezer. SB3025.

Bonds; authorize issuance to assist Holmes County in paying costs of fire truck purchase for community of Ebenezer. SB3026.

Bonds; authorize issuance to assist City of Carthage in paying costs of city street repairs. SB3028.

Bonds; authorize issuance to assist City of Canton in paying costs of park improvements. SB3030.

Bonds; authorize issuance to assist City of Canton in paying costs of city street repairs. SB3031.

Bonds; authorize issuance to assist City of Magnolia in paying costs of repair and renovation of community center. SB3034.

Bonds; authorize issuance to assist Pontotoc County in paying costs of repair and renovation of county courthouse. SB3035.

Bonds; authorize issuance to assist Clay, Lowndes and Oktibbeha Counties with certain road projects. SB3037.

Bonds; authorize issuance to assist Houston School District to pay costs of construction completion for girls' softball facility. SB3038.

Bonds; authorize issuance to assist Town of Bruce in paying costs associated with street repair and paving. SB3041.

Bonds; authorize issuance to assist Town of Bruce in paying costs of repairing and expanding its sewage system and lagoon. SB3042.

Bonds; authorize issuance to assist Calhoun County pay costs of replacing two vehicles for sheriff's department. SB3043.

Bonds; authorize issuance to assist Town of Woodland in paying costs of repairs to town medical clinic. SB3044.

Bonds; authorize issuance to assist Town of Calhoun City in paying costs associated with street repair and paving. SB3045.

Bonds; authorize issuance to assist Town of Vardaman in paying costs associated with street repair and paving. SB3046.

Bonds; authorize issuance to assist City of Houston in paying costs of various projects. SB3047.

Bonds; authorize issuance to assist Chickasaw County in paying costs of repair and renovation of Houston courthouse. SB3048.

Bonds; authorize issuance to assist Union County in paying costs of repair and renovation of New Albany courthouse. SB3050.

Bonds; authorize issuance to assist City of Quitman with Quitman Village project. SB3051.

Bonds; authorize issuance to assist Town of Leakesville in paying costs of construction of new sidewalks. SB3052.

Bonds; authorize issuance for Mississippi Ports Improvement Fund. SB3053.

Bonds; authorize issuance to assist City of Greenville in paying costs of improvements to its water and sewer systems. SB3056.

Bonds; authorize issuance to assist City of Greenville in paying costs of improvements on the downtown green space. SB3057.

Bonds; authorize issuance to assist Town of Metcalfe in paying costs of improvements to its water and sewer systems. SB3058.

Bonds; authorize issuance to assist Town of Metcalfe in paying costs of repair and renovation of town park. SB3059.

Bonds; authorize issuance to assist City of Greenville in paying costs of repair and renovation of city parks. SB3060.

Bonds; authorize issuance to assist City of Leland in paying costs of repair and renovation of city park. SB3061.

Bonds; authorize issuance to assist City of Rosedale in paying costs of repair and renovation of city park. SB3062.

Bonds; authorize issuance to assist South Pike School District in paying costs of repair and renovation of buildings. SB3073.

Bonds; authorize issuance for the E.E. Bass Cultural Arts Center. SB2178.

Bonds; authorize the issuance of state general obligation bonds to construct the Mississippi River Museum in Greenville. SB2179.

Bonds; authorize the issuance of general obligation bonds to assist Noxubee County in HVAC improvements and E-911 upgrades. SB2700.

Bonds; authorize to assist Marshall County in improving Barringer Road for Chickasaw Trail Industrial Park access. SB2044.

Bonds; authorize to assist Marshall County in building emergency response center to serve Chickasaw Trail Industrial Park. SB2045.

Bonds; authorize to assist Serenity on the Bayou in Anguilla renovate and equip building for Emmanuel Community Center. SB2054.

Bonds; authorize to assist Sunflower County Ministerial Alliance Counseling Services in constructing transitional shelter. SB2176.

Bonds; authorize to assist Greenwood Cemetery Association in Jackson with preservation of cemetery grounds and monuments. SB2218.

Bonds; authorize to assist Sand Creek Wastewater Authority in building regional wastewater facility in Northeast Mississippi. SB2458.

Bonds; authorize to assist Marks, MS, in construction of building for emergency shelter, community center and city hall. SB2463.

Bonds; authorize to assist Hinds County in paying costs associated with the Hinds Parkway Road project. SB2711.

Bonds; authorize to assist Hinds County with construction of a mental & behavioral health court/collaborative facility. SB2713.

Bonds; authorize to assist Philadelphia Utilities pay costs of maintenance and repairs to levee system for treatment plant. SB2898.

Bonds; authorize to assist Pascagoula Redevelopment Authority attain qualified workforce through economic development. SB3049.

Bonds; create a rural counties and municipalities emergency infrastructure loan program and authorize issuance of bonds. SB2169.

Bonds; increase amount that may be issued for the Local Governments and Rural Water Systems Improvements Revolving Loan Fund. HB1351.

Bonds; increase amount to improve capacity and safety of intersection of MS Highway 7 and University Avenue in Oxford. SB2691.

Bonds; increase authorized amount for improvements to facilities to house Concourse Workforce Training Center. SB2453.

Bonds; increase authorized issuance to assist in paying costs of restoration of historic Tougaloo College Freedom Riders site. SB3021.

Bonds; increase authorized amount to General Missionary Baptist Convention to complete Natchez Seminary renovations. SB3027.

Bonds; increase authorized amount to assist City of Carthage in paying costs of coliseum renovations. SB3029.

Bonds; increased authorized amount to assist Adams County in paying costs of completion of Belwood Levee construction. SB2963.

Bonds; issue for the construction of career tech buildings at the Greenville Higher Education Center. SB2177.

Bonds; repurpose bonds authorized in 2020 for Town of Wesson Old School Visitor Center. SB2694.

Bonds; revise purposes for which bonds authorized for Town of Wesson may be used. HB762.

Capitol Complex Improvement District; increase DFA's borrowing authority and divert use tax revenue for. SB2167.

Certificate of title; allow application without usual documents for vehicles at least 30 years old on oath of ownership. **SB2850**.

Charitable solicitation; revise reporting period. SB2427.

Childcare Advance Act; provide income tax deferral for parents incurring childcare expenses. SB2439.

Children's Promise Act; expand definition of "qualifying foster care charitable organization" to include CASA programs. SB2864.

Citizens for Economic Development Act; create. SB2506.

City of Forest; authorize a tax on hotels/motels and restaurants to promote tourism, parks and recreation. **HB1504**.

City of Greenville; authorize the issuance of general obligation bonds for improvements to certain city streets. SB2180.

City of Meridian; authorize occupancy assessment for the benefit of the Meridian-Lauderdale Sports Commission and complex. SB3085.

Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge. **SB2293**.

Community or junior colleges; authorize to administer construction contracts of \$1,000,000.00 or less, and exempt certain oversight. **HB82**.

Construction; revise contractor's tax regarding certain, require permits in counties/municipalities with construction codes. HB1142.

Cottage food operation; increase maximum annual gross sales and authorize to advertise over the internet. SB2781.

Counties; require to participate in the ACT Work Ready Community Initiative. SB2209.

Critical Teacher Shortage Area License; create alternative license to be issued for educators who teach in designated areas. SB2382.

Department of Revenue License Tag Acquisition Fund; revise certain provisions regarding. **HB1284**, SB2829.

Department of Revenue; allow retiring law enforcement officer of to retain issued sidearm. **HB508**, SB2728.

Department of Revenue; allow department appraisers to receive certain pay increases upon completing certain training. **HB516**.

Department of Revenue; authorize to compromise and settle certain tax liabilities. **HB1095**.

Department of Revenue; authorize to create wholesale to retail accountability program. HB518.

Department of Revenue; bring forward code sections relating to ABC Division and authority to contract for services. SB2806.

Distinctive motor vehicle license tag; authorize for supporters of various organizations. **HB374**, SB2437, SB2821.

Driver's license fees; waive for applicants in MDCPS custody. SB2654.

Dual-phase design-build method of construction contracting; revise certain provisions of. **HB1197**.

Electric and hybrid motor vehicle taxes; exclude vehicles incapable of exceeding 35 miles per hour. SB2476.

Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. SB2523.

Fueling Station Tax Credit Act; create. SB2977.

Gaming; authorize aboard cruise vessels on the Pearl River within a city with a population of 150,000 or more. SB2395.

Garbage liens; provide same assessments as ad valorem taxes. SB2637.

General Funds; FY2022 appropriation to Washington County for street repairs in Supervisor District 1. SB3055.

Highway privilege tax; add a gross vehicle weight category for carriers of property with additional tax. **HB628**.

Historic property income tax credit; revise certain provisions regarding. **HB1296**, SB2831.

Income and franchise tax; exempt small business applicants not receiving PPP loans for 2020 and 2021. SB3019.

Income tax and insurance premium tax; authorize credit for costs of qualified alternative-fuel fueling stations. HB1441.

Income tax credit; authorize for taxpayers employing persons who have been convicted of certain nonviolent crimes. SB2446.

Income tax; adjust rates for natural persons. SB2960.

Income tax; allow deduction for Back to Business Mississippi Grant Program eligible expenses. **HB1446**.

Income tax; allow tax credit for investments in qualified clean-burning motor vehicle fuel property. SB2695, SB2717.

Income tax; authorize credit for certain railroad reconstruction/replacement expenditures. HB1322.

Income tax; authorize credit for expenditures for participation of a child in a private education program. SB2064.

Income tax; authorize credit for costs of building storm shelters or safe rooms for multifamily residential construction. SB2181.

Income tax; authorize credits for donations to Habitat for Humanity Mississippi Capital Area. SB2515.

Income tax; authorize credit for certain railroad reconstruction/replacement expenditures. SB2978.

Income tax; revise deduction for depreciation regarding certain aircraft and equipment. **HB1356**.

Income, sales and use taxes; remove requirement that certain taxpayers pay June tax liability on or before June 25. **HB1139**.

Individual bond; require for public officers and employees handling or having the custody of public funds. **HB136**.

Individual development accounts; authorize for certain low-income individuals. SB2609, SB2855.

Land banks; authorize counties and municipalities to create to convert certain property to productive use. SB2857.

Lee County; authorize 3/4% sales tax and bond issuance for a specific project by county board. SB3091.

Legislature; allow PERS retirees to receive retirement allowance while serving as a member of. SB2505.

Light wine, beer and light spirit product; revise number of qualified electors required to petition for election to prohibit or authorize. **HB945**.

Light wine, light spirit product and beer; authorize microbreweries and revise various sections of law. **HB1091**.

Local option taxes; require renewal to be placed on ballot, instead of being subject to approval only by the Legislature. SB2844.

Manufactured or mobile homes; bring forward provisions relating to the registration of. SB2835.

Mississippi Advantage Jobs Act; revise definition of "new direct job" for incentive applicants from and after July 1, 2010. **SB2521**.

Mississippi Development Authority; allow businesses located on tribal lands to be eligible for certain discretionary programs. **HB1230**, SB2507.

Mississippi Development Authority; bring forward various sections of law relating to. HB202.

Mississippi Educational Talent Recruitment Act; create. HB1136.

Mississippi Flexible Tax Incentive Act; create. HB1416, SB2822.

Mississippi Home Corporation; extend reverter on authority to issue a certain amount of bonds. **HB500**, SB2477.

Mississippi Home Corporation Down-Payment Assistance Program for university graduates who remain in Mississippi; establish. SB2498.

Mississippi Medical Cannabis Act; create. SB2765, SB2767.

Mississippi Medical Marijuana Program; create and provide fines, administration requirements, and fees related to the program. SB2764.

Mississippi Mobile Sports Pool and Race Book Wagering Act; create. SB2732.

Mississippi Motor Vehicle Commission Law; revise regarding warranty reimbursement. **HB746**.

Mississippi Native Spirit Law; create. **SB2606**.

Mississippi Public Employees' Retirement System; bring forward provisions relating to. SB2726.

Mississippi Small Business Recovery and Revitalization Program; establish under Mississippi Development Authority. SB2847.

Mississippi Tax Freedom Act of 2021; create. HB1439.

Mississippi Workforce and Senior Affordable Housing Act; prescribe state tax credit for qualified projects. SB2871.

Motor Vehicle Commission Law; provide obligations of manufacturers, distributors & dealers regarding rates for parts and labor. SB2833.

Motor vehicle ad valorem taxes; assess based on actual purchase price of vehicle. SB2845.

Motor vehicle certificate of title; limit period for which Department of Revenue must retain. **HB510**.

Motor vehicle license tags; remove requirement for apportioned vehicles to have decal with expiration month/year on tag. **HB519**.

Motor vehicles; do not require power of attorney for issuance of new certificate of title for out-of-state purchases. SB2611.

Motor vehicles; limit period for DOR's retention of certificates of title to 15 years. SB2812.

Motor vehicles; remove requirement for apportioned vehicles to have decal with expiration month and year on license tag. SB2815.

Motorcycle/ATV Trauma Care Fee; exclude sales of motorcycles and ATVs to out-of-state residents. SB2444.

Municipal ad valorem taxes; exempt real property and motor vehicles in an annexed area for 12 months after annexation. SB2503.

Net lottery proceeds; allocate to counties and municipalities for road and bridge repairs, instead of to State Highway Fund. SB2877.

New Markets Tax Credit; extend MDA's ability to allocate by one year. SB2830.

One percent sales tax; extend repealer 20 years for municipalities with population of 150,000 or more. SB2861.

Peer-to-Peer Car Sharing Program Act; create. SB2853.

Practice of medicine; revise definitions, licensure procedures and disciplinary procedures under the Medical Practice Act. SB2729.

Public Employees' Retirement System Protection Act of 2021; create. SB2344.

Public Employees' Retirement System; county and municipal election commissioners shall be members of. SB2817.

Public Employees' Retirement System; reduce vesting period for retirement benefits from eight years to four years. SB2428.

Public construction; revise authority to use design-build method of construction contracting. SB2841.

Public officials and employees; allow Department of Revenue appraisers to receive same pay increases as county tax assessors. **SB2816**.

Qualified Affordable Elderly Mississippi Housing Project tax credit; establish and prescribe criteria. SB2494.

Qualified equity investment tax credits; extend authority of Mississippi Development Authority to allocate. **HB499**.

Qualified resort areas; include certain municipalities. SB2868.

Radar; authorize limited use of by sheriffs. SB2387.
Recreational marijuana; legalize and tax 7% of gross proceeds from retail sales. SB2768.
Residential and commercial contractors; require sales tax permit from Department of Revenue for pulling building permit. **SB2874**.
Residential roofers; require licensing, and exclude labor from "installation charges" for sales tax purposes. SB2431.
Retailer Tax Fairness Act; create. HB1076, SB2856.
Retirement; persons convicted of certain felonies shall forfeit benefits from PERS, SLRP and MHSPRS. SB2475.
SMART Business Act; create SMART Business Accelerate Initiative and distinguish from SMART Business Rebate. **SB2839**.
Sales tax; create diversion to counties. SB2186.
Sales tax; exempt certain transfers of motor vehicles involving partnerships, limited liability companies and corporations. HB311, SB2063.
Sales tax; exempt sales of tangible personal property or services to DeafBlind Community of Mississippi, Inc. HB514, SB2455.
Sales tax; exempt sales of groceries. SB2185.
Sales tax; exempt sales of poultry products to tax-exempt charities operating food banks, food pantries or food lines. SB2198.
Sales tax; exempt sales of feminine hygiene products, contraceptive products, baby formula and diapers. SB2709.
Sales tax; exempt sales of tangible personal property or services to Habitat for Humanity Mississippi Capital Area. SB2723.
Sales tax; exempt sales of groceries. SB2873.
Sales tax; exempt sales to Head Start programs. SB2468.
Sales taxation; exempt sales to certain community action agencies exempted from federal income taxation. SB2467.
Stay on Track Education Fund; create. SB3054.
Tax Payer Pay Raise Act; remove phase-out of income & franchise tax & remove deduction of federal employment tax. SB2168.
Tax amnesty; establish a program for tax liabilities that accrued after January 1, 2005, and before December 31, 2019. SB2716.
Tax credit; include contributions to charitable organizations spending on education services for children. SB2432.
Tax forfeited lands; revise statute of limitations, notice, price and fees. SB2851.
Tax; phase out June 25 deadline for taxpayers with average liability of at least \$50,000 to remit 75% of June liability. SB2843.
Taxation; amend or repeal certain tax credits, exemptions and incentives. SB2967.
Taxpayer Pay Raise Act; remove phase-out of income & franchise tax, and remove deduction of federal employment tax. SB2438.
Tobacco tax; define tobacco products to include electronic smoking devices for purposes of 15% excise tax. SB2182.
Tourism project sales tax incentive program; include certain hotel projects in. SB2720.
Town of Mize; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1465**.
Transformative renewable energy projects; authorize boards of supervisors to designate as such for certain tax purposes. HB1063.
Tunica County; allow board to designate transformative renewable energy project at set ad valorem assessment ratio. SB3033.
Tunica County; authorize occupancy assessment for the benefit of the Convention Center Complex. SB3078.
Unemployment compensation; allow withholding of state income tax. **HB509**, SB2814.
Unfair Cigarette Sales Law; increase the presumptions of the cost of doing business and cartage cost by a wholesale dealer. SB2860.
Upholstered household furniture manufacturing job tax credit; extend repealer from 2022 to 2026. **SB2832**.

Use tax; revise certain provisions regarding funds distributed to municipalities/counties for road improvements. **HB520.**

Veteran Driver's License Designation; allow proof of military service in person. **SB2294.**

Water authorities; allow board members to opt into the Public Employees' Retirement System pursuant to agreement with PERS. **SB2870.**

West Central Mississippi Incubator Grant Program; establish with county governments, DFA and local development districts. **SB2200.**

Wholesale to Retail Accountability Program ("WRAP"); establish. **SB2836.**

Nominations:

Arrington, Derek Royce, Hattiesburg, Mississippi, State Bond Attorney, term effective immediately and is concurrent with the Governor's term of office. **SN22.**

Boerner, Michael Warren, Jackson, Mississippi, Mississippi Business Finance Corporation, term effective December 17, 2020 and ending March 31, 2026. **SN10.**

Buys, Mark Talbot, Sr., Vicksburg, Mississippi, Mississippi Business Finance Corporation, term effective immediately and ending March 31, 2026. **SN15.**

Chamblee, Philip Alan, Madison, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective immediately and ending December 31, 2025. **SN49.**

Delcomyn, Carl Eugene (Gene), Brandon, Mississippi, Mississippi Home Corporation, six year term effective immediately and ending April 23, 2026, representing the First Supreme Court District. **SN52.**

Morehead, Dr. William Alonzo (Billy), Madison, Mississippi, Public Procurement Review Board, four year term effective immediately and ending June 30, 2024. **SN19.**

Mullins, Larry, Starkville, Mississippi, Mississippi Home Corporation as a resident of the Third Supreme Court District, term effective January 11, 2021 and ending June 30, 2026. **SN90.**

Poindexter, William Green (Will Green), III, Inverness, Mississippi, State Tax Appeals Board as an associate member, six year term effective immediately and ending June 30, 2026. **SN30.**

Rounsaville, John Walter, Madison, Mississippi, Mississippi Development Authority as the Executive Director, term effective immediately and the appointee shall serve at the pleasure of the Governor. **SN31.**

Russell, David Banister, Flora, Mississippi, Public Procurement Review Board, term effective immediately and ending June 30, 2024. **SN1.**

Stedman, Sue, Natchez, Mississippi, Mississippi Home Corporation as a resident of the Second Supreme Court District, term effective December 29, 2020 and ending June 30, 2024. **SN91.**

Townsend, Hue, Jr., Belzoni, Mississippi, Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 29, 2020 and ending June 30, 2022. **SN89.**

FORESTRY

Nominations:

Greenhaw, Dayton Allen, Columbus, Mississippi, Mississippi Forestry Commission to represent the First Congressional District, term effective immediately for the unexpired portion of a six year term ending June 30, 2024. **SN82.**

Hall, David Bradley, Meridian, Mississippi, State Board of Registration for Foresters to represent the South Central Forestry Commission District, unexpired balance of the five year term ending June 30, 2025. **SN92.**

Hopper, George Martin, Ph.D., Starkville, Mississippi, Mississippi Forestry Commission to represent the state at large, term effective immediately for

the unexpired portion of a six year term ending March 19, 2023, vice Sen. Giles Ward. **SN81**.

GAMING

Gaming; authorize aboard cruise vessels on the Pearl River within a city with a population of 150,000 or more. SB2395.

Mississippi Mobile Sports Pool and Race Book Wagering Act; create. SB2732.

Online betting, gaming and wagering; legalize under certain conditions. SB2396.

Public Employees' Retirement System Protection Act of 2021; create. SB2344.

Nominations:

Lee, Francis Clark (Franc), Flowood, Mississippi, Mississippi Gaming Commission, term effective immediately and ends September 30, 2024. **SN33**.

HIGHWAYS AND TRANSPORTATION

Bridges and culverts; revise provisions relating to design of. SB2778.

Driver's license requirements; exempt military members, spouses and dependent children under certain conditions. **SB2785**.

Driver's license; exempt active duty military, spouse and dependent children if they have valid license from their home state. HB1036.

Golf carts and low-speed vehicles; authorize municipalities to allow operation on municipal streets. SB2284.

Highway privilege tax; add a gross vehicle weight category for carriers of property with additional tax. **HB628**.

Highway sign; authorize erection of on MS Hwy 25 near Pisgah exit to honor Olympic Gold Medalist Tori Bowie. HB940.

Highways:

Include Old State Highways 6 and 9 in Pontotoc County in the state highway system. SB2078.

Include certain entrances and exits to and from Interstate 55 in the state highway system. SB2490.

Require Transportation Commission to include criteria use in changing priority of new capacity project in its minutes. SB2779.

Require four-laning of portions of Highway 6 in Coahoma, Panola and Quitman Counties. SB2286.

Local System Bridge Replacement & Rehabilitation Fund; revise allocation formula. **HB576**.

Memorial highway:

Designate a segment of United States Highway 61 in Jefferson County as the "Highway Patrol Lieutenant Troy Morris Memorial Highway." **HB872**.

Designate a segment of United States Highway 82 in Webster County as "Corporal William Justin Cooper Memorial Highway." **HB887**.

Designate segment in Marshall County, Mississippi as the "Representative Tommy Woods Memorial Highway." **HB995**.

Designate various segments. **HB424, SB2481**.

Motor carrier regulation; update and streamline. HB579, SB2777.

Motor carrier safety improvements; prohibit consideration of use in evaluation of employment status. SB2478.

Outdoor advertisement signs; revise the height requirements for. SB2489.

Peer-to-Peer Car Sharing Program Act; create. SB2853.

Radar speed detection; revise provisions concerning use by Highway Patrol and municipal law enforcement in certain cities. **SB2788**.

State identification card; require commissioner of DPS to establish one that does not require proof of domicile. HB740.
Transportation; revise provisions relating to motor carrier enforcement, harvest permits, and funding. **SB2825**.

Nominations:

Clark, Larry Wayne, Amory, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as chairman, term effective immediately and runs concurrently with the Governor's term of office. **SN53**.
Grubbs, Gary Mack, Hattiesburg, Mississippi, Mississippi Motor Vehicle Commission to represent the state at large as vice chairman, term effective immediately and runs concurrently with Governor's term of office. **SN45**.
Hanna, Russell, Louisville, Mississippi, Appeals Board of the Mississippi Transportation Commission, term beginning immediately upon confirmation by the Senate and ending June 30, 2023. **SN79**.
McGrath, Margaret Melinda L., Clinton, Mississippi, Executive Director of the Mississippi Department of Transportation, term set to expire April 1, 2025. **SN42**.
Moore, Phillip W. (Phil), Ridgeland, Mississippi, Mississippi Motor Vehicle Commission to represent the Third Congressional District, term effective immediately and ending June 30, 2027. **SN57**.
Van Devender, William Jarvis, Jr., Jackson, Mississippi, Appeals Board of the Mississippi Transportation Commission, term effective December 29, 2020 and ending June 30, 2021. **SN16**.
Wansley, David Steen, Sr., Vicksburg, Mississippi, Appeals Board of the Mississippi Transportation Commission, four-year term effective immediately and ending June 30, 2024. **SN11**.

HOUSING

Domestic violence shelters; revise eligibility for funds. SB2389.
Medicaid Access and Opportunity Act of 2021; enact. SB2037.
Mississippi Affordable Housing Opportunity Fund; establish and authorize Mississippi Home Corporation to administer. SB2495.
Mississippi Fair Housing Act; enact. SB2354.
Mississippi Workforce and Senior Affordable Housing Act; prescribe state tax credit for qualified projects. SB2871.
Services to individuals who are homeless or at risk of experiencing homelessness; DHS pilot project. SB2411.

INSURANCE

Comprehensive Hurricane Damage Mitigation Program; extend repealer on development and implementation of program. HB327, **SB2332**.
Health insurance:
Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs. SB2023.
Health insurance policies; prohibit step therapy requirements for certain prescription drugs to treat stage-four cancer. SB2322.
Health insurance policies; require coverage for hearing aids and services for children under 21. SB2338.
Health insurance policies; require coverage for hearing aids and services for deaf and hearing impaired. SB2655.
Health insurance; Commissioner of Insurance must approve rate filings containing an increase in premiums. SB2331.
Health insurance; require certain policies to provide coverage for physician-prescribed hypofractionated proton beam therapy. SB2082.

Health insurance; revise mandated coverage for telemedicine services. SB2631, SB2772.

Healthcare Contracting Simplification Act; create. SB2775.

MS First Responders Health and Safety Act; delay effective date of. **SB2336.**

Mississippi Health Care Cost Transparency Act; enact. SB2323.

Mississippi Professional Employer Organization Recognition and Registration Act; create. SB2773.

Motor vehicle insurance; extend repealer on Public Safety Verification and Enforcement Act. **SB2623.**

Nonadmitted insurer policy fee; divert certain amount to fund fire trucks and fire apparatus/protection grants. SB2602.

Professional employer organizations; provide for registration and regulation by the Insurance Department. HB331.

Salvage or abandoned vehicles; authorize disposition by auction firms on behalf of insurers. **SB2603.**

State Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. SB2026.

Surplus Lines Association; transfer fees collected by the association upon written request by certain officials. SB2337.

Telemedicine:

Health insurance; revise mandated coverage for telemedicine services. SB2631, SB2772.

Telemedicine; revise definition for provisions of law regarding coverage for telemedicine services. HB1205.

Travel Insurance Act of 2021; create. SB2025, SB2645.

Unemployment compensation claims; change experience rating requirement and require claimant integrity data checks. SB2619.

Uninsured Motorist Act; allow political subdivisions to offset claim by medical expenses paid under workers' comp. SB2083.

Uninsured motorist coverage; political subdivision policy may not pay for same loss through another policy. SB2646.

Workers' Compensation Law; revise various provisions of. SB2774.

Workers' compensation; increase maximum total recovery and remove cap on permanent total disability compensation. SB2207.

Nominations:

Harkins, Elizabeth Ashley (Beth), Madison, Mississippi, Mississippi Workers' Compensation Commission as the Commissioner representing the employee interest, six year term effective immediately. **SN25.**

JUDICIARY, DIVISION A

"Ban the Box"; facilitate post-incarceration employment opportunities for nonviolent felons. SB2522.

"Mississippi Unmanned Aircraft Systems Act of 2021"; enact. SB2262.

Age of majority; revise. SB2355.

Alienation of affection; abolish cause of action. SB2640.

Appellate procedure; exempt constitutional challenges to ordinances from the filing deadline. SB2614.

Bad Faith Assertions of Patent Infringement; extend repealer on. SB2632, **SB2324.**

Bail procedures; bring forward provisions for purposes of amendment. HB300.

Birth certificate; adoptee may obtain certified copy of original after 18 years. SB2092, SB2205.

Cemeteries and burial grounds; make misleading filings unlawful. SB2263.

Cemeteries; authorize to disinter and reinter dead human remains for next of kin instructions. **HB286.**

Cemetery owners; authorize to disinter dead human remains for reinterment, reburial or delivery to a carrier for transportation. SB2087.

Charitable organization; revise definition of and service of process on. SB2100.

Charitable solicitations; revise provisions relating to notice, demand and service of process. HB1012.

Child abuse; expand immunity for good faith reports. **HB356**.

Child advocacy centers; immunity from civil liability. SB2086.

Child support:

- Add income of custodial spouse to criteria considered in rebutting presumption of fairness. SB2264.
- Allow restricted driver's license for work. SB2084.
- Duty to pay suspended upon incarceration for a felony. SB2350.
- May continue past age of majority for a disabled child. SB2220.
- Revise provisions of. SB2875.
- Withholding orders; revise provisions to comply with the federal Consumer Credit Protection Act. HB932.

Circuit court; prohibit political candidates from addressing the public during court terms. SB2353.

Civil immunity; provide to participants of child-abuse investigations, evaluations or judicial proceedings. SB2613.

Concealed carry weapons permit; combine with driver's license or identification card. **SB2253**.

Concealed weapon permit; authorize Secretary of State to designate certain employees for. SB2247.

Criminal procedure; allow interlocutory appeal by prosecution of certain adverse rulings. SB2097.

Cyberstalking; authorize injunction when criminal charges filed. SB2620.

Dentists; provide immunity for providing charitable and emergency services. **HB72**.

Department of Human Services:

- Authorize to use additional methods of communication to send notices relating to child support to financial institutions. HB951, SB2615.
- Provide law-enforcement authority to. SB2550.

Department of Public Safety; authorize contract with counties for custody of certain offenders. **SB2434**.

District attorneys; authorize appointment of additional legal assistants and criminal investigators for circuit court district. SB2634.

Divorce; either or both parties may be determined an injured party. SB2213.

Domestic abuse; allow protection of pets in a protection order. SB2091.

Domestic violence shelters; revise eligibility for funds. SB2389.

Electric bicycles:

- Classify as bicycles and not as motor vehicles, and regulate. SB2483.
- Regulate. **HB1195**.

Electronic documents; provide recording procedure for counties without electronic-recording capability. **SB2638**.

Eminent domain and quick-take proceedings; require business damages for compensation. SB2616.

Eminent domain; provide compensation for the loss of a business's goodwill. SB2088.

Equal pay; prohibit paying state employees at rates less than those paid to employees of a different sex for equal work. SB2330.

Evelyn Gandy Fair Pay Act; create. SB2351.

False report of child abuse or neglect; provide for civil liability. SB2225.

Female genital mutilation; prohibit and create civil cause of action. SB2090.

Firearms; prohibit state cooperation with federal effort to ban. SB2568.

Fresh Start Act; remove limitations on the applicability of. SB2364, SB2792.

Guardian ad litem fees; failure to pay enforced as any other civil debt. SB2206.

Gun Violence Intervention Grant Program and funding; earmark federal VOCA victim assistance funds. SB2618.

Harassment in institutions of higher education; provide cause of action for discriminatory harassment. SB2770.

Healthy and Safe Families and Workplaces Act; create. SB2349.

Homestead exemption; veterans exemption is based on 100% service-connected disability. SB2730.

Institutions of higher education; protect lawful expression and create cause of action for violation of free speech. SB2769.

Intermediate driver's license; delete all references to. **HB550**.

Juries; prohibit peremptory challenges based on certain factors. SB2211.

Jurors; expand pool to citizens with driver's license who have filed state income taxes. SB2085.

Justice court:
 Required to accept electronic filing. SB2022.
 Revise jurisdictional amount. SB2268.

Keyaundra's Law; require unique identifying mark on bullet casings. SB2321.

Kratom; authorize Department of Health to regulate. SB2370.

Landlord-tenant law; revise. SB2242.

Landlords; prohibit discriminatory action against prospective or current tenant based on source of income. SB2317.

Law enforcement officers:
 Immunity under certain circumstances. SB2224.
 Regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). SB2644.

Liens; create statute of limitations for assessments by property owner's associations. SB2610.

Liquefied petroleum gas providers; provide affirmative defense in civil actions for damage or injury caused by certain circumstances. SB2352.

Local government; prohibit ordinances authorizing camping on public property and sidewalks. SB2093.

MDHS fraud investigators; provide they shall be law enforcement officers. **HB87**.

Marijuana; civil penalty for simple possession of small amount. SB2595.

Mississippi Civil Rights Act; enact. SB2089.

Mississippi Consumer Data Privacy Act; enact. SB2612.

Mississippi Fair Housing Act; enact. SB2354, SB2482.

Mississippi Foster Care Fund; increase assessment and transfer to Attorney General. SB2636.

Mississippi Paid Family Leave Act; enact. SB2333.

Mississippi Pay Equity Act; prohibit wage discrimination based on gender. SB2101.

Motor carrier safety improvements; prohibit consideration of deployment of in determining an individual's employment status with motor carrier. **HB341**.

Motor vehicles; do not require power of attorney for issuance of new certificate of title for out-of-state purchases. SB2611.

Municipal judges; authorize to order a defendant to remedy real property ordinance violations within a reasonable time period. **HB354**.

Occupational license; revise judicial review related to suspension of. SB2608.

Open Meetings Law; allow executive sessions for certain discussions by public hospital boards. SB2456.

Open account; revise definition and require account creditor to send demand to current address of account debtor through certain means. HB1077.

Open meetings; revise accessibility to information on meeting times, agenda and minutes. SB2508.

Open-account suits; revise delivery of written demand. SB2633.

Open-box items; retailers required to prominently display exchange policies. SB2320.

Outdoor advertisement signs; revise height requirements for. HB3.

Paternity; clarify circumstances when putative father cannot contest. SB2316.

Perpetual care and preneed cemetery and funeral laws; unlawful to make false or misleading statements in records under. HB1078.

Price gouging; create exemption for producers, growers or processors of food products. SB2287, SB2771.

Property interest; conveyance to married individuals considered to create joint tenancy with right of survivorship. HB299.

Public Defenders Education Fund; establish education and training cost. SB2227.

Public official corruption; authorize prosecution by Attorney General upon request of the State Auditor. SB2260.

Public records; award attorney's fees for duplicative requests. SB2328.

Retail sales; prohibit seller from refusing to accept cash as a form of payment for goods and services. SB2266.

Rural water associations; owner of rental property shall not be liable for his tenant's unpaid water bill. SB2009.

Seized property; clarify purpose for which proceeds from forfeitures may be used. SB2326.

State Domestic Violence Fund; remove the matching funds requirement for. **HB695**.

Statewide county court system; create. SB2607.

Stop Social Media Censorship Act; create. SB2617.

Subdivision plats; revise effectiveness. SB2096.

Task Force; establish to study domestic law matters. **SB2621**.

Tax sales; create study committee to study solutions to unmerchantable and uninsurable titles resulting from. SB2639.

Tenth Circuit Court District; create subdistrict and additional judge. SB2319.

Towing; limit charges. SB2265.

Tribal identification cards; recognize as legal means of personal identification. **HB277**, SB2020.

Uninsured motorists; impose strict liability for traffic accidents. SB2334.

Vexatious Litigant Act of 2021; enact. SB2641.

Violent or disorderly assemblies; criminalize. SB2374.

Workers' compensation; increase maximum total recovery and remove cap on permanent total disability compensation. SB2207.

Youth court disposition hearings; require consideration of Department of Child Protection Services' report. SB2566.

Nominations:

De Gruy, Andre-Louis Verloin (Andre), Jackson, Mississippi, State Defender in the Office of the State Public Defender, four year term effective immediately and ending June 30, 2024. **SN26**.

Edds, Stephen Charles (Steve), Ridgeland, Mississippi, Mississippi Tort Claims Board as Chairman, appointee shall serve at the will and pleasure of the Governor. **SN39**.

JUDICIARY, DIVISION B

"Empower Reentry Through Licensing Act"; authorize provisional driver's licenses for eligible inmates. SB2561.

"Second Amendment Preservation Act"; state firearm law preempts any local ordinance or regulation. SB2567.

Arrest warrants:

- Authorize issuance for sex offenses against children upon oral testimony. SB2223.
- Electronic signatures; authorize. SB2578.
- Require probable cause hearing for legislators before issuance. SB2271.

Assistant district attorneys; revise number authorized. SB2251.

Autopsies; provide for confidentiality of photographs and video and audio recordings with exceptions. SB2270, **HB70**.

Bulletproof Vests Revolving Fund; create. SB2554.

Certificate of rehabilitation; authorize those convicted in another state to apply for a. HB350.

Chemical endangerment of a child or fetus; create crime of. SB2011.

Child Protection Services; require disclosure of reporter in cases of false abuse and neglect reports. SB2162.

Community Policing and Transparency Act; create body-worn camera policy standards. SB2371.

Concealed carry; allow licensee to update permanent address information online. SB2565.

Controlled substance offenses; revise enhanced penalties. SB2259.

Conviction; clarify subsequent offense for certain crimes and post-conviction relief. SB2250.

Correctional facilities; revise penalty for bringing a controlled substance onto the property of. SB2597.

Corrections; require annual reports to the Legislature on successes and accomplishments. SB2378.

County attorneys; authorize sanction of for failure to appear in justice court. SB2375.

County jail census data; facilitate availability of. SB2234.

Crimes of violence; require jury finding to classify burglary and certain other felony offenses as. SB2379, SB2244.

Criminalization; eliminate regulatory "catch-all" provisions to create criminal offenses. SB2596.

DNA samples; collected from person arrested for any felony and provide for destruction of samples only upon expungement request. SB2112.

DPS; make revision to gun permit residency requirement and certain driver's license petitions for review. HB319.

DUI:

- Allow expunction for first offense under certain circumstances. SB2560.
- Law; revise fourth offense of and require all expunctions to be confidentially registered. SB2572.
- Nonadjudication of a first offense for CDL holder who was not operating a commercial vehicle. SB2126.
- Suspension; clarify how the 120 days are counted. HB615.

Department of Finance & Administration; may contract with certain counties to take custody of misdemeanor offenders. SB2451.

Department of Public Safety:

- Implement uniform reporting standards for jail census data & create & maintain a centralized database. SB2573.
- Revise licensing. **SB2598.**

Driver's license; require Department of Public Safety to allow official identifying document of MDOC to suffice for. **HB551.**

Drones; prohibit near and above correctional facilities. SB2381.

Drug Intervention Courts; standardize references. HB287.

Excessive window tint; allow county law enforcement officers to issue tickets. SB2583.

Expunction; allow after 20 years' good behavior with certain exceptions. SB2136, SB2243, SB2376.

Expungement; consolidate statutes concerning. HB122, SB2357.

Firearms:

- Interpose state law in place of any federal law confiscating firearms. SB2564.
- Local governments and state agencies from restricting possession; prohibit. SB2107.
- Outlaw open carry of weapons at parades and demonstrations. SB2558.
- Prohibit state cooperation with federal effort to ban. SB2568.
- Restriction; limit those by cities, counties and state agencies. HB634.

First-degree murder; include unlawful distribution of controlled substances, when the distribution is proximate cause of death. HB1140.

Fleeing or eluding a law enforcement officer; revise offense of. SB2127.

Freedom of Roadway Act; increase penalties for the obstruction of public passageways. SB2283.

Grocery items; prohibit cost-plus pricing. SB2557.

Habitual offender:
 Crimes punishable by imprisonment for 5 years or less not considered. SB2236, SB2237, SB2240.
 Revise penalties for. HB796, SB2238, SB2245, SB2556.

Hate crimes; revise delineation of victim. SB2277.

Hazing; increase penalties for. HB5.

House burglary; create separate violent and nonviolent offenses. SB2137.

Hunting on streets and railroads; clarify prohibition on. SB2500.

Interception of wire or oral communications; authorize sheriff departments to possess, operate or monitor such devices. SB2010.

Intervention court; amend criteria for participation in. SB2232.

Intimate visual material; criminalize disclosure of. **SB2121**.

Juvenile offenders; authorize alternative sentencing and parole options. SB2363, SB2580.

Juvenile offenders; provide alternative sentencing and parole options. SB2117, SB2362.

Juvenile sentencing; provide criteria for determining parole eligibility and require hearing before imposing life without parole. SB2154.

Law enforcement officers; exempt from concealed firearms permit fees and renewal fees. **HB886**.

Law enforcement; allow off-duty use of official vehicles while performing security services in off-duty hours. HB453, **HB631**.

Marijuana; legalize possession of certain amount. SB2164, SB2585.

Methamphetamine; revise penalty for simple possession of smaller amounts. SB2246.

Misdemeanants; may not possess a weapon under certain circumstances. SB2235.

Nonadjudication; revise courts' authority. SB2105.

Nonviolent habitual offender; revise sentencing. SB2131.

Off-duty law enforcement officers; authorized to use public vehicles for private security duty. SB2106.

Opioid and other controlled substances epidemic; provide enhanced penalties. SB2122.

Organized retail theft; revise. SB2129.

Parole and earned release; criminalize absconding. SB2279.

Parole revocation; revise definition of technical violation. SB2120.

Parole:
 Early release for nonviolent offenders with less than 3 years to serve for participation in drug court. SB2367.
 Revise length of sentence to be served before offenders may request judicial recommendation of. SB2377.

Pretrial Intervention Program; prohibit eligibility for persons charged with public embezzlement over a certain amount. HB290, **SB2552**.

Probation and parole officers; limit number of cases that may be handled. SB2115.

Pseudoephedrine and ephedrine; authorize sales and purchase of certain products containing without a prescription. HB479, SB2067, **SB2119**.

Railroad right-of-way; unlawful to enter and remain upon without the permission of the owner or operator of the railroad. SB2272.

Rapid DNA Task Force; establish within the Department of Public Safety. SB2111.

Recreational marijuana; legalize and tax 7% of gross proceeds from retail sales. SB2768.

Reentry courts; create pilot reentry court, and establish rehab and workforce development program at MDOC. SB2574.

Reentry for offenders; bring forward certain sections relating to. HB929.

Restitution centers; transition to post-release reentry centers. SB2133.

Revocation of probation; remove absconding from supervision as a ground for revocation of probation. SB2601.

Scrap metal; exclude nonfunctioning window units and stainless steel sinks. SB2130.
Sex offenders; prohibited from registering with online dating services for ten years. SB2365.

Sexual battery; conform statute of limitations to the statute of limitations for rape. SB2029.

Shoplifting; revise penalties. SB2156.

Simple possession of controlled substances; revise certain. SB2239.

Statute of limitations; except sexual battery from. SB2013.

Statutory rape; raise age of consent. SB2275.

Suffrage:

Restore:

Vedo Kyles. SB2070.

Angela Porter-Williams of Amite County. HB1469.

Annie Grant of Hinds County. HB1518.

Anthony Leroy Wallace of Harrison County. HB1477.

Antonio Simpson of Tunica County. HB1526.

Buren Wayne Whitt of Chickasaw County. HB1476.

Cassidy Edward Jordan of Covington County. HB1471.

Charles Harris of Harrison County. HB1525.

Chester Allen Butler of Tippah County. HB1511.

Deborah Ledbetter of Hinds County. HB1517.

Debra Denise Thomas of Hinds County. **HB1515.**

Dexter Foster. SB2366.

Edward Carter. SB3003.

Gerald O. Laird of Jefferson Davis County. HB1516.

J.W. Jackson of Panola County. **HB1520.**

Janice O'Neal of Warren County. HB1478.

Jay Wesley Jackson of Hinds County. HB1513.

Kenny Pritchard of Rankin County. HB1519.

LaTonya Woodson of Warren County. HB1475.

Norman Ivey of Rankin County. HB1523.

Randy Beckham of Simpson County. HB1472.

Ray Ferrell of Harrison County. HB1527.

Riney Spiller. SB2249.

Ronald Brent Self of Tippah County. HB1468.

Stanley Barnes. SB3004.

William Barber of Jackson County. HB1524.

Supervised prison release programs; revise terms and conditions. SB2230.

Terroristic threats; revise elements of. SB2116.

The Juvenile Offender Parole and Rehabilitation Act; enact. SB2132.

The MS Warrants Task Force; create to study the issuance and execution of warrants in the state. HB1328.

The Mississippi First Responder Protection Act; enact. SB2281.

The Sexual Assault Response For College Students Act; create. HB581.

Tobacco and alternative nicotine products; increase age to 21 and require government-issued photographic identification. HB874.

Traffic ticket quotas; prohibit state and local agencies from establishing. HB883.

Trespass; criminalize offense on property other than a structure or conveyance. SB2581.

Trusty and earned-time programs; change eligibility to participate in. SB2155.

United States Flag; prohibit burning. SB2012.

University and colleges anti-hazing policy; require Board of Trustees of IHL to develop policy against hazing and prescribe penalties. HB6.

Urine; create the crime of selling or tampering with urine. **SB2569.**

Violent Crimes Indigent Defendant Defense Counsel Fund; create to fund Public Defender system. SB2584.

Violent habitual offender; require jury determination. SB2125, SB2233.

Violent or disorderly assemblies; criminalize. SB2374.

Voluntary search; require officers to obtain written consent. SB2360.
 Vote fraud; increase penalties. SB2128.
 Voyeurism; revise sentencing. SB2068.
 White-Collar Crime Offender List; create. SB2579.
 Wildlife; clarify that a conservation officer must have probable cause to conduct a search without a warrant. SB2285.
 Wiretapping; authorize in investigations of child exploitation. SB2551.
 Youth court; revise transfer to circuit court. SB2241.
 Youth detention; raise minimum age for youth commitment to state training school and secure detention. **SB2282.**
 Youthful offenses; revise when may be tried in circuit court. SB2135.

LABOR

Ban the Box Act; enact. SB2019.
 Ban the Box; facilitate post-incarceration employment opportunities for nonviolent felons. SB2522.
 Equal pay; prohibit paying state employees at rates less than those paid to employees of a different sex for equal work. SB2330.
 Evelyn Gandy Fair Pay Act; create. SB2351.
 Fresh Start Act of 2019; expand. SB2792.
 Income tax credit; authorize for taxpayers employing persons who have been convicted of certain nonviolent crimes. SB2446.
 Law enforcement officers; entitled to certain follow-up drug testing before loss of certification. SB2248.
 Mississippi Minimum Wage Act; establish. SB2079, SB2425.
 Mississippi Paid Family Leave Act; enact. SB2333.
 Mississippi Pay Equity Act; prohibit wage discrimination based on gender. SB2101.
 Mississippi Pregnant Workers Fairness Act; create. SB2325.
 Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. SB2524.
 State Workplace Safety and Health Office; establish under State Board of Health. SB2525.
 Temporary day workers; protect labor and employment rights of. SB2080.
 Women's Economic Security Act of 2021; enact. SB2303.

MEDICAID

Assessment levied on health care facilities for Medicaid program; make technical amendments to. SB2801.
 Certificate of need (CON):
 Certificate of need; issue CON to Panola Medical Center for adult psych beds and North MS Medical Center for child psych beds. SB2141, SB2292.
 Certificate of need; issue CON to North Mississippi Medical Center for child psych beds and geriatric psych beds. SB2414.
 Division of Medicaid:
 Division of Medicaid; allow recipients to receive four single-source prescriptions per month. SB2348.
 Division of Medicaid; allow reimbursement for telemedicine treatment for recipient's attention deficit hyperactivity disorder. SB2733.
 Division of Medicaid; apply for necessary waivers to eliminate waiting period services. SB2400.
 Division of Medicaid; apply for waivers to eliminate waiting period for services for those with brain or spinal cord injury. SB2739.

- Division of Medicaid; increase fee to private reimbursement level for children on Medicaid who receive dental services. SB2347.
- Division of Medicaid; make technical amendments. SB2802.
- Division of Medicaid; make technical amendments and revise assessment provision. SB2803.
- Division of Medicaid; require reimbursement to providers for long-acting reversible contraceptives for women of child-bearing age. SB2734.
- Medicaid coverage; coverage for eligible women up to 12 months postpartum. SB2346, SB2405, SB2740.
- Medicaid; create Medicaid Commission to administer program and abolish Division of Medicaid. HB1013.
- Durable medical equipment; fix Medicaid reimbursement rate at 100% of Medicare rate. SB2002.
- Managed care organizations; require certain standards and extend repealer. SB2157.
- Medicaid Access and Opportunity Act of 2021; enact. SB2037.
- Medicaid coverage; coverage for eligible women up to 12 months postpartum. SB2346, SB2405, SB2740.
- Medicaid eligibility; provide coverage Program of All-Inclusive Care for the Elderly. SB2401.
- Medicaid program; extend repealer on and revise reimbursement for telehealth services for community health centers. SB2345.
- Medicaid program; provide reimbursement for all care and services under the PACE program for the elderly. SB2736.
- Medicaid reimbursement:
 - Medicaid reimbursement for assisted living services under federal waivers; authorize assessment and exemption from 5% reduction. SB2172.
 - Medicaid reimbursement for certain home services; impose moratorium on new providers. SB2737.
 - Medicaid reimbursement for telehealth services by Federally Qualified Health Centers and Rural Health Clinics; clarify. SB2738.
 - Medicaid reimbursement; authorize for accredited community mental health service providers. SB2003.
 - Medicaid reimbursement; authorize for substance abuse and mental health services for pregnant and postpartum women. SB2404.
 - Medicaid reimbursement; extend for community-based home-visitation and pregnancy support services. SB2403.
- Medicaid; create Medicaid Commission to administer program and abolish Division of Medicaid. HB1013.
- Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. SB2161, SB2402, SB2735.
- Medicaid; make technical amendments to services, manage care and assessment provisions. HB1008.
- Mississippi Medicaid Program:
 - Mississippi Medicaid Program; make technical amendments to reimbursements and administration. **SB2799.**
 - Mississippi Medicaid program; authorize extended postpartum care for recipients and require standardized credentialing process. SB2159.
 - Mississippi Medicaid program; extend repealer on services and provider reimbursement rates. SB2800.
- Special Care Facility for Paroled Inmates; authorize parole for medically frail inmates, licensure and Medicaid reimbursement. SB2252.
- Patient Protection and Affordable Care Act:
 - Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. SB2161, SB2402, SB2735.

Technical amendments:

Medicaid; make technical amendments to services, manage care and assessment provisions. HB1008.

Mississippi Medicaid Program; make technical amendments to reimbursements and administration. **SB2799**.

Telemedicine:

Division of Medicaid; allow reimbursement for telemedicine treatment for recipient's attention deficit hyperactivity disorder. SB2733.

Medicaid program; extend repealer on and revise reimbursement for telehealth services for community health centers. SB2345.

Medicaid reimbursement for telehealth services by Federally Qualified Health Centers and Rural Health Clinics; clarify. SB2738.

MUNICIPALITIES

Ad valorem taxes; consider annexed business "new enterprise" for purposes of eligibility for certain municipal tax exemptions. SB2203.

Buffer zone free speech preemption for municipalities; authorize. SB2622.

Compatibility of land use development with Mississippi military installations. SB2397.

Contractors; allow to do business in any municipality or county without local license under certain conditions. SB2629.

Counties, municipalities and school districts; require to publish their annual budget online. SB2183.

Golf carts and low-speed vehicles; allow municipalities to authorize operation on certain municipal streets. HB1157.

Golf carts and low-speed vehicles; authorize municipalities to allow operation on municipal streets. SB2284.

Golf carts and low-speed vehicles; authorize municipalities to permit operation on municipal streets. **SB2605**.

Inclusionary zoning plans; authorize municipalities to adopt to attract economic development. SB2497.

Law enforcement officers; allow certain use of uniform, weapon, vehicle and equipment for disaster relief when off-duty. HB274.

Law enforcement officers; regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). SB2644.

Local governmental entities; prohibit from requiring a license for certain businesses operated by a minor. SB2027.

Local governments; prohibit from imposing penalties or fines on security companies when false security alarm occurs. SB2030.

MDOT; require maintenance of rights-of-way of state highways inside municipal limits with 10,000 or less population. **HB1245**.

Minimum payment to defray the cost of public ambulance service by local governments; prescribe. SB2846.

Municipalities; authorize those of certain size to conduct special elections at one polling place. HB195.

Municipalities; authorize discretionary control within corporate limits. SB2094.

Municipalities; authorize those of certain size to conduct special elections at one polling place. SB2318.

Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. SB2329.

Municipally owned waterworks; prohibit from charging higher rates to certain customers in another municipality. SB2210.

Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained and seek reimbursement. **SB2261**.

Perpetual care cemeteries; authorize counties and cities to clean property of those not properly maintained. HB320.

Political subdivisions; prohibit ordinance that bans or restricts a person's ability to use a natural gas or electric public utility. SB2123.
 Urban Renewal Law; revise definition of "urban renewal project." SB2496.

PORTS AND MARINE RESOURCES

Administrative hearing procedures for Commission on Marine Resources; revise to authorize executive director of Department of Marine Resources to make final decisions during. **HB1211**, SB2784.
 Alcoholic beverages; create charter vessel operator's permit to authorize the sale by the holder of. SB2837.
 Charter vessel operator's permit; create to authorize the sale of alcoholic beverages by the holder of. **HB1288**.
 Coastal Wetlands Protection Act; revise definitions to include "ordinary high water mark". **HB594**, SB2783.
 County port and harbor commission; provide that members hold appointment until successor appointed and installed. HB992, **SB2392**.
 Live bait dealers; delete restriction that only licensed commercial shrimpers may cross state lines. SB2502.
 Mississippi Department of Marine Resources enforcement officers; revise functions of Marine Patrol Reserve Officers. SB2786.
 Public Trust Tidelands; provide a procedure for the removal of submerged logs. SB2653.

Nominations:

Bosarge, Oliver Steven (Steve), Pascagoula, Mississippi, Mississippi Advisory Commission on Marine Resources as the Commercial Fisherman representative, four year term effective immediately and ending SN63.
 Gollett, Edgar Richard, Sr., Biloxi, Mississippi, Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, four year term effective immediately and ending SN60.
 Roberds, Cammack A. (Cam), Sr., Ocean Springs, Mississippi, Mississippi Advisory Commission on Marine Resources as the Recreational Sports Fisherman representative, term effective immediately and **SN59**.
 Spraggins, Brig. Gen. Benjamin Joseph (Joe), Gulfport, Mississippi, MS Commission on Marine Resources as the Exe. Director of the Dept. of Marine Resources, term effective October 21, 2020 and the **SN12**.

PUBLIC PROPERTY

Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. SB2034, SB2191.
 Columbia Training School property; DFA may transfer portion of to the Marion County Board of Supervisors. SB2033.
 DFA; authorize Office of Surplus Property to administer the Federal Donation Program. HB213.
 Historical monuments and memorials; delete authority to move. SB2386.
 MS Law Enforcement Officers' Training Academy; name firing range as the "Lieutenant Colonel Pat Cronin Firing Range." **HB9**.
 Public Trust Tidelands; provide a procedure for the removal of submerged logs. SB2653.
 Public property; authorize certain state property conveyed to Jackson to be used for park and recreational purposes. HB1156.
 Secretary of State; shall certify all official state flags that are to be displayed over the State Capitol grounds. SB2865.

Smith-Wills Stadium; clarify authority for certain state property conveyed to Jackson to be used for park and recreational purposes. SB2652.
 State buildings; name DPS Gulf Coast Regional Forensics Laboratory as the "Gary T. Hargrove Memorial Forensic Laboratory." **HB1018**.
 State flag; require governmental entities, public colleges, universities and school districts to display or be subject to penalty. SB2194.
 Surplus property; clarify current policy to conform with federal regulations for the Department of Finance and Administration. **SB2651**.
 UMMC property; revise leasing authority by removing certain minimum requirements of improvements to development. **HB8**.
 University of Mississippi Medical Center property; revise leasing authority by removing provision requiring mixed-use development. SB2081.

PUBLIC HEALTH AND WELFARE

Advanced practice registered nurses; revise certain provisions relating to, including collaboration requirement. HB1303, SB2007.
 Anesthesiologist assistants; direct licensure by the State Board of Medical Licensure. SB2744.
 Barbers:
 Barber Licensure Law; revise fees and other regulatory laws. SB2422.
 Board of Barber Examiners; authorize the regulation of mobile shops. SB2742.
 Chiropractors:
 Board of Chiropractic Examiners; extend repealer on. SB2295.
 Chiropractors; extend repealer on licensure law. **HB73**.
 Cemetery owners; authorize to disinter dead human remains for reinterment, reburial or delivery to a carrier for transportation. SB2087.
 Certificate of Need (CON);
 Certificate of Need; direct issue to City of Newton for adult psychiatric beds. SB2341.
 Certificate of Need; direct issuance for a free-standing comprehensive medical rehabilitation facility. SB2413.
 Certificate of need; authorize nursing facility in any underserved minority zip code area. SB2748.
 Certificate of need; direct issuance for an existing ambulatory surgical center. SB2410.
 Certificate of need; issue CON to Panola Medical Center for adult psych beds and North MS Medical Center for child psych beds. SB2141.
 Certificate of need; issue CON to Panola Medical Center for adult psych beds and North MS Medical Center for child psych beds. SB2292.
 Health Care Certificate of Need; bring forward section. SB2004.
 Health Care Certificate of Need Law; repeal. SB2160.
 Health Care Certificate of Need review; provide for automatic transfer of certain beds. SB2408.
 Health care CON review; party requesting or appealing a hearing on application is responsible for costs and attorney fees. SB2028.
 Health care CON; authorize Mississippi Department of Mental Health to convert beds for crisis or substance abuse treatment. SB2743.
 Certified nurse aides; clarify recertification. SB2407.
 Coordinator of Mental Health Accessibility; house position under DFA, exempt contracts from rules of contract review board. **SB2021**.
 Cosmetology:
 Board of Cosmetology; exempt certain beauty services from licensing and registration requirements. SB2342
 Cosmetology; provide definition and registration requirement for hair arranging, threading and extending eyelashes. SB2343.

Department of Child Protective Services:

Require the PEER Committee to conduct biennial reviews of the Department of Child Protection Services. SB2158.

Department of Human Services:

Department of Human Services; establish a grant program for regional food banks and SNAP incentives. SB2426.

Department of Human Services; permit use of a simplified reporting system. SB2762.

Minority subgrantees contracted by Department of Human Services; require study and policy. SB2340.

Services to individuals who are homeless or at risk of experiencing homelessness; DHS pilot project. SB2411.

Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. SB2170.

"Dignity for Incarcerated Women Act"; create. **HB196.**

Emergency medical services; prohibit sole participation in nonemergency, interfacility transfers. SB2406.

Harper's Grace Law; extend repealer on authority to research and dispense cannabidiol (CBD oil) for medical purposes. **HB119.**

Health Care Certificate of Need; bring forward section. SB2004.

Health Care Certificate of Need Law; repeal. SB2160.

Health Care Certificate of Need review; provide for automatic transfer of certain beds. SB2408.

Health care CON review; party requesting or appealing a hearing on application is responsible for costs and attorney fees. SB2028.

Health care CON; authorize Mississippi Department of Mental Health to convert beds for crisis or substance abuse treatment. SB2743.

Health care practitioner; require identification during all patient encounters. SB2745.

Health, State Board of:

State Department of Health and State Board of Health; extend repealer on. **HB160**, SB2418.

State of emergency; provide a maximum time period for and authorize Department of Health to store dead bodies if necessary. HB1327.

Statewide electronic health care information exchange; the Department of Health may enter into agreements for the creation of. SB2755.

Healthy and Safe Families and Workplaces Act; create. SB2349.

Home health agencies; delete moratorium on establishment or expansion. SB2747.

Hospice:

Hospice licensure; authorize eligible participants who have not been given a terminally ill diagnosis if approved by CMMS. SB2754.

Hospice licensure; extend moratorium on and authorize issuance of 2 pediatric palliative care licenses. HB296.

Hospice; allow medical directors to prescribe controlled substances for pain for terminally ill patients without in person visit; extend repealer on. SB2415.

Hospices; delete repealer on authority for prescribing certain drugs without in-person visit with a patient. **HB294.**

Hudson's Law; require healthcare providers to provide information to parents who receive a postnatal diagnosis of a chromosomal disorder. **SB2746.**

Marijuana; legalize. SB2164.

Medical Licensure, State Board of:

Anesthesiologist assistants; direct licensure by the State Board of Medical Licensure. SB2744.

Mississippi State Board of Medical Licensure; revise membership and terms of office. SB2760.

Mental Health, Department of:

Health care CON; authorize Mississippi Department of Mental Health to convert beds for crisis or substance abuse treatment. SB2743.

Minority subgrantees contracted by Department of Human Services; require study and policy. SB2340.

Mississippi Dementia Care Program, Food Bank Pilot Programming; create. **SB2221**.

Mississippi Professional Massage Therapy Act; provide new requirements and extend the repealer thereon. **SB2751**.

Mississippi Rare Disease Advisory Council; establish. SB2753.

Mississippi Rural Physicians Scholarship Residency Program; include emergency medicine students. SB2424.

Mississippi State Board of Medical Licensure; revise membership and terms of office. SB2760.

Nurse practitioners; authorize to dispense legend drugs to patients. SB2008.

Nursing:

- Board of Nursing; revise penalties for prohibited conduct and authorize the recovery of reasonable costs. SB2222.

Nursing home administrators; delete repealer on licensure requirements for and authorize board to conduct background checks. **HB95**, SB2416.

Optometry:

- Optometry; Board shall define practice of, and authorize to perform certain procedures and use and prescribe certain drugs. **HB1302**.
- Practice of optometry; require the State Board of Optometry to define with certain exceptions. SB2761.
- Practice of optometry; require the Board of Optometry to define with certain exceptions. SB2763.

Personal care homes; require licensure and regulation of those providing living arrangements for one or more persons. SB2749.

Pharmacy practice; revise definition of "written guideline or protocol" regarding location of delegated prescribing functions. **SB2750**.

Physical therapy practice laws; revise various provisions of. SB2006.

Physician billing for pathology services; prohibit fee division unless provided by the physician. SB2752.

Podiatric medicine and podiatrist; revise definitions of. SB2409.

Practice of medicine; revise definitions, licensure procedures and disciplinary procedures under the Medical Practice Act. SB2729.

Psychologists; extend repealer on licensure law and remove postdoctoral training requirements for licensure. **HB208**.

Remote patient monitoring services; delete requirement of 2 recent hospitalizations to qualify for. **HB200**.

Require the PEER Committee to conduct biennial reviews of the Department of Child Protection Services. SB2158.

Rural Health Availability Act; allow all hospitals to enter into agreements. SB2756.

SNAP:

- SNAP Health Food Incentive Program; create. SB2163.
- Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. SB2170.

Services to individuals who are homeless or at risk of experiencing homelessness; DHS pilot project. SB2411.

Social workers:

- Temporary license for social workers; authorize to practice in nonprofit facilities. **SB2420**.

Solemn Covenant of the States to Award Prizes for Curing Diseases Compact; enact and prescribe provisions. SB2289.

South Mississippi Regional Health Care Authority; establish. SB2757.

State Board of Cosmetology; extend repealer on. **HB1312**, SB2417.

State Board of Dental Examiners; require state-at-large appointee to be a member of the Mississippi Dental Society. SB2412.

State Board of Examiners for Audiology and Speech Language Pathology; create. SB2005.

State Department of Health and State Board of Health; extend repealer on. **HB160**, SB2418.

State Medical Examiner fees; extend repealer on. **SB2419**.

State of emergency; provide a maximum time period for and authorize Department of Health to store dead bodies if necessary. HB1327.

Statewide electronic health care information exchange; the Department of Health may enter into agreements for the creation of. SB2755.

Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. SB2170.

TANF:

TANF; prohibit assistance to persons convicted of multiple felonies. SB2741.

Temporary Assistance for Needy Families; increase the monthly amount. **SB2759**.

Tanning facilities; prohibit use by anyone under 18 years of age. SB2290.

Telemedicine in health professional shortage areas; allow out-of-state health care providers. SB2758.

Temporary Assistance for Needy Families; increase the monthly amount. **SB2759**.

Temporary license for social workers; authorize to practice in nonprofit facilities. **SB2420**.

Tobacco and alternative nicotine products; increase age to 21 and require government-issued photographic identification. HB874.

Transgender 21 Act; enact. SB2171.

Nominations:

Barrett, Pshon, Jackson, Mississippi, Board of Directors for the Mississippi Industries for the Blind, term effective June 30, 2018 and ending June 30, 2022. **SN28**.

Davis, John Daniel, IV, MD, Flowood, Mississippi, State Board of Health as a Licensed Physician, term effective immediately and ending June 30, 2023, vice Ed D. "Tad" Barham, MD, FACR. **SN55**.

Foster, Jillian James, Pharm.D., Olive Branch, Mississippi, State Board of Pharmacy, five year term beginning July 2, 2021 and ending July 1, 2026, representing the First Congressional District as it existed in 1983, designated as Post 1. SN54.

Foster, Jillian James, Pharm.D., MBA, Olive Branch, Mississippi, State Board of Pharmacy to represent the First Congressional District as it existed on July 1, 2001, designated as Post 1, five year term beginning July 1, 2021 and ending June 30, 2026. **SN67**.

Givens, MD, Roderick Clarence (Rod), Natchez, Mississippi, State Board of Medical Licensure to represent the Second Supreme Court District, unexpired term beginning immediately and ending June 30, 2026. **SN62**.

Harper, Ryan Charles, Pharm.D., Pelahatchie, Mississippi, State Board of Pharmacy to represent the Third Congressional District as it existed in 1983, designated as Post 3, five year term beginning July 2, 2021 and ending July 1, 2026. SN56.

Harper, Ryan Charles, Pharm.D., Pelahatchie, Mississippi, State Board of Pharmacy to represent the Third Congressional District as it existed on July 1, 2001, designated as Post 3, five year term beginning July 1, 2021 and ending June 30, 2026. **SN68**.

Hegwood, Lauren Michelle, Brandon, Mississippi, Board of Directors for the Mississippi Industries for the Blind, term effective July 1, 2020 and ending June 30, 2024. **SN41**.

Hegwood, Lauren Michelle, Brandon, Mississippi, Board of Directors for the Mississippi Industries for the Blind, term effective December 17, 2020 and ending December 17, 2024. SN8.

- Lippincott, MD, Kenneth Charles (Ken), Tupelo, Mississippi, Mississippi State Board of Medical Licensure to represent the Third Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026. **SN74.**
- Miller, Jane Stroble, Meridian, Mississippi, Board of Directors for the Mississippi Industries for the Blind as an individual who is legally blind, term effective December 17, 2020 and ending December 17, 2024. **SN9.**
- Owens, MD, Michelle Yvette Taylor, Jackson, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, unexpired portion of a six year term beginning immediately and ending June 30, 2026. **SN88.**
- Parker, Michael Scott, Raymond, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, term effective immediately for the unexpired balance of a four year term ending June 30, 2024. **SN94.**
- Patterson, D.C. Michael Ray (Mike), Boyle, Mississippi, State Board of Chiropractic Examiners, term effective immediately and ending April 20, 2024, representing the Second Congressional District, vice Dr. Dottie Pernell. **SN34.**
- Rossi, Warren G., Corinth, Mississippi, State Board of Cosmetology as a Third Supreme Court District representative, term effective immediately and ending March 28, 2023, vice Darlene L. Smith. **SN48.**
- Sanders, Andrea Adkins, McComb, Mississippi, Mississippi Department of Child Protection Services as Commissioner of Child Protection Services, term effective November 9,
- White, Anthony Chester, Brandon, Mississippi, Mississippi State Board of Massage Therapy as the consumer at large, term effective immediately for the unexpired portion of a four year term ending June 30, 2023. **SN84.**

RULES

- Adverse Childhood Experiences (ACEs) Trauma Awareness Day; recognize June 21, 2021, as. **HC60.**
- Alcorn State University; commend and congratulate upon its 150th year anniversary. **HC48.**
- Alpha Kappa Alpha Sorority Day at the Capitol; observe virtually on May 6, 2021. **HC53.**
- Arthur James Anderson, Sr.; commend the life, legacy and contributions upon his passing. **HC10.**
- Article V Constitutional Convention; provide for selection and authority of commissioners. **SC507.**
- Asya Branch; commend and congratulate upon being crowned Miss USA 2020. **SC503, HC55.**
- Barabbas Leasy; commend contributions throughout many years of service in education. **HC22.**
- Bishop Joseph Roscoe Campbell, Jr.; commend for service to his church and community. **HC46.**
- Bobby Paschal Martin; commend life and legacy upon his passing. **HC1.**
- Bobby Rush; congratulate upon winning his second Grammy Award for Best Traditional Blues Album. **HC52.**
- Commemorate 100th Anniversary of Troop 8, Boy Scouts of America at First Baptist Church of Jackson, Mississippi. **SR39.**
- Commemorate Centennial Anniversary of Howell-Grantham American Legion Post 53. **SR30.**
- Commend Alan Sudduth upon selection as 2020-2021 Chairman of the MMA Board of Directors. **SR26.**
- Commend Amanda Sharrow as "Instructor of the Year" at the Harrison County Campus of Mississippi Gulf Coast Community College. **SR38.**
- Commend Andy Ogletree for finishing his first Masters as Low Amateur. **SR1.**

Commend Aysa Branch for winning Miss USA. **SC503, HC55.**

Commend Belmont "Lady Cardinals" Girls Basketball Team for Class 3A State Championship. **SR63.**

Commend Brookhaven High School "Panthers" Boys Cross-Country Team for second consecutive state championship. **SC519.**

Commend Clinton Christian Academy Girls and Boys Basketball Teams for two State Championships. **SR53.**

Commend Clinton High School "Arrows" Boys Basketball Team for Class 6A State Championship. **SR52.**

Commend Coahoma County High School "Red Panthers" Boys Basketball Team for Class 2A State Championship. **SR36.**

Commend Florence Girls Soccer Team for winning MHSAA Class 4A State Championship. **SR14.**

Commend Gulfport High School "Lady Admirals" Girls Soccer Team for winning second consecutive Class 6A State Championship. **SR24.**

Commend Hartfield Academy "Hawks" Boys Basketball Team for winning the MAIS Class 4A State Championship. **SR50.**

Commend Hillcrest Christian Girls Fast Pitch Softball Team for MAIS State Championship. **SC518.**

Commend JSU "Tigers" Men's Basketball Team for winning the Co-SWAC 2021 Regular Season Championship. **SR40.**

Commend JSU Lady Tigers Basketball Team for 2019-2020 SWAC Championship. **SR28.**

Commend James Pittman as "Instructor of the Year" at the Perkinson Campus of Mississippi Gulf Coast Community College. **SR34.**

Commend Kristi Matthews as "Instructor of the Year" at the Bryant Center of Mississippi Gulf Coast Community College. **SR35.**

Commend Lafayette High School "Lady Commodores" Girls Soccer Team for threepeat Class 5A State Championship. **SR45.**

Commend Lafayette High School Boys Bowling Team for third consecutive State Championship. **SR55.**

Commend Lanier High School "Bulldogs" Boys Basketball Team for winning the 2021 Class 4A State Championship. **SR32.**

Commend Laurel High School "Lady Tornadoes" Girls Basketball Team for first-ever State Championship. **SR49.**

Commend Leake Academy "Lady Rebels" Girls Basketball Team for winning 2021 MAIS Overall Championship. **SR42.**

Commend Leake Academy "Rebels" Football Team for winning the MAIS Class 5A State Championship. **SC511.**

Commend Manchester Academy "Lady Mavericks" Girls Basketball Team for first State Championship. **SR37.**

Commend New Site "Lady Royals" Girls Basketball Team for winning 2A State Championship. **SR62.**

Commend Ole Miss Womens Rifle Team for outstanding 2021 season. **SR46.**

Commend Ole Miss and ATP tennis standout Dave Randall upon his induction into the Mississippi Sports Hall of Fame and Musuem. **SC530.**

Commend Olive Branch High School "Lady Quistors" Girls Basketball Team for winning their third consecutive State Championship. **SR59.**

Commend South Perry Elementary Kindergarten Teacher Maria James as "Mississippi Rural Teacher of the Year." **SR22.**

Commend Tishomingo County High School "Lady Braves" Cheerleading Squad for 2020 State Championship. **SR61.**

Commend Willy Showah as "Instructor of the Year" at the Jackson County Campus of Mississippi Gulf Coast Community College. **SR33.**

Commend golf icon Randy Watkins upon his induction into the Mississippi Sports Hall of Fame and Museum. **SC528.**

Commend judicial contributions and legacy of former 14th Chancery District Judge Dorothy Colom. **SR5.**

Commend the life of Pontotoc native and Hall of Fame Songwriter Jim Weatherly. **SR15.**

Commend the life of legendary college and NFL football player and Coach Ray Perkins from Petal, Mississippi. **SC512.**

Compact for a Balanced Budget; revise delegate membership and extend sunset provision. SB2454, **HB1326.**

Congratulate Coach Lane Kiffin and Ole Miss "Rebels" Football Team for impressive victory in Outback Bowl and for 2020 season. **SC527.**

Congratulate JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for consecutive SWAC Regular Season Championship. **SR41.**

Congratulate Jackson Academy "Lady Raiders" Girls Basketball Team and Coach Jan Sojourner for MAIS Class 5A Championship. **SR31.**

Congratulate Lumberton High School "Panthers" Football Team for MHSAA Class 1A State Championship. **SR6.**

Congratulate Magee Trojans Football Team for winning 3A State Championship. **SR3.**

Congratulate Mattie Grace Morris for Miss Mississippi Teen USA for 2021. **SR51.**

Congratulate Ole Miss Lineman Terrence Metcalf upon his induction into the 2021 Mississippi Sports Hall of Fame and Museum. **SC529.**

Congratulating Oak Grove High School "Warriors" Football Team for winning Class 6A State Championship. **SR7.**

Day of Tears in Mississippi; recognize January 22, 2021, as. **HC19.**

Daylight saving time; observe year-round if federal law is amended to allow it. **SC506, HB1062.**

Declare September 2021 as "Prostate Cancer Awareness Month." **SC534.**

Declare that March 21, 2021, is "World Down Syndrome Day in Mississippi." **SC537.**

Declare the intent of Senate relative to the promotion of race or sex stereotyping or scapegoating. **SR56.**

Encourage counties and municipalities to exchange land use and development information with military installations. **SC531.**

Eris Knott; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates.

Expressing deepest sympathy of Senate to surviving family of Greenville native Mary Wilson of "The Supremes." **SR23.**

Extend congratulations of Senate to 87-year-old Blues Legend Bobby Rush for winning Grammy Award for Best Traditional Blues Album. **SR47.**

Extend deepest sympathy of Legislature on the passing of Mississippi Sports Icon JSU Coach "W.C." Gorden. **SC509.**

Extend sympathy of Mississippi Senate to family of fallen officer Hancock County Deputy Sheriff Michael Anthony Boutte, Sr. **SR18.**

Extend sympathy of the Legislature to the family of the state's longest-serving Mayor, Dock Gabbert, of Derma, Mississippi. **SC514.**

Extending condolences of Mississippi Legislature on the passing of Wiggins Mayor Joel Travis Miles and remembering his legacy. **SC515.**

Former Representative Gary V. Staples; commend legislative career and mourn loss upon his passing. **HC2.**

Former Representative Nolan Mettetal; mourn loss and commemorate laudable legislative career upon his passing. **HC20.**

Former Representative Nolan "Ray" R. Rogers; mourn loss and commemorate laudable legislative career upon his passing. **SC517, HC25.**

Franklin Academy; congratulate upon observance of the Bicentennial Celebration as first public school in Mississippi. **HC37.**

Gary Hemphill Commercial Aviation Month; recognize April 2021 as. **HC47.**

Governor William Winter; commend life and legacy upon his passing. **HC40.**

Gulf of Mexico continental shelf leasing and infrastructure development; urge and support continuation of. **HC39.**

Honor the legacy of Marine Corporal Vonzia J. Rigsby of Jasper County, the oldest living Montford Point Marine, on his 100th birthday. **SR43.**

Hydroxychloroquine; encourage availability for treating COVID-19 in the state. **SC505.**

Issue apology of the State of Mississippi to Curtis Flowers after six trials and 23 years in prison and dismissal of charges. **SC524.**

James "David" Alford, Sr.; commend life and legacy upon his passing. **HC34.**

Jamie Cooper; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. **HC51.**

Juneteenth Freedom Day; designate June 19 as. SB2430, SB2692.

Kidney Disease Awareness Month; recognize March 2021 as. **HC36.**

Kratom; urge the United States Food and Drug Administration to regulate. **HC45.**

MHSAA Mr. Football Award recipients; commend and congratulate. **HC30.**

Magee High School Football Team; commend upon winning MHSAA Class 3A State Championship. **HC11.**

Mississippi Electric Power Associations; commend for their tireless efforts to restore power after the winter storm in February 2021. **HC42.**

Mississippi Highway Patrol Lt. Troy Morris; commend life and legacy upon his passing. **HC27.**

Mississippi Mosquito and West Nile Virus Awareness Week; designate April 12-17, 2021, as. **HC43.**

Mississippi Tails n' Scales program; recognize as best scientific information available for monitoring red snapper catch and effort in MS. **HC59.**

Mourn the passing of former Senator Tommy Moffatt, Sr., of Gautier, Mississippi, and commend his public and charitable service. **SC510.**

Mourn the passing of longtime funeral home owner Luzern "Sonny" Dillon, the first black-elected official in Walthall County. **SR44.**

Native Plant Appreciation Week; recognize observance of on April 19-25, 2021. **HC56.**

New Site Lady Royals Basketball Team; commend for winning the MHSAA Class 2A State Basketball Championship. **HC61.**

Noah Harris; commend for being elected as Harvard University's First African-American student body president. **HC54.**

Official Mississippi state song; authorize two state songs. SB2470, SB2722.

Open meeting; authorize executive session for discussion of plans to combat human trafficking and commercial sexual exploitation of children. **HB1323.**

Pay tribute to the memory and career of pioneering country music superstar Charley Pride from Sledge, Mississippi. **SC516.**

Pay tribute to the memory of former State Senator and Representative Nolan Mettetal. **SC517.**

Paying tribute to 52-year law enforcement career of Constable Houston "Hoot" West of Caledonia, MS, and extending condolences. **SR8.**

Recognize "Native Plant Week" in Mississippi and commend the work of the Audubon Delta Region in native plant awareness. **SR21.**

Recognize Arthur Jafa as the recipient of the 2021 Governor's Arts Award for Excellence in Media Arts. **SR10.**

Recognize Benjamin Wright as the recipient of the 2021 Governor's Arts Award for Lifetime Achievement. **SR13.**

Recognize Biloxi Elementary School and D'Iberville Elementary School for National Blue Ribbon School Award. **SR29.**

Recognize Biloxi native and Nashville Predators Mathieu Olivier for first NHL goal by player born in Mississippi. **SR27.**

Recognize Dr. Felecia Nave as first female President of Alcorn State University on the occasion of her inauguration. **SR48.**

Recognize Jesmyn Ward as the recipient of the 2021 Governor's Arts Award for Excellence in Literature. **SR12.**

Recognize March 4, 2021, as "HPV Cancer Awareness Day" in Mississippi. **SC532.**

Recognize Nellie McInnis as the recipient of the 2021 Governor's Arts Award for Excellence in Music. **SR16.**

Recognize Noah Harris of Natchez/Hattiesburg as Harvard's first African American male Student Body President. **SR4.**

Recognize Phi Beta Sigma Fraternity and Zeta Phi Beta Sorority for charitable service. **SR60.**

Recognize Raphael Semmes as the recipient of the 2021 Governor's Arts Award as Mississippi Cultural Ambassador. **SR9**.

Recognize Sarah Thomas as first female referee to officiate a Super Bowl. **SR17**.

Recognize enduring influence of Mississippi businessman and civic leader Leland Rhymes Speed and extending sympathy of Senate. **SR19**.

Recognize the 40-year career of The Clarion Ledger Capitol Correspondent Jimmie Gates. **SR54**.

Recognize the Bicentennial Celebration of Franklin Academy in Columbus, the first public school in Mississippi. **SC513**.

Recognize the Tutwiler Quilters as the recipient of the 2021 Governor's Arts Award for Arts in the Community. **SR11**.

Recognize the dedicated public service of MEMA Director Greg Michel on occasion of his retirement. **SR20**.

Recognize the induction of Grammy Award-Winning Country Music Artist Marty Stuart into the Country Music Hall of Fame. **SC521**.

Recommend that the United States Forest Service reconsider certain restrictive action on National Forest Lands in Mississippi. **SC533**.

Remember the legacy of former Governor William F. Winter and extend deepest sympathy of the Legislature on his passing. **SC502**.

Representative Gary Chism; commend dedicated legislative career and public service upon his retirement. **HC4**.

Request Attorney General to petition the Mississippi Supreme Court to establish Covid-19 Landlord-Tenant Eviction Resolution Program. **SC538**.

Robert Daniel "Dan" Camp; commend life, legacy and contributions of upon his passing. **HC38**.

Ruby Kate Bowles; commend her life upon her passing. **HC33**.

Sara Barrett Harvey Roberts; commend life and legacy upon her passing. **HC44**.

Sarcoidosis Awareness Month in Mississippi; designate April 2021 as. **HC32**.

Senate Rules; amend Rule 65 to provide for removal of members of the Rules Committee. **SR2**.

State Taxation Study Committee; establish. **SC536**.

State Truth Commission; establish. **SB2721**.

State flag; shall be the design recommended by the Commission to Redesign the State Flag and approved in the November 2020 election. **SB2066, HB1**.

State of the State address of the Governor; call joint session to hear. **HC21**.

State parks; change name of Natchez State Park to "Bob M. Dearing Natchez State Park." **SB2075**.

Steve Hale; commend distinguished public service career including as a State Senator. **HC35**.

Suspend rules; further consideration of Senate Bill No. 2799 and House Bill No. 1008, Medicaid Technical Amendments. **SC535**.

Taiwan; recognize the friendship and encourage further economic ties with the State of Mississippi. **HC41**.

Ted Booth; commend for receiving the 2020 Legislative Staff Achievement Award from NCSL. **SC504**.

The Jones Act; affirm support for and celebrate the centennial anniversary of its passage. **SR25**.

The Mississippi Commission on Children's Justice; urge to create a study committee to consider and recommend proposals. **HC57**.

United States Constitution Convention under Article V; apply for federal debt limitation. **SC522, SC523**.

Urge U.S. Congress to enact legislation to include airguns and airbows as items taxed under the Pittman-Robertson Act. **SR58**.

Urge U.S. Food and Drug Administration to protect American consumers with responsible Kratom regulation. **SC539**.

Urging the President of the United States to designate a State Funeral for last surviving Medal of Honor recipient from WWII. **SR57**.

Wayne Ulrich; commend upon being named an Extraordinary Educator for 2021 by Curriculum Associates. **HC50.**

Nominations:

Dailey, Vivian Walker, Gautier, Mississippi, Mississippi Commission on the Status of Women, term is effective January 12, 2021 and ending January 12, 2025.

SN18.

Frusha, Amanda, Jackson, Mississippi, Mississippi Commission on the Status of Women, term effective January 11, 2021 and ending January 11, 2025.

SN17.

TECHNOLOGY

Mississippi Emergency Communications Act; create. SB2421.

Public Service Commission; require to study the funding and expenditures of emergency communications districts. SB2291.

Public officers and employees; revise policy regulating personal use of state-owned wireless communication devices. SB2394.

Wireless Communication Commission; remove ITS control over. HB108.

TOURISM

Mississippi Development Authority Tourism Advertising Fund; use portion of monies in to advertise state parks. HB148.

Mississippi Gospel Music Trail; authorize MDA Division of Tourism to establish program and historical markers for. HB413.

Mississippi Native Spirit Law; create. **SB2606.**

UNIVERSITIES AND COLLEGES

Athletics; provide that schools designate teams by biological sex. **SB2536.**

Community/Junior Colleges:

Community College Boards of Trustees; revise composition of Northeast Mississippi and Coahoma Community Colleges. HB113.

Community and junior colleges; authorize boards of trustees to approve policies permitting waiver of out-of-state tuition. HB111.

Community colleges; board of trustees approve policies for out-of-state tuition waiver. SB2383.

Community/Junior College Grant Program; establish to provide financial aid to community/junior college students. SB2542.

Community/Junior College Grant Program; establish to provide financial aid to community/junior college students. SB2545.

Dual Credit Community College Scholarship Program; create. HB1160.

Hinds Community College; revise trustee districts. SB2143.

Dual Credit Community College Scholarship Program; create. HB1160.

Graduate Nursing Loan Repayment Program; create to provide student loan repayment to nurse educators. SB2541.

Institutions of Higher Learning (IHL):

"Mississippi Targeted Student Loan Forgiveness Act"; create program under IHL Board of Trustees. SB2548.

Harassment in institutions of higher education; provide cause of action for discriminatory harassment. SB2770.

IHL; must allocate funding for nonresident students to student financial aid programs. SB2543.

Income share agreements; authorize IHLs to enter into with eligible students. HB1029.

Institutions of higher education; protect lawful expression and create cause of action for violation of free speech. SB2769.

Procurement of wireless communication devices for students; exempt institutions of higher learning in emergency situations. SB2546.

Public purchasing law; exempt procurement of certain aircraft by state institutions of higher learning from. HB609.

State institutions of higher learning; allow income-sharing agreements between students and institutions. SB2310.

University and colleges anti-hazing policy; require Board of Trustees of IHL to develop policy against hazing and prescribe penalties. HB6.

Harassment in institutions of higher education; provide cause of action for discriminatory harassment. SB2770.

Hinds Community College; revise trustee districts. SB2143.

IHL; must allocate funding for nonresident students to student financial aid programs. SB2543.

Income share agreements; authorize IHLs to enter into with eligible students. HB1029.

Institutions of higher education; protect lawful expression and create cause of action for violation of free speech. SB2769.

"Mississippi Intercollegiate Athletics Compensation Rights Act"; enact. HB1030.

Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness. **SB2313.**

Mississippi Intercollegiate Athletics Compensation Rights Act; allow athletes to be compensated for name, image and likeness. **SB2313.**

Mississippi Prepaid Affordable College Tuition Act; fully fund. SB2724.

"Mississippi Targeted Student Loan Forgiveness Act"; create program under IHL Board of Trustees. SB2548.

Procurement of wireless communication devices for students; exempt institutions of higher learning in emergency situations. SB2546.

Protection of free speech and association at public universities; withhold state funds for unconstitutional policy. SB2145.

Public purchasing law; exempt procurement of certain aircraft by state institutions of higher learning from. HB609.

Scholarship eligibility requirements; increase minimum ACT scores for MTAG, HELP and MESH. SB2547.

State Resident Forgivable Student Loan Program; provide student loan forgiveness to residents of five years. SB2526.

State institutions of higher learning; allow income-sharing agreements between students and institutions. SB2310.

Step Ahead Program; create standardized dual enrollment program. SB2540.

The Sexual Assault Response For College Students Act; create. HB581.

Universities; enact the Forming Open and Robust University Minds Act. SB2766.

University and colleges anti-hazing policy; require Board of Trustees of IHL to develop policy against hazing and prescribe penalties. HB6.

VETERANS AND MILITARY AFFAIRS

Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge. HB186.

Claims by veterans under consumer protection law; Mississippi Veterans Affairs Board offers service free of charge. **SB2293.**

Committee to Study Veteran Homelessness, Unemployment, PTSD and Human Services; make an annual report to the Legislature. SB2399.

Compatibility of land use development with Mississippi military installations. SB2397.

Counties and municipalities; encourage to exchange information with military installations relating to land use and development. SB2731.

County veteran service officers; revise certain qualifications and requirements. HB187.

Driver's license; exempt active duty military, spouse and dependent children if they have valid license from their home state. **HB1036**.

Fishing and hunting licenses; free license for veterans who are 50% disabled or more. **SB2499**.

Homestead exemption; veterans exemption is based on 100% service-connected disability. **SB2730**.

Military bases; establish a process to ensure adequate notice and opportunity to mitigate adverse mission impacts. **SB2398**.

Mississippi Persian Gulf War Memorial; authorize MSVA to move to another appropriate location. **HB189**.

Required uniform designations for offenders; exempt offenders in Mississippi Statewide Incarcerated Veterans Program. **HB188**.

State Veterans Affairs Board; revise powers and duties relating to the operation of the State Veterans Homes. **HB761**.

Veteran Driver's License Designation; allow proof of military service in person. **SB2294**.

Veterans Service Officers; revise certain qualifications and requirements. **SB2165**.

Veterans; provide uniform definition and include NOAA Corps. **HB1182**.

Nominations:

Irvin, Brig. Gen. George Edward, Sr., Jackson, Mississippi, State Veterans Affairs Board to represent the Second Congressional District, unexpired portion of a five year term beginning immediately and ending May 31, 2025. **SN73**.

WILDLIFE, FISHERIES AND PARKS

Bears; legalize shooting by landowner when on landowner's property. **SB2484**.

CWD; make testing of white-tailed deer harvested in enclosures discretionary with WF&P Department and Commission. **SB2480**.

Chronic wasting disease; revise requirements for testing of white-tailed deer harvested within enclosures. **HB382**.

Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides. **SB2074**.

Deer hunting; allow the use of electronically amplified sound devices. **SB2036**.

Fishing and hunting licenses; free license for veterans who are 50% disabled or more. **SB2499**.

Hunting & fishing licenses; include manager or member of LLC owning land within exemption for resident landowners. **SB2095**.

Hunting on streets and railroads; clarify prohibition on. **SB2500**.

Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection. **SB2035**.

Homochitto National Forest Dog Permit; authorize statewide. **SB2485**.

Hunting and Fishing:

Bears; legalize shooting by landowner when on landowner's property. **SB2484**.

Deer hunting; allow the use of electronically amplified sound devices. **SB2036**.

Fishing and hunting licenses; free license for veterans who are 50% disabled or more. **SB2499**.

Hunting & fishing licenses; include manager or member of LLC owning land within exemption for resident landowners. **SB2095**.

Hunting on streets and railroads; clarify prohibition on. **SB2500**.

Hunting; allow air guns, air bows and pre-charged pneumatic weapons, and authorize special seasons for CWD sample collection. **SB2035**.

John Scott Coopwood, Cleveland, Mississippi, Commission on Wildlife, Fisheries and Parks, five year term effective immediately and ending June 30, 2025, representing the Second Congressional District. **SN27**.

John Scott Coopwood, Cleveland, Mississippi, Commission on Wildlife, Fisheries and Parks, five year term effective immediately and ending June 30, 2025, representing the Second Congressional District **SN77**.

Mississippi Outdoors:

Mississippi Outdoor Stewardship Trust Fund; create. **HB1231**.

Mississippi Outdoors and Natural Resources Fund; create to provide source of private funds to promote outdoors and natural resources. **HB1154**.

State parks; create study committee on restructuring ownership and management arrangements. **SB2486**.

Water skiing; revise safety requirements. **SB2787**.

White tailed deer; authorize game breeder's license allowing for raising in enclosures. **SB2782**.

Wild hogs:

Wild hogs; clarify designation of Class I violation for transportation of, and eliminate permits. **SB2487**.

Wild hogs; require metallic tags to be affixed to the ear of one that is being transported. **SB2073**.

Wildlife:

Wildlife Trafficking Prevention Act; enact. **SB2390**.

Wildlife; clarify that a conservation officer must have probable cause to conduct a search without a warrant. **SB2285**.

Wildlife; require the Department of Wildlife, Fisheries and Parks to identify existing and needed wildlife corridors. **SB2391**.

Wildlife Trafficking Prevention Act; enact. **SB2390**.

Nominations:

Coopwood, John Scott, Cleveland, Mississippi, Commission on Wildlife, Fisheries and Parks, five year term effective immediately and ending June 30, 2025, representing the Second Congressional District. **SN27**.

Coopwood, John Scott, Cleveland, Mississippi, Commission on Wildlife, Fisheries and Parks, five year term effective immediately and ending June 30, 2025, representing the Second Congressional District as it existed in 1991. **SN77**.

C. LOCAL AND PRIVATE COMMITTEE

LOCAL AND PRIVATE

Caledonia Natural Gas District; authorize to enter into agreement with Mississippi Development Bank. **HB1436**.

Caledonia Natural Gas District; reconstitute board of commissioners as natural gas users rather than district residents. **SB2880**.

Baldwyn, City of; authorize to expand and operate natural gas distribution system to serve certain areas of Tippah County. **SB3088**, **HB1510**.

Booneville, City of; extend date of repeal on city's hotel, motel and restaurant tax. **HB1453**.

Brookhaven, City of; extend repeal date on the tax upon room rentals of hotels, motels and bed-and-breakfast establishments. **SB2881**.

Byram, City of; extend repeal date on hotel and motel tax. **SB2974**.

Forest, City of; authorize a tax on hotels/motels and restaurants to promote tourism, parks and recreation. **HB1504**.

Greenwood, City of; extend the repeal date on the tourism tax and the Greenwood Tourism Commission. **SB3079**.

Guntown, City of; allow low-speed vehicles and golf carts on certain public roads. **HB1346**, **SB2288**.

Hattiesburg, City of; authorize waiver of lien, under certain circumstances, for costs associated with cleaning menaced property. **HB1530**.

Indianola, City of; extend repeal date on tourism commission and hotel, motel and restaurant tax. **HB1482.**

Jackson, City of; authorize to continue contributions to Keep Jackson Beautiful, Inc. SB3084.

Louisville, City of; extend the hotel and motel tax repeal date to July 1, 2025. **SB2031.**

McComb, City of; extend date of repeal on hotel/motel tourism tax. **HB1479.**

Meridian, City of; authorize occupancy assessment for the benefit of the Meridian-Lauderdale Sports Commission and complex. SB3085.

New Albany, City of; authorize to lease fiber to internet service providers for provision of broadband service. SB3092.

Olive Branch, City of; authorize 1% tax on hotels and motels and issuance of bonds for tourism and parks and recreation. SB2032.

Oxford, City of; amend code reference to conform to governing law change from PERS to MS Uniform Prudent Investor Act. SB2973.

Pascagoula, City of; extend the repeal date on tourism tax authorized to be levied on prepared food sold at restaurants. **SB3032.**

Petal, City of; authorize a tax on hotels, motels, bars and restaurants to promote tourism, parks and recreation. **HB1438.**

Ripley, City of; extend repeal date on hotel/motel and restaurant tax. **HB1350.**

Senatobia, City of; extend repeal date on hotel/motel tourism tax. **HB1483.**

Vicksburg, City of:
 Authorize to execute certain agreement to make contributions to Vicksburg Warren Economic Development Foundation. **HB1487,** SB3081.
 Authorize adoption of vacant commercial building registration ordinance. **SB3080.**
 Extend repealers on authority to contribute to various organizations. **SB3083.**

Coahoma County:
 Authorize contributions to Tri-County Workforce Alliance. **HB1490.**
 Authorize contributions to the Family and Youth Opportunities, Inc. **HB1491.**

Hancock County; extend the date of repeal on the Hancock County Tourism Development Bureau and hotel/motel tax. **HB1509.**

Hinds County; authorize assessments on convictions for improvements to courthouses and pretrial detention facilities. **SB2539.**

Holmes County:
 Authorize contributions to P.E.A.R.L.S. Mentoring for Girls, Inc. **HB1498.**
 Authorize contributions to Fannie Lou Hamer Cancer Foundation. **HB1499.**
 Authorize transfer of funds/property from defunct county economic development authority to county economic development district. **HB1500.**

Jackson County and the City of Pascagoula; extend repealer on LaPointe-Krebs Foundation, Inc. **SB3076.**

Jackson County:
 Direct contributions to Management and Operations for the Mary C. O'Keefe Cultural Center of Arts and Education. **HB1497.**
 Revise duties of civil service commission for sheriff's department relating to certain personnel matters. **HB1493.**

Lafayette County; change governing law for county trust fund investments from PERS to MS Uniform Prudent Investor Act. **SB3072.**

Lauderdale County; extend repeal date on the Lauderdale County Tourism Commission. **SB3086.**

Lee County; authorize 3/4% sales tax and bond issuance for a specific project by county board. SB3091.

Lincoln County; include food sold at county's civic center as retail merchandise when processing electronic payments for such merchandise. **HB1335.**

Lowndes County:
 Authorize contributions to United Way of Lowndes County. HB1435.

Increase amount that may be contributed to the United Way for fiscal years 2021-2023, and extend repealer. **SB2882.**

MS Coast Transportation Authority; authorize to bear the full cost of processing electronic payments. **HB1502.**

Marshall County; expand boundaries of Marshall Utility Services Sewer District. **HB1480**, SB3074, SB3082.

Noxubee County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. **SB2776.**

Oakland/Yalobusha Natural Gas District; authorize expansion of natural gas distribution system. **HB1418.**

Oxford Municipal Reserve and Trust Fund; make technical correction concerning certain internal reference within. **HB1466.**

Panola County; exempt certain tracts of land from certain provisions of Individual On-Site Wastewater Disposal System Law. SB3089.

Tallahatchie County:
 Authorize contributions to Mid-State Opportunity, Inc. **HB1434.**
 Authorize leasing of certain water well to Charleston. **HB1495.**

Byhalia, Town of; authorize transfer of certain funds for infrastructure improvements. **HB1437.**

Como, Town of; extend repealer on authority to impose tourism tax on hotels, motels and restaurants. **HB1529.**

Georgetown, Town of; authorize use of low-speed vehicles and golf carts on certain public roads. **HB1334.**

Mize, Town of; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1465.**

Sardis, Town of; extend repeal date on hotel, motel and restaurant tax. SB3075, SB3077.

Shannon, Town of; authorize expansion of its gas distribution system. **HB1481.**

Wesson, Town of; authorize the use of low-speed vehicles and golf carts on certain public roads. **HB1333.**

Tunica County:
 Allow board to designate transformative renewable energy project at set ad valorem assessment ratio. SB3033.
 Authorize occupancy assessment for the benefit of the Convention Center Complex. SB3078.

Walnut Grove; authorize Walnut Grove Correctional Authority to contract with the state to operate correctional facility. **HB1494.**

Warren County; authorize contributions to various organizations. **SB3087.**

Washington County; extend the repeal date on the Washington County Convention and Visitors Committee and the tourism tax. **SB3090.**

Yalobusha County; authorize to loan funds to Oakland Yalobusha Natural Gas District to help pay off certain district debt. **HB1433.**

**PART VII
COMMITTEE MEMBERSHIP**

A. PERSONNEL OF STATE SENATE STANDING COMMITTEES

ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY (11)--Senator Polk, Chairman; Senator Hill, Vice Chairman; Senators Blackwell, Blount, Branning, Butler, Hopson, McDaniel, Parks, Thompson, Turner-Ford.

AGRICULTURE (13)--Senator Younger, Chairman; Senator McCaughn, Vice Chairman; Senators Caughman, Chassaniol, Hill, Jackson R. (11th), Jackson S. (32nd), Jordan, Seymour, Simmons S. (13th), Sojourner, Suber, Whaley.

APPROPRIATIONS (26)--Senator Hopson, Chairman; Senator Polk, Vice Chairman; Senators Blackwell, Branning, Butler, Chism, DeBar, DeLano, Frazier, Hill, Jackson R. (11th), Jackson S. (32nd), McCaughn, McLendon, Michel, Moran, Norwood, Parks, Seymour, Simmons S. (13th), Suber, Tate, Turner-Ford, Wiggins, Williams, Witherspoon.

BUSINESS AND FINANCIAL INSTITUTIONS (13)--Senator Caughman, Chairman; Senator McMahan, Vice Chairman; Senators Blackwell, Branning, Chism, Horhn, Jackson R. (11th), Johnson, McLendon, Parks, Sparks, Suber, Thomas.

COMPILATION, REVISION AND PUBLICATION (7)--Senators Branning, Fillingane, Frazier, Kirby, Sparks, Thomas.

CONGRESSIONAL REDISTRICTING (10)--Senator Kirby, Chairman; Senators Bryan, DeBar, Harkins, Hopson, Parker, Simmons D. T. (12th), Tate, Turner-Ford, Wiggins.

CONSTITUTION (9)--Senator Johnson, Chairman; Senator Simmons D. T. (12th), Vice Chairman; Senators Branning, Bryan, Chism, England, Frazier, Suber, Williams.

CORRECTIONS (11)--Senator Barnett, Chairman; Senator Sparks, Vice Chairman; Senators Carter, Chassaniol, DeBar, Jackson S. (32nd), Norwood, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Wiggins.

COUNTY AFFAIRS (9)--Senator Hill, Chairman; Senator Whaley, Vice Chairman; Senators Caughman, Jackson R. (11th), Jordan, McCaughn, Seymour, Sojourner, Williams.

DRUG POLICY (11)--Senator Jordan, Chairman; Senator Sojourner, Vice Chairman; Senators Carter, Chism, Johnson, McDaniel, Norwood, Simmons S. (13th), Sparks, Thomas, Williams.

ECONOMIC AND WORKFORCE DEVELOPMENT (11)--Senator Parker, Chairman; Senator Younger, Vice Chairman; Senators Barnett, Barrett, Chism, England, Kirby, McMahan, Michel, Norwood, Sparks.

EDUCATION (15)--Senator DeBar, Chairman; Senator Blount, Vice Chairman; Senators Boyd, Bryan, DeLano, Hill, Hopson, Johnson, Jordan, McLendon, McMahan, Norwood, Polk, Simmons S. (13th), Wiggins.

ELECTIONS (9)--Senator Tate, Chairman; Senator Bryan, Vice Chairman; Senators Blackwell, Blount, Branning, Chassaniol, Fillingane, Frazier, Parker.

ENERGY (15)--Senator Carter, Chairman; Senator Parks, Vice Chairman; Senators Barnett, Chassaniol, DeBar, Harkins, Hill, Jackson R. (11th), Jackson S. (32nd), McDaniel, Michel, Moran, Polk, Whaley, Younger.

ENROLLED BILLS (5)--Senator Witherspoon, Chairman; Senator Jackson R. (11th), Vice Chairman; Senators McDaniel, Norwood, Suber.

ENVIRONMENT PROT, CONS AND WATER RES (11)--Senator McDaniel, Chairman; Senator Caughman, Vice Chairman; Senators Barrett, Butler, DeLano, Jordan, McCaughn, Simmons S. (13th), Tate, Thompson, Witherspoon.

ETHICS (9)--Senator Butler, Chairman; Senator McDaniel, Vice Chairman; Senators Barnett, Barrett, Michel, Norwood, Seymour, Thomas, Younger.

EXECUTIVE CONTINGENT FUND (5)--Senator Jackson R. (11th), Chairman; Senator Barnett, Vice Chairman; Senators Barrett, Michel, Whaley.

FINANCE (26)--Senator Harkins, Chairman; Senator Johnson, Vice Chairman; Senators Barnett, Barrett, Blackmon, Blount, Boyd, Bryan, Carter, Caughman, Chassaniol, England, Fillingane, Horhn, Jordan, Kirby, McDaniel, McMahan, Parker, Simmons D. T. (12th), Sojourner, Sparks, Thomas, Thompson, Whaley, Younger.

FORESTRY (9)--Senator Jackson S. (32nd), Chairman; Senator Seymour, Vice Chairman; Senators Branning, Butler, Caughman, McCaughn, Sparks, Tate, Thomas.

GAMING (9)--Senator Blount, Chairman; Senator Moran, Vice Chairman; Senators Blackwell, Chassaniol, DeLano, England, Jackson R. (11th), Thompson, Younger.

HIGHWAYS AND TRANSPORTATION (19)--Senator Branning, Chairman; Senator Blackmon, Vice Chairman; Senators Blount, Bryan, Butler, Carter, DeLano, England, Fillingane, Hopson, Horhn, Jackson S. (32nd), McLendon, Moran, Parks, Sojourner, Thompson, Whaley, Younger.

HOUSING (7)--Senator Blackmon, Chairman; Senator Witherspoon, Vice Chairman; Senators Boyd, Branning, Jordan, Moran, Parker.

INSURANCE (13)--Senator Michel, Chairman; Senator McLendon, Vice Chairman; Senators Blackmon, Blackwell, Boyd, DeLano, Frazier, Harkins, Hill, Horhn, Kirby, Thomas, Younger.

INTERSTATE AND FEDERAL COOPERATION (5)--Senator Frazier, Chairman; Senator Thomas, Vice Chairman; Senators Jackson S. (32nd), Kirby, Simmons D. T. (12th).

INVESTIGATE STATE OFFICES (9)--Senator Thompson, Chairman; Senator Simmons S. (13th), Vice Chairman; Senators Carter, Frazier, Hill, Horhn, McLendon, Moran, Williams.

JUDICIARY, DIVISION A (15)--Senator Wiggins, Chairman; Senator Branning, Vice Chairman; Senators Barnett, Barrett, Blackmon, Boyd, DeBar, England, Hopson, Kirby, McCaughn, McDaniel, Parker, Simmons D. T. (12th), Turner-Ford.

JUDICIARY, DIVISION B (15)--Senator Fillingane, Chairman; Senator England, Vice Chairman; Senators Barnett, DeBar, Hill, Jackson S. (32nd), McCaughn, McDaniel, Simmons D. T. (12th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Wiggins.

LABOR (9)--Senator Horhn, Chairman; Senator Frazier, Vice Chairman; Senators Carter, Chism, Simmons S. (13th), Sojourner, Tate, Williams, Witherspoon.

LEGISLATIVE BUDGET COMMITTEE (7)--Senator Lt. Governor, Vice Chairman; Senators Boyd, Fillingane, Harkins, Hopson, Horhn, Kirby.

LEGISLATIVE REAPPORTIONMENT (10)--Senator Kirby, Chairman; Senators Bryan, DeBar, Harkins, Hopson, Parker, Simmons D. T. (12th), Tate, Turner-Ford, Wiggins.

LOCAL AND PRIVATE (5)--Senator McMahan, Chairman; Senator Kirby, Vice Chairman; Senators Blackmon, Tate, Whaley.

MEDICAID (11)--Senator Blackwell, Chairman; Senator Fillingane, Vice Chairman; Senators Blackmon, Blount, Bryan, Harkins, Johnson, Parks, Polk, Turner-Ford, Wiggins.

MUNICIPALITIES (11)--Senator Simmons D. T. (12th), Chairman; Senator Barrett, Vice Chairman; Senators Chassaniol, Jordan, McCaughn, McLendon, Norwood, Seymour, Suber, Turner-Ford, Witherspoon.

PEER (7)--Senators Blackwell, Chassaniol, Kirby, McMahan, Norwood, Polk, Younger.

PORTS AND MARINE RESOURCES (11)--Senator Moran, Chairman; Senator Thompson, Vice Chairman; Senators Butler, Carter, DeLano, England, Hopson, Seymour, Simmons D. T. (12th), Sojourner, Wiggins.

PUBLIC HEALTH AND WELFARE (19)--Senator Bryan, Chairman; Senator Parker, Vice Chairman; Senators Blackmon, Blackwell, Blount, Caughman, DeBar, Fillingane, Frazier, Harkins, Hopson, Horhn, Johnson, McMahan, Parks, Polk, Tate, Wiggins, Witherspoon.

PUBLIC PROPERTY (7)--Senator Turner-Ford, Chairman; Senator Butler, Vice Chairman; Senators Barrett, Blount, Chism, Harkins, Seymour.

RULES (5)--Senator Kirby, Chairman; Senator Michel, Vice Chairman; Senators DeBar, Frazier, Parker.

STATE LIBRARY (5)--Senator Norwood, Chairman; Senator Chism, Vice Chairman; Senators Simmons S. (13th), Thomas, Witherspoon.

TECHNOLOGY (7)--Senator DeLano, Chairman; Senator Williams, Vice Chairman; Senators Blackwell, Boyd, McLendon, Tate, Turner-Ford.

TOURISM (11)--Senator Chassaniol, Chairman; Senator Horhn, Vice Chairman; Senators Boyd, Butler, Carter, Jackson R. (11th), Johnson, Jordan, McMahan, Moran, Thompson.

UNIVERSITIES AND COLLEGES (13)--Senator Parks, Chairman; Senator Boyd, Vice Chairman; Senators Blount, Caughman, Fillingane, Frazier, Harkins, Michel, Parker, Polk, Sparks, Williams, Witherspoon.

VETERANS AND MILITARY AFFAIRS (7)--Senator Seymour, Chairman; Senator DeLano, Vice Chairman; Senators Barnett, Chassaniol, DeBar, McMahan, Turner-Ford.

WILDLIFE, FISHERIES AND PARKS (11)--Senator Whaley, Chairman; Senator Suber, Vice Chairman; Senators Caughman, Chism, Jackson S. (32nd), McCaughn, McDaniel, Michel, Simmons D. T. (12th), Sparks, Younger.

B. COMMITTEE ASSIGNMENT OF SENATORS

JUAN BARNETT--Corrections, Chairman; Executive Contingent Fund, Vice Chairman; Economic and Workforce Development; Energy; Ethics; Finance; Judiciary, Division A; Judiciary, Division B; Veterans and Military Affairs.

JASON BARRETT--Municipalities, Vice Chairman; Economic and Workforce Development; Environment Prot, Cons and Water Res; Ethics; Executive Contingent Fund; Finance; Judiciary, Division A; Public Property.

BARBARA BLACKMON--Housing, Chairman; Highways and Transportation, Vice Chairman; Finance; Insurance; Judiciary, Division A; Local and Private; Medicaid; Public Health and Welfare.

KEVIN BLACKWELL--Medicaid, Chairman; Accountability, Efficiency, Transparency; Appropriations; Business and Financial Institutions; Elections; Gaming; Insurance; PEER; Public Health and Welfare; Technology.

DAVID BLOUNT--Gaming, Chairman; Education, Vice Chairman; Accountability, Efficiency, Transparency; Elections; Finance; Highways and Transportation; Medicaid; Public Health and Welfare; Public Property; Universities and Colleges.

NICOLE BOYD--Universities and Colleges, Vice Chairman; Education; Finance; Housing; Insurance; Judiciary, Division A; Legislative Budget Committee; Technology; Tourism.

JENIFER B. BRANNING--Highways and Transportation, Chairman; Judiciary, Division A, Vice Chairman; Accountability, Efficiency, Transparency; Appropriations; Business and Financial Institutions; Compilation, Revision and Publication; Constitution; Elections; Forestry; Housing.

HOB BRYAN--Public Health and Welfare, Chairman; Elections, Vice Chairman; Congressional Redistricting; Constitution; Education; Finance; Highways and Transportation; Legislative Reapportionment; Medicaid.

ALBERT BUTLER--Ethics, Chairman; Public Property, Vice Chairman; Accountability, Efficiency, Transparency; Appropriations; Environment Prot, Cons and Water Res; Forestry; Highways and Transportation; Ports and Marine Resources; Tourism.

JOEL R.CARTER, JR.--Energy, Chairman; Corrections; Drug Policy; Finance; Highways and Transportation; Investigate State Offices; Labor; Ports and Marine Resources; Tourism.

CHRIS CAUGHMAN--Business and Financial Institutions, Chairman; Environment Prot, Cons and Water Res, Vice Chairman; Agriculture; County Affairs; Finance; Forestry; Public Health and Welfare; Universities and Colleges; Wildlife, Fisheries and Parks.

LYDIA GRAVES CHASSANIOL--Tourism, Chairman; Agriculture; Corrections; Elections; Energy; Finance; Gaming; Municipalities; PEER; Veterans and Military Affairs.

KATHY L. CHISM--State Library, Vice Chairman; Appropriations; Business and Financial Institutions; Constitution; Drug Policy; Economic and Workforce Development; Labor; Public Property; Wildlife, Fisheries and Parks.

DENNIS DEBAR, JR.--Education, Chairman; Appropriations; Congressional Redistricting; Corrections; Energy; Judiciary, Division A; Judiciary, Division B; Legislative Reapportionment; Public Health and Welfare; Rules; Veterans and Military Affairs.

SCOTT DELANO--Technology, Chairman; Veterans and Military Affairs, Vice Chairman; Appropriations; Education; Environment Prot, Cons and Water Res; Gaming; Highways and Transportation; Insurance; Ports and Marine Resources.

JEREMY ENGLAND--Judiciary, Division B, Vice Chairman; Constitution; Economic and Workforce Development; Finance; Gaming; Highways and Transportation; Judiciary, Division A; Ports and Marine Resources.

JOEY FILLINGANE--Judiciary, Division B, Chairman; Medicaid, Vice Chairman; Compilation, Revision and Publication; Elections; Finance; Highways and Transportation; Legislative Budget Committee; Public Health and Welfare; Universities and Colleges.

HILLMAN TEROME FRAZIER--Interstate and Federal Cooperation, Chairman; Labor, Vice Chairman; Appropriations; Compilation, Revision and Publication; Constitution; Elections; Insurance; Investigate State Offices; Public Health and Welfare; Rules; Universities and Colleges.

JOSH HARKINS--Finance, Chairman; Congressional Redistricting; Energy; Insurance; Legislative Budget Committee; Legislative Reapportionment; Medicaid; Public Health and Welfare; Public Property; Universities and Colleges.

ANGELA BURKS HILL--County Affairs, Chairman; Accountability, Efficiency, Transparency, Vice Chairman; Agriculture; Appropriations; Education; Energy; Insurance; Investigate State Offices; Judiciary, Division B.

W. BRIGGS HOPSON III--Appropriations, Chairman; Accountability, Efficiency, Transparency; Congressional Redistricting; Education; Highways and Transportation; Judiciary, Division A; Legislative Budget Committee; Legislative Reapportionment; Ports and Marine Resources; Public Health and Welfare.

JOHN HORHN--Labor, Chairman; Tourism, Vice Chairman; Business and Financial Institutions; Finance; Highways and Transportation; Insurance; Investigate State Offices; Legislative Budget Committee; Public Health and Welfare.

ROBERT L. JACKSON--Executive Contingent Fund, Chairman; Enrolled Bills, Vice Chairman; Agriculture; Appropriations; Business and Financial Institutions; County Affairs; Energy; Gaming; Tourism.

SAMPSON JACKSON II--Forestry, Chairman; Agriculture; Appropriations; Corrections; Energy; Highways and Transportation; Interstate and Federal Cooperation; Judiciary, Division B; Wildlife, Fisheries and Parks.

CHRIS JOHNSON--Constitution, Chairman; Finance, Vice Chairman; Business and Financial Institutions; Drug Policy; Education; Medicaid; Public Health and Welfare; Tourism.

DAVID JORDAN--Drug Policy, Chairman; Agriculture; County Affairs; Education; Environment Prot, Cons and Water Res; Finance; Housing; Municipalities; Tourism.

DEAN KIRBY--Congressional Redistricting, Chairman; Legislative Reapportionment, Chairman; Rules, Chairman; Local and Private, Vice Chairman; Compilation, Revision and Publication; Economic and Workforce Development; Finance; Insurance; Interstate and Federal Cooperation; Judiciary, Division A; Legislative Budget Committee; PEER.

DELBERT HOSEMANN JR.--Legislative Budget Committee, Vice Chairman.

TYLER MCCAUGHN--Agriculture, Vice Chairman; Appropriations; County Affairs; Environment Prot, Cons and Water Res; Forestry; Judiciary, Division A; Judiciary, Division B; Municipalities; Wildlife, Fisheries and Parks.

CHRIS MCDANIEL--Environment Prot, Cons and Water Res, Chairman; Ethics, Vice Chairman; Accountability, Efficiency, Transparency; Drug Policy; Energy; Enrolled Bills; Finance; Judiciary, Division A; Judiciary, Division B; Wildlife, Fisheries and Parks.

MICHAEL MCLENDON--Insurance, Vice Chairman; Appropriations; Business and Financial Institutions; Education; Highways and Transportation; Investigate State Offices; Municipalities; Technology.

CHAD MCMAHAN--Local and Private, Chairman; Business and Financial Institutions, Vice Chairman; Economic and Workforce Development; Education; Finance; PEER; Public Health and Welfare; Tourism; Veterans and Military Affairs.

J. WALTER MICHEL--Insurance, Chairman; Rules, Vice Chairman; Appropriations; Economic and Workforce Development; Energy; Ethics; Executive Contingent Fund; Universities and Colleges; Wildlife, Fisheries and Parks.

PHILIP MORAN--Ports and Marine Resources, Chairman; Gaming, Vice Chairman; Appropriations; Energy; Highways and Transportation; Housing; Investigate State Offices; Tourism.

SOLLIE B. NORWOOD--State Library, Chairman; Appropriations; Corrections; Drug Policy; Economic and Workforce Development; Education; Enrolled Bills; Ethics; Municipalities; PEER.

DAVID PARKER--Economic and Workforce Development, Chairman; Public Health and Welfare, Vice Chairman; Congressional Redistricting; Elections; Finance; Housing; Judiciary, Division A; Legislative Reapportionment; Rules; Universities and Colleges.

RITA POTTS PARKS--Universities and Colleges, Chairman; Energy, Vice Chairman; Accountability, Efficiency, Transparency; Appropriations; Business and Financial Institutions; Highways and Transportation; Medicaid; Public Health and Welfare.

JOHN A. POLK--Accountability, Efficiency, Transparency, Chairman; Appropriations, Vice Chairman; Education; Energy; Medicaid; PEER; Public Health and Welfare; Universities and Colleges.

JOSEPH M. SEYMOUR--Veterans and Military Affairs, Chairman; Forestry, Vice Chairman; Agriculture; Appropriations; County Affairs; Ethics; Municipalities; Ports and Marine Resources; Public Property.

DERRICK T. SIMMONS--Municipalities, Chairman; Constitution, Vice Chairman; Congressional Redistricting; Corrections; Finance; Interstate and Federal Cooperation; Judiciary, Division A; Judiciary, Division B; Legislative Reapportionment; Ports and Marine Resources; Wildlife, Fisheries and Parks.

SARITA SIMMONS--Investigate State Offices, Vice Chairman; Agriculture; Appropriations; Corrections; Drug Policy; Education; Environment Prot, Cons and Water Res; Labor; State Library.

MELANIE SOJOURNER--Drug Policy, Vice Chairman; Agriculture; Corrections; County Affairs; Finance; Highways and Transportation; Labor; Ports and Marine Resources.

DANIEL H. SPARKS--Corrections, Vice Chairman; Business and Financial Institutions; Compilation, Revision and Publication; Drug Policy; Economic and Workforce Development; Finance; Forestry; Judiciary, Division B; Universities and Colleges; Wildlife, Fisheries and Parks.

BENJAMIN SUBER--Wildlife, Fisheries and Parks, Vice Chairman; Agriculture; Appropriations; Business and Financial Institutions; Constitution; Enrolled Bills; Judiciary, Division B; Municipalities.

JEFF TATE--Elections, Chairman; Appropriations; Congressional Redistricting; Environment Prot, Cons and Water Res; Forestry; Labor; Legislative Reapportionment; Local and Private; Public Health and Welfare; Technology.

JOSEPH THOMAS--Interstate and Federal Cooperation, Vice Chairman; Business and Financial Institutions; Compilation, Revision and Publication; Drug Policy; Ethics; Finance; Forestry; Insurance; Judiciary, Division B; State Library.

MIKE THOMPSON--Investigate State Offices, Chairman; Ports and Marine Resources, Vice Chairman; Accountability, Efficiency, Transparency; Environment Prot, Cons and Water Res; Finance; Gaming; Highways and Transportation; Judiciary, Division B; Tourism.

ANGELA TURNER-FORD--Public Property, Chairman; Accountability, Efficiency, Transparency; Appropriations; Congressional Redistricting; Judiciary, Division A; Judiciary, Division B; Legislative Reapportionment; Medicaid; Municipalities; Technology; Veterans and Military Affairs.

NEIL S. WHALEY--Wildlife, Fisheries and Parks, Chairman; County Affairs, Vice Chairman; Agriculture; Energy; Executive Contingent Fund; Finance; Highways and Transportation; Local and Private.

BRICE WIGGINS--Judiciary, Division A, Chairman; Appropriations; Congressional Redistricting; Corrections; Education; Judiciary, Division B; Legislative Reapportionment; Medicaid; Ports and Marine Resources; Public Health and Welfare.

BART WILLIAMS--Technology, Vice Chairman; Appropriations; Constitution; County Affairs; Drug Policy; Investigate State Offices; Labor; Universities and Colleges.

TAMMY WITHERSPOON--Enrolled Bills, Chairman; Housing, Vice Chairman; Appropriations; Environment Prot, Cons and Water Res; Labor; Municipalities; Public Health and Welfare; State Library; Universities and Colleges.

CHUCK YOUNGER--Agriculture, Chairman; Economic and Workforce Development, Vice Chairman; Energy; Ethics; Finance; Gaming; Highways and Transportation; Insurance; PEER; Wildlife, Fisheries and Parks.

PART VIII**BIOGRAPHICAL DATA OF SENATORS****PRESIDING OFFICER**

HOSEMANN, DELBERT, Lieutenant Governor, P.O. Box 1018, Jackson, MS 39215. Raised in Warren County, MS. St. Aloysius High School (Vicksburg, MS); University of Notre Dame, BA; University of Mississippi, Juris Doctorate; New York University, LL.M. U.S. Army Reserve. Partner at Phelps Dunbar, LLP; "Best Lawyer in America," 18 years. N.R.A., Life Member; Ducks Unlimited, Member. Former Chairman of the Board of MS Blood Services; former Treasurer of Jackson Medical Mall Assn. Saint Richard Catholic Church, Member. Wife Lynn Hosemann. MS Secretary of State, 2008-2020. MS Lieutenant Governor, 2020 Present. Republican.

SENATORS

BARNETT, JUAN, P.O. Box 407, Heidelberg, MS 39439. 34th: Forrest, Jasper, Jones. Born February 21, 1970 in Laurel, MS. Heidelberg High School; Livingston University (UWA) Livingston, Alabama. U.S. Army. AT&T Digital Technician. Alpha Phi Alpha Fraternity; Vice-President CWA Local 3509; Mayor- Town of Heidelberg 2012-2016. Baptist. Wife, former Jacqueline Lovett. Senate 2016-present. Democrat.

BLACKMON, BARBARA MARTIN, 274 N West Street, Canton, MS 39046. 21st: Attala, Holmes, Leake, Madison, Yazoo. Born in Jackson, MS. Jackson State University, BS, Business Administration; University of Alabama, M.B.A.; University of Mississippi, Juris Doctorate; New York University, LL.M (Taxation). Mississippi State Bar; New York State Bar; Magnolia Bar Assn.; Attorney. Baptist. Husband, Edward Blackmon, Jr. Senate 1992 - 2003; Senate 2016-present. Democrat.

BLACKWELL, KEVIN, P.O. Box 1412, Southaven, MS. 38671. 19th: DeSoto, Marshall. Born October 24, 1954. Bishop McGuinness Memorial High School; San Diego Mesa College; National University; Medical College of Virginia (MSHA). Business Owner. Navy veteran. Rotary Club of Southaven; Olive Branch, Southaven & Byhalia Chamber of Commerce; DeSoto Economic Council; N.R.A.; Ducks Unlimited; North American Hunting Club; Buckmasters. Catholic. Wife, former Vicki Lynn Bryant. Senate 2016-present. Republican.

BLOUNT, DAVID LAMAR, 1305 Saint Mary Street, Jackson, MS, 39202. 29th: Hinds. Born, July 1967. Davidson College (BA); University of Virginia (MA); Licensed Real Estate Broker. MS Assn. of Realtors. Former Communications Director for MS Secretary of State; Leadership Jackson; Byram Chamber of Commerce; PTA; Former President, MS Center for Freedom of Information. National Conference of State Legislators, Executive Committee. Episcopal. Wife, former Katherine Drayne. Senate 2008-present. Democrat.

BOYD, NICOLE, 113 Sivley Street, Oxford, MS 38655. 9th: Lafayette, Panola. Born January 19, 1969 in Corinth, MS. Oxford High School. Mississippi State University, Bachelor of Science; University of Mississippi Law School, Juris Doctorate. Attorney. Baptist. Husband, Daniel Boyd. Senate First year. Republican.

BRANNING, JENIFER B., 235 W. Beacon Street, Philadelphia, MS 39350. 18th: Leake, Neshoba, Winston. Leake Academy. Mississippi State University,

Business Administration, Attended M.B.A. program; MS College School of Law, Juris Doctorate. Attorney and Business Owner. Official MS Women's Club; MS Federation of Women's Club; N.R.A.; Neshoba Forestry Assn.; Neshoba County Industrial Managers' Assn.; MS Bar; Philadelphia Community Development Partnership; Neshoba Chamber of Commerce; Leake Chamber of Commerce; Leake County Forestry Assn.; Winston County Republican Women; Board Member of Hope's House Children's Home. Christian. Husband, Chancy Branning. Senate 2016-present. Republican.

BRYAN, HOB, P.O. Box 75, Amory, MS, 38821. 7th: Itawamba, Lee, Monroe. Born December 5, 1952, in Amory, MS. Amory High School; Mississippi State University; University of Virginia. Attorney. Amory Rotary Club. Baptist. Senate 1984-present. Democrat.

BUTLER, ALBERT, P.O. Box 614, Port Gibson, MS, 39150. 36th: Claiborne, Copiah, Hinds, Jefferson. Born in Port Gibson, MS. Addison High School; Alcorn State University; Jackson State University; University of Arkansas at Conway. Agricultural Farmer. Owner/CEO of Diversified Services, LLC. Omega Psi Phi; Mason; NAACP. Baptist. Wife, former Malinda Boyd. Senate 2010-present. Democrat.

CARTER, JR., JOEL R. P.O. Box 1300, Gulfport, MS 39502. 49th. Harrison. Born August 8, 1978, in Jackson, MS. Gulfport High School. University of Southern MS. Real Estate Broker. Member of Nat'l. and MS Assn. of Realtors; Gulf Coast Assn. of Realtors; U.S.M. Alumni Assn.; N.R.A.; Ducks Unlimited.; Gulf Coast Conservation Assn.; Harrison County Republican Club. Christian. Wife, Former Suzanne Steed. Senate 2018-present. Republican.

CAUGHMAN, CHRIS, P. O. Box 511, Mendenhall, MS 39114. 35th: Copiah, Rankin, Simpson. Born October 14, 1967, in Hattiesburg, MS. Simpson County Academy. Copiah Lincoln Jr. College, B.A. Belhaven College; U.M.; L.S.U.; S.M.U.; Vanderbilt School of Banking. Banker, Senior Vice-President Peoples Bank. Board member of Simpson County Youth Leadership Program; Board member of Copiah Lincoln Community College Foundation Board. Baptist. Wife, former Melissa Hilton. Senate 2016-present. Republican.

CHASSANIOL, LYDIA GRAVES, P.O. Box 211, Winona, MS, 38967. 14th: Attala, Carroll, Grenada, Leflore, Montgomery, Panola, Tallahatchie, Yalobusha. Born in Greenwood, MS. Winona High School; University of Mississippi. Rotary; N.R.A.; Montgomery County Economic Development Partnership; Montgomery County Arts Council. Methodist. Husband, Emmett Chassaniol. Senate 2007-present. Republican.

CHISM, KATHY, 1506 Moss Hill Drive New Albany, MS. 3rd. Benton, Pontotoc, Union. Born in Aurora, Illinois. Myrtle High School; Northeast Community College. Itawamba Community College. Realtor/Auctioneer/Business Owner. Daughter, Joni McLarty. Grandchildren, Lexi, Cash, Leighton, Hoyt. Husband, Bob Chism. Senate First year. Republican.

DEBAR, JR., DENNIS, P. O. Box 1090, Leakesville, MS 39451. 43rd: George, Greene, Wayne. Born October 25, 1971 in Owosso, MI. Mississippi College School of Law; University of Central Florida. Attorney. Mississippi Bar Assn.; National Guard Assn. of Mississippi; N.R.A., Life Member; American Legion Post 53. Methodist. Wife, former Kelley Porter. House 2012-2016. Senate 2016-present. Republican.

DELANO, SCOTT, P.O. Box 4524, Biloxi, MS 39535. 50th: Harrison. Born September 20, 1971 in Hendersonville, North Carolina. BA, Acct., University of Southern

Mississippi. Real Estate Developer. Presbyterian. Children, Matthew and Emily. Wife, Robin DeLano. House 2010 – 2019. Senate First year. Republican.

DOTY, SALLY, P. O. Box 46 62, Brookhaven, MS 39603. 39th. Copiah, Lawrence, Lincoln, Walthall. Born December 22, 1966 in Kosciusko, MS. Kosciusko High School. Mississippi University for Women; Mississippi College School of Law. Attorney and Real Estate Manager. M.U.W. Foundation Board; Junior Auxiliary, Life Member; Lincoln County Republican Women. Methodist. Husband, Pat Nelson. Senate 2012 – 2020. Republican.

ENGLAND, JEREMY, P.O. Box 6363 Vancleave, MS 39565. 51st; Jackson. Born November 11th, 1982 Ocean Springs, MS. Pascagoula High School. Mississippi State University. University of Mississippi Law School; Attorney. MS Bar Assn.; St. Martin Youth Baseball; Mosaic Church. Wife, Former Melissa Randall. Senate First Year. Republican.

FILLINGANE, JOSEPH E. (JOEY), 8 Westbrook Drive, Sumrall, MS, 39482. 41st; Covington, Forrest, Jefferson Davis, Lamar, Smith. Born January 10, 1973, in Hattiesburg, MS. Sumrall High School; Hinds Community College; University of Southern Mississippi; Mississippi College School of Law. Attorney. Area Development Partnership; N.R.A. Baptist. House 2000-2006. Senate 2007-present. Republican.

FRAZIER, HILLMAN TEROME, 2066 Queensroad Avenue, Jackson MS, 39213. 27th; Hinds. Born July 17, 1950, in Jackson, MS. Holy Ghost Catholic High School; Hinds Community College; Jackson State University; Harvard University John F. Kennedy School of Government; George Washington University National Law Center. Consultant. Protestant. Wife, former Jean Clayton. House 1980-1993; Senate 1993-present. Democrat.

HARKINS, JOSH, P.O. Box 320374, Flowood, MS, 39232. 20th; Rankin. Born April 5, 1974, in Jackson, MS. Mississippi State University. Commercial Real Estate & Construction; N.R.A., life member; Flowood Chamber of Commerce; MS Commercial Assn. of Realtors; Home Builders Assn.; River Oaks Hospital Board of Trustees. Baptist. Wife, former Andrea Scales. Senate 2012-present. Republican.

HILL, ANGELA BURKS, 54 Watts Road, Picayune, MS, 39466. 40th; Marion, Pearl River. Born August 14, 1965, in Picayune, MS. Picayune Memorial High School; Pearl River Community College; University of Southern Mississippi. Teacher. Baptist. Husband, Richard Byron Hill. Senate 2012-present. Republican.

HOPSON, III, W. BRIGGS, 1201 Cherry Street, Vicksburg, MS, 39183. 23rd; Issaquena, Warren, Yazoo. Born October 10, 1965, in Memphis, TN. Warren Central High School; University of Mississippi. Attorney. Sigma Alpha Epsilon; Phi Delta Phi; MS Bar Assn.; LA State Bar Assn.; Council of School Attorneys; International Assn. of Defense Counsel. Methodist. Wife, former Alison Quaid. Senate 2008-present. Republican.

HORHN, JOHN A., P.O. Box 2030, Jackson, MS, 39225. 26th; Hinds, Madison. Born February 8, 1955 in Goodman, MS. Callaway High School; Centre College of Kentucky; Jackson State University; Duke University. Business Development Consultant. Former member, Centre College Board of Trustees. Board member, Foundation for Mississippi History; MS Museum of Art; B.B. King Museum; Gulf Coast Housing Partnership. Member: 100 Black Men of Jackson; Phi Beta Sigma Fraternity; Sigma Alpha Epsilon Fraternity; Screen Actors Guild; Non-Denominational. Wife, former Lydia Gail Cole. Senate 1993-present. Democrat.

JACKSON, GARY, P.O. Box 40, French Camp, MS 39745. 15th. Choctaw, Montgomery, Oktibbeha, Webster. Born September 11, 1950 in Starkville, MS. Sturgis High School; East Mississippi Community College; Mississippi State University. Pastor Emeritus. Starkville Rotary Club; Kilmichael Lions Club; N.R.A.; Farm Bureau. Baptist. Wife, former Diane Poss. Senate 2004 – 2020. Republican.

JACKSON, ROBERT L., P.O. Box 383, Marks, MS, 38646. 11th: Coahoma, Panola, Quitman, Tunica. Born August 15, 1955, in Lambert, MS. Quitman County High School; Northwest Junior College; University of Southern Mississippi. Economic Development; Commercial Developer. Alpha Phi Alpha; Quitman County Social Service Club for Senior Citizens; 21st Century Investment Club. Baptist. Wife, former Gloria Jean Richmond. Senate 2004-present. Democrat.

JACKSON, II, SAMPSON, 749 Matthew Jackson Road, Preston, MS, 39354. 32nd: Kemper, Lauderdale, Noxubee, Winston. Born January 30, 1953, in Preston, MS. Whisenton High School, DeKalb, MS; Mary Holmes Junior College; East Mississippi Community College. Businessman; Farmer; former Weight Control Officer; Mississippi State Tax Commission. C Phi C Social Fellowship Club; Mason; NAACP; Kemper County Political Black Caucus; Farm Bureau; Mississippi Cattlemen's Assn. Baptist. Wife, former Patricia Diane Hayes. Senate 1992-present. Democrat.

JOHNSON, CHRIS, P.O. Box 18247, Hattiesburg, MS 39404. 45th Forest, Lamar. Forrest County High School. Pearl River Community College; BS Accounting/Finance, University of Southern Mississippi. Business and Real Estate Investor. Wife, former Wendi Burton. House 2016 – 2020; Senate First year. Republican.

JORDAN, DAVID LEE, P.O. Box 8173, Greenwood, MS, 38930. 24th: Grenada, Holmes, Humphreys, Leflore, Tallahatchie. Born April 3, 1934, in Leflore County, MS. Broad Street High School; Mississippi Valley State University; University of

Wyoming; Kansas State; College of Pittsburg; Dillard University; University of Texas. Science Teacher (retired). Greenwood City Councilman. President, Greenwood Voters League. Baptist. Wife, former Christine Bell. Senate 1993-present. Democrat.

KIRBY, MURREL DEAN (DEAN), P.O. Box 54099, Pearl, MS, 39288. 30th: Rankin. Born November 21, 1946, in Lake City, AR. Pearl High School; Mississippi College; LaSalle University. Insurance. 32nd Degree Scottish Rite Mason; Pearl Chamber of Commerce; Rankin Chamber of Commerce; U.S. Jaycees; IIAM; IIAA; Homebuilders Assn.; NCSL; ALEC; NFIB. Baptist. Wife, former Jean Latham (deceased). Senate 1992-present. Republican.

MCCAUGHN, TYLER, P.O. Box 28, Newton, MS 39345. 31st: Lauderdale, Newton, Scott. Morton High School, Morton, Mississippi. Jones Junior College; University of Mississippi School of Law, Attorney, Cattle Farmer. Rotary, Newton Chamber of Commerce. Methodist. Senate First year. Republican.

MCDANIEL, CHRISTOPHER B. (CHRIS), 506 South Court, Ellisville, MS 39437. 42nd: Forrest, Jones. Born June 28, 1971, in Laurel, MS. Jones County Junior College; William Carey University; University of Mississippi School of Law. Law Partner, Hortman, Harlow, Martindale, Bassi, Robinson & McDaniel, PLLC. Hundred Club; N.R.A.; Federalist Society; MS Bar Assn.; Rotary Club; Exchange Club; MS Leadership Forum. Baptist. Wife, former Jill Tullos. Senate 2008-present. Republican.

MCLENDON, MICHAEL, 2245 Memphis Street, Hernando, MS 38632. Born in Dallas, Texas. Oakhaven Baptist Academy High School. Northwest Community College; Memphis State University. Producer/Risk Manager. Commercial Insurance-Employee Benefits, City of Hernando Mayor & Board of Alderman; MS Farm Bureau; N.R.A.; Hernando-Horn Lake-Olive Branch-Southaven C of C; DeSoto Economic Council. Methodist. Wife, Former Vickey Blythe. Senate First Year. Republican.

MCMAHAN, CHAD, 1537 Highway 145, Guntown, MS 38849. 6th: Itawamba, Lee. Born January 28, 1972 in Tupelo, MS. Tupelo High School. BSBA Union University. Business Executive, sales/marketing; motivational speaker. Former Guntown Alderman. MS. Participates in a wide variety of social and professional clubs and Assn. Follower of Jesus Christ. Wife, Allison "Nicky" Clayton McMahan. Senate 2016-present. Republican.

MICHEL, J. WALTER, 241 Richardson Road, Ridgeland, MS 39157. 25th: Hinds, Madison. Born Jackson, MS. Jackson Prep; University of Mississippi. Self-Employed Real Estate. MS Assn. of Realtors; MS Forestry Assn.; Rotary Club; N.R.A.; Ole Miss Alumni Assn.; Eagle Scout; National Wild Turkey Federation; NFIB; Madison County Chamber of Commerce. Catholic. Wife, Beth McClellan Michel. House 1992. Senate 1999-2011. Senate 2016-present. Republican.

MORAN, PHILIP, 18403 Old Joe Moran Road, Kiln, MS, 39556. 46th: Hancock, Harrison. Born March 6, 1961, in Bay St. Louis, MS. Hancock North Central High School; Pearl River Community College; Mississippi State University. Associate member of the Gulf Coast Real Estate Assn. Owner, Philip's Pest Control. Rotary; Hancock County; Knights of Columbus; Gulf Coast Assn. of Realtors; MS Pest Control Assn.; Assn. of Builders and Contractors. Catholic. Wife, former Sheila Morris. Senate 2012-present. Republican.

NORWOOD, SOLLIE B., P. O. Box 20192, Jackson, MS, 39289. 28th: Hinds. Born August 5, 1952, in Florence, MS. McLaurin High School; Jackson State University. Realtor/Broker. NAACP; Jackson State National Alumni. Phi Beta Sigma; Prince Hall Mason; Deacon; Layman. Baptist. Wife, former Joan Winters. Senate 2013-present. Democrat.

PARKER, DR. DAVID L., 6947 Crumpler Blvd., Olive Branch, MS 38654. 2nd: DeSoto. Born in Memphis, TN. Christian Brothers University; Southern College of Optometry. Diplomat, American Board of Optometry. Member of the American Optometric Assn. and MS Optometric Assn. Owner, Olive Branch Eyecare, Horn Lake Eyecare, and Eyecare Properties. Member of Horn Lake, Southaven, and Olive Branch Chambers of Commerce and DeSoto Economic Council. Adjunct Faculty Professor for Southern College of Optometry. Optometrist. Children, Allie, Jack, Luke, Jude. Wife, former Ashleigh Beckett. Senate 2012 - present. Republican.

PARKS, RITA POTTS, 150 County Road 632, Corinth, MS, 38834. 4th: Alcorn, Tippah. Born December 18, 1962, in Corinth, MS. Alcorn Central High School; Northeast Mississippi Community College.; University of Mississippi. Quality and Regulatory Manager. Kiwanis; Former Director MS Government Prayer Alliance; Parenteral Drug Assn.; N.R.A.; ASR. Baptist. Husband, Mike Parks. Senate 2012-present. Republican.

POLK, JOHN A., 53 Tidewater Road, Hattiesburg, MS, 39402. 44th: Lamar, Pearl River. Born March 18, 1949, in Columbia, MS. Prentiss High School; University of Southern Mississippi. Business Executive, Polk's Meat Products Inc. Baptist. Wife, former Jan Barnett. Senate 2012-present. Republican.

SEYMOUR, JOSEPH M. "MIKE", 15417 Indian Fork Rd., Vancleave, MS 39565. 47th: Jackson, Pearl River, Stone. Born April 15, 1959 in Biloxi, MS. St. Martin High School; Mississippi Gulf Coast Community College. Self-Employed small business owner. Facility Maintenance Manager; 4-H; MS Hunting Dog Assn. Baptist. Wife, former Kerri Jo Husley. Senate 2016-present. Republican

SIMMONS, DERRICK T., P.O. Box 1854, Greenville MS, 38702. 12th: Bolivar, Coahoma, Washington. Born December 12, 1976, in Greenville, MS. Jackson State University; Howard Business School; Howard Law School. Attorney; Businessman. Mason; Kappa Alpha Psi; American Bar Assn.; National Bar Assn.; MS Bar Assn.; Magnolia Bar; District of Columbia Bar; Greenville Rotary Club. NAACP. Baptist. Wife, former CuWanda Flowers. Senate 2011-present. Democrat.

SIMMONS, SARITA P.O. Box 297, Cleveland, MS, 38732. 13th: Bolivar, Sunflower, Tallahatchie. Born May 14, 1977 in Cleveland, MS. Cleveland High School. BS, Business Educational Psychology, Alcorn State University. General Manager, Senators Place Restaurant; Board member Bolivar County Community, Action Agency; Board member MS Hospitality & Restaurant Assn.; Member of Delta Sigma Theta Sorority, Inc.; NAACP; Nat'l Council of Negro Women and Bolivar County. Bolivar County Democrat Executive Committee. Christian faith. Senate first year. Democrat.

SOJOURNER, MELANIE, 438 Upper Kingston Road, Natchez, MS 39120. 37th: Adams, Amite, Franklin, Pike. Born January 5, 1968 in Centreville, MS. Adams County Christian School; Copiah-Lincoln Community College, A.A. degree; LSU/Baton Rouge BS. Cattle Producer & Small Business Owner. Former 4-H Livestock Specialist; Mississippi State University Extension Service; Former Director of Member Services, Nat'l. Cattlemen's Beef Assn.; Adams County, Farm Bureau Board of Directors; MS Cattlemen's Assn; Natchez Regional Medical Center Foundation. Baptist. Senate 2012-2015. Senate 2020-present. Republican.

SPARKS, DANIEL, P.O. Box 218 Belmont, MS 38827. 5th: Itawamba, Prentiss, Tishomingo. Born in Cleveland, MS. Belmont High School. Northeast MS Community College. BA Accounting; MTAX; Juris Doctorate, University of Mississippi. Attorney. N.R.A.; MS Bar Assn. Christian. Senate first year. Republican.

SUBER, BENJAMIN, P.O. Box 8 Bruce, MS 38915. 8th: Calhoun, Chickasaw, Lee, Pontotoc, Yalobusha. Born July 30, 1978 in Oxford, MS. MBA, Mississippi State University; BS Marketing Management, Arkansas State University; Juris Doctorate, MS College School of Law. Attorney, Small Business Owner. MS Bar Assn.; Calhoun County Bar Assn.; Bruce Rotary Club; Calhoun County Farm Bureau Board of Directors; Advisory Board of Directors Calhoun County Banking Center. Methodist. Wife, Sarah Kathryn Willard. Senate first year. Republican.

TATE, JEFF, 169 Springhill Rd., Meridian, MS 39301. 33rd: Clarke, Lauderdale.

Born April 22, 1988, Meridian, MS. Lamar High School. Self-Employed; Owner, Tate's LLC; Co-Owner, Southern Pyrotechnics, LLC; Lauderdale County, Archives & History; NFIB; National Rifle Assn. Baptist. Wife, former Leigha Barnard. Senate first year. Republican.

THOMAS, SR., JOSEPH C., P.O. Box 524, Yazoo City, MS 39194. 22nd: Humphreys, Madison, Sharkey, Sunflower, Washington, Yazoo. Born June 25, 1949 in Yazoo City, MS. N.D. Taylor High School; Jackson State University. Retired Vice-President, Regions Bank. Chairman, Board of Directors of Bountiful Blessings

Broadcasting, Inc.; District President, MS Baptist Laymen's Movement; Senior Deacon, Chapel Hill M.B. Church; Former Board Member, Nat'l Development Foundation, Jackson State University; Former Member, American Public Power Assn., (APPA), Washington, D.C.; Former Chairman of the Yazoo City Public Service Commission; Former Vice-Chairman, MS Real Estate Appraiser, Licensing & Certification Board; Former Board Member, MS Strategic Economic Development 7 Planning Committee Vice-President of the DW Wilburn Foundation; Board member of the Yazoo County; Fellowship of Christian Athletics; Former Executive Vice-President & Treasurer of the Friends of Amistad Research Center in New Orleans, LA. Baptist. Wife, former Elizabeth Wilburn Thomas. Senate 2004-2008. Senate first year. Democrat.

THOMPSON, MIKE, 5574 Red Creek Rd., Long Beach, MS 39560. 48th. Harrison. Born November 5, 1976 in Metairie, LA; St. Stanislaus High School; BS, Marine Transportation, Texas A&M University at Galveston; Loyola University New Orleans, College of Law. Attorney. Christian. Wife, former Lindsay Anne Murray. Senate first year. Republican.

TURNER FORD, ANGELA, P.O. Drawer 1500, West Point, MS, 39773. 16th: Clay, Lowndes, Noxubee, Oktibbeha. Born July 2, 1971, in West Point, MS. West Point High School; Hampton University; Howard University; Mississippi State University; University of Alabama at Birmingham; University of Mississippi. Attorney. Member of the Board of Directors for North Mississippi Rural Legal Services. Delta Sigma Theta Sorority, Inc. Baptist. Husband, Robert Ford, Sr. Senate 2013-present. Democrat.

WHALEY, NEIL S., 6685 Church Ave., Potts Camp, MS 38659. 10th: Marshall, Tate. Born May 24, 1988 in Memphis, TN. Potts Camp High School. Northwest Community College. Business Owner/Cattleman. Methodist. Wife, former Leslee Rowland. Senate 2018-present. Republican.

WIGGINS, BRICE, 1201 Farnsworth Avenue, Pascagoula, MS, 39567. 52nd: Jackson. Born August 8, 1971 in Irving, TX. Pascagoula High School; Tulane University; Mississippi College School of Law. Owner and Attorney Wiggins Law, PLLC. Rotary; Singing River Soccer Club; N.R.A.; MS Bar Assn. Methodist. Wife, former Heather Boyd. Senate 2012-present. Republican.

WITHERSPOON, TAMMY F., 420 N. Clark Ave, Magnolia, MS 39652. 38th: Adams, Amite, Pike, Walthall, Wilkinson. Born December 10, in McComb, MS. McComb High School; BS Jackson State University; MS Alcorn State University. Business owner, Sankofa Pre-School Academy. Alpha Kappa Alpha Sorority Inc.; Cure Sickle Cell Foundation. Bethel A.M.E. Husband, Anthony Witherspoon. Senate 2016-present. Democrat.

YOUNGER, CHARLES (CHUCK), 1213 Younger Road, Columbus, MS 39701, 17th: Lowndes, Monroe. Born August 11, 1963, in Columbus, MS. Heritage Academy; East Mississippi Community College; Mississippi State University. Farmer/Rancher. Gideon; Farm Bureau; Cattlemen's Assn.; NRA, Lifetime member; Lowndes Forestry Assn. Baptist. Wife, former Missy Goodgame. Senate 2014-present. Republican.

PART IX**SENATE OFFICIALS AND STAFF**

OFFICIALS

Lieutenant Governor and President - Delbert Hosemann
President Pro Tempore - Senator Dean Kirby
Secretary of the Senate - Eugene S. Clarke
Assistant Secretary of the Senate - Amanda Frusha
Sergeant-at-Arms and Doorkeeper - Jim Armstrong
Capitol Security

STAFF

Bookkeeping and Insurance
Stacey Allman - Comptroller
Janet Dantzler - Accounting Assistant
Budget Officers, Appropriations Committee
Chris Graham
Corbin Stanford
Committee Assistants
Martha Arrow - Agriculture; Business & Financial Institutions; Forestry;
Universities & Colleges
Shelby Britt - Constitution; Environmental Protection, Conservation & Water
Resources; Ports & Marine Resources; Technology
Kendra Hawkins - Municipalities; Rules
Kristi Ishee - Education; Elections; Gaming; Highways & Transportation
Anita Jackson - Corrections; Drug Policy; Enrolled Bills; Executive Contingent
Fund; State Library; Veterans & Military Affairs
Laney McNeer - Ethics; Interstate & Federal Cooperation; Local & Private;
Tourism
Missy McNeese - Appropriations; Economic and Workforce Development;
Wildlife, Fisheries & Parks
Becky Mercier - Accountability, Efficiency & Transparency; Energy; Finance;
Labor
Janet Trotter - Insurance; Investigate State Offices; Medicaid;
Public Health & Welfare
Pat Trowles - County Affairs; Housing; Judiciary, Division A; Judiciary,
Division B; Public Property
Docket Room
Linda Anderson - Journal Clerk
Zanetta Bowman - Calendar Clerk
Anne Sullivan - Message Clerk (session)
Legislative Services - Attorneys
Robert Davidson (session)
Aa'Keela Hudnall
Ian Jones
Caryn Quilter
Jeff Rosamond, Director
Ethan Samsel
Legislative Services - Secretarial Services
Tommie Buckley (Proofreader)
Connie Ray Lamm (session)
Linda Reaves (session)
Angie Rucker
Jane Turbeville
Lieutenant Governor's Office

Mariah Bridgforth - Receptionist (session)
Brittney Davis - Policy Advisor
Mona Enstrom - Executive Assistant and Scheduler
Anna Moak - Policy Advisor
Brittany Ridinger - Policy Advisor
Leah Rupp Smith - Deputy Chief of Staff
Nathan Upchurch - Chief of Staff
Zoë Windham - Special Projects Officer
Andrew Yates - Legislative Liaison
Lieutenant Governor's Security
James Gray
Nate King
Porters
Chris George
Michael Marshall
Adrian Powell
George Swanigan
President Pro Tempore's Office
Kendra Hawkins - Assistant to President Pro Tempore
Press Secretary
Arnold Lindsay
Receptionist
Jeanette Lewis
Secretary of the Senate's Office
Shirley Garrard - Administrative Assistant
Senior Pages
Christopher Beristain (session)
Sidney Kimble (session)

PART X
RULES

A. SENATE RULES

PRESIDENT

1. The Lieutenant Governor shall be the President of the Senate. The President shall take the Chair at the hour to which the Senate shall have adjourned, shall call the Senate to order, and on the appearance of a quorum, shall proceed with the regular order of business.

2. The President shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all questions of order. The President's decision thereon shall be subject to an appeal to the Senate as provided in Rule 112 and may be denied or sustained by a majority of those present and voting.

3. The President shall rise to put a question but may state it sitting, and the President shall put the question in this form: "As many as are in favor (as the question may be) say 'Aye'," and, after the affirmative voice is had: "As many as opposed, say 'No'." If the President doubts or a division is called for, the Senate shall divide, and those in the affirmative shall rise first; then those in the negative. Count of division votes shall be made by the Secretary and announced by the President.

4. The President shall call some Senator to the Chair when the Senate goes into Committee of the Whole. The President shall have the right also during sessions of the Senate to name a Senator to perform the duties of the Chair, but such substitution shall not extend beyond adjournment of that legislative day. When both the Lieutenant Governor and the President Pro Tempore shall be absent, the Senate may call any Senator to preside from day to day during such absences.

5. (Omitted)

6. (Omitted)

7. The President shall appoint the membership of committees as provided in Rule 36 and Rule 37.

8. The President shall sign all bills, resolutions or measures; and all writs, warrants and subpoenas issued by the Senate shall be signed by the President and attested by the Secretary.

PRESIDENT PRO TEMPORE

9. There shall be elected a President Pro Tempore in the manner provided in Section 5-1-15, Mississippi Code of 1972. The President Pro Tempore shall not be eligible for appointment as chairman of any standing Senate committee, with the exception of the Rules Committee.

10. In the election of the President Pro Tempore, the candidate receiving the lowest number of votes shall be dropped after the first ballot and on each succeeding ballot until one (1) candidate receives a majority of all votes cast, and the vote shall be by viva voce vote on roll call of the members. The President Pro Tempore may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

11. In the absence of the President, or at the President's request, the President Pro Tempore shall act in the President's stead, assuming the duties and responsibilities herein granted to the President.

SECRETARY

12. The Secretary of the Senate shall keep a correct Journal of the proceedings of the Senate as provided by law. The Secretary shall be elected by the Senate and shall serve during the term of the Senate by which the Secretary was elected. The Secretary may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

13. The Secretary shall insert in an appendix to the Journal the Rules of the Senate and the Joint Rules of the two (2) branches, and the constitutional provisions governing the powers and procedures of the Legislature.

14. The Secretary shall retain all bills, resolutions or other papers in reference to which any Senator has a right to move a reconsideration until the right to reconsideration has expired. This rule shall not apply when unanimous consent of the Senate shall be given to the Secretary to immediately transmit any such bill or resolution to the House of Representatives. However, the constitutional rights of Senators to enter motions to reconsider shall not be abridged.

15. In the event a bill or resolution is transmitted immediately to the House by unanimous consent and a proper motion to reconsider is later entered, it shall be the duty of the Secretary to recall by message such bill or resolution from the House, whereupon such bill or resolution shall take its proper place on the Calendar.

16. The Secretary shall keep a separate and distinct Journal of the proceedings of the Senate when in executive session.

17. The Secretary, with the approval of the Senate Rules Committee, shall provide for the appointment of Pages, whose salaries shall be fixed by the Rules Committee. Not more than six (6) pages shall serve throughout the session as Senior Pages, and one (1) of these six (6) shall be designated as Head Page by the Secretary. Nominations of Pages by members of the Senate shall be submitted to the Secretary as soon as possible so that they may be properly scheduled. Pages shall be not less than fourteen (14) years of age.

18. (Omitted)

ASSISTANT SECRETARY

19. There shall be an Assistant Secretary, and an additional Assistant Secretary when needed, appointed by the Senate Rules Committee. The duties of the Assistant Secretary shall be comparable to those of the Secretary.

SERGEANT-AT-ARMS

20. The duties of the Sergeant-at-Arms shall be those enumerated in Section 5-1-35, Mississippi Code of 1972, and such other related duties as may be assigned by the Senate Rules Committee or the Senate. The Sergeant-at-Arms shall be elected by the Senate and shall serve during the term of the Senate by which the Sergeant-at-Arms was elected. The Sergeant-at-Arms may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

20A. (Omitted)

TIME OF CONVENING

21. The time of convening of the Senate, unless otherwise ordered by a majority vote of the Senators elected, shall be at ten o'clock a.m. each legislative day, except on Mondays when the time shall be four o'clock p.m. and Fridays when the time shall be 9:00 a.m.; and there shall be no Saturday or Sunday meetings unless specifically ordered by a majority vote of the Senators elected.

QUORUMS

22. A quorum of the Senate shall consist of not less than twenty-seven (27) Senators.

23. A quorum of any standing committee, subcommittee or special committee shall consist of not less than a majority thereof.

24. Upon the appearance of lack of a quorum, the President or any Senator may demand a call of the Senate, but no such call shall be in order after the voting on any question has begun nor while any Senator is speaking. It shall be the duty of the Sergeant-at-Arms to search for absentee members and notify them of such call. By majority vote of Senators present and voting the Senate may direct the Sergeant-at-Arms to compel the attendance of absent Senators.

ORDER OF BUSINESS

25. The order of business shall be:

- (1) Roll Call
- (2) Invocation
- (3) Pledge of Allegiance to the Flag of the United States of America
- (4) Reading of the Journal
- (5) Presentation of petitions
- (6) Reports of standing committees
- (7) Reports of select committees
- (8) Introduction of bills and concurrent resolutions
- (9) Reference of bills and concurrent resolutions
- (10) Presentation of Senate resolutions
- (11) Unfinished business
- (12) Consideration of bills and resolutions
- (13) At midnight on a deadline day, the Senate clock shall determine the end of that calendar day regardless of whether the Senate is then operating under the previous question. Any measure pending before the Senate on a deadline upon which the final vote has not been both taken and announced shall automatically fail, and no announcement to the contrary may be made by the Chair. If the Senate clock is not in working order, the Presiding Officer shall keep the time.

26. When the order of unfinished business is reached, the unfinished business in which the Senate was engaged at the time of last adjournment shall have precedence in the consideration of bills and resolutions, except as to special orders which shall have precedence.

27. The order of business for any day may be changed by a two-thirds (2/3) vote of the Senators present and voting; but when the Senate shall have passed from one (1) order to another, no action shall be had on those passed except by a two-thirds (2/3) vote of the members present and voting.

27A. No Senator shall be allowed to interrupt the business for purposes of introducing guests. At appropriate times during the transacting of business, the presiding officer shall announce an opportunity for the Senators to recognize and introduce their guests.

VISITORS

28. No person shall be entitled to enter upon the floor of the Senate while in session except the following persons: members and their immediate families; elected state officials; former members of the Legislature, unless the former member is a registered lobbyist; officers and employees of the Senate; members, officers and employees of the House of Representatives; joint legislative employees; ministers or other official guests invited by the President on behalf of the Senate; and such others as the Rules Committee may designate by name. The Sergeant-at-Arms shall clear the Senate of all other visitors, with the exception of members of the news media with proper credentials issued by the Rules Committee, thirty (30) minutes before each session convenes and shall not allow other visitors on the floor of the Senate for ten (10) minutes after the session has recessed.

RULES - SUSPENSION AND ADOPTION

29. The rules of the Senate may be suspended upon motion by an affirmative vote of two-thirds (2/3) of the Senators present and voting, except where prohibited by the Constitution.

30. Temporary rules of the Senate may be adopted by resolution on a majority vote of the Senators present and voting, and such temporary rules may be designated by reference to the rules of a certain previous session. Permanent rules may be adopted by majority vote, and any subsequent changes therein or amendments thereto shall require one (1) day's notice thereof by resolution entered in the Journal and adoption by a vote of two-thirds (2/3) of the Senators present and voting.

DECORUM

31. If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the presiding officer shall, or any Senator may, call him to order; and when a Senator shall be called to order by the presiding officer or a Senator, the Senator shall sit down and shall not proceed without leave of the presiding officer or by a majority vote of the Senate.

32. No Senator shall absent himself from the Senate without leave. In case a less number than a quorum of the Senate shall convene, a majority of such number is empowered to direct the Sergeant-at-Arms or authorize any other person or persons to compel the attendance of absent Senators, and at the expense of the absent Senators, respectively, unless such excuse for nonattendance shall be made as the Senate by majority vote, when a quorum shall have convened, deems sufficient, in which case the expense shall be paid out of the Senate Contingent Fund.

33. Leave of absence may be granted to any Senator at his own request or at the request of another Senator.

34. No Senator shall entertain private discourse while the President is putting a question or addressing the Senate. Senators shall not be permitted to

interrupt another while such other is speaking except by rising to call to order or as provided in Rule 69.

35. Members of the Senate, shall be held personally responsible for the return of bills, resolutions and other official records which they may receive from the Secretary's office.

35A. Whenever a Senator is on the floor of the Senate while the Senate is in session, each male Senator shall wear a coat and necktie, and each female Senator shall wear appropriate attire. Whenever a Senator is on the floor of the Senate while the Senate is in session, he or she shall not be allowed to smoke a cigarette, cigar or pipe or consume food.

35B. Smoking shall not be permitted in the Senate Chamber, the Senate Gallery or in any office of the New Capitol Building under the jurisdiction of the Senate at any time. As used in this rule, "smoking" means to inhale, exhale, burn, carry or otherwise possess any lighted cigarette, cigar, pipe or any other object or device of any form that contains lighted tobacco or any other smoking product. The Sergeant-at-Arms shall enforce the provisions of this Rule 35B.

35C. No person except for members of the news media with proper credentials issued by the Rules Committee may be admitted to the press table on the floor of the Senate for the purpose of transcribing the debates and proceedings of the Senate. No person except for news media with proper credentials issued by the Rules Committee shall take any photograph or transcribe debates and proceedings of the Senate in the Senate Gallery while the Senate is in session. No person shall be allowed to consume food or display any banner or sign in the Senate Gallery while the Senate is in session.

35D. Effective with the 2020 Regular Session, the Committee on Rules shall contract with the Mississippi Authority for Educational Television, or another appropriate service, to webcast on the internet the regular floor proceedings of the Mississippi Senate and any committee meetings designated by the Rules Committee. During floor proceedings, cameras used in making such webcasts may only be allowed to show the Senator speaking at the podium and the Presiding Officer. Reporters and technicians to effectuate such webcasts may be admitted to the chamber and committee rooms for this purpose, but no camera, apparatus or procedure shall be used which will interfere with the usual procedure of the Senate, and all such webcasting shall be done from areas reserved or set aside for such activities by the Committee on Rules. No such webcast shall be archived or recorded for future use by the Mississippi Senate.

STANDING COMMITTEES

36. The following shall be standing committees of the Senate:

Accountability, Efficiency and Transparency	11 members
Agriculture	13 members
Appropriations.....	26 members
Business and Financial Institutions	13 members
Constitution.....	9 members
Corrections	11 members
County Affairs	9 members

Drug Policy	11 members
Economic and Workforce Development	11 members
Education.....	15 members
Elections.....	9 members
Energy.....	15 members
Environmental Protection, Conservation and Water Resources	11 members
Ethics.....	9 members
Finance.....	26 members
Forestry	9 members
Gaming.....	9 members
Highways and Transportation.....	19 members
Housing	7 members
Insurance.....	13 members
Interstate and Federal Cooperation.....	5 members
Judiciary, Division A.....	15 members
Judiciary, Division B.....	15 members
Labor	9 members
Local and Private.....	5 members
Medicaid.....	11 members
Municipalities	11 members
Ports and Marine Resources.....	11 members
Public Health and Welfare.....	19 members
Public Property	7 members
Rules, as provided for in Rule 65	
Technology	7 members
Tourism	11 members
Universities and Colleges.....	13 members
Veterans and Military Affairs	7 members
Wildlife, Fisheries and Parks.....	11 members

JOINT COMMITTEES

Executive Contingent Fund	(5 Senators, 5 Representatives)
Investigate State Offices	(9 Senators, 9 Representatives)
State Library	(5 Senators, 5 Representatives)
Enrolled Bills.....	(5 Senators, 5 Representatives)

FUNCTION OF COMMITTEES

37. Standing, select and conference committees shall be appointed by the President.

38. The first member named on a committee shall be its chairman and the second member named shall be its vice chairman, unless it is specifically provided that they shall be elected. There shall be no further rank on the committees, the remaining members being listed thereon in alphabetical order. In the event of a vacancy in the chairmanship or vice chairmanship, or membership, the vacancies shall be filled by appointment by the President.

39. Each committee shall, after its organization, immediately determine by a majority vote what number shall constitute a sufficient quorum for it to proceed to business, which quorum shall not be less than the majority required by Rule 23, and shall report that action, together with the name of the secretary of the committee, to the Secretary of the Senate.

40. Committee chairmen and secretaries will be held responsible for the return of all bills, resolutions, papers and committee books taken from the Secretary of the Senate's office to the respective committee meetings.

41. A committee of the Senate shall report on the sufficiency of the titles of all bills and resolutions before their being put on final passage; and it shall be in order, before the passage of every bill or resolution, to move to commit or recommit for report upon the sufficiency of the title. Titles shall indicate clearly the subject matter of the proposed legislation.

42. When motions are made for reference of the same subject to a select committee and a standing committee, the motion for reference to a standing committee shall be first put.

43. The following named committees shall have preference at any time on matters herein stated, viz: the Committee on Rules, on rules, joint rules and order of business; the Committee on Enrolled Bills, on enrolled bills, except they shall not have precedence over appropriations and revenue bills (see Const. Sec. 68); conference committees may report at any time, except they shall not have precedence over appropriations and revenue bills.

44. The chairman of the various standing committees shall announce or lay on the desk of the Secretary, to be read previous to adjournment each day, notice of the time and place of meeting of such committees, and all members of such committees shall be required to attend all such meetings, unless previously excused by the chairman. A quorum must be present when any bill, resolution or measure is reported by such committees. The names of those members present and of those absent must show in the record kept by the committee secretary at each meeting of a committee. The Secretary of the Senate shall post the time of committee meetings on the bulletin board provided for this purpose.

45. A committee's request to be discharged from further consideration of a subject, with or without recommendations that it be referred to another committee, shall be immediately considered.

46. No committee, except the Committee on Rules, shall absent itself from the Senate Chamber while the Senate is in session, except by unanimous consent of the Senate.

47. No committee shall be allowed to occupy the Senate Chamber without an affirmative vote of a majority of the Senators present and voting, except the Committee on Rules.

47A. (Omitted)

CONFERENCE COMMITTEES

48. A conference committee on the part of the Senate shall consist of three (3) Senators, unless otherwise ordered by majority vote of the Senate, and they shall be appointed as provided in Rule 37.

49. A motion to instruct conferees is not in order until their conference report has failed of adoption.

50. When a bill is sent to conference, only matters in disagreement between the Houses are subject to consideration by the conference committee. However, when one (1) House strikes out of a bill all after the enacting clause and inserts new germane text as an amendment thereto, the conferees may disregard the text of the original bill and the amendment and exercise wide discretion in the incorporation of germane text and may even report a new bill on the germane subject matter of the original bill.

51. No report from a conference committee or other joint committee shall be acted upon in the Senate unless subscribed to by a majority of the members of the Senate acting on the committee. No matter reported on the recommendation of a joint committee or conference committee of the two (2) Houses shall be in order for consideration by the Senate if it shall appear that the members of such joint committee on the part of the Senate, if in attendance on the Legislature, shall not have been notified, and for that reason not present, when the matter was acted on by the committee.

52. Conference reports may not be (a) tabled, (b) referred to a committee, or (c) amended.

53. Mere changes in phraseology, without material alteration of the subject matter, are not sufficient to render a conference report subject to point of order that the conferees exceeded their authority.

54. It is legislatively recognized that it is the function of a conference committee to submit a compromise of the difference between the Houses, which might be acceptable to both, and liberal interpretation looking to that end is indicated.

55. When a conference report is called up, only three (3) courses are open: (a) adopt, (b) not adopt, or (c) recommit to the same or another conference committee, provided adoption of the report has not occurred in the House.

56. Should a point of order prevail against consideration of a conference committee report, the bill returns to the status it had before being sent to conference.

57. When conference results in disagreement, conferees reporting such disagreement are thereby discharged, and new conferees may be appointed.

COMMITTEE OF THE WHOLE

58. Upon a motion supported by a vote of two-thirds (2/3) of those Senators present and voting, the Senate may resolve itself into a Committee of the Whole to consider a bill, concurrent resolution or measure; and if the Committee of the Whole reports such bill, concurrent resolution or measure favorably, it may be taken up immediately by a suspension of the rules; otherwise, it takes its place on the Calendar along with other favorably reported bills, concurrent resolutions and measures.

59. Motions for forming a Committee of the Whole for the immediate consideration of any Senate bill or resolution at the time of their introduction, or of House bills or resolutions at the time of their receipt from the House, except bills of local and private nature, should be made before such bills or resolutions are referred to standing committees, as provided by Rule 75.

60. In forming a Committee of the Whole, the President shall call some Senator to preside, and rules governing the Committee of the Whole shall be the rules of the Senate so far as they may be made applicable.

61. A Committee of the Whole may, during any session thereof, consider more than one bill or resolution; no additional bills or resolutions may be so considered unless the Senate has by a two-thirds (2/3) vote previously agreed thereto.

SPECIAL COMMITTEES

62. Special committees shall in all cases report to the Senate a state of facts and their opinion or recommendation on the subject matter referred to them. Such reports may on motion be incorporated in the Journal.

63. No Senator offering a motion or resolution for the appointment of a special committee shall be appointed chairman of such committee.

MINORITY REPORTS

64. Bills and resolutions unfavorably reported by committees shall not be placed on the Calendar at all unless accompanied by a Minority Report signed by one or more members who were present at the committee meeting at which the bill or resolution was reported. Minority Reports must be filed within three (3) legislative days after the bill or resolution has been reported by the committee. Minority reported bills and resolutions shall be placed on the Calendar at the heel of favorably reported bills and resolutions and shall not be considered until all favorably reported bills and resolutions are disposed of, except by a vote of two-thirds (2/3) of the Senators present and voting.

RULES COMMITTEE

65. (1) There shall be a standing Committee on Rules which shall consist of the President (who shall be a nonvoting member), the President Pro Tempore, and four (4) Senators, each having served at least four (4) years in the Senate, one (1) from each Congressional District of the State as constituted on January 1, 2004, to be selected by the Senators from their respective congressional districts by caucus. The voting precinct of the Senator representing such district shall determine the congressional district caucus in which the Senator shall participate and for which the Senator may hold membership on the Rules Committee. The President Pro Tempore shall serve as chairman of the committee; the vice chairman shall be appointed by the President Pro Tempore from among the Senators on the committee.

(2) The Rules Committee shall, in addition to the functions of a standing committee and any other responsibilities assigned by the Senate, perform the following duties:

(a) Conduct the business affairs of the Senate;

(b) Pursuant to authority granted in Section 29-5-2, Mississippi Code of 1972, assign such space in the Capitol or in such other buildings or parts thereof as may be reserved for the Senate and have complete control, authority and jurisdiction over such rooms, chambers, offices and other areas. Any assignment of space shall be subject to change by the Rules Committee. No other branch of the government, or a department or agency thereof, shall use any such room, chamber, office or other area without specific written authorization from the Rules Committee.

The Rules Committee may delegate its powers with regard to any such room, chamber, office or other area in connection with the use, maintenance, repairing, construction, reconstruction and refurbishing thereof in such a manner as it deems advisable;

(c) Assign staff for interim and special committees;

(d) Assign staff for standing committees;

(e) Continually assess ways and means to improve the organization, procedures, facilities and working conditions of the Senate;

(f) Except as otherwise provided in subsection (5) for the staffing of the office of the President and the office of the President Pro Tempore, the Rules Committee shall have the authority to employ all personnel necessary to execute the duties and responsibilities of the Senate. Unless otherwise specifically provided, the Rules Committee shall have full and exclusive authority over the employees of the Senate. All such employees shall serve at the pleasure of the Rules Committee. Complaints with respect to any misconduct, inefficiency or omission by the Secretary, the Sergeant-at-Arms or employees of the Senate shall be heard by the Rules Committee, which may discharge the employees therefor and may recommend to the full Senate the discharge of the Secretary and the Sergeant-at-Arms;

(g) Fix the salaries of the Senate officials and employees;

(h) Assign news, radio and television reporters wishing to take down or broadcast the debates and proceedings of the Senate, places in the Senate so as not to interfere with the convenience of the Senate;

(i) Authorize the reimbursement of Senators and Senate officials and employees who are required to travel in the performance of their official duties. The Rules Committee may establish regulations governing such travel which include the prior approval of such travel by the Rules Committee. Senators attending out-of-state conventions or conferences at state expense shall make a report to the Senate, including the purpose, work and recommendations resulting from the out-of-state meeting attended. If more than one (1) Senator attends such convention or conference, one report may be made as the report of the delegation; and

(j) Upon request of the chairman of any standing or select committee of the Senate, authorize expenses, to include per diem, mileage, meals and lodging, to be paid for members attending the meeting of any such committee or subcommittee thereof during the period in which the Legislature is not in session. The Rules Committee may adopt rules and regulations concerning time, places and number of meetings that may be held for which members will be compensated, such rules and regulations to require prior approval of meetings in order for members to be compensated.

(3) The committee may designate the Secretary of the Senate to be responsible for the day-to-day administration of the duties assigned to the committee and for implementing the policies of the committee adopted pursuant to this rule.

(4) The committee shall function on a year-round basis; and, when the Legislature is not in session, members of the committee shall be compensated as provided in Section 25-3-69, Mississippi Code of 1972, for each day spent in actual discharge of their duties and shall receive the expense allowance and mileage reimbursement provided in Section 5-1-47, Mississippi Code of 1972. No committee

member may incur per diem, travel or expense allowance unless authorized by vote at a meeting of the committee, which action shall be recorded in the official minutes of the committee. The Rules Committee shall meet at such times as are necessary for the proper exercise of its functions and may adopt rules and regulations, not inconsistent with the rules of the Senate, as it deems necessary for the efficient operation of the committee. Action by a majority vote of the Rules Committee shall be conclusive on any matter properly within the jurisdiction of the committee.

(5) (a) In providing for the staffing of the President's office, the Rules Committee shall fill up to eight (8) positions when requested by the President, and the persons employed for such positions shall be hired with the approval of the President. The President shall recommend the compensation to be paid to the President's staff, and the Rules Committee may pay the compensation so established.

(b) In providing for the staffing of the President Pro Tempore's office, the Rules Committee shall fill one (1) staff position as requested by the President Pro Tempore, and the person employed for such position shall be hired with the approval of the President Pro Tempore. The President Pro Tempore shall recommend the compensation to be paid to the person so employed, and the Rules Committee may pay the compensation so established.

(c) Persons employed under this subsection to staff the President's office shall serve at the will and pleasure of the President; persons employed to staff the President Pro Tempore's office shall serve at the will and pleasure of the President Pro Tempore.

(6) In providing for the staffing of committees, the Rules Committee shall have the responsibility for determining the necessity of any staff positions requested by the chairman of a committee.

(7) The Rules Committee shall cooperate with the House Management Committee in maintaining a Joint Legislative Printing Office and a reference library which shall contain, but shall not be limited to, study reports and information gathered by the departments and the various committees of the Legislature so as to provide a continuity of information from year to year.

(8) The Rules Committee shall have the responsibility for the proper operation of the Senate Legislative Services Office.

(9) The Rules Committee shall have jurisdiction over any questions concerning improper or unethical conduct by members of the Senate.

(10) The funds necessary to carry out the provisions of this rule shall be paid from the Senate Contingent Fund.

(11) The Rules Committee may meet jointly with the House Management Committee when necessary to more effectively carry out the provisions of this rule.

SPECIAL ORDERS

66. A bill, resolution or measure may be made a Special Order for a day and hour certain by a majority vote of Senators present and voting. Upon the arrival of such time, the President shall lay before the Senate the bill, resolution or measure

under Special Order, and the Senate shall proceed to its consideration on third reading until it has been temporarily or permanently disposed of.

67. Should the consideration as a Special Order of a bill or resolution not be completed by the time set for Special Order of another bill or resolution, the consideration of the first Special Order shall continue until disposition is made, even though it may run over the time set for the second Special Order, or into the succeeding day. In such event another day and hour certain may be set for consideration of the displaced bill or resolution, or it may be regarded as unfinished business of the succeeding legislative day, at the option of the chairman of the committee reporting the bill or resolution. Such option, however, shall be announced by the chairman during the legislative day for which the Special Order was originally set, with the approval of a majority vote of those Senators present and voting.

SPEAKING

68. When any member of the Senate desires to speak or present any matter to the Senate, the Senator shall rise and respectfully address himself or herself to "Mr./Madam President" and, upon being recognized, shall speak only to the question under debate and avoid personalities.

69. Senators shall not be interrupted, when addressing the Senate, by other Senators, except when a Senator seeking information may address the presiding officer, who shall endeavor to secure the consent of the Senator speaking to the offered interruption. The presiding officer shall declare Senators violating this rule out of order.

70. If any Senator be called to order by another for words spoken, the exceptional words shall immediately be taken down in writing by the Secretary so that the presiding officer may be better able to judge the matter.

71. No Senator shall speak more than twice to the same question, except as elsewhere provided, except by majority vote of those Senators present and voting, nor more than once until every Senator wishing to speak shall have spoken, and no longer than twenty (20) minutes to the main question. When a subsidiary question is under debate, the time limit shall be five (5) minutes. When the time of a Senator is extended, it must be for a specific time.

72. No Senator shall, before resuming his or her seat after speaking to a question, make a motion cutting off or limiting debate.

BILLS AND RESOLUTIONS

73. All bills and resolutions must be typewritten, double spaced on white paper. Titles must be typewritten single spaced and in capital letters. Bills or resolutions must be introduced in original form (not carbon or photocopied) and shall be free from interlineations, corrections and strikeouts, whether with ink, pencil or typewriter. The enacting clause, typed immediately preceding Section 1 of a bill, shall contain the following words in capital letters: "BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI." No additional enacting words shall be used. The Secretary may decline to accept for introduction a bill or resolution not conforming hereto.

74. Senators may introduce bills and concurrent resolutions and Senate resolutions by placing them in the box at the Secretary's desk at any time, or they may send them to the Secretary's desk when the order for introduction is reached. All bills, concurrent resolutions and Senate resolutions placed in the box or sent to the Secretary's desk will be considered as being introduced on the legislative day following the day on which they were placed in the box except for (a) legislative days where the motion has been adopted to dispense with the reading of the titles of bills and concurrent resolutions, (b) bills and constitutional amendments placed in the box on the day of the deadline for introduction of general bills and constitutional amendments, and (c) appropriation and revenue bills placed in the box on the day before the deadline for original floor action on appropriation and revenue bills originating in the Senate; bills and constitutional amendments described in items (a), (b) and (c) of this sentence will be considered as being introduced on the day on which they are placed in the box. The deadlines referred to in this paragraph shall be those established in the Joint Rules of the Senate and the House, and the determination of what is a revenue bill for purposes of this paragraph shall be as prescribed in the Joint Rules of the Senate and the House.

In addition to any other time provided by law or by rule, members of the Senate may file bills or resolutions with the Secretary of the Senate at any time during the period between sessions of the Legislature. Such prefiled bills shall be numbered by the Secretary of the Senate and referred by the President to the appropriate standing committee of the Senate for study. Such prefiled bills shall be introduced in the order filed on the first day of the next succeeding regular session of the Legislature, or extraordinary session if included within the Governor's call, and referred to committee in the regular order of business of the Senate. No bills may be prefiled in any year of a general election until after a member of the Senate has been finally elected in the November general election.

75. Upon introduction of Senate bills, the Secretary shall read the titles thereof and then give the bills to the President for his study and reference to proper committees. The President may retain such bills in his possession until the opening of the second succeeding legislative day's session when the President shall return such bills to the Secretary with the committee references noted thereon. Whereupon, the Secretary shall give such bills serial numbers, and, at the proper time in the Order of Business, the Secretary shall read the numbers, titles and committee references, and have the titles reproduced for distribution. House bills received with messages from the House shall be treated likewise regarding references to committees and reading of titles by the Secretary. Provided, however, that the President may, at his option, refer Senate bills immediately upon their introduction and House bills immediately upon their receipt from the House. Provided, further, that a motion is in order for the immediate consideration in Committee of the Whole of any bill or resolution, except bills of Local and Private nature, before such bill or resolution is referred to a standing committee.

76. Every bill and concurrent resolution and all reports of committees, except the report of the Committee of the Whole, shall lie on the table one day before being considered by the Senate.

77. General bills and resolutions shall be called up for consideration in numerical order as revealed by item numbers on the Calendar. When a bill or resolution is reached on the Calendar and it is not then considered, it shall go to the heel of the Calendar unless by a vote of a majority of the Senators present and voting it retains its place on the Calendar. Appropriation bills and resolutions reported

by the Appropriations Committee and revenue bills and resolutions reported by the Finance Committee or other committees shall be subject to Section 68 of the Constitution. Bills and resolutions reported by the Rules Committee shall have precedence above all others, except appropriations and revenue bills and resolutions.

78. No bill, concurrent resolution or measure (except Senate resolutions which may be called up for consideration any time by suspension of the rules) shall be considered or voted upon by the Senate unless the same shall have been referred to a committee, considered and reported by a majority of a quorum of the committee to which it was referred, subject to the provisions of Rule 64.

79. It is the duty of the chairman or vice chairman of a committee to call up bills and resolutions on the floor or to designate another member of the Senate so to do.

80. Complete titles of bills and resolutions shall be used upon introductions, but abbreviated titles may be used elsewhere.

81. When a bill or concurrent resolution is originally referred to two (2) committees and favorably reported by both, the chairman of the first named committee shall have the option of handling the bill or resolution on the floor.

82. When a bill or resolution is called up for final passage, the Senator introducing such measure, if present, shall have the right to open and close the debate. In the event there are several authors of a bill or resolution, they shall agree among themselves which shall open and close the debate and shall so notify the chairman of the committee.

83. When a bill or resolution is being considered by the Senate, it shall be read throughout by the Secretary and then may be again read and debated by clauses, paragraphs or sections, leaving the title to be considered last.

84. It shall always be in order, before the final passage of a bill or resolution, to move its recommitment.

85. When a bill or measure has been referred to the Finance Committee or Appropriations Committee, which deals with another major subject as well as finance or appropriations, the committee may, in its discretion, recommend that it be sent to the related committee for study and recommendation. Such bill shall be reported in the usual manner by the related committee within five (5) legislative days, whereupon the Secretary shall return the bill to the Finance Committee or Appropriations Committee with the report. The final report of the Finance Committee or Appropriations Committee shall govern the status of the bill or resolution.

86. All motions contemplating legislation shall be founded upon bills or concurrent resolutions; and committees, to which may be referred messages from the Governor, reports of the state officers, boards, commissions and others authorized to report to the Legislature, including petitions for legislation, may report by bill, resolution or written recommendation such legislation as may be germane to the subject matter referred to them.

87. No bill, resolution, concurrent resolution or measure having been referred to a committee shall be taken from such committee, or the committee be discharged from the consideration thereof, other than by a motion signed by a majority of all Senators elected; except that during the last six (6) days of a session, a

majority of the Senators present and voting may call a bill, resolution or concurrent resolution from a committee by a signed motion.

88. All bills, concurrent resolutions or measures originating in the House and passed by that body and sent to the Senate for consideration shall pursue the same course and shall be subject to the same rules as though such bills, concurrent resolutions or measures had originated in the Senate.

89. Any bill, resolution, concurrent resolution or measure recalled from a committee by the method provided in Rule 87 shall be referred to another standing committee, unless the Senate votes to form a Committee of the Whole for the purpose of considering the same.

90. No law shall be repealed by reference to its chapter, bill number or code number only, but there shall be included in its title and in a section within the bill a brief statement of the nature of the law sought to be repealed.

91. In the event of the loss or misplacement of a bill or resolution, the Secretary is authorized to prepare an exact copy thereof which, upon his certification that such bill or resolution is a true and correct copy of the original, shall be considered as though it were the original bill or resolution.

SENATE RESOLUTIONS

92. Senate resolutions may be considered without having been referred to or reported by a committee, except as provided in Rule 30. However, such resolutions may be referred to a committee by majority vote of Senators present and voting, or the President may refer them on the President's own initiative.

93. All resolutions authorizing committees of the Senate to travel or employ stenographers or other assistants, and all such resolutions involving special investigations or expense by committees of the Senate shall be referred, without debate, to the Committee on Rules.

CALENDAR

94. The Secretary each day shall prepare a Calendar of all matters in order for consideration. Such Calendar and a copy of each bill and resolution shown thereon shall be placed on the desk of each Senator prior to the hour of convening. Titles of bills and resolutions shall clearly indicate the subject matter thereof, but such titles may be abbreviated. General bills and resolutions favorably reported by committees shall be given an item number in sequence and placed on the Calendar from day to day in order as they are reported and placed under the head of "General Calendar." Bills and resolutions favorably reported by committees on Finance, on Appropriations, on Rules and on Local and Private Legislation; and bills and resolutions subject to secondary considerations, shall be shown separately under appropriate headings, with item numbers in sequence.

The Rules Committee is hereby authorized to create a "Noncontroversial Calendar" for the consideration of noncontroversial bills, resolutions or measures. Senate bills, resolutions or measures shall be placed on the Noncontroversial Calendar upon the written request of the chairman of the committee reporting the measure, the primary author, and by a majority vote of the Rules Committee; House bills, resolutions or measures shall be placed upon the Noncontroversial Calendar on the request of the chairman of the committee reporting the measure and by a majority vote of the Rules Committee. A bill, resolution or measure shall be removed from the

Noncontroversial Calendar upon the demand of six (6) or more Senators made in open session. Any such demand shall require the bill or resolution to be placed at the heel of the General Calendar.

95. Bills, resolutions, measures or motions reported by committees, and reports of special committees, shall be placed on the Calendar in the regular order of the next day after that on which they were made to the Senate or received from the House, as the case may be.

96. No matter which has been duly placed on the Calendar shall be discharged therefrom or considered out of its regular course except by a two-thirds (2/3) vote of the Senate, subject to the provisions of Section 68 of the Constitution. However, matters affecting the public interest and regarded as of immediate necessity may be advanced on the Calendar by the Committee on Rules.

MOTIONS

97. Order of Precedence:

- (1) To adjourn.
- (2) To lay on the table.
- (3) To lay on the table subject to call, when five (5) minutes' debate shall be allowed the Senator making the motion and five (5) minutes' debate shall be allowed the Senator having the measure in charge, unless the Senator(s) shall yield the floor to another Senator.
- (4) For the previous question.
- (5) To limit debate.
- (6) To close debate at a specific time.
- (7) To postpone to a day certain.
- (8) To recommit.
- (9) To re-refer.
- (10) To amend.
- (11) To postpone indefinitely.

These motions shall have precedence in the above order; and any such motion being made and being decided adversely shall not again be entertained on the same day at the same stage of the question.

98. A motion to postpone indefinitely opens to debate the merits of the proposition.

99. Any motion shall be reduced to writing if the President so directs or a Senator or the Secretary so requests.

100. When a motion is made, it shall be stated by the President or, being in writing, it shall be read aloud by the Secretary.

101. After a motion is stated by the President or read by the Secretary, it shall be deemed to be in the possession of the Senate, and it may be withdrawn only by a majority vote of Senators present and voting at any time before decision or amendment.

102. No motion is in order while a point of order is pending unless the President shall announce a delay in the ruling, and then only matters not affected by a ruling on such pending point of order may be considered.

103. When a question is under debate, the President shall entertain no motion which does not relate to the question except a motion to adjourn or some other motion which has precedence by express rules of the Senate or because it is privileged in its nature.

103A. After a motion to lay a bill on the table subject to call or a motion to table has been adopted, only a member authorized to call up the bill under Rule 79 shall have the right to move to call the bill from the table.

AMENDMENTS

104. Amendments shall be in order after the third reading of a bill or resolution requiring three (3) readings, but no amendment, except committee amendments, shall be considered as pending unless the author of such amendment shall have secured recognition by the President for the purpose of offering such amendment and moving its adoption. Such amendment shall then be sent to the Secretary's desk, and disposition of it shall be made before any additional amendments shall be placed on the Secretary's desk or received by him.

105. Amendments to an amendment shall be voted on before a substitute is taken up. Only one (1) amendment to the amendment is in order at one time; but as rapidly as one (1) is disposed of by rejection or adoption, another is in order as long as any member desires to offer one (1). A substitute amendment may be offered to an amendment. An amendment to the substitute may be offered. No other amendment can be offered since the third degree has been reached. The vote shall be taken in the following order: The amendment to the amendment shall first be voted on; then the amendment to the substitute; then the substitute amendment; and, if the substitute is adopted, then the original amendment shall be regarded as automatically tabled.

106. An amendment to a bill or resolution may be adopted by a majority vote, notwithstanding it requires more than a majority vote to pass the bill or resolution sought to be amended.

107. When a bill is reported with committee amendments, such committee amendments shall have precedence for consideration over amendments presented from the floor.

108. Amendments proposed by members or by committees must not be written into a bill or resolution until such amendments shall be adopted and the bill finally passed by the Senate, and then only under the direction of the Secretary.

109. Amendments to a Senate bill, resolution or measure which have been adopted by the House and sent back to the Senate for concurrence shall be considered as "unfinished business" of the next day after that on which they were received, unless a majority of the Senators present and voting order that such amendments be considered immediately. House amendments to Senate bills or resolutions shall be either concurred in or not concurred in their entirety and not separately.

PREVIOUS QUESTION

110. There may be a motion for the previous question, which shall not be debatable and which may be ordered upon any bill or resolution or section thereof, amendment, motion or question which is debatable, any of which shall be considered as the main question for the purpose of applying the previous question. All incidental

questions of order arising after a motion for the previous question has been applied and before the vote on the main question has been taken shall be decided, whether on appeal or otherwise, without debate.

111. When the previous question has been ordered, each side shall have five (5) minutes for debate, the affirmative speaking first; provided that after the previous question shall have been ordered, the only motion in order shall be one (1) motion to recommit or re-refer, which motion shall not be debatable.

111A. When the motion to limit debate has been ordered, each side shall have five (5) minutes for debate on each subsidiary or main question, the affirmative speaking first.

POINTS OF ORDER

112. Every point of order shall be decided by the presiding officer. Any decision of the presiding officer on a point of order shall be subject to an appeal to the Senate without debate, unless the presiding officer, in his discretion and for his information, requests debate and/or a brief on any point of order. The presiding officer may require points of order in writing and may take reasonable time to examine and study same before ruling thereon, during which period consideration of that particular subject matter shall be suspended without prejudice and the Senate shall proceed to the next order of business.

VOTING

113. The presiding officer shall declare all votes. When a question not requiring the yeas and nays is put, the sense of the Senate shall be taken by the voice of the Senators, and the President shall first announce the vote as it appears to the President by sound.

114. The yeas and nays shall be taken on the final passage of every bill, concurrent resolution, conference report and House amendments to Senate bills. The President of the Senate may order a yea and nay or division vote on any subsidiary question.

115. Upon every roll call the names of the members shall be called alphabetically by surname, except when two (2) or more have the same surname, in which case the number of the district shall be added; and if there be two (2) such members from the same district, the name or initials shall be called. After the roll has been once called, the Secretary shall call, in their alphabetical order, the names of those not voting, and thereafter the President shall not entertain a request to record a vote, except that any Senator whose vote was recorded may change his vote before the result is announced by the President.

116. The sense of the Senate shall be taken by yeas and nays on any question whenever six (6) of the Senators present demand, and, if the call for yeas and nays be not sustained, any Senator may have his vote recorded if the Senator so desires. Any Senator may have the privilege of explaining his vote, which explanation containing not more than one hundred (100) words shall be written and handed to the Secretary before the approval of the Journal of the day such vote was taken, and such explanation shall be spread upon the Journal.

117. A Senator who by reason of absence from the Senate Chamber fails to vote on any yeas and nays call may, during the next succeeding legislative day of his presence, file with the Secretary, for insertion in the Journal, a brief written statement stating how the Senator would have voted thereon. Anticipating an absence, any Senator may file such statement with the Secretary in advance of the yeas and nays vote for insertion in the Journal at the proper time.

118. Any Senator may request a division vote. The President shall call for those in the affirmative to rise first, then those in the negative. The counts shall be made by the Secretary. If the absence of a quorum is indicated, the Secretary shall make a quorum count; and, if a quorum is present, the vote shall stand as announced by the President.

119. Immediately following the second call of the yeas and nays but before the announcement of the result of the vote by the presiding officer, it will be in order for the announcement of pairs of those Senators present whose votes are not recorded, which pairs shall be entered in the Journal, and for the announcement of change of votes by those Senators who have voted.

120. No Senator shall be allowed to approach the desk of the Secretary to ascertain the vote cast on any question or measure before such vote has been announced.

121. No Senator shall have the Journal amended so as to have the record of his vote changed; however, a Senator may change his vote before the result of a roll call is announced.

122. In the event of a tie vote, by call of the yeas and nays or by division, on any main or subsidiary matter, the President, if presiding at the time such tie vote occurs, shall cast the deciding vote.

123. When a member of the Senate is presiding and a tie vote occurs on any proposition, the decision shall be in the negative.

124. No Senator shall be permitted to act in committee or to vote on a question in which his private interest, distinct from the public interest, is immediately concerned.

125. Unless a certain minimum of votes of Senators is specified in these rules on any vote taken, a majority of those present and voting shall prevail.

RECONSIDERATION

126. When a question has once carried in the affirmative or negative it shall be in order for any Senator to enter a motion for the reconsideration thereof. The motion to reconsider a vote on a proposition having been once agreed to and the vote again having been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendment.

127. No motion to reconsider a vote shall be entertained unless it be properly entered on the same day on which such vote was taken or on the next succeeding legislative day on which a quorum is present. No motion to reconsider shall be withdrawn without unanimous consent. This rule shall not prevent reconsideration of a vote on a subsidiary, incidental or dependent matter at any time when the main question to which it relates is under consideration; and a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not

remove the main question under consideration from before the Senate, but such incidental question shall be considered at the time the motion is made.

On a motion to table a motion to reconsider or on a motion that the Senate do not reconsider or on a motion that the Senate do reconsider, or any substitute for any such motion, five (5) minutes total time shall be allowed the Senators speaking for the affirmative side and five (5) minutes total time shall be allowed the Senators speaking for the negative side of the question, such time herein allowed to be allotted between Senators speaking on each side of the question. This rule shall also apply to any motion or substitute motion of similar import to the above motions.

When a motion to table a motion to reconsider fails, or when a motion "do not reconsider" fails, the item stays on the Motion to Reconsider Calendar.

When a motion to reconsider fails, the question is no longer before the Senate and no further action by the Senate is in order.

128. There shall be no reconsideration of the vote on the question of adjourning or recessing; laying on the table subject to call; laying on the table or taking from the table; recommitting; re-referring; limiting debate; or on the previous question. When a motion for reconsideration has been decided, that decision shall not be reconsidered.

129. A motion to reconsider having been properly made and entered in the Journal shall become the property of the Senate and may be called up by any member of the Senate.

VETOES

129A. After a veto message is read, two (2) motions are in order in the following precedence:

- (a) To refer the reconsideration of the bill to a committee; and
- (b) To pass the bill, the Governor's veto notwithstanding.

PERSONAL PRIVILEGE

130. Matters of privilege affecting the rights, safety, dignity and integrity of the Senate, and matters of personal privilege affecting the rights, reputation and conduct of individual members of the Senate, in their senatorial capacities only, shall have precedence over all other matters or motions, except motions to adjourn or recess. It is not in order to speak to a question of personal privilege after the previous question has been ordered.

PARLIAMENTARY AUTHORITIES

131. On all questions of order or parliamentary practice not covered by and not in conflict with these rules, the rules of Cannon's Practice in the National House of Representatives and Hind's Precedents shall be the authority.

READING OF DOCUMENTS

132. When the reading of a document other than a bill or resolution is proposed or called for and the same is objected to by any Senator, it shall be determined by a majority vote of the Senators present and voting, without debate.

EXECUTIVE SESSIONS

133. The Senate shall conduct all business in open session, except that the Senate may resolve itself into executive session by majority vote of the Senators elected. Upon entering executive session, the Senate shall be cleared of all persons except Senators and officials thereof. Executive sessions should, whenever practicable, be held immediately prior to recess or adjournment of open sessions.

NOMINATIONS

134. When nominations from the Governor shall be received by the Senate, the Secretary of the Senate shall read the message from the Governor to the Senate, and nominations shall be referred to the appropriate committee by the President unless the Senate by a two-thirds (2/3) vote of the Senators present and voting orders otherwise. The committee considering such nomination may, upon a vote of a majority of the committee, consider the nomination in open committee meeting or hearing. Upon receiving the report of the committee to which the nomination was referred, the Senate shall proceed to consider the nomination in open session, unless executive session is invoked as provided in Rule 133.

135. When a nomination or any other matter is confirmed, consented to or rejected, any Senator may move for a reconsideration. Such motion to reconsider confirmation or rejection of any name submitted to the Senate for any position or office, or any other matter, may be made on the legislative day in which the vote is taken or on the next legislative day thereafter, and not later.

136. The Governor shall not be officially notified by the Secretary of the confirmation, consent to or rejection by the Senate of any nomination or other matter until the expiration of the time limit for entering a motion to reconsider, unless otherwise ordered by the Senate, subject to Section 65 of the Constitution.

137. All executive matters submitted by the Governor which were not considered, as well as those on which actions were taken and were under pending motions to reconsider, shall fail at the time of sine die adjournment and the Secretary shall so notify the Governor thereof.

SELECTION OF DESKS

138. The seating arrangement in the Senate Chamber shall be accomplished by personal selections of seats by the Senators, and such selections may begin upon their nominations. Seats numbered 3 and 4, which are equipped with hearing aids, may be held in reserve by the Secretary of the Senate for members who may need hearing aids. Senators elected to consecutive terms shall have first choice of seats. Upon selection of seats, they shall be properly marked to indicate that the seats have been so selected. Nothing in this rule shall prevent the swapping of seats by mutual agreement of Senators. The Secretary shall prepare and have printed the permanent seating arrangement for public distribution.

139. (Omitted)

140. (Omitted)

CONFIDENTIALITY

141. (1) No employee of the Senate shall reveal to any person outside his department the contents or nature of any request for services made by any member of the Senate except with the written consent of the person making such request.

(2) All confidential communications between members of the Senate and staff attorneys are protected by an attorney-client privilege.

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B. JOINT RULES OF THE SENATE AND THE HOUSE**JOINT CONVENTION**

1. The Senate and the House may meet in joint convention by concurrent resolution duly adopted by both houses. Such resolution shall state the day, hour and location of such joint convention and the order of business for which it is called.

2. All joint conventions of the two (2) houses shall be in the hall of the House of Representatives, unless another location is specified in the concurrent resolution, and in elections the members shall vote viva voce, and in all cases a majority of the votes of those present and voting shall be requisite to constitute an election.

Only senators and members of the House of Representatives shall be permitted on the floor of the House during joint meetings except for the newspaper, radio, and television reporters and necessary Senate and House personnel and others as may be directed by the President of the Senate and Speaker of the House of Representatives respectively. During joint meetings, preference to gallery seats shall be given to elected state officials and families of the legislators.

3. When the two (2) houses have met in joint convention, the Speaker of the House shall call the joint convention to order and shall then turn the gavel over to the President of the Senate who shall preside, and all questions of order shall be decided by the latter, subject to an appeal to the joint convention as one (1) body. In the absence of the President of the Senate, the Speaker shall preside and perform all the duties herein provided for.

4. A call of either house may be had in joint convention by majority vote of the House for which the call is desired.

5. In a joint convention a member shall not speak longer than five (5) minutes. Any extension of time shall be specific.

6. A motion to adjourn, or to postpone the business of a joint convention shall be decided on a majority vote of those present and voting, acting as one (1) body. Upon demand of one-tenth (1/10) of the combined membership, the yeas and nays shall be taken on any matter under consideration by the joint convention, and such yeas and nays shall be entered upon the journals of both houses.

7. Upon questions arising during a joint convention, requiring the separate decision of either or both houses, the decision of the House shall be first made, then the decision of the Senate. A question for call of either house shall not come within the scope of this rule.

8. On all questions of order or parliamentary procedure not in conflict with these joint rules, the rules of the House of Representatives of the State of Mississippi, insofar as applicable, shall be the authority.

BILLS AND RESOLUTIONS

9. The style of all laws shall be: "BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:" which shall be typed immediately preceding Section 1 of a bill. No other enacting word, such as "Be it further enacted," shall be used in any bill.

9A. (1) In a bill or other measure proposing an amendment to a code section or other provision of law, or in a resolution proposing an amendment to a constitutional

provision, a change to an existing code section, other provision of law or constitutional provision shall be indicated as follows:

(a) New language that is being added shall be underlined.

(b) Existing language that is being deleted shall be denoted by the insertion of three (3) asterisk symbols; however, the text of the deleted language shall be available on the official website of the Mississippi State Legislature, by means of displaying all of the deleted language within a document pursuant to the selection of that display option by the user.

(2) The provisions of this rule shall not apply to handwritten amendments that are proposed or adopted by members while the bill, measure or resolution is under consideration by either house.

10. While bills, resolutions and messages are on their passage between the two (2) houses, they shall be under the signature of the Secretary or Clerk, respectively, as the case may be.

11. When a bill or resolution which shall have passed one (1) house has been postponed to a day so distant that it will not be taken up again at the current session, indefinitely postponed, or rejected, by a vote of the other house, information thereof shall be given by message immediately to the house in which the same shall have passed.

12. When a bill or resolution, which has passed one (1) house is rejected in the other, by a vote of that house, it shall not again be introduced during the same session, except on three (3) days' notice and on two-thirds (2/3) vote of members present and voting in the house in which it was rejected.

13. Each house shall transmit to the other all papers on which any bill or resolution may be founded.

14. Each house shall have the liberty of ordering the printing of bills, messages and reports, without the consent of the other.

15. Bills or resolutions transmitted to either the Senate or House by the other before the constitutional time has expired for entering a motion to reconsider may be recalled by message upon proper entering of a motion to reconsider.

16. Whenever any message, bill, resolution, report or document shall be ordered to be printed by the Senate or House, for use of both houses, it shall be the duty of the Secretary of the Senate or Clerk of the House, as the case may be, immediately to report the fact of the passage of that order to the other branch of the Legislature together with the number so ordered to be printed. Payment thereof shall be made from the contingent funds of each house in the proportion ordered by each house.

17. No new bill shall be introduced into either house during the last three (3) days of the session.

18. All general bills modifying, adding, deleting or repealing language, or a repealer on language, providing for the levying of taxes, borrowing of money, issuing bonds, notes, or other evidence of debt, providing for fees or imposing the issuance of licenses, of whatever kind by the state or any subdivisions thereof, or the exemption of property from state taxes or taxes of any subdivisions thereof, shall be considered as revenue bills, and no revenue bills, or conference committee report thereon, or concurrence in amendments adopted by the other house shall be passed or adopted by either the Senate or the House except by a vote of at least three-fifths (3/5) of the members of the Senate and House, respectively, present and voting.

19. Appropriation and revenue bills shall have precedence in each house, over all other business, and no such bill shall be passed during the last five (5) days of a regular session.

20. Every bill and concurrent resolution, the purpose or effect of which is to expend any state funds or enable the spending of any state funds or to increase or decrease the revenue of the state, either directly or indirectly, shall have attached to it at the time of its being reported by any committee of either house of the Legislature a brief explanatory statement or note which shall include a reliable estimate of the anticipated change in state expenditures or revenues under its provisions. These statements or notes shall be known as fiscal notes. They shall be attached to the original of each proposed bill or resolution but shall be separate therefrom, shall be clearly designated as a fiscal note, and shall not constitute a part of the law proposed by the bill or resolution.

The author of each bill or any committee considering same shall present a copy of the bill or resolution, with his or her request for a fiscal note, to either the Legislative Budget Office, the Department of Finance and Administration, the Department of Revenue, the State Auditor, the state agency with which the bill or resolution is concerned, the state agency having jurisdiction over the subject of the bill or resolution, the Joint Committee on Performance Evaluation and Expenditure Review, or the Legislative Reference Bureau. The fiscal note shall be prepared by the commission or agency and furnished to the author of the bill or committee considering same within seven (7) days after the request is made. If the author of, or committee considering, the bill disagrees with the findings of the agency or agencies, then the author or committee may also attach and furnish a fiscal note, based upon his, her or its information, research, study and belief which shall then be incorporated in and become a part of the fiscal note. If the appropriate agency does not furnish a fiscal note, after seven (7) days' request, then the author or committee may furnish the fiscal note, based upon his, her or its information, research, study and belief. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the fiscal note with regard to the merit, or lack thereof, of the measure for which the note is prepared.

Whenever the author of any measure or the committee considering same is of the opinion that no fiscal note is necessary and the measure is considered by either house of the Legislature without a fiscal note, any member of either house may thereafter request a fiscal note be obtained, and in such case the matter shall be decided by majority vote of those present and voting in the house of which he or she is a member.

This rule shall not apply to general appropriation bills, conference reports and local and private bills.

20A. (1) For the purpose of this rule:

(a) "State support funds" means funds in the State General Fund and all state support special funds, which are funds in the Budget Contingency Fund, the Education Enhancement Fund, the Health Care Expendable Fund, the Tobacco Control Program Fund, and any other special funds that the Joint Legislative Budget Committee (JLBC) determines to be state support special funds.

(b) "House" means either house of the Legislature, unless it is clear from the context that it is referring to the House of Representatives.

(2) (a) When an amendment is offered to an appropriation bill on the floor of either house that would increase the amount of state support funds authorized for

expenditure by the state agency, official or program being funded in that appropriation bill, the amendment must also include a reduction in the amount of state support funds for one (1) or more other state agencies, officials or programs by a total amount that equals the amount of the increase in the amendment.

(b) The other appropriation bill or bills in which the reductions are to be made do not have to be designated by bill number or line numbers in the amendment if they are described sufficiently enough to be identified, but the amounts by which they are to be reduced must be specific for each bill in which the reduction is to be made.

(c) The reductions required to be made by this rule must be made in an appropriation bill or bills that are still in the house or in an appropriation bill or bills from the other house that will be considered in the house later in the session. After a bill has passed in the house and been released to the other house, none of the reductions required by this rule may be made in that bill.

(3) If such an amendment is adopted, the amendment shall be considered to be an amendment to the other bill or bills in which the reductions are to be made as well as to the bill in which the increase is made. Therefore, no additional vote shall be required on the amendment making the reductions in the bill or bills when that bill or bills are under consideration by the house. The manner by which the reduction is made shall be a separate amendment to the bill that is designated as an amendment by the house, rather than an amendment by the Appropriations Committee or by an individual member.

(4) (a) When a bill in which the reduction is to be made comes before the house for consideration, the reduction shall be made to the total sum of state support funds authorized to be expended in the bill before the bill is voted on by the house.

(b) If a bill in which the reduction is to be made has already been considered by the house, the reduction shall be made to the total sum of state support funds authorized to be expended in the bill before the bill is released to the other house.

(5) No appropriation bill that authorizes the expenditure of any state support funds for the next fiscal year may be released to the other house until all of the appropriation bills originating in the house or all of the appropriation bills originating in the other house, as the case may be, that authorize the expenditure of any state support funds for the next fiscal year have been passed by the house.

(6) If any statute or rule of either house of the Legislature conflicts with the provisions of this rule, the provisions of this rule shall supersede the conflicting statute or rule to the extent of the conflict.

CONFERENCE

21. When a bill or resolution is returned by either house to the other with amendments, and the house where the bill or resolution originated declined to concur in the amendments, a conference, by a majority vote of those present and voting, may be requested. Such action shall be transmitted by message in which shall be included the names of the conferees on the part of the requesting house. Upon receipt of such message, the other house may, in like manner, grant such conference notifying the requesting house by message and stating the names of the conferees.

22. A conference committee shall consist of three (3) members of the House and three (3) members of the Senate to be appointed by the Speaker of the House and the President of the Senate respectively.

23. Conference committees shall meet as soon as practicable and proceed to confer on the differences between the two (2) houses, seeking to resolve such differences. The conference committee shall report in writing. Such report shall be signed by a majority of the conference committee members appointed from the House and a majority of the conference committee members appointed from the Senate. The report shall be submitted to both houses, and six (6) copies of each report shall be prepared.

23A. (1) All official meetings of any conference committee on a bill or on a resolution proposing a constitutional amendment shall be open to the public at all times, unless declared an executive session in accordance with the provisions of Section 25-41-7, Mississippi Code of 1972.

(2) The chairman of each Senate and House committee to which such a measure is first referred shall designate one (1), two (2) or three (3) rooms in which official meetings of the conference committees pertaining to such measures shall be held. For the first session of a new term, the designation of the rooms shall be announced within three (3) legislative days after adoption of these joint rules. For all other sessions, the designation of the rooms shall be announced not later than the third legislative day of each session. Copies of a list of these rooms shall be available in the respective offices of the committee chairmen. This announcement shall constitute notice of the place of the official meetings of conference committees, and notice that the time of each meeting shall not be announced individually. If a conference committee meets in a location other than a designated room, a written notice giving the location of the meeting shall be placed in a conspicuous place in one (1) of the designated rooms.

(3) Proper decorum during any official meeting of a conference committee requires that the committee's deliberation be directly related to the committee's primary purpose of resolving the differences between the two (2) houses that pertain to a specific measure. Therefore, the following shall not be allowed during any official meeting of a conference committee:

(a) The use of a cell phone by a conferee or other person in the room in which the conference committee meeting is being conducted;

(b) Any oral, written or electronic communication between a conferee and another person who is not a legislator or legislative staff member, except that a conferee may request that any person at the meeting meet with the conferee outside the room, and any conferee may request a person who is not a member of the conference committee, upon approval of a majority of the members of the committee present, to address the committee in the room.

(4) If any statute or rule of either house of the Legislature conflicts with the provisions of this rule, the provisions of this rule shall supersede the conflicting statute or rule to the extent of the conflict.

24. Only matters in disagreement between the two (2) houses are subject to consideration by conference committee. However, when one (1) house strikes out of a bill all after the enacting clause and inserts new text as an amendment thereto, the conferees may disregard the text of the original bill and of the amendment and may exercise wide discretion in the incorporation of germane new text.

25. When a conference report is considered by the house of origin and it contains an amendment by the other house which adds code sections not included in the bill as passed the house of origin, a point of order that the conference report is not in order shall be sustained and the bill shall be returned to conference.

When a conference report is considered and it contains code sections not included in the bill as passed the house of origin or in an amendment by the other house, a point

of order that the conference report is not in order shall be sustained in either house and the bill shall be returned to conference.

26. In the event of the failure of either house to adopt the conference report, or to concur in amendments, the bill or resolution under such consideration shall be lost.

27. All conference reports, and concurrence in amendments adopted by the other house shall require for adoption the same vote as is required for the passage of the bill, resolution or measure under consideration, and shall be on roll call duly entered and recorded in the journal of the house voting thereon.

28. No bill making an appropriation from, or authorizing the expenditure of money from, any special fund in the State Treasury shall be passed except by the votes of a majority of all the members elected to each house of the Legislature.

29. A motion to reconsider the vote whereby a conference report is adopted or rejected is in order in either house from the time of such adoption or rejection in one (1) house until the end of the session of the next legislative day after notice of disposition by rejection, recommitment to the same conference committee or appointment of a new conference committee by the other house. The provisions of this rule shall supersede any Senate or House rule which may be in conflict herewith.

ENROLLED BILLS

30. When a bill or resolution shall have passed both houses it shall be enrolled, and the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall certify on the margin of the enrolled bill the fact that it originated in his or her house. The enrolled bill may be examined by the Joint Committee on Enrolled Bills, and carefully compared by the committee with the engrossed bill and all typographical errors, if any, corrected; and the committee shall forthwith report in writing to each house, and the report shall be entered in the journals of both houses. The reports shall be signed by the chairman or acting chairman of the Enrolled Bills Committee on the part of each house.

31. After the Committee on Enrolled Bills has reported a bill or resolution duly enrolled, it shall be signed by the Speaker of the House of Representatives and by the President of the Senate during the legislative session in which the bill or resolution was passed.

32. After a bill shall have been signed by the Speaker of the House and the President of the Senate, it shall be presented by the Secretary of the Senate or Clerk of the House, as the case may be, to the Governor for his or her approval. The Secretary or Clerk shall report the day of presentation to the Governor, which time shall be carefully entered on the journals of each house.

33. All Senate and House concurrent resolutions and memorials, which are not to be presented to the Governor, shall be enrolled, signed and delivered to the Secretary of State.

JOINT COMMITTEES

34. The following joint committees shall be appointed:

(a) Committee on Executive Contingent Fund, to consist of five (5) senators and five (5) representatives.

(b) Committee on State Library, to consist of five (5) senators and five (5) representatives.

(c) Committee on Enrolled Bills, to consist of five (5) senators and five (5) representatives.

(d) Committee to Investigate State Offices or Departments, nine (9) on the part of the Senate and nine (9) on the part of the House; the committee shall meet and apportion the labor of such investigation amongst subcommittees and shall report the result of each investigation to the two (2) houses.

(e) A chairman and vice chairman for the Senate members on each of the above committees shall be appointed by the President of the Senate and a chairman and vice chairman for the House members on each committee shall be appointed by the Speaker. A chairman and vice chairman for each of the above committees shall be elected by the respective committees in joint session; however, both the chairman and the vice chairman shall not come from the same house.

MESSAGES

35. When a message shall be sent from one (1) house to the other, such message shall be delivered to the Secretary of the Senate or the Clerk of the House, respectively, as the case may be. A receipt shall be signed for each message so delivered.

LIQUOR AND FIREARMS PROHIBITED

36. No spirituous or malt liquors, or wines, shall be offered for sale, exhibited, or kept within the Capitol building, or in any room connected therewith, or on the public grounds adjacent thereto. It shall be the duty of the Sergeant-at-Arms under the supervision of the respective presiding officers to enforce the foregoing provisions; and any officer, or employee of either house, who shall in any manner violate or connive at the violation of this rule, shall be dismissed from office and service.

37. No member of the Senate or the House or other person, except an official duly authorized by law, shall carry or have on his or her person, concealed in whole or in part, any firearm while in the Capitol, except upon permission granted by a majority vote of the Senate or the House. Any member of the Senate or the House or other person violating this rule shall be subject to such penalty as may be imposed by the Senate or the House, as the case may be, first taking jurisdiction thereof.

LOCAL AND PRIVATE LEGISLATION

38. In addition to observing the injunctions and prohibitions set out in the Constitution of the State of Mississippi, the Senate and the House Committees on Local and Private Legislation shall observe and adhere to the following additional rules and requirements in the consideration of local and private Senate and House bills:

(a) Require that local and private bills, originating in either the Senate or the House, and granting power to any governing authority to perform any official act shall be accompanied by an order or resolution setting out the reasons therefor, duly certified as being a part of the official minutes of that authority. In the event more than one (1) official authority is involved, such certified order or resolution shall be made for each of them.

(b) Require that any bill providing for the transfer of funds shall be accompanied by a certified order or resolution as provided in paragraph (a) of this rule. Such order or resolution shall state whether or not funds proposed to be transferred are pledged for the payment of any outstanding bonds or notes for which there is not already a sufficient surplus accumulated.

(c) Require that any such bills providing for the payment of any claims shall be accompanied by a certified order or resolution as provided in paragraph (a) of this rule, setting out the name of claimants, the nature, amount and reasons for justification of the claim and that with proper authority such claim would be paid.

(d) Require that there shall accompany any bill proposing the issuance of bonds, a certificate from the governing authorities stating that the issuance of such proposed bonds, when added to the present bonded indebtedness of such county, or subdivision thereof, municipality or district, will not exceed any limitation now imposed by law.

JOINT MEETING OF APPROPRIATIONS SUBCOMMITTEES

39. When the chairmen of the Senate and House Appropriations Committees consider it desirable and possible, their subcommittees may meet jointly to hear testimony and question the heads of a department or agency on their budgetary needs for the next fiscal year.

40. TIMETABLE FOR PROCESSING LEGISLATION

90 day 2020 Regular
Session Session

9th day 37th day Deadline for making requests for general bills and constitutional amendments to be drafted. ***

14th day 42nd day Deadline for introduction of general bills and constitutional amendments.*

29th day 57th day Deadline for committees to report general bills and constitutional amendments originating in own house.*+

38th day 66th day Deadline for original floor action on general bills and constitutional amendments originating in own house.*

39th day 67th day Deadline for reconsideration and passage of general bills and constitutional amendments originating in own house.*

42nd day 70th day Deadline to dispose of motions to reconsider general bills and constitutional amendments originating in own house.*

51st day 79th day Deadline for original floor action on appropriation and revenue bills originating in own house.

52nd day 80th day Deadline for reconsideration and passage of appropriation and revenue bills originating in own house.

53rd day 81st day Deadline to dispose of motions to reconsider appropriation and revenue bills originating in own house.

57th day	85th day	Deadline for committees to report general bills and constitutional amendments originating in other house.*+
65th day	93rd day	Deadline for original floor action on general bills and constitutional amendments originating in other house.*
66th day	94th day	Deadline for reconsideration and passage of general bills and constitutional amendments originating in other house.*
67th day	95th day	Deadline to dispose of motions to reconsider general bills and constitutional amendments originating in other house.*
71st day	99th day	Deadline for original floor action on appropriation and revenue bills originating in other house.
72nd day	100th day	Deadline for reconsideration and passage of appropriation and revenue bills originating in other house.
73rd day	101st day	Deadline to dispose of motions to reconsider appropriation and revenue bills originating in other house.
74th day	102nd day	Deadline to concur or not concur in amendments from other house to appropriation and revenue bills, and for introduction of local and private bills that are revenue bills.
77th day	105th day	Deadline to dispose of motions to reconsider concurrence or nonconcurrence in appropriation and revenue bills.
80th day	108th day	Deadline to concur or not concur in amendments from other house to general bills and constitutional amendments.
81st day	109th day	Deadline for introduction of local and private bills that are not revenue bills.
82nd day	110th day	Deadline for conference reports on appropriation and revenue bills to be filed.**+
84th day	112th day	Deadline for final adoption of conference reports on appropriation and revenue bills and for conference reports on general bills and constitutional amendments to be filed.**+
85th day	113th day	Deadline to dispose of motions to reconsider conference reports on appropriation and revenue bills.
86th day	114th day	Deadline for first consideration of conference reports on general bills and constitutional amendments.

87th day	115th day	Deadline for filing conference reports on general bills and constitutional amendments that had been recommitted for further conference.+
88th day	116th day	Deadline for adoption of conference reports on general bills and constitutional amendments after recommitment.
89th day	117th day	Deadline to dispose of motions to reconsider conference reports on general bills and constitutional amendments.
90th day	118th day	Sine die.

*Appropriation, revenue, and local and private bills, and bills to restore suffrage are excluded from these deadlines. For purposes of the deadlines herein set forth, the term "revenue bills" shall include only those bills whose primary purpose is to increase or decrease taxes or to authorize the issuance of bonds or the borrowing of money. Bills which are primarily for regulatory purposes which have revenue provisions included shall not be considered as revenue bills for deadline purposes. The deletion from a bill of the features which made it a revenue bill shall render the bill a general bill for deadline purposes.

**Conference reports on all bills must be filed with the Secretary/Clerk no later than the time of adjournment on the day prior to being called up and considered. Appropriation bills which actually appropriate money and are recommitted for further conference are excluded from the requirement that the subsequent conference report be filed and lay on table one (1) day before being considered; however, original action must be taken on all appropriation conference reports by 2:00 p.m. on the 84th/112th# day and subsequent reports must be filed no later than 6:00 p.m.

***Requests for general bills and constitutional amendments to be drafted must be made no later than 6:00 p.m. on the 9th/37th day. The Rules Committee of the House or Senate, as the case may be, may authorize any member of its respective house to make requests, for one or more general bills or constitutional amendments to be drafted, after the expiration of the deadline for making such drafting requests but before the deadline for introduction of bills and constitutional amendments, upon a determination by the Rules Committee that such drafting requests are in response to conditions of an emergency nature arising subsequent to the deadline for making requests for general bills and constitutional amendments to be drafted.

+Committee reports and conference reports that are subject to being filed on these deadlines must be filed with the Secretary/Clerk no later than 8:00 p.m.

#When the Speaker of the House and the Lieutenant Governor have jointly set a date and time to reconvene the Legislature as provided in this resolution, these deadlines shall be adjusted to later dates in seven-day periods which shall be counted in a manner to ensure that each of the deadlines occurs on the same day of the week as the original date for the deadline, with the first deadline occurring no more than fourteen (14) days from the date and time that the Legislature reconvenes.

Whenever the word "day" appears in this rule, it shall mean calendar day.

The above schedule shall not be deviated from except by the passage of a concurrent resolution adopted by a vote of two-thirds (2/3) of the membership of the House and Senate present and voting.

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**C. CONSTITUTIONAL PROVISIONS
AFFECTING
THE LEGISLATURE AND LEGISLATION**

RULES OF PROCEDURE

Section 54. A majority of each house shall constitute a quorum to do business; but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as each shall provide.

Section 55. Each house may determine rules of its own proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds (2/3) of the members present, expel a member; but no member, unless expelled for theft, bribery or corruption, shall be expelled the second time for the same offense. Both houses shall, from time to time, publish journals of their proceedings, except such parts as may, in their opinion, require secrecy; and the yeas and nays on any question shall be entered on the Journal, at the request of one-tenth (1/10) of the members present; and the yeas and nays shall be entered on the Journal on the final passage of every bill.

Section 56. The style of the laws of the State shall be: "Be it enacted by the Legislature of the State of Mississippi."

Section 57. Neither house shall, without the consent of the other, adjourn for more than three (3) days, nor to any other place than that in which the two (2) houses shall be sitting.

Section 58. The doors of each house, when in session, or in Committee of the Whole, shall be kept open, except in cases which may require secrecy; and each house may punish, by fine and imprisonment any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence, or who shall in any way disturb its deliberations during the session; but such imprisonment shall not extend beyond the final adjournment of that session.

Section 59. Bills may originate in either house, and be amended or rejected in the other, and every bill shall be read by its title on three (3) different days in each house, unless two-thirds (2/3) of the house where the same is pending shall dispense with the rules; and every bill shall be read in full immediately before the vote on its final passage upon the demand of any member; and every bill, having passed both houses, shall be signed by the President of the Senate and the Speaker of the House of Representatives during the legislative session.

Section 60. No bill shall be so amended in its passage through either house as to change its original purpose; and no law shall be passed except by bill; but orders, votes, and resolutions of both houses, affecting the prerogatives and duties thereof, or relating to adjournment, to amendments to the Constitution, to the investigation of public officers, and the like, shall not require the signature of the Governor; and such resolutions, orders and votes may empower legislative committees to administer oaths, to send for persons and papers, and generally make legislative investigations effective.

Section 61. No law shall be revived or amended by reference to its title only, but the section or sections, as amended or revived, shall be inserted at length.

Section 62. No amendment to bills by one (1) house shall be concurred in by the other, except by a vote of the majority thereof, taken by yeas and nays and the names of those voting for and against recorded upon the journals; and reports of committees of conference shall in like manner be adopted in each house.

Section 63. No appropriation bill shall be passed by the Legislature which does not fix definitely the maximum sum thereby authorized to be drawn from the Treasury.

Section 64. No bill passed after the adoption of this Constitution to make appropriations of money out of the State Treasury shall continue in force more than two (2) months after the expiration of the fiscal year ending after the meeting of the Legislature at its next regular session; nor shall such bill be passed except by the votes of a majority of all members elected to each house of the Legislature.

Section 65. All votes on the final passage of any measure shall be subject to reconsideration for at least one (1) whole legislative day, and no motion to reconsider such vote shall be disposed of adversely on the day on which the original vote was taken, except on the last day of the session.

Section 66. No law granting a donation or gratuity in favor of any person or object shall be enacted except by the concurrence of two-thirds (2/3) of the members-elect of each branch of the Legislature, nor by any vote for a sectarian purpose or use.

Section 67. No new bill shall be introduced into either house of the Legislature during the last three (3) days of the session.

Section 68. Appropriation and revenue bills shall, at regular sessions of the Legislature, have precedence in both houses over all other business, and no such bills shall be passed during the last five (5) days of the session.

Section 69. General appropriation bills shall contain only the appropriations to defray the ordinary expenses of the executive, legislative and judicial departments of the government; to pay interest on state bonds and to support the common schools. All other appropriations shall be made by separate bills, each embracing but one (1) subject. Legislation shall not be engrafted on appropriation bills, but the same may prescribe the conditions on which the money may be drawn, and for what purposes paid.

Section 70. No revenue bill, or any bill providing for assessment of property for taxation, shall become a law except by a vote of at least three-fifths (3/5) of the members of each house present and voting.

Section 71. Every bill introduced into the Legislature shall have a title, and the title ought to indicate clearly the subject-matter or matters of the proposed legislation. Each committee to which a bill may be referred shall express, in writing, its judgment of the sufficiency of the title of the bill and this, too, whether recommendation be that the bill do pass or do not pass.

Section 72. Every bill which shall pass both houses shall be presented to the Governor of the state. If he shall approve, he shall sign it; but if he does not approve, he shall return it, with his objections, to the house in which it originated, which shall enter the objections at large upon its Journal, and proceed to reconsider it. If after such reconsideration, two-thirds (2/3) of that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which, likewise, it shall be reconsidered; and if approved by two-thirds (2/3) of that house, it shall become a law; but in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each house respectively. If any bill shall not be returned by the Governor within five (5) days (Sundays excepted) after it has been presented to him, it shall become law in like manner as if he had signed it, unless the Legislature, by adjournment, prevented its return, in which case such bill shall be a law unless the Governor shall veto it within fifteen (15) days (Sundays excepted) after it is presented

to him, and such bill shall be returned to the Legislature, with his objections, within three (3) days after the beginning of the next session of the Legislature.

Section 73. The Governor may veto parts of any appropriation bill and approve parts of the same, and the portions approved shall be law.

Section 74. No bill shall become a law until it shall have been referred to a committee of each house and returned therefrom with a recommendation in writing.

Section 75. No law of a general nature, unless therein otherwise provided, shall be enforced until sixty (60) days after its passage.

Section 76. In all elections by the Legislature, members shall vote viva voce, and the votes shall be entered on the journals.

Section 77. The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature, and the persons thereupon chosen shall hold their seats for the unexpired term.

Section 129. The Lieutenant Governor shall, by virtue of his office, be President of the Senate. In Committee of the Whole he may debate all questions, and where there is an equal division in the Senate, or on a joint vote of both houses, he shall give the casting vote.

Section 139. The Legislature may empower the Governor to remove and appoint officers, in any county or counties or municipal corporations, under such regulations as may be prescribed by law.

Section 253. The Legislature may, by a two-thirds (2/3) vote of both houses, of all members elected, restore the right of suffrage to any person disqualified by reason of crime; but the reasons therefor shall be spread upon the journals, and the vote shall be by yeas and nays.

INJUNCTIONS

Section 78. It shall be the duty of the Legislature to regulate by law the cases in which deductions shall be made from salaries of public officers for neglect of official duty, and the amount of said deductions.

Section 79. The Legislature shall provide by law for the sale of all delinquent tax lands. The courts shall apply the same liberal principles in favor of such titles as in sale by execution. The right of redemption from all sales of real estate, for the nonpayment of taxes or special assessments, of any and every character whatsoever, shall exist, on conditions to be prescribed by law, in favor of owners and persons interested in such real estate, for a period of not less than two (2) years.

Section 80. Provisions shall be made by general laws to prevent the abuse by cities, towns, and other municipal corporations of their powers of assessment, taxation, borrowing money, and contracting debts.

Section 81. The Legislature shall never authorize the permanent obstruction of any of the navigable waters of the state, but may provide for the removal of such obstructions as now exist, whenever the public welfare demands. This section shall not prevent the construction, under proper authority, of drawbridges for railroads, or other roads nor the construction of booms and chutes for logs, nor the construction, operation and maintenance of facilities incident to the exploration, production or transportation of oil, gas or other minerals, nor the construction, operation and

maintenance of bridges and causeways in such manner as not to prevent the safe passage of vessels or logs under regulations to be provided by law.

Section 82. The Legislature shall fix the amount of the penalty of all official bonds, and may, as far as practicable, provide that the whole or a part of the security required for the faithful discharge of official duty shall be made by some guaranty company or companies.

Section 83. The Legislature shall enact laws to secure the safety of persons from fires in hotels, theatres, and other public places of resort.

Section 84. The Legislature shall enact laws to limit, restrict, or prevent the acquiring and holding of land in the state by nonresident aliens, and may limit or restrict the acquiring or holding of lands by corporations.

Section 85. The Legislature shall provide by general law for the working of public roads by contract or by county prisoners, or both. Such law may be put in operation only by a vote of the board of supervisors in those counties where it may be desirable.

Section 86. It shall be the duty of the Legislature to provide by law for the treatment and care of the insane; and the Legislature may provide for the care of the indigent sick in hospitals in the state.

LOCAL LEGISLATION

Section 87. No special or local law shall be enacted for the benefit of individuals or corporations, in cases which are or can be provided for by the general law, or where the relief sought can be given by any court of this state; nor shall the operation of any general law be suspended by the Legislature for the benefit of any individual or private corporation or association, and in all cases where a general law can be made applicable, and would be advantageous, no special law shall be enacted.

Section 88. The Legislature shall pass general laws, under which local and private interests shall be provided for and protected, and under which cities and towns may be chartered and their charters amended, and under which corporations may be created, organized, and their acts of incorporation altered; and all such laws shall be subject to repeal or amendment.

Section 89. There shall be appointed in each house of the Legislature a standing committee on Local and Private Legislation; the House committee to consist of seven (7) representatives and the Senate committee of five (5) senators. No local or private bill shall be passed by either house until it shall have been referred to said committee thereof and shall have been reported back with a recommendation in writing that it do pass, stating affirmatively the reasons therefor, and why the end to be accomplished should not be reached by general law, or by a proceeding in court; or if the recommendation of the committee be that the bill do not pass, then it shall not pass the house to which it is so reported unless it be voted for by a majority of all the members elected thereto. If a bill is passed in conformity to the requirements hereof, other than such as prohibited in the next section, the courts shall not, because of its local, special or private nature refuse to enforce it.

Section 90. The Legislature shall not pass local, private or special laws in any of the following enumerated cases, but such matters shall be provided for only by general laws, viz:

- (a) Granting divorces;
- (b) Changing the names of persons, places or corporations;

- (c) Providing for change of venue in civil and criminal cases;
- (d) Regulating the rate of interest on money;
- (e) Concerning the settlement or administration of any estate, or the sale or mortgage of any property, of any infant, or of a person of unsound mind, or of any deceased person;
- (f) The removal of the disability of infancy;
- (g) Granting to any person, corporation or association the right to have any ferry, bridge, road or fish-trap;
- (h) Exemption of property from taxation or from levy or sale;
- (i) Providing for the adoption or legitimation of children;
- (j) Changing the law of descent and distribution;
- (k) Exempting any person from jury, road or other civil duty (and no person shall be exempted therefrom by force of any local or private law);
- (l) Laying out, opening, altering and working roads and highways;
- (m) Vacating any road or highway, town plat, alley or public grounds;
- (n) Selecting, drawing, summoning, or empaneling grand or petit juries;
- (o) Creating, increasing or decreasing the fees, salary or emoluments of any public officer;
- (p) Providing for the management or support of any private or common school, incorporating the same or granting such school any privileges;
- (q) Relating to stock laws, water-courses and fences;
- (r) Conferring the power to exercise the right of eminent domain, or granting to any person, corporation, or association the right to lay down railroad tracks or street car tracks in any other manner than that prescribed by general law;
- (s) Regulating the practice in courts of justice;
- (t) Providing for the creation of districts for the election of justices of the peace and constables; and
- (u) Granting any lands under control of the state to any person or corporation.

CONSTITUTIONAL PROHIBITIONS

Section 91. The Legislature shall not enact any law for one or more counties, not applicable to all the counties in the state, increasing the uniform charge for the registration of deeds, or regulating costs and charges and fees of officers.

Section 92. The Legislature shall not authorize payment to any person of the salary of a deceased officer beyond the date of his death.

Section 93. The Legislature shall not retire any officer on pay, or part pay, or make any grant to such retiring officer.

Section 94. The Legislature shall never create by law any distinction between the rights of men and women to acquire, own, enjoy and dispose of property of all kinds, or their power to contract in reference thereto. Married women are hereby fully emancipated from all disability on account of coverture. But this shall not prevent the Legislature from regulating contracts between husband and wife; nor shall the Legislature be prevented from regulating the sale of homesteads.

Section 95. Lands belonging to, or under the control of the state, shall never be donated directly or indirectly, to private corporations or individuals, or to railroad companies. Nor shall such land be sold to corporations or associations for a less price than that for which it is subject to sale to individuals. This, however, shall not prevent the Legislature from granting a right-of-way, not exceeding one hundred (100) feet in width, as a mere easement to railroads across state lands, and the Legislature shall never dispose of the land covered by said right-of-way so long as such easement exists.

Section 96. The Legislature shall never grant extra compensation, fees or allowances to any public officer, agent, servant or contractor, after service rendered or contract made, nor authorize payment, or part payment of any claim, under any contract not authorized by law; but appropriations may be made for expenditures in repelling invasion, preventing or suppressing insurrections.

Section 97. The Legislature shall have no power to revive any remedy which may have become barred by lapse of time, or by any statute of limitation of this state.

Section 99. The Legislature shall not elect any other than its own officers and State Librarian.

Section 100. No obligation or liability of any person, association or corporation held or owned by this state, or levee board, or any county, city or town thereof, shall ever be remitted, released or postponed, or in any way diminished by the Legislature, nor shall such liability or obligation be extinguished except by payment thereof into the proper treasury; nor shall such liability or obligation be exchanged or transferred except upon payment of its face value; but this shall not be construed to prevent the Legislature from providing by general law for compromise of doubtful claims.

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